



Office of the Town Manager

Rafael G. Casals
Town Manager

MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, Town Manager

Date: April 20, 2016

Re: Amending the Town Land Development Regulations:
Comprehensively Updating and Revising Chapter 3

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3 “LAND DEVELOPMENT REGULATIONS” OF THE TOWN CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

On September 30, 2015 a Town Council Workshop was held in which Town staff proposed amendments to the Land Development Regulations that will strengthen Code Compliance and Green Standards (See Attachment “A” – Workshop Presentations). The goal of this proposed Ordinance is to amend several sections in the Town’s Land Development Regulations to provide clear and balanced regulations that reflect the vision of the Town while meeting the needs of the residential and commercial developments.

The Town last amended its Land Development Regulations on August 21, 2013 via Ordinance #13-08. The Town’s Code Compliance Officers enforce the Land Development Regulations, and have recommended several changes to further improve the residents’ quality of life and vision for the Town. Additionally, the Town is currently in the process of seeking re-certification from the Florida Green Building Coalition’s (FGBC) “Florida Green City” Certification Program. In 2009, the Town was the first municipality to be awarded the “Certified Silver” status as a result of our robust Cutler Bay Going Green Initiative. The FGBC awards points per category for every activity that the Town documents to improve the sustainability of the environment. The changes proposed in this Ordinance will allow the Town to potentially qualify for up to twelve (12) additional FGBC points.





EXECUTIVE SUMMARY OF RECOMMENDED CODE CHANGES



= Green Standards (FGBC related)



= Building and Code Compliance



Districts and Development Standards: Updates to building height requirement within the Institutional Zoning District (*Section 3-61*).



Public Facilities: New development or substantial improvements to Town facilities shall meet “Gold” or an equivalent level of the LEED rating system or other nationally-recognized high performance green building rating system (*Section 3-71*).



Green Building Program Designation: Updates to the existing Incentives Program relating to new and redevelopment projects (*Section 3-74B*).



Rain Sensors on Automatic Irrigation Systems: All automatic irrigation systems must have a functioning rain shut-off device. The Town will conduct inspections of all new irrigation systems and those submitted as part of a building renovation application for compliance with this provision (*Section 3-107*).



Required Signage: Requiring property owners to place address signs on property. New subsections a,b and c (*Section 3-113.5*).



Exterior Lighting Standards/Light Pollution Reduction: Updates to Illumination levels in multi-family residential communities (*Section 3-151*).



Sales within Public Right-of-Way: Update section to include “and marketing” of merchandise or goods within the right-of-way (*Section 3-154*).



Property Maintenance: Updated requirements to ensure safe and secure property maintenance efforts (*Section 3-155*).



Structures and Uses Limited in Yards: New language regarding noncommercial pigeon lofts (*Section 3-159*).



Recreational Vehicle Storage: Significant updates to storage requirements limiting the number of RVs which can be stored on a single property (*Section 3-171*).



Display of vehicles for sale: New language establishing criteria for the sale of private vehicles within a residential district. New subsections a,b and c (*Section 3-178.4*).



Open Burning: New language establishing criteria for regulating open burning within the Town. New subsections A through E (*Section 3-178.5*).



Car Washes: All self-service and automatic car washes installed after July 1, 2016, must utilize the water conservation best management practices required by Section 62-660.803, Florida Administrative Code (*Section 3-178.6*).



Fountains and Water Features: Any fountains and water features proposed as part of development projects must incorporate all applicable water conservation best management practices to minimize evaporation and other water losses, and utilize stormwater and other non-drinking sources where possible (*Section 3-178.7*).



Subdivision of Residence; Prima facie evidence of illegal multiple use or illegal subdivision of a residence: New language establishing criteria for presumptions of possible multi-family uses within a single family zoning district (*Section 3-179*).



Definitions: Updating existing definition of “Outdoor sale” (*Section 3-251*).

RECOMMENDATION

Town Staff is recommending the approval of the attached Ordinance amending the Town Land Development Regulations: Comprehensively Updating and Revising Chapter 3.

