



## Legislation Details (With Text)

<b>File #:</b>	Item # 2019-66	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Second Reading	
<b>File created:</b>	3/12/2019	<b>In control:</b>		Town Council	
<b>On agenda:</b>	3/20/2019	<b>Final action:</b>		3/20/2019	
<b>Title:</b>	AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, "LAND DEVELOPMENT REGULATIONS"; AMENDING SECTION 3-30 "GENERAL REQUIREMENTS FOR APPLICATIONS" RELATING TO ADVERTISING AND NOTICE REQUIREMENTS; AMENDING SECTION 3-34 "SITE PLAN MODIFICATION; MINOR MODIFICATIONS" RELATING TO SETBACKS; AMENDING SECTION 3-60(4) "TC, TOWN CENTER DISTRICT" CORRECTING A SCRIVENER'S ERROR RELATING TO THE FLOOR AREA RATIO WITH GREEN BONUS; AMENDING SECTION 3-144 "MINIMUM PARKING RATIOS" RELATING TO HOUSING FOR OLDER PERSONS; AMENDING SECTION 3-155 "PROPERTY MAINTENANCE REQUIREMENTS" RELATING TO STORMWATER MANAGEMENT SYSTEM REQUIREMENTS; AMENDING SECTION 3-261, "DEFINITIONS" CREATING A DEFINITION FOR BUILDING FRONTAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Manager Memo-2nd Reading-Amending Sections in Chapter 3 LDR, 2. Manager Memo-2nd Reading-Attachment A-Advertisement, 3. Ordinance-2nd Reading-Amending Sections in Chapter 3 LDR				

Date	Ver.	Action By	Action	Result
3/20/2019	1	Local Planning Agency	referred	

## MEMORANDUM

**To:** Honorable Mayor and Town Council

**From:** Rafael G. Casals, ICMA-CM, CFM, Town Manager

**Date:** March 20, 2019

**Re:** Amending the Town Land Development Regulations:  
Comprehensively Updating and Revising Chapter 3 (*Second Reading*)

Additions to existing code text are shown by underline; deletions from existing code text are shown by ~~strikethrough~~.

**(Changes between First and Second Reading Highlighted)**

## **REQUEST**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 OF THE TOWN CODE, “LAND DEVELOPMENT REGULATIONS”; AMENDING SECTION 3-30 “GENERAL REQUIREMENTS FOR APPLICATIONS” RELATING TO ADVERTISING AND NOTICE REQUIREMENTS; AMENDING SECTION 3-34 “SITE PLAN MODIFICATION; MINOR MODIFICATIONS” RELATING TO SETBACKS; AMENDING SECTION 3-60(4) “TC, TOWN CENTER DISTRICT” CORRECTING A SCRIVENER’S ERROR RELATING TO THE FLOOR AREA RATIO WITH GREEN BONUS; AMENDING SECTION 3-144 “MINIMUM PARKING RATIOS” RELATING TO HOUSING FOR OLDER PERSONS; AMENDING SECTION 3-155 “PROPERTY MAINTENANCE REQUIREMENTS” RELATING TO STORMWATER MANAGEMENT SYSTEM REQUIREMENTS; AMENDING SECTION 3-261, “DEFINITIONS” CREATING A DEFINITION FOR BUILDING FRONTAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

## **BACKGROUND AND ANALYSIS**

Town staff has proposed amendments to the Land Development Regulations that will strengthen Code Compliance and Standards. The goal of this proposed Ordinance is to amend the section 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 September 26, 2018 via Ordinance #18-03. I have worked with both our legal counsel and Town staff in developing the proposed amendment to our Land Development Regulations, strengthening Code Compliance and Standards.

## **EXECUTIVE SUMMARY OF RECOMMENDED CODE CHANGE**

The proposed Code changes are summarized as follows:

- Sec. 3-30. -General Requirements for Applications.  
Requiring the applicant to provide proof of advertisement, mailed courtesy notices, and posted property.
- Sec. 3-34. -Site plan modification; minor modifications.  
Amending site plan modifications section to permit a minor modification if setbacks remain within the requirements listed in the table of standards.
- Sec. 3-60. -Town Center.  
Correcting a scrivener’s error regarding Maximum floor area ration with green bonus.
- **Sec. 3-144 - Minimum Parking Ratios**  
**Including parking regulations for housing for older persons.**
- Sec. 3-155. -Property Maintenance.  
Requiring private property stormwater drainage systems to comply with the Town Code.
- Sec. 3-261. -Definitions.  
Creating a definition for Building Frontage

### **RECOMMENDATION**

It is recommended that the Town Council adopt the approval of the attached Ordinance amending Chapter 3 of the Town Code, Land Development Regulations.

### **ATTACHMENT(S)**

➤ Attachment “A” - Advertisement Miami Herald (Sunday, March 10, 2019)