

TOWN OF CUTLER BAY

Mayor Paul S. Vrooman
Vice-Mayor Edward P. MacDougall
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Councilmember Peggy R. Bell

Town Manager Steve Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (305) 234-4262 for assistance no later than four (4) days prior to the meeting.

LOCAL PLANNING AGENCY AGENDA

Wednesday, December 20, 2006

7:00 PM

South Dade Regional Library
10750 SW 211 Street, 2nd Floor
Cutler Bay, Florida 33189

I. CALL TO ORDER, ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS, DELETIONS, AND DEFERRALS

IV. CONSENT AGENDA

A. November 15, 2006 – Minutes

V. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:

A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE OLD CUTLER ROAD OVERLAY ZONING DISTRICT AND REGULATIONS; REZONING PROPERTIES ALONG OLD CUTLER ROAD FROM S.W. 184TH STREET SOUTH TO THE TOWN LIMITS, AS SHOWN ON EXHIBIT "A" AND LEGALLY DESCRIBED IN EXHIBIT "B," TO THE OLD CUTLER ROAD OVERLAY ZONING DISTRICT; AMENDING THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES FOR PROPERTIES ALONG OLD CUTLER ROAD FROM S.W. 184TH STREET SOUTH TO THE TOWN LIMITS, AS SHOWN ON EXHIBIT "A" AND LEGALLY DESCRIBED IN EXHIBIT "B;" AND PROVIDING FOR AN EFFECTIVE DATE.

VI. ADJOURNMENT.

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

**TOWN OF CUTLER BAY
LOCAL PLANNING AGENCY MEETING
MINUTES**

Wednesday, November 15, 2006

7:00 PM

South Dade Government Center
10710 SW 211 Street, Room 203
Cutler Bay, Florida 33189

I. CALL TO ORDER/ROLL CALL OF MEMBERS: The meeting was called to order by the mayor at 7:08 p.m. Present were the following:

Councilmember Peggy R. Bell
Councilmember Timothy J. Meerbott
Councilmember Ernest N. Sochin
Vice Mayor Edward P. MacDougall
Mayor Paul S. Vrooman

Town Manager Steven Alexander
Interim Town Attorney Mitchell Bierman
Interim Town Attorney Chad Friedman
Town Clerk Erika Gonzalez-Santamaria

II. PLEDGE OF ALLEGIANCE: There was no pledge of allegiance at this time.

III. ADDITIONS, DELETIONS, AND DEFERRALS: None at this time.

IV. CONSENT AGENDA:

A. Vice Mayor MacDougall made a motion approving the minutes of the meeting of October 18, 2006. The motion was seconded by Councilmember Meerbott and adopted by a unanimous 5-0 voice vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

V. PUBLIC HEARING: MOTION RECOMMENDING ADOPTION OF THE FOLLOWING ORDINANCE:

A. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, GRANTING THE REQUEST OF SS FALLS INVESTMENTS LLC FOR A REZONING FROM EU-1 (ONE-ACRE ESTATE DISTRICT) TO EU-M (MODIFIED ESTATE DISTRICT) FOR TWO ADJOINING PROPERTIES LOCATED AT 8201 S.W. 188TH STREET AND 8295 S.W. 188TH STREET, AS LEGALLY DESCRIBED IN EXHIBIT "A,"

CONSISTING OF APPROXIMATELY 4.38 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Don O' Donniley, Planning Director, gave an oral report and recommended approval of the ordinance.

Javier Vazquez, 8061 Northwest 155 Street, representing the applicant, addressed the Council.

The mayor opened the public hearing. There were no speakers present.

Councilmember Meerbott made a motion adopting staff's recommendation. The motion was seconded by Councilmember Bell and approved by unanimous 5-0 roll call vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

B. AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, GRANTING THE REQUEST OF CUTLER RIDGE EVANGELICAL LUTHERAN CHURCH FOR A REZONING FROM AU (AGRICULTURAL DISTRICT) TO RU-1M(A) (MODIFIED SINGLE-FAMILY RESIDENTIAL DISTRICT) FOR THE PROPERTY LOCATED AT 20851 S.W. 97TH AVENUE, AS LEGALLY DESCRIBED IN EXHIBIT "A," CONSISTING OF APPROXIMATELY 4.28 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

Don O' Donniley, Planning Director, gave an oral report and recommended approval of the ordinance.

Javier Vazquez, 8061 Southwest 155 Street, representing the applicant, addressed the Council.

The mayor opened the public hearing. Beth Parets, 19301 Holiday Road, Alfie Sergio, 9261 Caribbean Boulevard, Tim Coiner, 7950 Southwest 184 Street, and Dave Stephan, 9020 Southwest 189 Street, addressed the Council.

Councilmember Meerbott made a motion adopting staff's recommendation. The motion was seconded by Councilmember Bell and approved by unanimous 5-0 roll call vote. The vote was as follows: Councilmembers Bell, Meerbott, Sochin, Vice Mayor MacDougall and Mayor Vrooman voting Yes.

VI. ADJOURNMENT: The meeting was officially adjourned at 8:20 p.m.

Respectfully submitted:

*Erika Gonzalez-Santamaria, CMC
Town Clerk*

*Adopted by the Town Local Planning Agency
on this 20th day of December, 2006.*

Paul S. Vrooman, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



Planning & Zoning Department

R. Don O'Donniley, AICP
Planning Director

MEMORANDUM

To: Steven Alexander, Town Manager

From: Don O'Donniley, AICP, Planning Director *DDO*

Date: December 20, 2006

Re: Creation of a New Section of the Town Code Entitled "Old Cutler Road Overlay District (OCRO)" along with the Implementing Regulations

REQUEST:

Approval of the rezoning of certain properties along Old Cutler Road, as described in the attachments, to begin implementation of the architectural design standards envisioned in the Old Cutler Road Charrette Area Plan.

BACKGROUND AND ANALYSIS:

Background

In June 2002 residents of the now incorporated Town of Cutler Bay gathered to discuss the future of Old Cutler Road.

The goal of the Old Cutler Road Charrette Area Plan was to create a framework that preserved the heritage of this historic roadway, facilitated improvement in public infrastructure and the investment in private land, enhanced the livability and encouraged design quality, both architectural and urban, in a manner that achieved the following objectives:

- Preserve and enhance the historic and community character along Old Cutler Road
- Reintroduce pedestrian-scale improvements in lighting and landscaping and rebalance vehicular movement in the corridor
- Provide residents additional travel options by connecting the street network east of 87th Avenue to Old Cutler Road
- Enhance safety and lower travel speeds in the neighborhoods to the northwest of Old Cutler Road by implementing roundabouts in place of traffic signals wherever appropriate
- Create a civic district/town center and public gathering space for the surrounding area
- Provide residents better access to goods and services available along Old Cutler Road without having to travel on that same road
- Increase safety along Old Cutler Road through design modifications that reduce motorists' speeds and increase pedestrian and bicycle visibility and comfort.

10720 Caribbean Boulevard, Suite 105
Cutler Bay, FL 33189
(305) 234-4262 Office
(305) 234-4251 Fax
www.cutlerbay-fl.gov

Town staff held a series of meetings with County staff and in-house to develop the design standards to implement this vision.

Analysis

Town staff analyzed the existing condition of Old Cutler Road, data and input collected during the Charrette process and, the existing Town Zoning Code including: the current permitted, conditional and prohibited uses; building setbacks; open space and parking requirements. Based on the above, the new land development regulations for the overlay district were developed, as enumerated in the accompanying Ordinance.

Also, during this review process Town staff identified a series of Objectives for planning and zoning. Again – “Where do we want to go?” They are listed below.

Phase I – Short Term Objectives

Create new design standards for development along Old Cutler Road
Promote a common streetscape plan (branding) for Old Cutler Road
Relax parking requirements
Focus more attention on the retail section of Old Cutler Road
Make allowances for additional residential in Business Districts
Allow “urban villa” type units along the southerly area of Old Cutler Road on what are now scattered vacant lots.

Recognize that the majority of the northern segment of Old Cutler Road is walled off and that the residential development thereon is inward facing, meaning no short term chance of redevelopment.

Phase II – Intermediate Term Objectives

Assist applicants who had proposed future land use amendments in process with Miami-Dade County in revising their requests in order to better implement the intent of the Overlay District.

Propose new future land use amendments as needed.

Phase III – Long Term Objectives

Prepare a new Comprehensive Plan for the Town
Prepare new Land Development Regulations for the Town

1. Consistency with the Comprehensive Development Master Plan

The proposed Overlay District is consistent with the Town’s Comprehensive Development Master Plan as it does not substantially increase the densities or intensities of uses along the corridor.

In the future, as the Town creates its own Comprehensive Plan land use designations may change in order to better incorporate the Town’s Vision

2. Zoning

Except to the extent modified by the Old Cutler Road Overlay (OCRO) the development standards within the following underlying zoning districts shall remain the same: BU-2 (Special Business), EU-M (Estate Modified), RU-1Z (Zero Lot Line Development Single Family Residential), RU-1 (Single-Family Residential), EU-1C (Single-Family Two and One-Half Acre), EU-2 (Single-Family Five Acre

Estate), GU (Interim), AU (Agricultural), RU-2 (Two-Family Residential), BU-1A (Limited Business), BU-1 (Neighborhood Business) and RU-1MA (Modified Single Family Residential).

RECOMMENDATION:

Approval

CONDITIONS:

N/A

Attachments:

Old Cutler Road Overlay District Boundary Map

Zoning Maps for Sections 56 40 3, 10, 9, 8 and 17

Old Cutler Road Executive Summary

Potential Improvement Phasing Series for Old Cutler Road

ORDINANCE NO. 06- _____

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, CREATING THE OLD CUTLER ROAD OVERLAY ZONING DISTRICT AND REGULATIONS; REZONING PROPERTIES ALONG OLD CUTLER ROAD FROM S.W. 184TH STREET SOUTH TO THE TOWN LIMITS, AS SHOWN ON EXHIBIT "A" AND LEGALLY DESCRIBED IN EXHIBIT "B," TO THE OLD CUTLER ROAD OVERLAY ZONING DISTRICT; AMENDING THE LIST OF PERMITTED, CONDITIONAL, AND PROHIBITED USES FOR PROPERTIES ALONG OLD CUTLER ROAD FROM S.W. 184TH STREET SOUTH TO THE TOWN LIMITS, AS SHOWN ON EXHIBIT "A" AND LEGALLY DESCRIBED IN EXHIBIT "B;" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in June of 2002, residents of the now incorporated Town of Cutler Bay (the "Town") participated in the Old Cutler Road Charrette Area Plan (the "Charrette"); and

WHEREAS, during this Charrette, residents of the Town envisioned architectural design standards for properties along the Old Cutler Road corridor; and

WHEREAS, on July 5, 2006, the Town Council adopted a moratorium on development orders and development permits for properties along the Old Cutler Road corridor in order to allow Town Staff to analyze and develop architectural design standards, types of uses, and land development regulations for the corridor; and

WHEREAS, Town staff has finished its review and has created such standards and regulations; and

WHEREAS, rezoning the properties shown on Exhibit "A" will allow for the implementation of these new regulations and standards; and

WHEREAS, staff recommended approval of the Old Cutler Road Zoning Overlay District and rezoning in its report dated December 20, 2006; and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, this Ordinance was heard and recommended by the Town Council, in its capacity as the Town's Local Planning Agency; and

WHEREAS, after due notice and hearing, the Town Council finds this Ordinance to be consistent with the Town Code and the Miami-Dade County Comprehensive Development Master Plan, which now functions as the Town's Comprehensive Plan; and

WHEREAS, the Town Council finds this Ordinance to be in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:

Section 1. Findings. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Old Cutler Road Overlay Zoning District. The Old Cutler Road Overlay Zoning district is hereby created as follows:

A. Purpose, Intent, Applicability.

1. Purpose and Intent. The purpose of this Ordinance is to establish design regulations and standards for development along Old Cutler Road in order to enhance the character of the road within the Town. It is intended that Old Cutler Road be a place where living, working, shopping, and civic activities can take place within a town center environment. Development along Old Cutler Road within the Town will consist of a variety of buildings and uses that will encourage pedestrian activity with wide sidewalks, balconies, outdoor cafes, squares, and plazas.
2. Applicability. The provisions of this Ordinance shall apply to all properties within the Old Cutler Road Zoning Overlay District as designated on the Town Zoning Map. The underlying zoning designations for properties subject to this Ordinance shall remain unchanged.

B. Permitted, Conditional, Prohibited Uses. The permitted, conditional, and prohibited uses in the underlying zoning designations for properties subject to this Ordinance shall remain unchanged, except as provided below:

1. Properties with an underlying Residential zoning designation.

Use	Permitted Use	Conditional Use	Prohibited Use
Attached single family homes with a maximum density as permitted by the property's underlying Land Use Designation.	X		
Bee hives or the breeding or raising of any insects, reptiles or animals other than customary pets			X

Golf Course			X
Keeping, breeding or maintaining horses, cattle or goats			X
Limited truck gardening and fruit growing (incidental to principal residence only)			X
Noncommercial pigeon lofts, raising of poultry, and fowl			X

2. Properties with an underlying zoning designation of Business.

Use	Permitted Use	Conditional Use	Prohibited Use
Amusement center		X	
Attended, non-motorized donation collection			X
Auditoriums		X	
Automobile and light truck, new sales agency or rental			X
Automobile new parts and equipment, sales only			X
Automobile parking garages			X
Automobile self-service gas stations		X	
Automobile service stations		X	
Automobile storage within a building			X
Automobile tires, batteries and accessories (new) retail only installation permitted			X
Automobile washing			X
Bait and tackle shops		X	
Banks, including drive-in teller service			X
Boats carrying passengers on excursion, sightseeing, pleasure or fishing trips			X
Bowling alleys			X
Convention halls			X
Dancing halls or dancing academies			X
Dog and pet hospitals in air-conditioned buildings			X
Donated goods centers			X
Dry cleaning establishments			X
Electrical appliance and fixtures stores including related repair shops		X	
Furniture stores			X
Gate house		X	

Grocery stores		X	
Health and exercise clubs			X
Home improvement centers			X
Hospitals			X
Hotel and motel uses		X	
Junior department stores			X
Lawn mowers, retail, sales and service			X
Liquor package stores		X	
Major department stores		X	
Marinas			X
Medical observation dormitory			X
Mortuaries or funeral homes			X
Motorcycles sales and repair			X
Natatoriums			X
Night clubs		X	
Office parks		X	
Open-air theaters		X	
Outdoor dining	X		
Pet shops, pet care centers and dog beauty parlors in air-conditioned buildings		X	
Printing shops		X	
Private clubs			X
Propagating and growing plants for sale			X
Pubs and bars		X	
Regional shopping centers			X
Rentals of trucks other than light trucks			X
Restaurants with an accessory cocktail lounge-bar use		X	
Sale of fruit or merchandise from trucks, wagons or other vehicles			X
Security station		X	
Self-service storage facility			X
Tailor shops	X		
Telephone exchange			X
Theaters for live stage production and motion pictures		X	
Variety stores		X	

3. Properties with an underlying zoning designation of GU (Interim District).

Use	Permitted Use	Conditional Use	Prohibited Use
Carnivals		X	
Cemeteries			X
Circuses			X
Crematories			X
Mausoleums			X

4. Properties with an underlying zoning designation of AU (Agriculture District).

Use	Permitted Use	Conditional Use	Prohibited Use
Barns and sheds used for cattle or stock and ancillary feed storage			X
Barns and sheds used for hogs			X
Barns, sheds or other buildings used for the storage of equipment, feed, fertilizer, produce or other items ancillary with an agricultural use			X
Carnivals		X	
Cattle or stock grazing (not including hog raising)			X
Cemeteries, mausoleums or crematories			X
Circuses			X
Dairy barns			X
Dude ranches and riding academies		X	
Fish pools			X
Hog farms and hog raising			X
Large packing facilities used for the packing of fruit and vegetables accessory to an agricultural use conducted on the entire property (with conditions)			X
One single-family permanent or temporary structure to house farm labor personnel			X
Outdoor storage of vehicles and equipment associated with agricultural, aquacultural or horticultural production occurring on property(ies) other than the property on which the storage is located, provided the storage is an accessory use			X
Raising one hundred (100) poultry, or more			X
Recreational vehicles as temporary			X

watchman's quarters			
Seed drying facilities			X
Small packing facilities used for the packing of fruit and vegetables accessory to an agricultural use conducted on the property (with conditions)			X
Temporary or permanent barracks or structures to house farm labor			X
Truck gardens			X
Wineries		X	

With regard to the uses permitted within any zoning classification, the Planning Director shall have the authority to make a determination that a proposed use is sufficiently similar to a specifically permitted use to be allowed as a “similar use.” In determining similarity between a proposed use and a use specifically described herein, the Planning Director shall be guided by the intent of the zoning classification and shall further consider common characteristics, the generation of pedestrian and vehicular traffic, and the compatibility of the proposed use with the uses specifically described and permitted within the underlying zoning classification.

C. Land Development Regulations.

It is the intent of the Town of Cutler Bay to substantially improve the streetscape of Old Cutler Road and implement a land use pattern conducive to good design standards. To that end, setback requirements are being implemented to result in featuring the actual use of the land and accommodating landscaping. The automobile will be returned to an accessory and subordinate use to be located to the rear and side of principal structures. Front facades will be articulated with fenestration, and windows. Horizontal and vertical elements will be required to prevent monotony.

The following graphics in this section illustrate the regulations and are provided as guidance as to the standard of review to be used by staff.

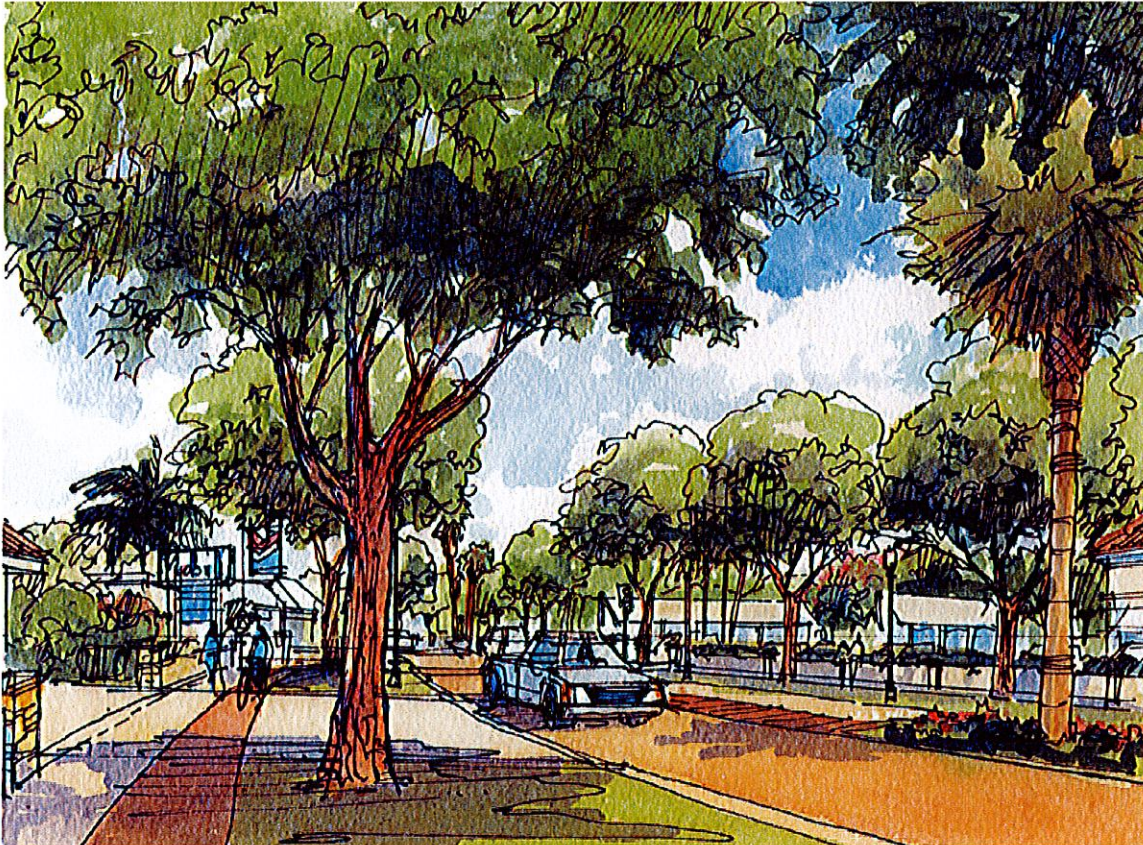
Potential Improvement Phasing Series for Old Cutler Road
Existing Condition



Phase I



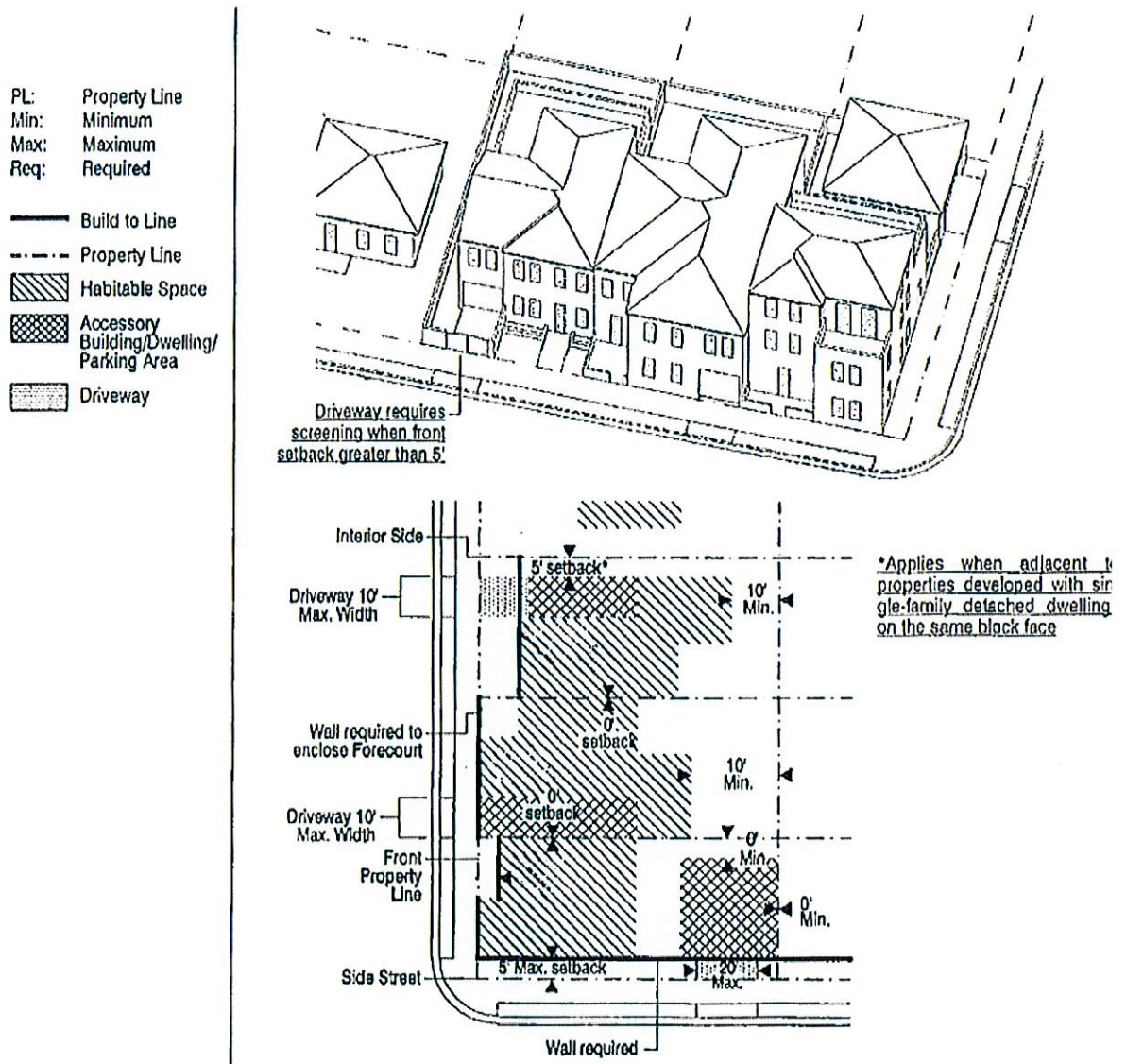
Phase II



1. Minimum lot requirement.

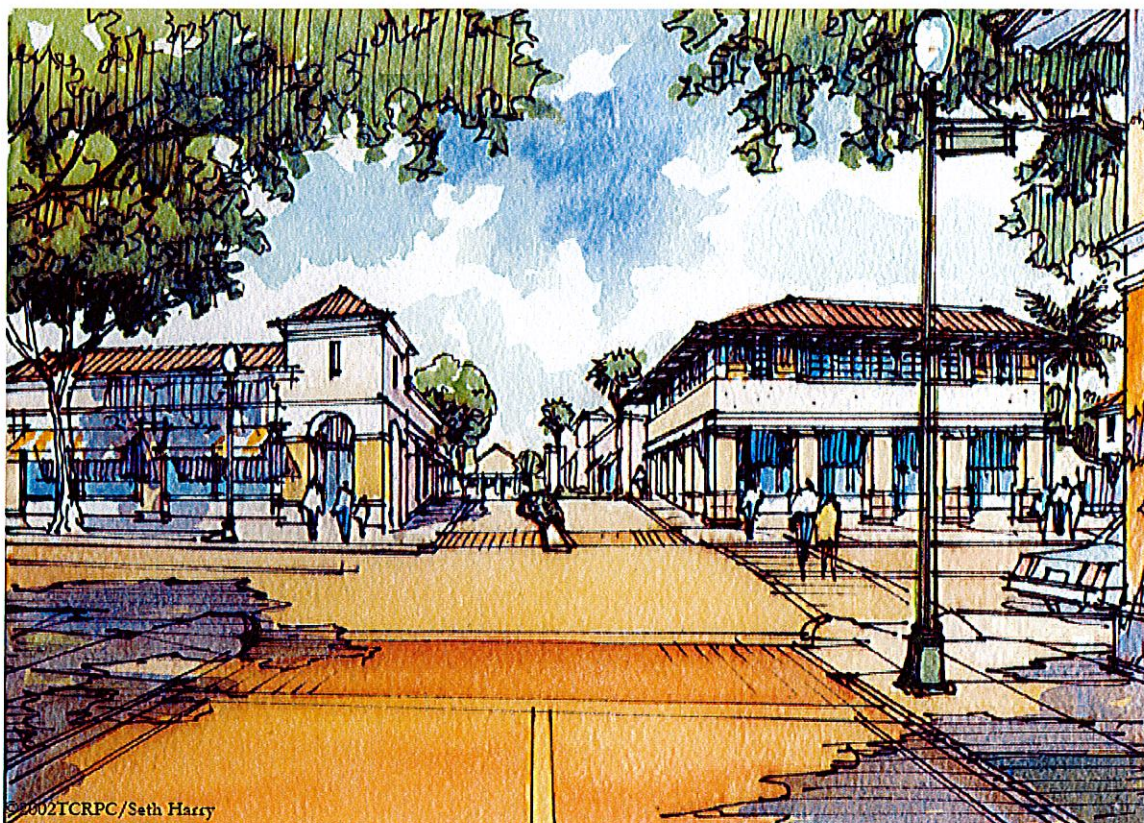
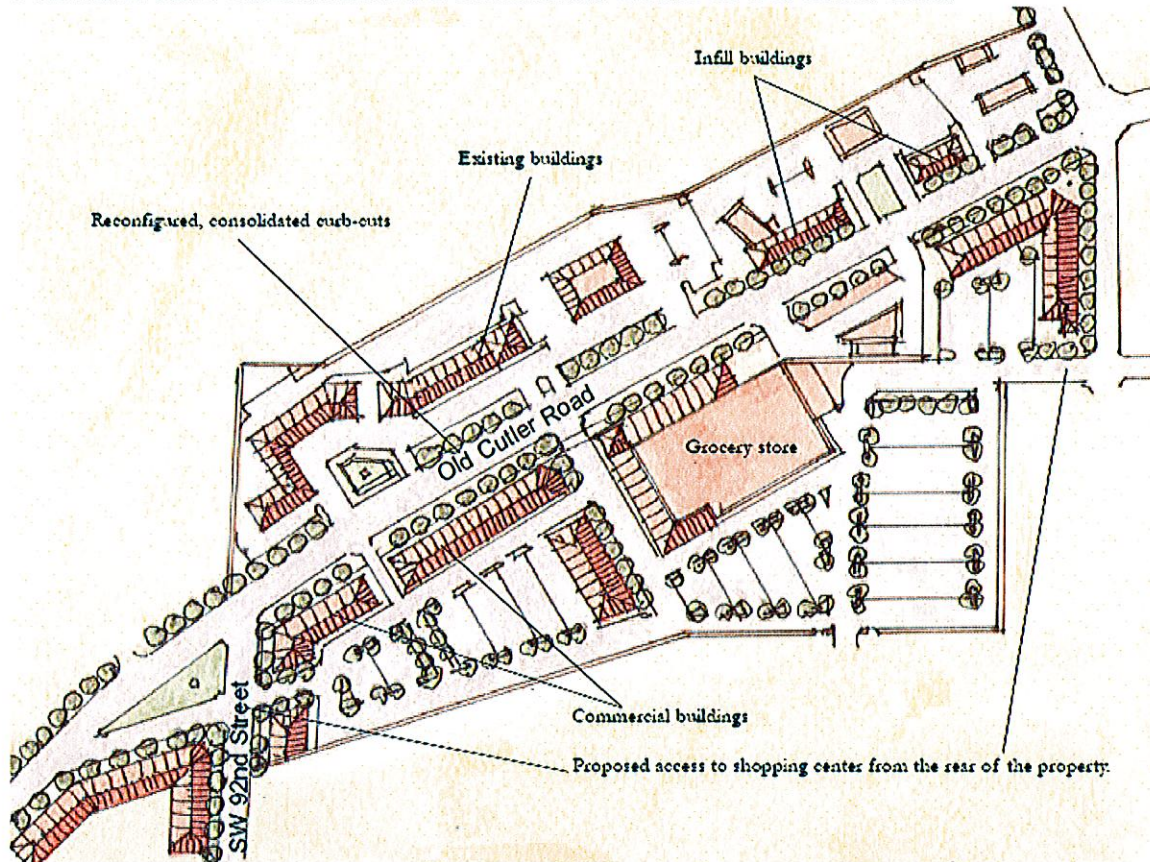
- a. Properties with an underlying Residential zoning designation. The minimum lot requirement shall be 6,000 square feet and the minimum frontage requirement shall be 35 feet.

Typical Urban Villas



- b. Properties with an underlying Business zoning designation. There shall be no minimum lot area or frontage required.

Potential Future Condition for the Commercial Center of Old Cutler Road



2. **Floor Area.**

- a. Properties with an underlying Business zoning designation. The maximum floor area of a building shall be 2.0 times the net lot area.

3. **Lot Coverage.**

- a. Properties with an underlying Residential zoning designation. There shall be no limit on lot coverage provided that open space and landscaping requirements are met. However, there shall be no net increase in storm water runoff from the site post development.
- b. Properties with an underlying Business zoning designation. There shall be no limit on lot coverage provided that open space and landscaping requirements are met. However, there shall be no net increase in storm water runoff from the site post development.

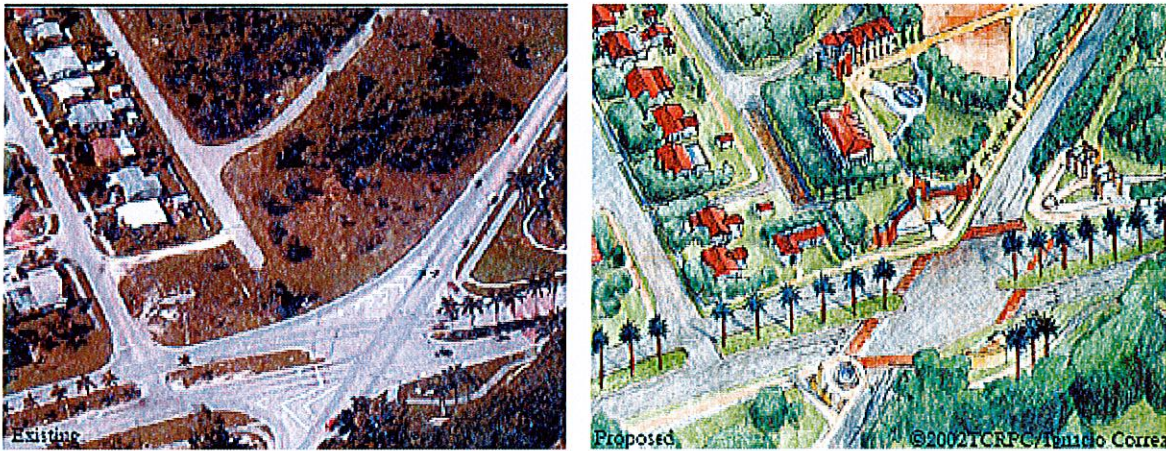
4. **Setbacks.**

Use	Front	Interior	Side	Rear	Awnings, balconies, and other cantilevered building elements
Properties with an underlying Residential zoning designation.	0 feet	0 feet or 5 feet when adjacent to properties developed with single-family detached dwellings on the same block face.	5 feet	25 feet	Awnings, balconies, and other cantilevered building elements shall be permitted to encroach into the front and side street setbacks up to 5 feet above 11 feet from the grade.
Properties with an underlying Business zoning designation.	0 feet	0 feet	5 feet	When adjoining a property with an underlying Business zoning designation the setback shall be 0 feet. When adjoining all other districts the setback shall be 25 feet.	Awnings, balconies, and other cantilevered building elements shall be permitted to encroach into the front and side street setbacks up to 5 feet above 11 feet from the grade.

5. **Open Space.**

- a. Properties with an underlying Residential zoning designation. A minimum of 25% landscaped open space shall be required for any development of properties. In addition, open space shall be provided in the form of balconies, terraces or porches or any combination thereof.
- b. Properties with an underlying Business zoning designation. A minimum of 10% open space shall be required for any development of properties with an underlying Business zoning designation within the Old Cutler Road Overlay Zoning District. In addition, open space shall be provided at-grade, above grade, in balconies, terraces, porches, colonnades or any combination of these thereof.

Existing and Potential Future Condition of Old Cutler Road and SW 216th Street



6. **Building Height.**

- a. Properties with an underlying Residential zoning designation. There shall be a maximum height of 35 feet for a principal building on property within an underlying Residential zoning district.
- b. Properties with an underlying Business zoning designation. There shall be a minimum of 24 feet and maximum of 48 feet in height for any building developed on property with an underlying Business zoning designation.



7. **Front Façade**

- a. Definition. For purposes of this section the term “Front Façade” shall be defined as that portion of the building facing Old Cutler Road and aligning with the property line adjoining the right-of-way of Old Cutler Road.
- b. Properties with an underlying Residential zoning designation. At least 50% of the residential units along a block face shall provide a forecourt. No security fences, burglar bars, or night shuttering of the Front Façade windows or doors shall be allowed.
- c. Properties with an underlying Business zoning designation. The following Front Façade requirements shall apply to properties with an underlying Business zoning designation:
 - i. The Front Façade shall occupy a minimum of 80 % of the frontage of the lot along Old cutler Road.
 - ii. The Front Façade shall be placed at the setback line.
 - iii. At least 50% of the Front Façade shall have windows that provide a view into activities within the building and shall not be mirror tinted.
 - iv. No security fences, burglar bars, or night shuttering of the Front Façade windows or doors shall be allowed.

D. Site Plan and Landscape Requirements.

- 1. Site Plan Approval. Site plan approval shall be required prior to any development of land within the Old Cutler Road Zoning Overlay District. All site plans shall be submitted and reviewed in accordance with the Town site plan requirements.
 - a. Site Plan Approval After A Public Hearing. Except as provided below, all site plans within the Old Cutler Road Zoning Overlay District shall be approved by the Town Council after a public hearing.
 - b. Administrative Site Plan Approvals. The following types of development shall be subject to administrative site plan approval:
 - i. Renovation and/or expansion of existing structures;
 - ii. Construction of one (1) singly family home on a single lot;
and
 - iii. Duplex.

2. Landscape Requirements. The landscape regulations contained in Chapter 18A of the Town Code shall apply within the Old Cutler Road Zoning Overlay District, except as otherwise provided in this Ordinance.

E. Parking and Driveway Standards.

1. Parking Requirements. All parking shall be in the rear or side of buildings. Notwithstanding the foregoing, the parking requirements set forth in Chapter 33, Article VII, of the Town Code shall apply to all development within the Old Cutler Road Overlay Zoning District, except as provided in section 2 below.
2. Parking Requirement Reduction. The Old Cutler Road Zoning Overlay District encourages compact and accessible land-use patterns, minimizing development costs and encouraging alternative forms of transportation in order to reduce traffic problems. The following techniques may be utilized in order to allow for the reduction of parking within the Old Cutler Road Overlay Zoning District:
 - a. Valet parking. Valet parking can increase parking capacity by 20 to 40 % compared with self parking. Valet parking is encouraged and a reduction in required parking shall be allowed when utilized.
 - b. Tandem parking. Tandem parking is allowed to count towards required residential parking.
 - c. Mixed-Use developments. Mixed-Use developments shall be allowed to have a 5% reduction in the required parking and a 10% reduction if the parking facilities are shared.
 - d. Parking and Mobility Management Plan. A site specific parking and mobility management plan shall be submitted to and approved by the Town as part of the development application for any of the reduction techniques to be used.

In addition, parking spaces shall not be visible from Old Cutler Road and shall be designed in such a way as to be buffered (not visible) from other uses and the street.

3. Driveways. Driveways shall be controlled and access points shall be limited. Individual sites shall share limited access points.

F. Properties with an underlying GU (Interim District) zoning designation.

Properties within the Old Cutler Road Overlay Zoning District with an underlying GU (Interim District) zoning designation shall be subject to the provisions of this Ordinance. If a neighborhood, as described in Section 33-196 of the Town Code, is predominantly characterized by Residential usage, the property shall be subject to the regulations that apply to properties with an underlying Residential zoning designation. If a neighborhood, as described in Section 33-196 of the Town Code, is

predominantly characterized by Business usage, the property shall be subject to the regulations that apply to properties with an underlying Business zoning designation. The Planning Director's decision as to what constitutes a "trend of development" or neighborhood, as defined in Section 33-196 of the Town Code, may be appealed by the applicant to the Town Council.

G. Waiver from the Old Cutler Road Overlay Zoning District Regulations. A property owner with an underlying Residential zoning designation may apply for a waiver from the provisions of this Ordinance as follows:

1. Administrative approval. If 50% or more of the block frontage where the property is located has either: (a) received a development permit authorizing construction of a new building or (b) has been developed prior to the effective date of this Ordinance, a waiver from the provisions of this Ordinance may be granted administratively by the Planning Director where the specific use or activity requested by the waiver application will be compatible with surrounding land uses and development. The denial of a waiver under this section may be appealed by the applicant to the Town Council.
2. Approval after a public hearing. If less than 50% of the block frontage where the property is located has: (a) received a development permit authorizing construction of a new building or (b) been developed prior to the effective date of this Ordinance, a waiver from the provisions of this Ordinance may be granted after a public hearing. The Town Council, after a public hearing, may grant a waiver from the provisions of this Ordinance, where the Town Council determines, based upon substantial competent evidence, that the specific use or activity requested by the waiver application will be compatible with the surrounding land uses and development, and will not impair the public health, safety, or welfare.
3. Application. A waiver application, on a form provided by the Town, shall be filed with the Department of Planning and Zoning as well as the waiver application fee.

H. Nonconforming Uses or Structures. As of the effective date of this Ordinance, any uses or structures located within the Old Cutler Road Overlay Zoning District, which are inconsistent with the provisions of this District, shall be considered legal nonconforming uses or structures and shall be subject to the provisions of Section 33-35 of the Town Code.

Section 3. Approval of Rezoning. The Town Council hereby approves the rezoning of the properties shown on Exhibit "A" and legally described in Exhibit B to the Old Cutler Road Overlay Zoning District.

Section 4. Termination of Moratorium. Upon the adoption of this Ordinance, the moratorium adopted on July 5, 2006, by Ordinance No. 06-15, and extended by Ordinance 06-21 shall be terminated.

Section 5. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. Conflict. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

PASSED AND ADOPTED on first reading this ____ day of _____, 2006.

PASSED AND ADOPTED on second reading this ____ day of _____, 2006.

PAUL S. VROOMAN, Mayor

Attest:

ERIKA GONZALEZ-SANTAMARIA, CMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.A.
Interim Town Attorney

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman _____

Vice Mayor Edward P. MacDougall _____

Councilmember Timothy J. Meerbott _____

Councilmember Ernest N. Sochin _____

Councilmember Peggy R. Bell _____

EXHIBIT A

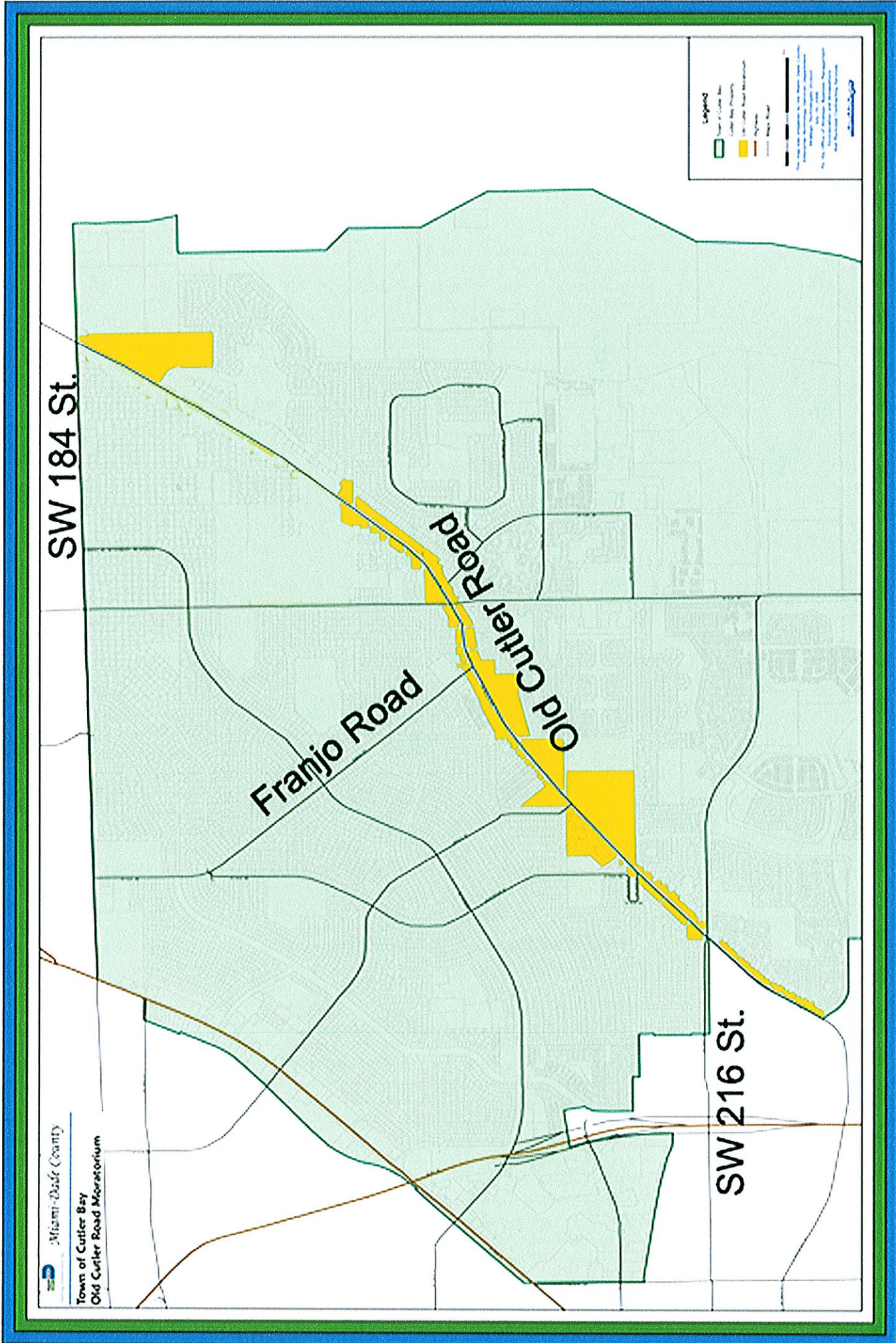


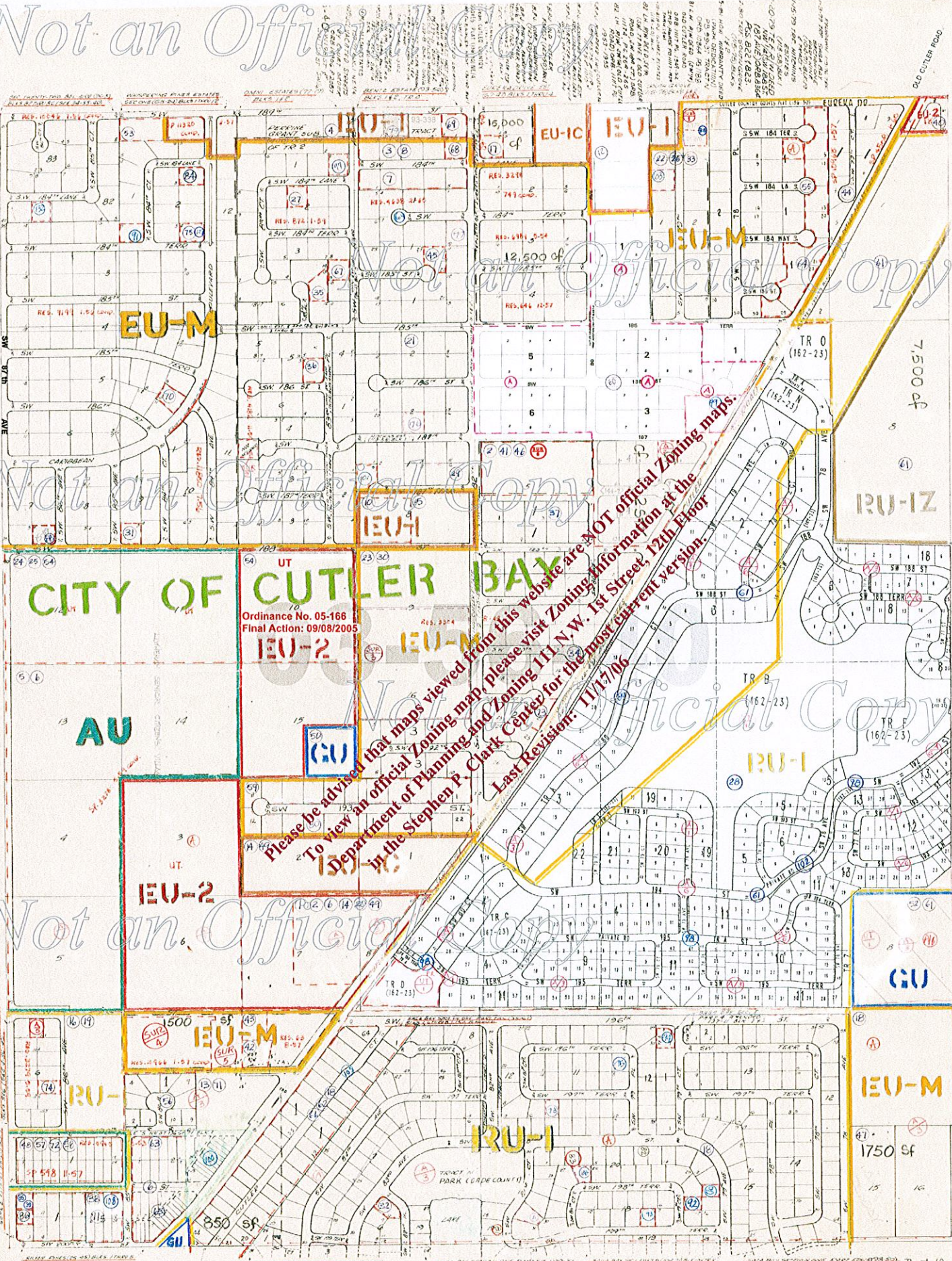
EXHIBIT "B"

Folio Numbers of Properties Abutting Old Cutler Road Cutler Bay, Florida

3660030010240 Limited to 300' from the right-of-way of Old Cutler Road

	3660090030500	3660090180010	3660080050570
	3660090030510	3660090150370	3660080170090
	3660090030520	3660090150360	3660080050560
	3660090030530	3660090010060	3660080170080
	3660090020050	3660090150010	3660080050550
3660030010280	3660100250480	3660090100210	3660080170070
3660030280640	3660100250420	3660090000141	3660080050540
3660030280630	3660100250410	3660090100100	3660080170060
3660030280620	3660100250400	3660090092500	3660080170050
3660030010272	3660090030210	3660090140910	3660080050620
3660030280610	3660090030220	3660090092510	3660080170040
3660030280600	3660090020460	3660090190480	3660080170030
3660030280590	3660090020170	3660090050010	3660080170020
3660030010231	3660090020160	3660090140910	3660080170010
3660030010250	3660090020320	3660090140850	3660030010080
3660030280580	3660090020330	3660090140840	3660030010190
3660030280570	3660090020340	3660090140830	
3660030280560	3660090030230	3660090190310	
3660030280550	3660090030240	3660090190320	
3660030010251	3660090020350	3660090190330	
3660030280540	3660090020370	3660090190340	
3660030280530	3660090030260	3660090190240	
3660030020020	3660090030270	3660090190250	
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3660030280510	3660090030130	3660090190270	
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3660030020050	3660090030110	3660080150390	
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3660030280420	3660090030020	3660080050110	
3660030280410	3660090170010	3660080050100	
3660090030290	3660090030030	3660080050090	
3660090030310	3660090030040	3660080190060	
3660030280400	3660090030060	3660080050080	
3660030280390	3660090030070	3660080050070	
3660030280370	3660090180040	3660080190040	
3660030280360	3660090000090	3660080050610	
3660090030490	3660090000091	3660080190030	
	3660090180030	3660080050600	
	3660090180020	3660080190020	
	3660090150230	3660080050590	
	3660090150240	3660080190010	
	3660090010020	3660080050580	
	3660090150290	3660080170100	

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CITY OF CUTLER BAY
Ordinance No. 05-166
Final Action: 09/08/2005

Please be advised that maps viewed from this website are NOT official zoning maps.
To view an official zoning map, please visit Zoning information at the Department of Planning and Zoning 111 N.W. 1st Street, 12th Floor in the Stephen P. Clark Center for the most current version.
Last Revision: 11/17/06

COMM. DISTRICT NO. _____
SCHOOL _____
DRAINAGE _____

METROPOLITAN DADE COUNTY
PUBLIC WORKS DEPARTMENT
2-56-40

DRAFTING
ZONING: MAP IV - 1133

SEC 3
TWP 56
RGE 40
11-56-40

ZONING MAP

Sec: 10

Twn: 56

Rng: 40

11-56-40

15-56-40

City of Works
FLORIDA

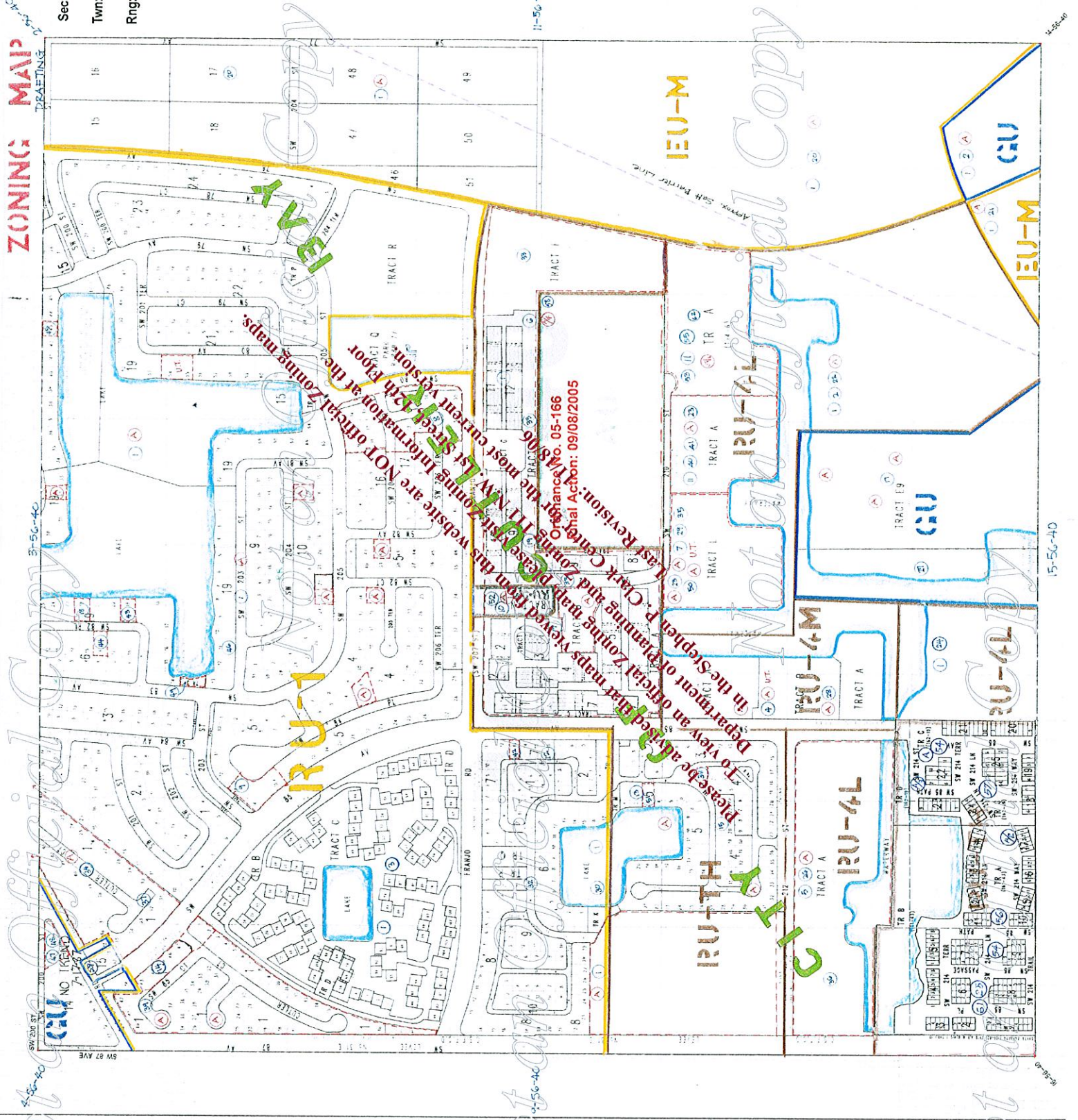
77 Pl. 0880
1-56

Red Line



Zone Line

Adjacent Lots



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ZONING MAP



REVISIONS

- SECTION BEYOND ABEYED
- SECTION 7/16/16
- P. 201 09/08/2016 2016-08
- P. 201 09/08/2016 2016-07
- SECTION 7/16/16
- SECTION 7/16/16

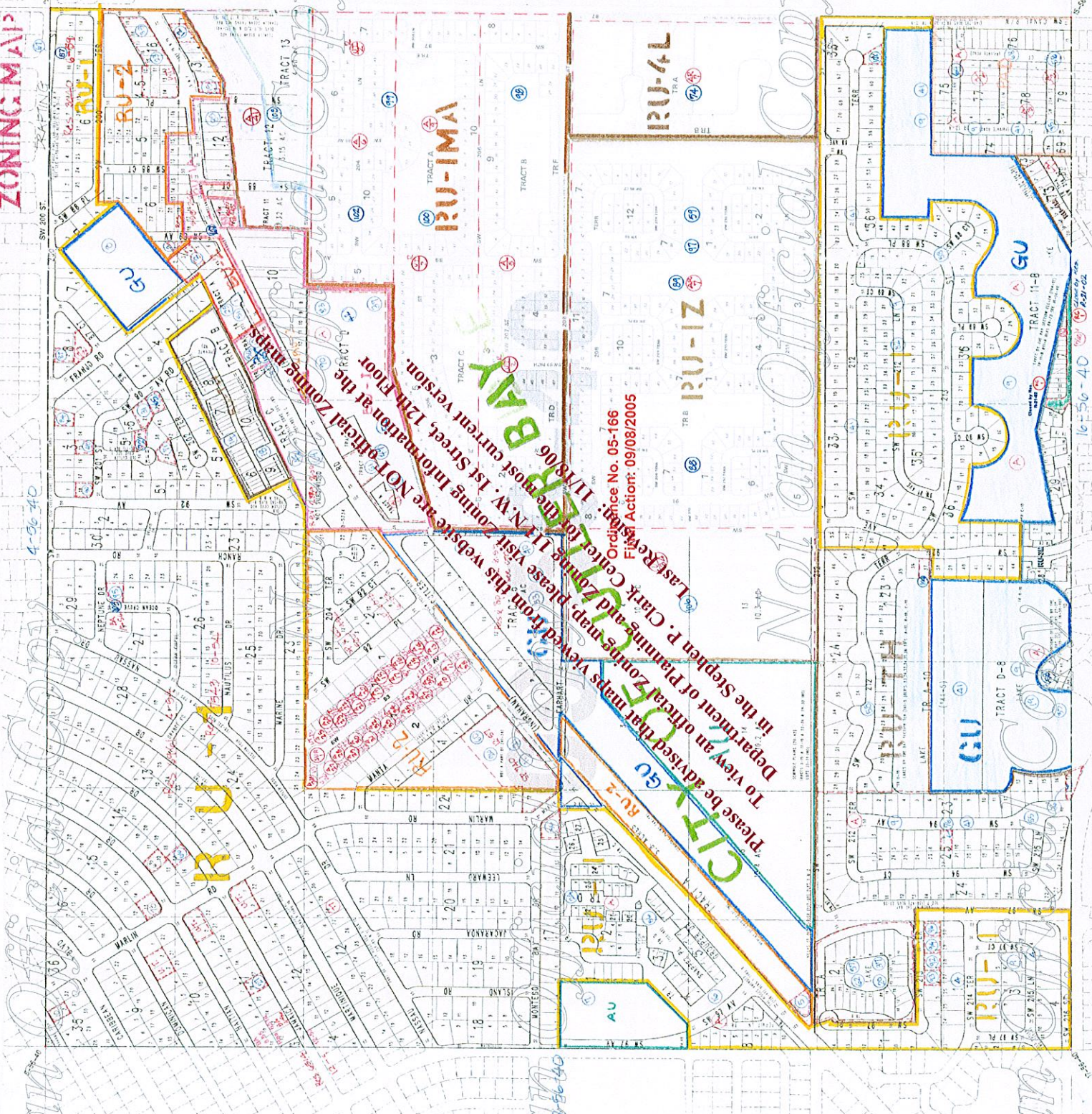
Not Official

- Metropolitan Area
- City Limits
- County Limits
- State Limits
- County Limits
- City Limits
- County Limits



NOTICE

This map is a preliminary map and is subject to change without notice. The City of Public Works is not responsible for any errors or omissions on this map. The City of Public Works is not responsible for any damages or losses resulting from the use of this map. The City of Public Works is not responsible for any actions taken by any person based on the information contained in this map. The City of Public Works is not responsible for any actions taken by any person based on the information contained in this map.



10-58-40

10-56-40

10-56-40

10-56-40

10-56-40

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CLARK BAY
 To view an official zoning map, please visit www.cityofclarkbay.com or call the Planning Department at 352-241-1111.
 In the Stephen P. Clark Center for the most current version.
 Last Revised: 11/18/06
 Ordinance No. 05-166
 Final Action: 09/08/2005

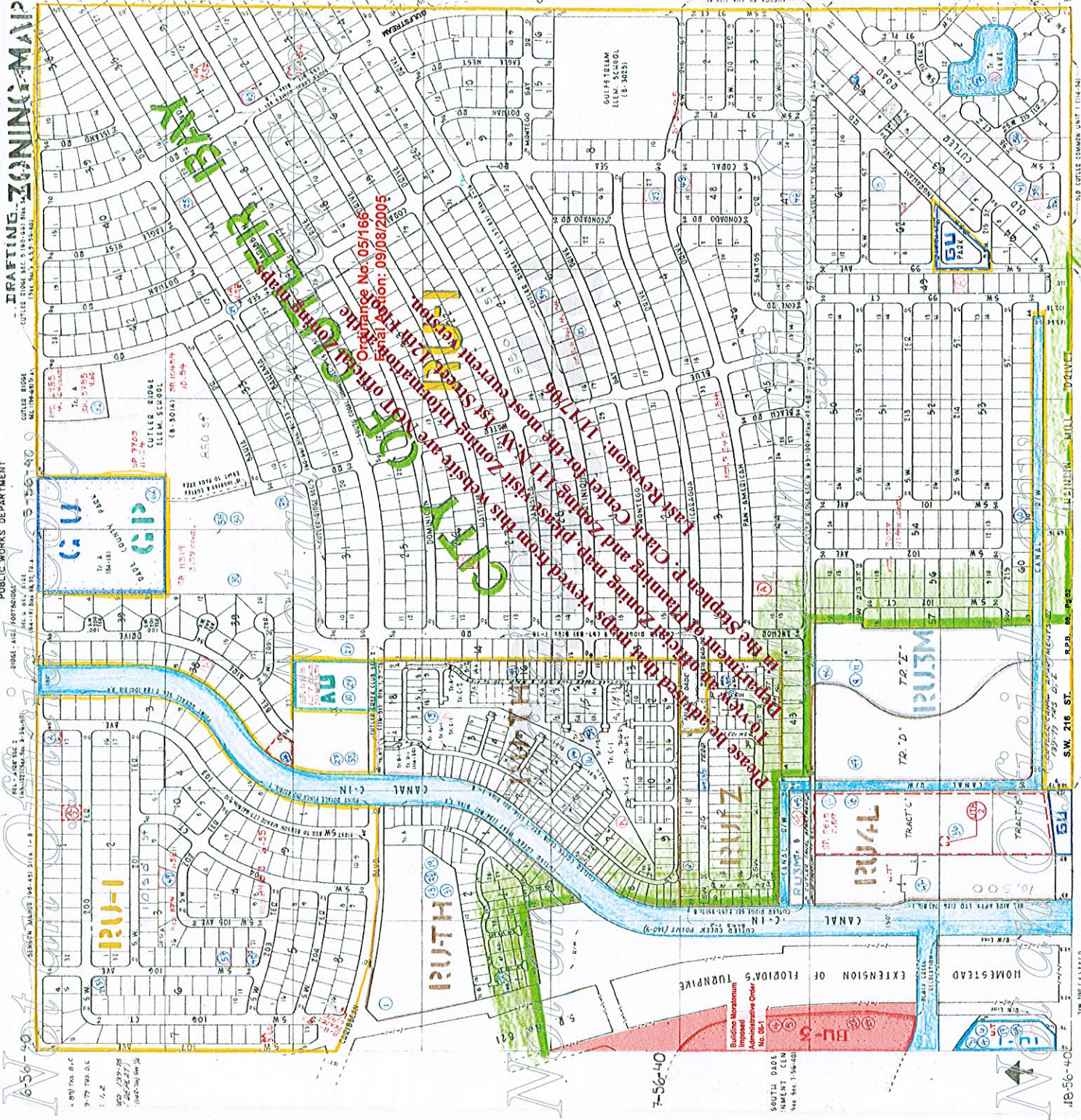
DRAFTING ZONING MAP

PUBLIC WORKS DEPARTMENT

4-56-40 Sec. 8 Twp. 56 S. R. 40 E.

4-56-40

Sec. 8
Twp. 56
R. 40



CITY OF CUTLER RIDGE
In the Stephen P. Clark Center for the most current zoning information, visit the City's Website at www.cityofcutlerri.gov or call the Planning Department at (305) 441-1111.

BU-3
Building Moratorium Imposed Administrative Order No. 081
SOUTH DITCH
1544 S.W. 216 ST.
MAY 1988
MAY 1988

9-56-40

47-56-40

4B-56-40

CUTLER COMMON UNIT (104-14)
SAGA BAY SECT. FOURTEEN 88-89
BLOCKS 1, 2 AND 4 (SEE 9-56-40) OLD CUTLER COMMON UNIT ONE
(12) 34-BLOCKS, 1 & 2, TRS. 4, THRU, 'C'

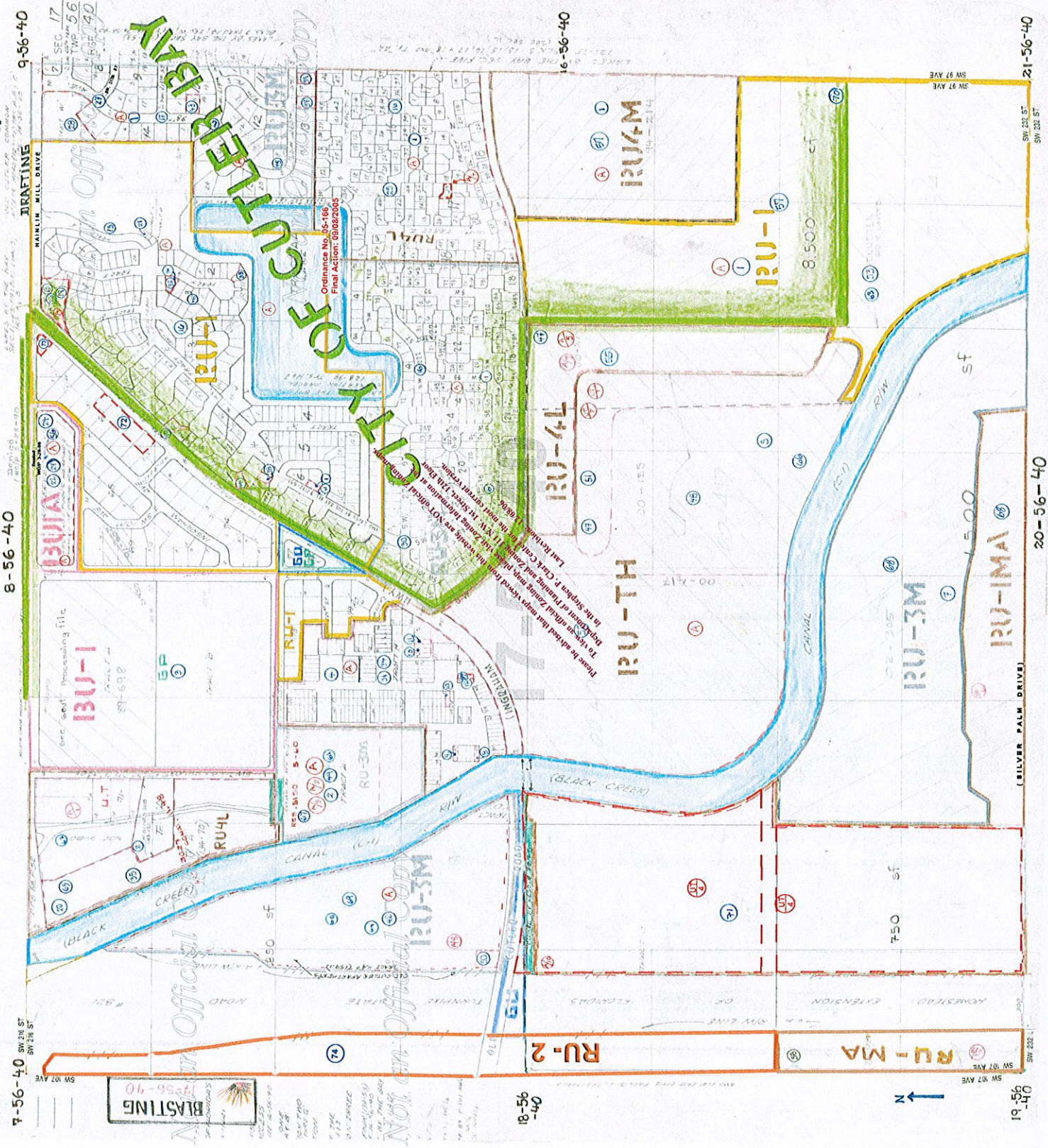
CUTLER RIDGE SEC. 7 (168-13) BLDG. 95-145

TW 100 ELEVATED
MARK ROAD

Not an Official Copy

METROPOLITAN DADE COUNTY
PUBLIC WORKS DEPARTMENT

ZONING MAP



Not an Official Copy



Old Cutler Road Charrette

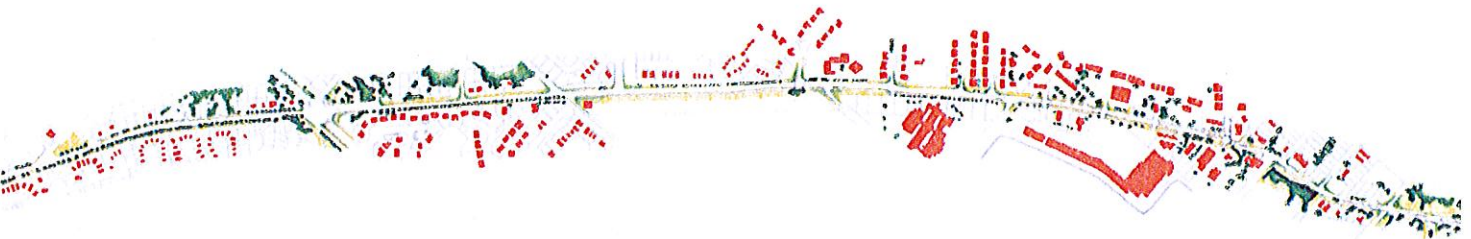
CHARRETTE AREA PLAN REPORT EXECUTIVE SUMMARY

OLD CUTLER ROAD CHARRETTE, MIAMI-DADE COUNTY FLORIDA:
 The Old Cutler Road Charrette Area Plan is the citizens' vision for the enhancement of a two and a half mile segment of Old Cutler Road. It represents the ultimate growth and form of their community and the creation of a recognizable center for the south Old Cutler area, which stretches between SW 200th Street and SW 224th Street in south Miami-Dade County.

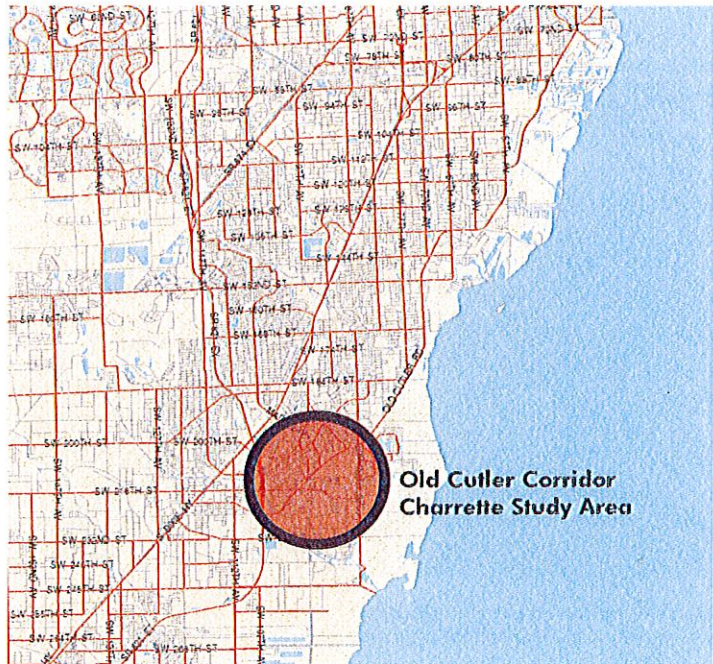
set up its studio in a storefront at the Old Cutler Town Center, where the doors remained open to the public all day. A presentation of the work in progress was held on Friday, June 28th where the community embraced the concepts included in the Charrette Area Plan. Work is documented in the form of a Charrette report and recommendations summary as a follow up to the initial public workshop.

THE OLD CUTLER ROAD MASTER PLAN GREW OUT OF A DESIGN CHARRETTE HELD FROM JUNE 21st THROUGH JUNE 28th, 2002:
 The Charrette was held at the Edward Whigham Elementary School and was well attended by residents, property and business owners, representing a diverse cross-section of the community as well as County staff and elected officials, who all worked together to define the elements of this master plan. During the week, the design team

THE CITIZENS, WITH THE ASSISTANCE OF A PROFESSIONAL TEAM, STUDIED THE MANY CHALLENGES FACED BY THE COMMUNITY AND PROPOSED SPECIFIC SOLUTIONS:
 A series of presentations by County Staff were held and during that time further citizen and professional input was taken into account. The Board of County Commissioners (BCC) passed a resolution (# R-439-04) on April 13th 2004, thereby accepting the Old Cutler Road Charrette Area Plan Report and it's recommendations.



Above: Plan of existing conditions in the study area. **Below left:** Scenes from the public design process on Saturday, June 21st, 2002. Numerous concerned citizens from the Old Cutler area participated in the charrette at Edward Whigham Elementary. **Below right:** The Old Cutler Road Charrette study area in the context of South Miami-Dade County



BEFORE AND AFTER:



Above: Pedestrian, lighting, and landscape improvements in the corridor.



Above: Entrance feature at SW 102 Avenue marks arrival into the Old Cutler civic district.

Old Cutler Road: “A Historic Path”

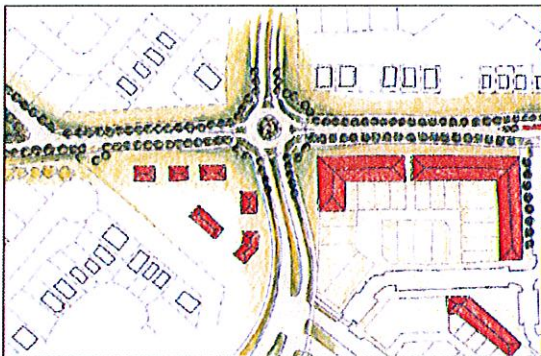
The Old Cutler Road Charrette Report contains detailed instructions that if followed, will reduce traffic congestion and allow development while restoring the historic ambiance of the road. Through the project corridor, the roadway serves commuters destined for points north as well as the retail core of the community.

The roadway was designated as historic by the State in 1974 and limits widening beyond its two-lane current condition. The proposals in this effort are focused on rebalancing the roadway toward all its users: motorists, pedestrians, transit users, and bicyclists.

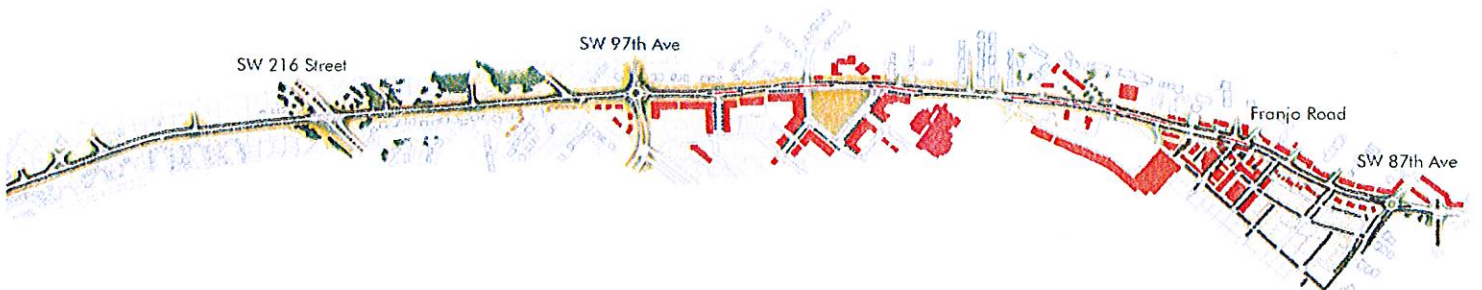
Traffic volumes on Old Cutler Road currently number 12,000 to 16,000 vehicles per day (VPD) north of SW 184th Street, while the volumes to the south approach 22,000 VPD.

Approved development proposals in the area southeast of Old Cutler Road will add approximately 3,000 new homes within the area and will result in additional traffic volumes. As new neighborhoods are built, opportunities to provide alternate access should be maximized. Such potential connections include SW 212th Street, SW 97th Avenue, SW 92nd Avenue, SW 224th Street, Franjo Road, and SW 85th Avenue.

The extensive concentration of commercial uses within the study area is unique along Old Cutler Road and also marks the end of the historic corridor. The master plan proposes to announce the culmination of the road with a unique statement that is within the road’s historic parameters. A pair of roundabouts, at SW 87th Avenue and 97th Avenue will serve this function as gateways into the historic corridor.



Implementing Roundabouts:
Left: Connecting SW 97th Avenue and creating a roundabout at Old Cutler Road
Right: Improving the SW 87th Avenue and Old Cutler Road intersection with a roundabout
 These proposals create ‘bookends’ to the Old Cutler civic district and provide a mark of transition from the commercial core to the surrounding residential areas.

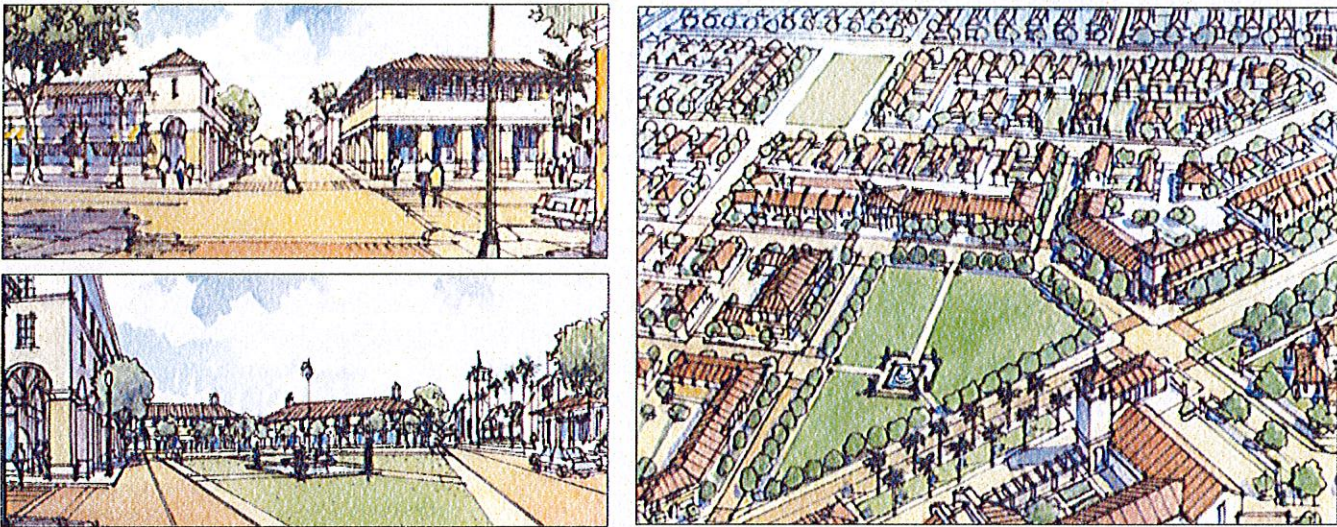


Above: Citizens’ Charrette Area Plan enhancements to the Old Cutler Road corridor from SW 200th Street to SW 224th Street

Citizens' Requests:

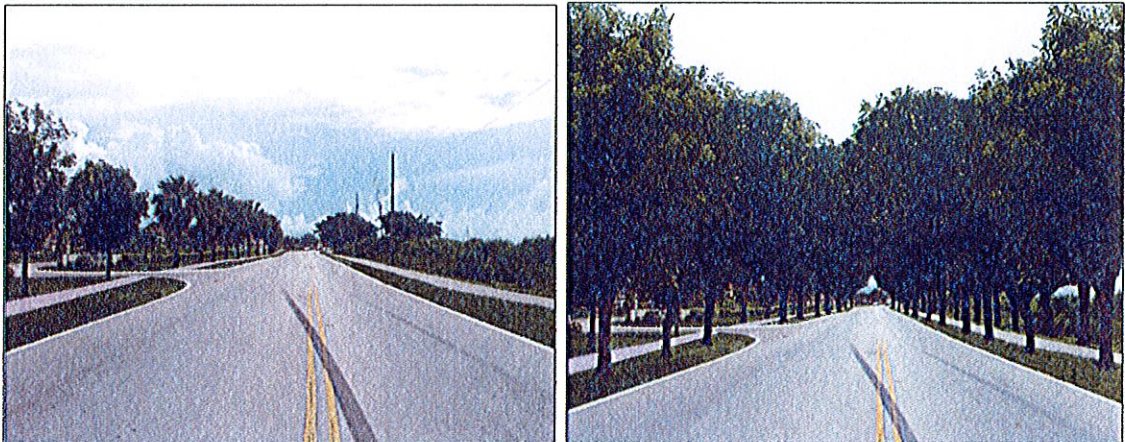
- Restore the historic character of Old Cutler Road
- Reduce congestion, improve traffic flow and safety
- Calm traffic along Old Cutler Road
- Improve intersections and build new streets
- Improve landscaping on Old Cutler Road
- Maintain and improve sidewalks and bike lanes
- Connect existing streets and parking lots
- Consolidate driveways
- Promote civic identity, create a civic district/town center
- Place an entrance feature at the start of the civic district
- Create a walkable, pedestrian-friendly environment
- Relocate Khoury League baseball fields
- Create a plaza surrounded by mixed-use buildings
- Improve drainage
- Establish architectural design guidelines

THE VISION



BEFORE AND AFTER:

From 'Potato Field' to Town Center
 The Citizens' Charrette Area Plan proposes the land east of Old Cutler Road and North of SW 212th Street become a center for the community. During the charrette, the need to define the area's identity and create a public gathering place was expressed. **Top left:** View across the triangular green along Old Cutler Road. **Above left:** View down a new street in the neighborhood that terminates on a civic building. **Above right:** View to the southeast over Old Cutler Road.



Above: Landscape and pedestrian improvements in the corridor- The Citizens' Charrette Area Plan proposes sidewalks and consistent tree planting on both sides of Old Cutler Road through the corridor to provide a comfortable environment for all users of the roadway.

Old Cutler Road Charrette

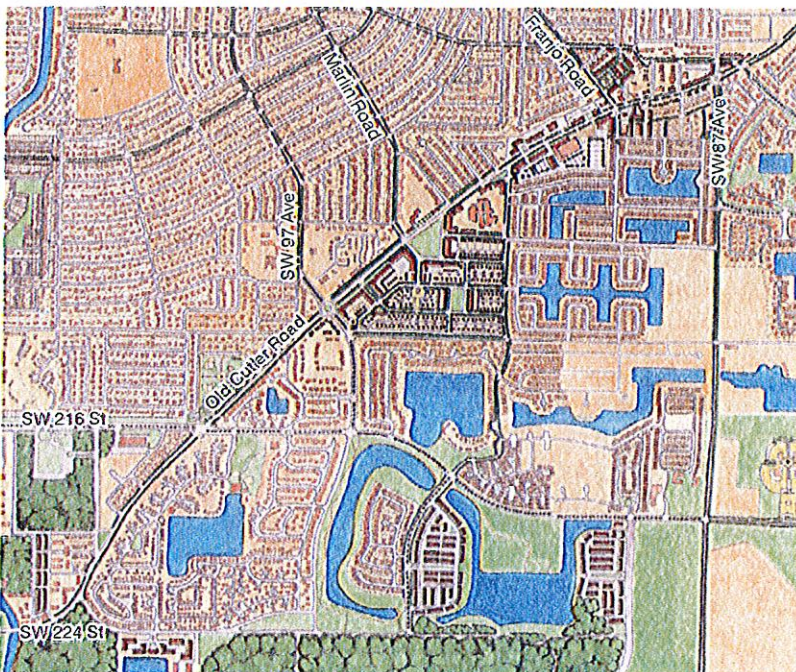
CHARRETTE AREA PLAN REPORT EXECUTIVE SUMMARY


Project Goals and Objectives:

The goal of the Old Cutler Road Charrette Area Plan is to create a framework that will preserve the heritage of this historic roadway, facilitate improvement in public infrastructure and the investment in private land, enhance the livability and encourage design quality, both architectural and urban, in a manner that achieves the following objectives:

- To preserve and enhance the historic and community character along Old Cutler Road
- Reintroduce pedestrian-scale improvements in lighting and landscaping; rebalance vehicular movement in the corridor
- Providing residents additional travel options by connecting the street network east of 87th Avenue to Old Cutler Road
- To enhance safety and lower travel speeds in the neighborhoods to the northwest of Old Cutler Road by implementing roundabouts in place of traffic signals wherever appropriate
- To create a civic district/town center and public gathering space for the surrounding area
- Provide residents better access to goods and services available along Old Cutler Road without having to travel on that same road
- To increase safety along Old Cutler Road through design modifications that reduce motorists' speeds and increase pedestrian and bicycle visibility and comfort

THE CHARRETTE AREA PLAN: A COMMUNITY'S VISION





Carlos Alvarez, Mayor

BOARD OF COUNTY COMMISSIONERS

Joe A. Martinez, *Chairman*

Dennis C. Moss, *Vice-Chairman*

Barbara J. Jordan <i>District 1</i>	Carlos A. Gimenez <i>District 7</i>
Dorrin D. Rolle <i>District 2</i>	Katy Sorenson <i>District 8</i>
Audrey M. Edmonson <i>District 3</i>	Dennis C. Moss <i>District 9</i>
Sally A. Heyman <i>District 4</i>	Sen. Javier D. Souto <i>District 10</i>
Bruno A. Barreiro <i>District 5</i>	Joe A. Martinez <i>District 11</i>
Rebeca Sosa <i>District 6</i>	José "Pepe" Diaz <i>District 12</i>

Natacha Seijas
District 13

Harvey Ruvín, *Clerk of Courts*

George M. Burgess, *County Manager*

Murray Greenberg, *County Attorney*

Diane O'Quinn Williams, *Director
Department of Planning and Zoning*

Old Cutler Road Charrette Report prepared with the assistance of:
Chamber South and Treasure Coast Regional Planning Council.
For more information contact Miami-Dade County Department of
Planning and Zoning at 305-375-2842



Special Thanks:
Commissioner
Katy Sorenson
District 8