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**Title:** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTIONS 3-141 - "GENERAL PRINCIPALS" AND 3-142 - "PARKING SPECIFICATIONS" RELATING TO PARKING, DRIVEWAY, AND LOADING AREA REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Michael P. Callahan

**Indexes:**

**Code sections:**

**Attachments:** 1. Council Memo-2nd Read-Amending Article X-Off Street Parking-Pervious NC1, 2. Council Memo-2nd Read-Attachment A-Advertisement 09-06-20, 3. Ordinance-2nd Read-Amending Article X-Off Street Parking-Pervious NC1, 4. Council Memo-1st Read-Amending Article X-Off Street Parking-Pervious NC1, 5. Ordinance-1st Read-Amending Article X-Off Street Parking-Pervious NC1

Date	Ver.	Action By	Action	Result
9/16/2020	1	Town Council	adopted	Pass
8/26/2020	1	Town Council	approved on first reading	Pass

**MEMORANDUM**

**To:** Honorable Mayor and Members of the Town Council

**From:** Council Member Michael P. Callahan, Seat 2

**Date:** September 16, 2020

**Re:** Amending Article X. - Off Street Parking and Loading Areas, Sec. 3-141. - General principles. and Sec. 3-142. - Parking specifications. relating to the use of open grid pervious pavement materials in the NC-1 District and addressing driveway connections along Old Cutler Road (**Second Reading**)

**REQUEST**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTIONS 3-141 - "GENERAL PRINCIPALS" AND 3-142 - "PARKING SPECIFICATIONS" RELATING TO PARKING, DRIVEWAY, AND LOADING AREA REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS;**

## PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

### BACKGROUND AND ANALYSIS

The Town of Cutler Bay (the “Town”) has adopted Land Development Regulations to facilitate safe and orderly growth which forms an integral part of the community.

At the time that the Town’s first Land Development Regulations were being developed much thought and effort was given to making the Town “Green and Resilient”. In keeping with that vision, the Town is now proposing the use of open grid pervious material for parking and loading areas in addition to asphalt in the NC-1 District, which abuts Old Cutler Road for up to 50% of the required parking area.

Several of the advantages of open grid pervious material include:

- A green alternative to asphalt;
- Reduces the quantity of impervious surfaces;
- Uses infiltration to reduce stormwater runoff; and
- Provides for groundwater recharge/storage.

On January 17, 2018, the Town Council approved Resolution No. 18-02 which adopted Cutler Bay’s Green Master Plan which outlined ways in which the Town could incorporate environmentally conscious elements into development activities. The Green Master Plan subsequently won the Florida Planning and Zoning Association’s 2018 Sustainability Award for promotion of best practices in planning, recognizing the Town’s commitment to protecting, preserving, and enhancing its environment. This proposed Ordinance furthers the goals of that plan, specifically relating to Green Buildings and Development and Groundwater Quantity and Quality. Specifically:

- *Element 5, Policy CC-2A* - Paving Materials. Must use materials for parking lots, sidewalks and courtyards with minimum solar reflective index (SRI) of 29.
- *Element 7, Policy C-4A* - The Town will develop language and standards in the Land Development Regulations ... to preserve and enhance the functions of natural groundwater aquifer re-charge and natural drainage features and to protect water quality.
- *Element 7, Policy FLU-9G* - The Town shall ensure that adequate pervious surface areas are maintained and protected as prime aquifer recharge areas.
- *Element 7, Policy FLU-9* - The Town, through the Land Development Regulations, shall require adequate pervious surface areas by zoning districts.

Additionally, the Town further wishes to clarify the need to provide for consistency with the Old Cutler Road roadway improvements when new or redeveloping properties reconstruct driveway ingress/egress along Old Cutler Road.

The Town Council desires to amend Section 3-141 - “General principles” and Section 3-142 - “Parking specifications” relating to the use of open grid pervious pavement materials for required parking in the NC-1 District and to address driveway ingress/egress along Old Cutler Road.

Under ARTICLE X. -the following amendments are proposed:

**Sec. 3-141. - General principles.**

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(h) Parking and loading facilities shall be maintained in a clean, orderly and litter-free condition at the expense of the owner or lessee. Parking and loading areas shall be resealed or repaved and pavement markings periodically repainted and on-site traffic control signs replaced, as necessary, to maintain a clear identification of individual parking and loading spaces and to facilitate the safe movement of pedestrian and vehicular traffic. For open grid pervious pavement parking and loading facilities vegetation in the open cells must be properly maintained.

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**Sec. 3-142. - Parking specifications.**

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(c) For all uses except single-family and two-family dwellings, standard curb and gutter, with a minimum width of one foot six inches, shall be provided along the periphery of all driveways, parking and loading areas, except where deemed unnecessary by the director of public works.

(d) Off-street parking and loading areas ~~and driveways~~ shall be paved or contain a similar type material, such as open grid pervious pavement, and approved by the public works director. Gravel or other stabilization material without a permanent wearing surface is not permitted.

(e) Off street parking and loading areas in the NC-1 district only and abutting Old Cutler Road may provide up to a maximum of 50% of the required parking and loading area to be open grid pervious pavement.

(f) When new or redeveloping properties reconstruct driveway ingress/egress along Old Cutler Road said properties shall provide for consistency with the Old Cutler Road roadway improvements.

(eg) Low impact stormwater control systems shall be installed. Curb and gutter may be used where deemed necessary by the public works director, in order to manage storm drainage, channelize traffic, protect buildings and landscaping areas, and separate pedestrian and vehicular areas.

(fh) Parking spaces shall be a minimum of 18 feet long and nine feet wide. Parallel parking spaces shall be a minimum of 22 feet long and eight feet wide.

(gi) Nonresidential driveways shall be a maximum of 12 feet in width for one-way traffic and 24 feet in width for two-way traffic. In no case shall a driveway width exceed 24 feet, except as required by the state department of transportation or another applicable governmental jurisdiction.

(hj) Nonresidential off-street parking areas which are provided in excess of the requirements established in this article shall be located on grassed or sodded surface. Alternative materials may be substituted for grass or sod with the approval of the community development director.

(hk) Nothing in this section is intended to prohibit the installation of a fully automatic parking facility in which the placement and removal of automobiles are accomplished wholly by machinery.

(j) Required parking spaces for single-family and two-family dwellings may be permitted in any setback areas or yards, except for a three-foot landscape area required along the side property lines when adjacent to another single-family or two-family dwelling. Vehicles parked on-site shall not encroach into or over the public right-of-way.

(k) Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking.

Angle of parking (degrees)	0	30	45	60	90
Aisle Width (feet)					
One-way traffic	12	12	18	20	24
Two-way traffic	19	20	22	24	24

(l) The required minimum width for a standard residential driveway shall be ten feet and the maximum width is 20 feet. The required minimum width for a circular driveway is ten feet and the maximum width is 14 feet. Maximum impervious surface ratio provided for each residential district will be adhered to as part of the approval process.

**RECOMMENDATION**

It is recommended that the Town Council adopt at Second Reading the proposed amendments to Article X. - Off Street Parking and Loading Areas, Sec. 3-141. - General principles. and Sec. 3-142. - Parking specifications. relating to the use of open grid pervious pavement materials in the NC-1 District and addressing driveway connections along the Old Cutler Road corridor.

**ATTACHMENT(S)**

- Attachment “A” - Miami Herald Advertisement (*dated September 6, 2020*)