



# Town of Cutler Bay

Town Hall  
10720 Caribbean Blvd  
Cutler Bay, FL 33189

## Legislation Details (With Text)

<b>File #:</b>	Item # 2020-157	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	8/20/2020	<b>In control:</b>	Town Council		
<b>On agenda:</b>	9/16/2020	<b>Final action:</b>	9/16/2020		
<b>Title:</b>	AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-60 – “TC, TOWN CENTER DISTRICT” RELATING TO IMPERVIOUS AREA, OPEN SPACE, AND ROADWAY STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.				
<b>Sponsors:</b>	Robert "BJ" Duncan				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Council Memo-2nd Read-TC District Impervious Area Amendments, 2. Council Memo-2nd Read-Attachment A-Advertisement 09-06-20, 3. Ordinance-2nd Read-TC District Impervious Area Amendments, 4. Council Memo-1st Read-TC District Impervious Area Amendments, 5. Ordinance-1st Read-TC District Impervious Area Amendments				

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 Robert “B.J.” Duncan, Seat 1

**Date:** August 26, 2020

**Re:** Amending Sec. 3-60. - TC, Town Center District relating to Impervious Area, Open Space and Street Types (*First Reading*)

### REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-60 - “TC, TOWN CENTER DISTRICT” RELATING TO IMPERVIOUS AREA, OPEN SPACE, AND ROADWAY STANDARDS; 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 the Town’s first Land Development Regulations were being developed much thought and effort was given to making the Town “Green and Resilient”. Keeping this in mind, staff began incorporating these ideals into the initial draft documents.

One of the areas that was fully studied was the ratio of pervious (*penetrable to the ground*) vs. impervious (*non-penetrable*) area for all zoning districts, including the Town Center.

Several of the advantages of providing additional pervious area include:

- Reduces the quantity of impervious surfaces.
- Uses infiltration to reduce stormwater runoff.
- Provides for groundwater recharge/storage.

I would kindly request to include a new subsection relating to street types within the Town Center District to balance level of service standards (*GMP Objective TI-1*) while creating a safe and convenient pedestrian and bicycle network (*GMP Objective TI-3*). To meet these objectives, all elements will be included in each street type, such as, lane widths, sidewalk widths, landscape buffer widths, etc. The street types were originally approved by the Town Council on March 16, 2006 via the Urban Center District Ordinance No. 06-06. This first step eventually led to the Town Center District regulations which were adopted as part of the Town’s Land Development Regulations in 2012.

On January 17, 2018, the Town Council approved Resolution No. 18-02 which adopted the Green Master Plan which outlined ways the Town could incorporate environmentally conscious elements into development activities. The Town’s Green Master Plan subsequently was recognized by the Florida Planning and Zoning Association. The Town was awarded the 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.

## **RECOMMENDATION**

It is recommended that the Town Council adopt the attached Ordinance, which will allow the Town to amend the Land Development Regulations creating a subsection for general roadway standards in the Town Center District, creating more pervious areas, continuing the Town's goal of being "Green and Resilient".