

# City of Margate City Commission Presentation

## Zoning Code Reorganization Update

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# Discussion Points

- Update on Process
- Key Changes to Code by Chapter
  - Phase 1
- Timeline for Completion
- Q&A



# Proposed Unified Land Development Code- Chapter 40

- One location for Land Development Regulations (New “**Chapter 40**”)
- Chapters and sections of the existing City Code will be moved to the new chapter
- Clarify and add land development regulations not currently in the City’s Code
- Not all the changes will be in Chapter 40 – some will remain in existing location

# Overview of the Project

- Phase 1

- Chapters 2, 11 and 17
- Chapters 31 and 35
- New Chapter 40 draft outline

- Phase 2

- Chapter 23
- Appendix A
- Appendix C
- CRA Architectural Design Guidelines (pending codification)
- Zoning Map Review



# Phase 1

## Chapter Breakdown

- Chapter 2, Article IV – Boards, Committees, etc.
- Chapter 11 – Drainage and Waterway
- Chapter 17 – Floodplain Management
- Chapter 31 – Platting, Subdivision, Land Use
- Chapter 35 – Streets, Sidewalks, Public Places



# Status of Phase 1

- Review of Chapters 2, 11, 17, 31, 35
  - All chapters reviewed
  - Input received from all departments
  - Edits to new code language finalized
  - Moving pertinent code sections into new Chapter 40

# Process for Review

- Existing document contains edits of existing document
- City and CGA staff mark up edits using track changes
- CGA distributes final edits to City for review
- Annotated Outline
  - Tracks where code sections originated and proposed location



# Existing Code Changes Underway

<del>(e) The preliminary plat shall be at a scale of not more than one hundred (100) feet to the inch, provided that a scale of two hundred (200) feet to the inch may be used for large areas.</del>
<del>(a) Plat Drawing Requirements.</del>
<del>All plats shall be prepared in accordance with Broward County plat drawing requirements. In addition, the plat shall provide space for the following signatures:</del>
<del>(1) Mayor of the City of Margate</del>
<del>(2) City Clerk of the City of Margate</del>
<del>(3) Chair of the City of Margate Planning and Zoning Board</del>
<del>(4) City Engineer of the City of Margate</del>
<del>An application for plat approval shall be accompanied by a plat drawing, the overall size of which shall be 24" x 36", drawn at a standard engineering scale no smaller than 1" = 100', except when the submittal is made electronically or a smaller scale is approved by the Development Services Department, and which shows the following:</del>
<del>(1) Proposed subdivision name or identifying title. Such name shall not be the same or in any way so similar to any name appearing on any recorded plat in Broward County as would confuse the records or mislead the public as to the identity of the subdivision, except when an existing subdivision is subdivided as an additional unit or section by the same developer or his successors in title.</del>
<del>(2) A plat location sketch showing the plat in relation to a nearby intersection of two arterial collector or other well established existing roadways.</del>
<del>(3) North arrow, scale and date.</del>
<del>(4) Lots and blocks of adjacent recorded plats, giving plat book and page number along with names of such plats.</del>
<del>(5) All existing streets and alleys on or adjacent to the tract, including name and right of way width.</del>
<del>(6) The legal description of the property being platted.</del>
<del>(7) All existing easements and rights of way within the plat limits with the purpose and the instrument of record labeled.</del>
<del>(8) Location and width of all proposed ultimate rights of way, alleys, easements, proposed lot lines with dimensions, and parcels of land proposed or reserved for public use, including playgrounds, ball lots, public areas, lakes and the like.</del>
<del>(9) Space for signature of designated municipal officials, including Development Services Director and City Engineer, Chairperson of the Planning &amp; Zoning Board and the Mayor of Margate with spaces for witnesses and attesting by the City Clerk.</del>
<del>(10) Space for signature of the Mayor, city clerk of the Broward County Commission.</del>
<del>(11) Space for Broward County Highway Construction and Engineering Division Director's signature and seal.</del>
<del>(12) Space for the County Surveyor's signature and seal, indicating review of the plat for conformity with Chapter 177, Florida Statutes.</del>
<del>(13) Space for approval of Broward County Planning Council.</del>
<del>(14) Space for approval by the Planning and Development Management Division.</del>
<del>(15) The parcel encompassed by the legal description shown on the plat shall be clearly identified with a heavy line and shall show dimensions and either bearings or interior angles of said</del>

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improvement, public. Any of the following: street pavement, with or without curbs and gutters; sidewalks, alley pavement; walkway pavements; water mains; sanitary sewers; storm drains; street name signs, street trees; permanent reference monuments (PRM); permanent control points (PCP).

Lot. A tract or parcel of land identified as a single unit in a subdivision, and intended for transfer of ownership, use or improvement.

Lot depth. The mean horizontal distance between the front and rear lines of a lot.

Lot width. The horizontal distance between the side lines of a lot at the front yard line or at the front lot line where no front setback is required.

**Mylar. A 24"x36" dimensionally stable plastic film in which the final plat drawing is placed upon.**

Multiple dwelling. A building which provides separate living quarters for two (2) or more families.

Over-all plan. A plan depicting a general layout of streets, blocks, lots, waterways, etc., for the future subdividing of an area, which may be platted in sections for each of which a preliminary plat will be filed.

Permanent reference monuments (PRM). Monuments as defined by Chapter 177, Florida Statutes.

Plat, final. A complete and exact subdivision plan, showing proposed street and lot layout, prepared for official recording as required by statute, to identify and define property rights, dedications and public improvements, and incorporating all corrections required by the city planning and zoning board and city engineer upon review of the preliminary plat.

**Plat, preliminary. A tentative subdivision plan, in the same detail as final plat, and showing proposed street and lot layout as a basis for consideration prior to submission of the original tracing of a final plat. This could also be called a "Preliminary Final Plat."**

Plat, sketch. An informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision.

Reverse frontage lot. A lot extending between and having frontage on a trafficway and a minor street and with no vehicular access from the trafficway.

Right-of-way. Land reserved, used or to be used for a street, alley, walkway, drainage facility or other public purpose.

Setback or base building line. The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way.

Sight distance. The minimum extent of unobstructed vision (in a horizontal or vertical plan) along a street from a vehicle located at any given point on the street.

Street. A public thoroughfare which normally affords principal means of access to abutting property.

Street, minor. A street used primarily for access to abutting properties, carries traffic from minor streets to the major system of arterial streets and highways, including the principal entrance street of a residential development and streets for circulation within such a development.

Street, marginal access. A minor street parallel to and adjacent to a traffic way, and which provides access to abutting property and protection from through traffic.

Subdivider. See "Developer".

Subdivision. The division of land into two (2) or more lots or parcels for purpose of transfer of ownership or development, or if a new street is involved, any division of a parcel of land.

Trafficway. A street other than minor or collector streets, which is intended primarily for through travel by all types of traffic for considerable distances, including freeways, expressways, primary arterial highways, major thoroughfares and secondary thoroughfares, or as identified on a trafficway plan.

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# Proposed Unified Land Development Code – Ch. 40

## ARTICLE 3 ADMINISTRATION

### ARTICLE III ADMINISTRATION

#### DIVISION 1 PURPOSE AND APPLICABILITY

##### 40.300 General Purpose

- (A) The purpose of this article is to implement development review requirements of the City's Comprehensive Plan and the Broward County Land Use Plan; discourage haphazard land development; ensure that urban delivery services are not unduly overburdened by premature development; coordinate departmental review; and protect the health, safety and general welfare of the residents of the City.
- (B) The provisions of this article shall apply to all applications for development permits within the City, and no development permit shall be issued except in compliance with this article.

#### DIVISION 2 APPLICATIONS, REVIEW PROCEDURES AND PUBLIC NOTICE

##### 40.301 Site Plan

- (A) Purpose
- (B) Applicability
- (C) Exemption
- (D) Procedure

- 1) Determinations required prior to approval of a development permit. A determination that adequate services will be available to serve the needs of the proposed development shall be made when the following conditions are met:
- Director of development services. The director of development services determines:
    - That the proposed development is consistent with the Margate Comprehensive Plan.
    - That the proposed development is in conformity with the **Unified Land Development Code**.
    - In the case of site plans, that the proposed development is in conformity with the provisions **related to landscaping within** Chapter 40 of this Code.
  - Director of Environmental and Engineering Services. The Director of the Department Environmental and Engineering Services determines:
    - That potable water service is available to serve the needs of the proposed development. A determination that potable water service is available shall be based upon one of the following two (2) criteria:



# Changes in Common with Each Chapter:

- Removal of fees in each Chapter or Section
  - Provide one location for fees approved through resolution
  - Scheduled for discussion at 5/17 Commission
- One location for definitions
  - Chapter 40 to have one location for all definitions
  - Terms such as use, structure, building, etc. will have one definition
- Not all Chapters will move to new Chapter 40
  - Chapter 11, 17, 35 and part of Chapter 2 will remain in place.



# Chapter 2: Administration

- Major Changes
  - Updating rules, procedures, powers, duties for:
    - Board of Adjustment
    - Planning and Zoning Board
  - Clarifying Director of Development Services as City liaison
  - Article IV, Divisions 2, 3 and 4 to be edited and moved to new Chapter 40

# Chapter 2:

## Administration

- Items for discussion
  - Combining Board of Adjustment and Planning and Zoning Board
  - Appeal of rulings of administrative official
    - Proposal: BoA > Circuit Court
    - Current: BoA > City Commission

# Chapter 11:

## Drainage and Waterways

- Major Changes
  - Identify City and Cocomar Drainage districts
  - Move elevation language to Ch 17
  - Clarify canal retaining wall permit requirements and construction in and upon waterways
  - All changes will remain in existing Chapter 11

# Chapter 11:

## Drainage and Waterways

- Major Changes
  - Retaining wall permit requirements
    - 11-17 B.(1)(f) - The applicant shall identify the current owner of the structure during construction and shall identify the future owner who will own the structure upon completion of the project, and who will maintain the structure once completed.



# Chapter 17:

## Floodplain Management

- Changes Adopted by City 7-14-2021
  - Incorporated most of CGA comments
  - CGA has reviewed adopted language as not in scope of work
  - Chapter will remain intact (not moving to Chapter 40)

# Chapter 31:

## Platting, Subdivision and Other Land Use Regs

- Major Changes
  - Updating terms and references to procedures
  - Establishing a clear site plan process with submittal requirements
  - Updating subdivision design standards
    - To reflect current development patterns



# Chapter 31:

## Platting, Subdivision and Other Land Use Regs

- Major Changes
  - Updating changes in zoning determinations
    - Eliminate spot zoning
    - Meet Comprehensive Plan compliance
    - Clarify procedure
  - Eliminate duplicative, outdated regulations
    - Such as Transportation / traffic impacts



# Chapter 31:

## Platting, Subdivision and Other Land Use Regs

- Items for Discussion
  - Changing radius for public notice requirements
    - 1,500' now Affected parties and Cost
    - Single Family – adjacent neighbors only



# Chapter 35:

## Streets, Sidewalks and Other Public Places

- Major Changes
  - Update ROW abandonment procedure
    - Add language about noticing and recording
  - Clarify responsibility for driveway approach maintenance
    - Specify who does what, which portions of driveways, etc

# Ch. 35: Streets, Sidewalks and Other Public Places

- Major Changes

- Sidewalk responsibility: added language for maintenance (City vs. Owners)
  - City versus private owners
- Strengthen streetlighting fixture regulation
  - Allow City to regulate fixture consistency
  - e.g. with heritage designs), etc
- Clarify construction on docks/piers



# Ch. 35: Streets, Sidewalks and Other Public Places

- Items for Discussion
  - Sidewalk responsibility
  - ROW abandonment and process
  - Dock/pier construction



# Timeline for Completion

Event	Date	Purpose
<b>PHASE 1</b>		
City Commission	May 9, 2023	Phase 1 Workshop
Planning and Zoning Board	June 6, 2023	Phase 1 Meeting
City Commission	June 21, 2023	Phase 1 First Reading
City Commission	July 5, 2023	Phase 1 Second Reading
<b>PHASE 2</b>		
City Commission	June 13, 2023	Phase 2 Workshop
Planning and Zoning Board	July 11, 2023	Phase 2 Meeting
City Commission	August 23, 2023	Phase 2 First Reading
City Commission	September 20, 2023	Phase 2 Second Reading



# Questions and Answers

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