Notice to Visitors: All persons who desire to speak on any public hearing item must fill out an Oath Card, sign the card, and submit to one of the City Planners. Speakers will be heard in the order received by the Chairman. The applicant may make a brief rebuttal if necessary. Anyone who speaks is considered a witness. If you have photographs, sketches, or other documents, you must provide 9 copies to one of the City Planners for distribution to the board members. These items will be retained by the Board members, City Attorney and City Staff. Purpose: The purpose of the Planning and Zoning Board is to provide recommendations to City Council about all matters that are development applications or staff initiatives relating to the City’s comprehensive plan, known as the “Horizon 2030 Comprehensive Plan” and the City’s Land Development Regulations found in Subpart B of the Municipal Code of Ordinances.

1. PLANNING DIRECTOR REPORT

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. MINUTES

Planning and Zoning Board Meeting of May 12, 2020

6. PUBLIC HEARING(S)


   Staff is proposing code amendments to the City’s land development regulations to allow temporary relocation housing by individuals who have been displaced from their primary residence due to damage from a disaster; to update the height restrictions for fences in residential zones; and to allow flat roofs with shielding of roof equipment in the I-B (Integrated Business) and GTWY-I (Gateway Interchange) zoning districts.

   Applicant: City of West Melbourne
   Location: Citywide
The proposed code changes will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

b. Code Amendments to the Land Development Regulations – Chapter 86, Subdivisions, Lot Split clarifications and subdivision code updates – (LDR 2019-03)

Staff is proposing code amendments to the City’s land development regulations to add clarifications to the Lot Split process and to update the subdivision code.

Applicant: City of West Melbourne
Location: Citywide

The proposed code changes will be acted upon by City Council with a recommendation from the Planning and Zoning Board.

7. BOARD MEMBER REPORTS

8. ADJOURN

All persons wishing to be heard or to have their opinion known should appear in person at these hearings or send written comments to City staff. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City’s ADA coordinator at 837-7774 at least 48 hours in advance of this meeting.

NOTICE IS HEREBY GIVEN that the West Melbourne Planning and Zoning Board will hold a public meeting on Tuesday, June 9, 2020, to which all persons are invited. The meeting will be conducted in City Council Chambers at the Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida 32904, and by means of communications media technology. The meeting will be broadcast live for members of the public to view on the City’s YouTube channel, which may be reached via links on the City’s website (www.westmelbourne.org), or by entering the following address in your web browser:

https://www.youtube.com/channel/UC0rw9-ZqduSTcs6uBNU7_ag

Pursuant to Governor DeSantis’ Executive Order Number 20-69, issued on March 20, 2020, and section 120.54, Florida Statutes, local government bodies may utilize communications media technology, such as telephonic and video conferencing, for local government body meetings. In order to accommodate as many members of the public as possible, and in keeping with Centers for Disease Control social distancing guidelines, some members of the Planning and Zoning Board will participate in the meeting via communications media technology.

Pursuant to Governor DeSantis’ Executive Order Numbers 20-91 and 20-139, attendance in the City Council Chambers will be limited to fifty (50) people.

Anyone who wishes to provide public input without personally appearing at the meeting may do so by sending an email to cfischer@westmelbourne.org. Emails must be received prior to 4:00 p.m. on Tuesday, June 9, 2020. All emails will be provided to the Planning and Zoning Board members. Should you wish to have your comment read aloud by City staff at the meeting, please indicate that in your email. The reading of public comments received by email will be limited to three (3) minutes.
Due to the Coronavirus COVID-19 pandemic and the limits on congregating in meetings, the June 9th Planning and Zoning Board (the Board) will be conducted as a virtual meeting via a live broadcast on YouTube. The Board’s remote attendance is encouraged and appreciated since we have an applicant who may bring other speakers for their case. We encourage the Board to sign in to the meeting account in advance.

Thank you for your diligence in attending to your duties remotely.

There will be a July 14th Board meeting.

Road work update

1. The Ellis Road/I-95 interchange is fully operational for traffic.

2. The Ellis Road widening is several years away from occurring since the State and County are still purchasing property.

3. Norfolk Parkway on the side of Sawgrass Lakes will get another turn lane out of the subdivision before the end of 2020.

4. The Hollywood Boulevard and Imagine Way traffic signal design is under way.
Planning and Zoning Board

MINUTES

May 12, 2020

6:30 P.M.

City Council Chambers
and via Communications Media Technology*

1. CALL TO ORDER

Chairman Jaudon called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2. ROLL CALL

Present were:  Chairman Chris Jaudon
               Vice Chair Jennifer Spagnoli
               Board Member Rob Brothers
               Board Member Paul Bernkopf
               Board Member Anna Kapnoula
               Board Member George Cronin
               Board Member Jim Liesenfelt

3. PLANNING DIRECTOR REPORT

Planning Director Fischer spoke regarding the need for virtual meetings during the COVID-19 pandemic and updated the board on several roadway projects throughout the city.

4. MINUTES

Planning and Zoning Board Meeting of February 12, 2020

Moved by Vice Chair Spagnoli, seconded by Board Member Kapnoula to approve the minutes.

Discussion on the motion:
There were corrections to the minutes for page 5, near the bottom of the page to strike the word “if” and to clarify the phrase….. Page 7.

The maker and the seconder agreed to amend the motion to approve the minutes with the stated corrections. Motion passed, 7-0.
5. FINAL PLAT – Space Coast Town Centre East – Phase I

Final Plat approval for Space Coast Town Centre East, Phase I consisting of 5 tracts and 1 lot on 100.37 acres, more or less. Located to the west of Interstate 95, and south of U.S. 192 in the Gateway Interchange zoning district.

Applicant: Bruce Moia, PE, MBV Engineering, Inc. for Space Coast Town Centre I, LLC
Location: West of I-95 on the south side of U.S. 192

Planner Curry presented the staff report. She talked about the location of the property, the property owners and their request to subdivide the property into 1 lot and 5 tracts and the process for final plat approval. She explained the preliminary plat approval occurred on November 19, 2019 with 7 conditions which gave them 2 options. One option is to complete engineered construction drawings and install improvements or the second option is to complete engineered construction drawings and post a performance bond. She explained the developer has chosen option 2 to complete the engineered construction drawings and post a performance bond. She stated all of the conditions of approval for the preliminary plat have been met and the final plat is consistent with the preliminary plat.

Once the final plat is recorded, then lot one can be sold to Integra Development for the development of Space Coast Town Center Apartments which is under staff review for final site plan approval. She explained the concept plan for the apartments was approved on February 12, 2020 but construction cannot occur until the final plat is recorded for Phase I of the Space coast Town Centre subdivision and performance bonds have been posted. She talked about the purpose of each of the 5 tracts regarding their ownership, and maintenance responsibilities. She presented analysis to show consistency with the LDR’s. She gave an overview of the City reviews and spoke about the sidewalk proposed to be around the lake and the updated final plat submitted to reflect the sidewalk area. She talked about the outside agency requirements and recommended the following motion:

Recommend approval to City Council of the Final plat of Space Coast Town Centre East – Phase I subdivision with the following conditions:

1. Developer will finalize construction drawings to comply with City Codes.
2. Developer will post the construction performance bond (to be posted prior to presentation of the final plat to City Council in accordance with City Code).
3. Obtain outside agency permits.

Bruce Moia, P.E., MBV Engineering spoke on behalf of the applicant, thanked staff and advised that he would answer any questions the board may have.

Discussion Included:
- Plat notes 2c and 2d and whether the pedestrian easement notes are intended to put limitations on public access to the linear park that encircles the lake. City Attorney Richardson advised there are no restrictions in the plat language as
they are very general and specific rules will come later but the goal is to have interlinked access when it is built and constructed.

- Intensity/Density for the project and vested trips tracking responsibility.
- School concurrency situation and the adjacent school capacity areas.

Moved by Board Member Brothers, seconded by Board Member Cronin to recommend approval to City Council of the Final plat of Space Coast Town Centre East – Phase I subdivision with the following conditions:

1. Developer will finalize construction drawings to comply with City Codes.
2. Developer will post the construction performance bond (to be posted prior to presentation of the final plat to City Council in accordance with City Code).
3. Obtain outside agency permits.

Motion passed, 7-0.

6. BOARD MEMBER REPORTS

No reports.

7. ADJOURN

Chairman Jaudon adjourned the meeting at 7:21 p.m.

______________________________
Chairman Jaudon

______________________________
Denise Curry, Planner
To: Honorable Members of the West Melbourne Planning and Zoning Board

From: Christy Fischer, AICP, Planning Director

Date: June 9, 2020

SUBJECT

Code Amendment proposed by staff to update several zoning districts and to allow temporary housing after a declared disaster.

RECOMMENDATION

City staff recommends approving code revisions updating some of the architecture language in two of the mixed use districts and to allow temporary housing after a Governor declared disaster.

FISCAL IMPACT

The fiscal impact of the advertisement for the code change is budgeted in the City Clerk's office.
DISCUSSION

PROPERTY ADDRESS – applies to the Gateway Interchange and Integrated Business zoning districts and the temporary housing applies to residential communities

BRIEF SUMMARY OF REQUEST

In February, during the Integra apartments’ initial site plan presentation to the Planning and Zoning Board, staff discussed the need for the project to redesign their roofs to have a slope or for the code to be revised to allow the flat apartment roofs. The mixed use zoning districts, Gateway Interchange and Integrated Business are part of these code changes to allow flat roofs for all uses and to ensure appropriate roof screening of air condition handlers, etc. The second part of these code revisions are to allow temporary federal housing if a natural or man-made disaster destroys housing in any residential part of the City.

COMPATIBILITY with the COMPREHENSIVE PLAN

Much of the City’s Future Land Use element describes architectural features and design as a manner to enhance the built environment, and the Housing element supports a variety of housing types to accommodate various conditions. The second part of these code revisions are to allow temporary federal housing if a natural or man-made disaster destroys housing in any residential part of the City.

COMPATIBILITY with the LAND DEVELOPMENT REGULATIONS

This staff report analyzes the City codes balanced in light of existing residential developments and has determines those chapters in the Land Development Regulations most suitable to contain the new requirements.

Background —

This is a proposal to revise the architectural requirements of both the Gateway Interchange (GTWY-I) and Integrated Business zoning districts which have similar architectural criteria. During the Space Coast Town Center apartment public hearings, staff discussed that flat roofs were not allowed for apartments. After further discussions with the City Attorney, it was discovered that the GTWY-I district did allow the residential to have flat roofs as was proposed by the Town Center apartments. Staff found that the Integrated Business district had similar criteria and determined that any changes to one district should also be made to the other mixed use district. As to the other Chapter 98 revision, the new temporary housing provisions are a result of staff’s attendance at a conference in which disaster mitigation experts who work closely with FEMA (Federal Emergency Management Agency) advocated that all local governments revise zoning codes to allow the temporary housing.

The following information has been compiled to assist the boards concerning this request to add a secondary access requirement.

Staff Analysis—

Occasionally portions of the Zoning code are updated with changes as a result of community requests or as noticed by staff to achieve a Council directive or as a clean-up and modernization of the code which dates back to 1972. Often staff compares our Zoning code to other jurisdictions and such is the case for the temporary housing revisions, including a local government in North Carolina. Staff believes the changes are a proactive step in case the City needs the assistance of FEMA in providing housing to disaster impacted communities.
After a natural disaster in which people's homes are mostly destroyed, FEMA may assist the community by providing temporary travel trailers or mobile homes as a place for the resident(s) to continue living in place while their permanent house is reconstructed. It was brought to staff’s attention that FEMA requires that local governments have codes supporting the temporary housing which typically is prohibited in a city or county’s zoning codes. A jurisdiction’s dilemma is that Zoning codes are permanent housing based and do not allow the temporary housing for special circumstances. In fact some of the speakers at a 2019 Florida Redevelopment Agency conference discussed that some communities found out after natural disasters that in order to receive FEMA housing units, that they had to pass emergency ordinances to allow the temporary housing. This staff report discusses examples of other local government temporary housing codes, and as mentioned on the previous page, of the mixed use district minor changes.

**FEMA example** - Staff researched municipalities to determine the types of criteria and language that was used to allow for the temporary displacement housing but found relatively few have the temporary housing provisions in their codes. None of these were found in Brevard, so staff researched FEMA who provided both a fact sheet and an entire document dedicated to the subject of helping local governments strategize housing after a declared natural or man-made disaster (see Attachment 1 as excerpts of these FEMA documents). These code changes seek to accommodate what FEMA calls, “Direct Temporary Housing” which is defined by this emergency agency as:

Direct Temporary Housing Assistance includes providing Temporary Housing Units (THUs) through Multi-Family Lease and Repair (MLR), Direct Lease or placing transportable THUs, such as Manufactured Housing Units (MHUs) or Recreational Vehicles (RVs), on private, commercial, or group sites. A THU is defined as a house, apartment cooperative, condominium, manufactured home, or other dwelling FEMA acquires by purchase or lease and makes available to eligible applicants for a limited period of time.

**Temporary housing** – FEMA describes four stages of housing needs both before and after a declared natural disaster * –

Emergency Shelter → Transitional (hotels, etc.) → Interim (manufactured homes, RV’s) → Home construction (HUD housing or other permanent housing)

* IT IS OUR UNDERSTANDING THAT FEMA COORDINATES WITH LOCAL GOVERNMENTS ABOUT INTERIM AND HOME CONSTRUCTION NEEDS IN THEIR COMMUNITY AND NEEDS COMMUNITY SUPPORT OF THE INTERIM HOUSING VIA AN ORDINANCE OR RESOLUTION. THIS WAS DISCUSSED BY VARIOUS DISASTER RELIEF CONSULTANTS AND A LOCAL GOVERNMENT IN NORTH CAROLINA, NEW HANOVER. IT IS FOR THIS REASON THAT STAFF IS PROPOSING THIS TEMPORARY HOUSING CODE.

Staff found that there were two jurisdictions who had clear examples of code changes and ordinances that clearly related just to temporary housing and these were Broward County (Fort Lauderdale is the county seat), and New Hanover, North Carolina. New Hanover is a small community and had one page in their codes about what they termed “temporary relocation housing”. Broward County as a more urban jurisdiction mirrored closely the 88 page FEMA housing strategy as applicable to all four
stages of housing needs in a community. Broward County also provided a clear example of a temporary housing ordinance to provide the temporary housing provision in their development codes.

Generally, both jurisdictions dealt with the following topics in their temporary housing codes:

- DECLARATION OF HOUSING EMERGENCY BY A GOVERNMENT AGENCY
- DURATION OF “TEMPORARY” (FEMA PROVIDES FOR UP TO 18 MONTHS OF THIS TYPE OF HOUSING)
- LISTING OR ITEMIZATION OF LOCATION POSSIBILITIES FOR TEMPORARY HOUSING
- CRITERIA OF THE TEMPORARY HOUSING

**Code Changes** - The code changes that follow the format of FEMA’s suggestion and other local governments is proposed for the supplemental sections of the City’s Zoning Code, Chapter 98.

**Change to Chapter 98. Supplementary Uses-Mobile Homes, Recreational Vehicles – (addition of temporary housing section)**

Staff comments - The Zoning Code contains a section travel trailer campground criteria which is known as “Division 6” of the Zoning Code, and since the temporary housing provided by FEMA on individual single family lots tends to be recreational vehicles and manufactured housing or trailers, and the allowance is for temporary housing, this section of the code was chosen for the criteria. Specifically, **Section 98-1151, Temporary Relocation Housing**, is proposed for insertion with its criteria addressing the four topics identified as bullet statements above. In order to allow temporary housing, the City requires documentation that an emergency declaration of disaster exists. The City defers this official declaration to the State of Florida Governor’s office. This section of the code as shown in **Attachment 2** then specifies the process, duration, zoning and building permit approvals. Please note that even though FEMA describes temporary housing for a duration of 18 months, the City Manager wanted a period of 24 months since residents can obtain extensions from FEMA or there may be differences in the dates of our permits and FEMA’s delivery of the housing. The listing of zoning districts in which the housing is allowed are those that allow some type of residential units, whether single family, multi-family or mixed use.

**Change to Chapter 98. Zoning Districts, Gateway Interchange and Integrated Business – (clarification in the architectural design section)**

As mentioned previously under the history and background, after one of the multi-family initial concept plan public hearings, it became clear that the architectural design sections of the similar Gateway Interchange and Integrated Business districts contained ambiguities about whether residential projects could have flat roofs or not. After discussion with the City Attorney, it was determined that staff would simplify the code wording to clearly state that all uses in those two zoning districts can have flat roofs as long as they contained features to hide air condition units and other equipment.

**Conclusion:**

The City is the applicant for these code changes regarding the flat roofs and temporary housing units and are a result of discussions with numerous individuals. Both changes are in the Zoning Code and would be enacted if City Council approves the changes.

ITEM 6a 4  June 9, 2020
Public Notice:

The public hearing for the code change was advertised as required by Florida Statutes in the legal section of Florida Today.

RECOMMENDATION

Recommend to City Council approval of the code changes to include criteria in the Zoning Code for temporary housing after an officially declared disaster, and to revise the Integrated Business and Gateway Interchange flat roof language.

ATTACHMENTS

1. Attachment 1 – FEMA Housing strategy and fact sheet
2. Attachment 2 – Ordinance Number 2020-03
Through the Housing Assistance provision of the Individuals and Households Program (IHP), FEMA may provide Direct Temporary Housing Assistance to eligible applicants whose primary residence is uninhabitable as a direct result of a presidentially-declared emergency or major disaster. If FEMA determines that eligible applicants cannot utilize financial Rental Assistance due to a lack of available housing resources in the area, FEMA at the request of local, state, territorial, or tribal governments; may authorize the use of Temporary Housing Units (THUs).

Direct Temporary Housing Assistance includes providing Temporary Housing Units (THUs) through Multi-Family Lease and Repair (MLR), Direct Lease or placing transportable THUs, such as Manufactured Housing Units (MHUs) or Recreational Vehicles (RVs), on private, commercial, or group sites. A THU is defined as a house, apartment cooperative, condominium, manufactured home, or other dwelling FEMA acquires by purchase or lease and makes available to eligible applicants for a limited period of time.

FEMA may offer THUs to eligible applicants through the following methods:

**Multi-Family Lease and Repair**: MLR is a form of Direct Temporary Housing Assistance that allows FEMA to enter contracts with multifamily property owners to lease and repair or make improvements to existing multi-family housing units (e.g., apartments). FEMA may utilize these types of units as temporary housing for eligible applicants who are unable to use Rental Assistance due to a lack of available resources. MLR is not intended to repair or improve individual units to re-house existing tenants.

**Direct Lease**: FEMA may contract with property owners to lease non-multi-family properties (i.e., single family or properties with fewer than three units in one site, such as a duplex) to use as temporary housing.

**Manufactured Housing Units (MHUs)**: MHUs are manufactured homes or other readily fabricated dwellings (e.g., a pre-fabricated dwelling) owned by FEMA and provided to eligible applicants for use as temporary housing for a limited time.

- Furnished MHUs, ranging from one-to-three bedroom units, are provided based on the applicant’s pre-disaster household composition.
- FEMA may provide MHUs built to Uniform Federal Accessibility Standards for eligible disaster survivors with access and functional needs and provide ramps, platform steps or other reasonable accommodation to accommodate survivors’ accessibility needs.
- MHUs may be placed on a private site, such as the eligible applicant’s private property, a pre-existing commercial park, or on a group site approved by local officials and constructed and maintained by FEMA.
All occupants of a THU must agree to comply with FEMA’s rules, terms, and conditions for occupying the THU before moving-in by signing a Temporary Housing Agreement or Revocable License. To remain in the THU, occupants must:

- Demonstrate a continued housing assistance need.
- Actively participate in the FEMA recertification process.
- Show progress towards achieving their permanent housing plan.
- Adhere to FEMA’s rules, terms and conditions and the rules, laws, and regulations of the site and jurisdiction where the THU is located.

FEMA may provide Direct Temporary Housing Assistance for up to 18 months from the date of the declaration when adequate, alternate housing is unavailable and the occupants cannot fulfill their permanent housing plan through no fault of their own. The period of assistance may be longer when FEMA determines due to extraordinary circumstances an extension would be in the public interest. FEMA re-evaluates occupants’ eligibility on a periodic basis, usually monthly, and Direct Temporary Housing Assistance eligibility is subject to the occupant continuing to meet eligibility requirements.

###

FEMA’s Mission: “Helping people before, during, and after disasters.”

Last update: May 2018
The intent of this guide template is to provide a framework that assists local jurisdictions in developing disaster housing strategies.
Executive Summary

As a result of recent disasters such as Hurricane Katrina, our nation has witnessed the suffering of many people, who have lost their homes and businesses. This level of destruction can lead to an overwhelming sense of loss and subsequently may result in relocation of large portions of the population. Regardless of the type of hazard, an extensive loss of residents will severely hamper the ability of the community to recover and rebuild. This housing strategy provides policies and tactics our community may employ to hopefully retain our population and offer hope to survivors when their homes and businesses have been damaged or destroyed. By pooling our local resources, state expertise and federal support, we will provide temporary housing and support services to displaced families and individuals. Rapid recovery requires that all segments of the community, including businesses and government agencies, quickly reconstruct infrastructure, facilities, and structures. The provision of interim disaster housing in the post-disaster environment is essential to the long-term recovery and economic viability of the impacted community.

This strategy details the full array of interim housing options available to the leadership in the aftermath of the disaster. Based upon the severity and magnitude of the impact, decision-makers will have the flexibility to select the appropriate interim housing strategies including placement of displaced residents within local hotels, vacant rental units, or within FEMA provided manufactured housing units. This strategy will also ensure that the needs of special populations within our community are addressed.

The would like to thank the many agencies and organizations that supported the development of the disaster housing strategy. Their ongoing dedication before, during, and after a large-scale disaster will ensure the long-term viability of our community.
IV. Housing Strategies

It is vital to transition displaced families to a more stable and secure housing alternative in the aftermath of the disaster. As disaster situations improve, all internal and external partners will focus their efforts on transitioning displaced residents back to their pre-disaster dwellings or, if those dwellings cannot be re-inhabited, other permanent housing options.

A. Emergency Shelter Operations
Appendix F: Sample Disaster Housing Ordinance

(Temporary Housing Ordinance)

Draft

ORDINANCE NO.____

AN ORDINANCE OF THE _______ (Insert Your County, City or Community Name), PROVIDING THAT THE _______ (Insert Your County, City or Community Name) CODE BE AMENDED BY ADDING NEW DIVISION 2 TO CHAPTER 34 ARTICLE II; PROVIDING FOR THE PLACEMENT OF MANUFACTURED HOMES AND OTHER APPROPRIATE SHELTER IN RESIDENTIAL AREAS AND COMMERCIAL AREAS AS TEMPORARY ALTERNATIVE HOUSING; PROVIDING FOR A HOUSING EMERGENCY DECLARATION; PROVIDING FOR REGULATORY PROVISIONS; PROVIDING LOCAL COMPREHENSIVE PLAN AND COUNTYWIDE RULE AMENDMENTS WHERE NECESSARY FOR IMPLEMENTATION; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR FILING OF THE ORDINANCE AND AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR ANY MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING.

WHEREAS, the _______ (Insert Your County, City or Community Name) Charter, Section 2.04(k), states that the County shall have all special and necessary power to furnish within the various municipalities the services and regulatory authority directly concerned with the development and implementation of civil preparedness programs; and

WHEREAS, when directly related to the furnishing of the services and regulatory authority associated with the development and implementation of civil preparedness programs, county ordinances shall prevail over municipal ordinances, when in conflict;

WHEREAS, because of the existing and continuing possibility of the occurrence of natural or manmade disasters or emergency and destruction of housing stock resulting from, and in order to ensure the readiness of both the incorporated and unincorporated areas of _______ (Insert Your County, City or Community Name) to adequately deal with the loss of housing stock, it is desirable that _______ (Insert Your County, City or Community Name) implement a program to augment impaired housing stock by allowing, on a temporary basis, supplemental housing in zoning categories and land use categories that traditionally do not allow such housing alternatives and under conditions that are not otherwise permitted under the existing land development code; and
WHEREAS, the coordination of implementation of this ordinance will be facilitated by amendment of local comprehensive plans and the Countywide Plan to allow alternative housing on a temporary and supplemental basis.

NOW, THEREFORE, IN REGULAR SESSION DULY ASSEMBLED ON THIS (DATE) DAY OF (MONTH), 2011, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF, ___________
(Insert Your County, City or Community Name), FLORIDA.

Section 1. Chapter 34, Article II, Division 2, Sections 34-36 through 34-39 of the Hometown County Code are hereby added to read as follows:

Division 2: EMERGENCY HOUSING

Section 34-36 HOUSING EMERGENCY DECLARATION

A. Activation. Upon declaration of a state of emergency pursuant to Article II, Division 1 of this Chapter 34, and during the pendency thereof, the Board of County Commissioners, as a part of the original declaration or at any time during the duration of a declared state of emergency, may declare a state of housing emergency for all or any part of the incorporated or unincorporated areas of Hometown County.

B. Areas Embraced. Housing Emergency Declaration must define the boundaries of all areas subject to the terms of this Section 34-39. The areas embraced may include the entire unincorporated and incorporated areas of Hometown County or any part thereof.

C. Termination:

1. A Housing Emergency Declaration survives the termination of the Article II, Division 1 emergency declaration and may only terminate, in whole or in part, by formal action of the Board of County Commissioners to amend or terminate the areas embraced by the Housing Emergency Declaration.

2. Partial Termination. On its own initiative or upon petition by the governing body of a municipality, and based on findings regarding the status of housing stock in the areas being considered, the Board of County Commissioners may amend the Housing Emergency Declaration resolution to expand or contract the areas embraced.

3. The status of the housing emergency shall be evaluated 90 days after its declaration and every 90 days thereafter as long as the Housing Emergency Declaration is in effect to determine if formal action by the Board of County Commissioners is warranted to amend or terminate the Declaration.
Appendix S: Temporary Housing Ordinance

ORDINANCE NO. <insert number>  
AN ORDINANCE OF THE COUNTY COMMISSION OF  
BROWARD COUNTY, FLORIDA; AMENDING CHAPTER <insert number>  
PERTAINING TO <insert chapter title>; ADDING A NEW ARTICLE  
PERTAINING TO TEMPORARY HOUSING; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the impact associated with natural disasters may create a state of emergency in Broward County; and

WHEREAS, the devastation created by natural disasters may cause damage to all types of dwellings in the County, and as a result residents will be seeking housing assistance from the Federal Emergency Management Agency; and

WHEREAS, due to the damage to dwellings within the County caused by a natural disaster, the County Commission may find it necessary to declare a housing emergency in order to allow residents and citizens to avail themselves of other temporary housing options; and

WHEREAS, such an emergency would constitute an immediate threat to the life, health and safety of the citizens of the County.

NOW THEREFORE, BE IT ORDAINED by the County Commission of Broward County, Florida, as follows:

Section 1: Chapter <insert number>, TITLED "<insert chapter title>" of the Broward County Code of Ordinances is hereby amended as follows:

ARTICLE <insert number>, TEMPORARY HOUSING.  
Sec. <insert chapter title>. Storage.

(1) In the event of a declared emergency resulting in damage to property from a natural disaster, the time limitations imposed by this section for portable storage units shall be waived until such time as the County Commission declares an end to the emergency. The use of the portable storage unit shall cease either upon the repair or reconstruction of the individual's residence or no later than 18 months after the date the County Commission declares a housing emergency, whichever occurs first. The County Manager may grant one or more extensions of 30 days provided sufficient progress, in the sole opinion of the County Manager or designee, is being made to repair or rebuild the principal structure.
CHAPTER 98 – ZONING CODE CHANGES

In: IB, Integrated Business district

Sec. 98-824. - Performance standards.

The following land use intensity ratios and performance standards recognize the existing variety of the land uses and development patterns that exist in the IB zoning district and provide the necessary flexibility to meet the intent of retaining a mixed use development pattern.

(1) General provisions:
   a. The minimum area for application of the IB zoning district shall be five acres of a contiguous area located adjacent to arterial roads.
   b. The IB zoning district shall at a minimum contain three types of land use groups.
   c. No one land use group shall comprise more than 60 percent of a designated IB zoned area.
   d. All utilities, including telephone, television, electrical and other infrastructure shall be installed underground except for utility cabinets, lift stations or other devices that are required to be above ground.
   e. The minimum floor area for single-family detached and townhouses shall be 1,200 square feet of living area. The minimum floor area for apartments, duplexes and other multiple family units shall be 900 square feet per unit of living area, and efficiency units shall be 450 square feet of living area.
   f. Residential that is integrated with commercial, industrial and institutional uses shall be subject to the setbacks of these nonresidential uses.

(2) Design provisions:
   a. Access. Each lot shall have a maximum of two driveways to any one street.
   b. Accessory structures. All accessory structures shall be located behind the front building line of the principal structure. However, accessory structures existing on or before June 21, 2011, and which were made nonconforming by amendments to the city's land development regulations on or after that date, shall be treated as permitted uses in the district and shall be exempt from the restrictions set forth in chapter 98, article II for nonconforming uses.
   c. Appearance. The following criteria shall apply:
      1. Predominant exterior color shall be applied to all sides of a building and accessory structures.
      2. Flat roofs shall be allowed for nonresidential uses, however all accessory structures placed on flat roofs shall be shielded from view with an opaque structure matching the architecture of the building or shielded with a parapet.
      3. All buildings with 100 feet or more of wall space shall contain columns, facade engraving/etching, recessing and protruding wall planes, columns, porches, overhangs or other features to provide building mass relief.
      4. Nonresidential buildings. At least two intersecting wall planes of 100 feet or more facing a right-of-way shall contain windows, preferably at ground level, unless the building official states that such features are not feasible.
Sec. 98-846. - Performance standards.

The following land use intensity ratios and performance standards recognize the existing variety of the land uses and development patterns that exist in the GTWY-I zoning district and provide the necessary flexibility to meet the intent of retaining a mixed use development pattern:

(2) Design provisions:

a. Access. Each lot shall have a maximum of two driveways to any one street.

b. Accessory structures. All accessory structures shall be located behind the front building line of the principal structure.

c. Appearance. The following criteria shall apply:

1. Predominant exterior color shall be applied to all sides of a building and accessory structures.

2. Flat roofs shall be allowed for nonresidential uses all uses, however all accessory structures placed on flat roofs shall be shielded from view with an opaque structure matching the architecture of the building or shielded with a parapet.

3. All buildings with 100 feet or more of wall space shall contain columns, facade engraving/etching, recessing and protruding wall planes, columns, porches, overhangs or other features to provide building mass relief.

4. For nonresidential buildings at least two intersecting wall planes of 100 feet or more facing a right-of-way shall contain windows, preferably at ground level, unless the building official states that such features are not feasible.

ARTICLE V. - SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 6. - MOBILE HOMES, RECREATIONAL VEHICLES

Subdivision I. - In General Temporary Relocation Housing

- Secs. 98-1151. – Temporary Relocation Housing
- Secs. 98-1152—98-1175. - Reserved.

Subdivision II. - Travel Trailer Campgrounds

- Sec. 98-1176. - Scope.
- Sec. 98-1177. - Minimum campground size.
Subdivision I. - In General Temporary Relocation Housing

Sec. 98-1151. Temporary Relocation Housing

In the event a housing emergency is declared by the Governor of Florida following a natural disaster, and subject to the conditions contained in this section, temporary structures such as mobile homes, travel trailers and recreational vehicles may be used as temporary relocation housing by individuals who have been displaced from their primary residence located within West Melbourne due to damage from the disaster.

The use of mobile homes, recreational vehicles or travel trailers as temporary relocation housing in zoning districts where such use is prohibited prior to the declaration of the housing emergency shall cease either upon the repair or reconstruction of the individual’s residence or the City declares an end to the housing emergency, whichever comes first.

a) Temporary relocation housing shall comply with the following standards:

2. Disaster Declaration - The proposed location shall be within a disaster area with specifically defined boundaries and under specific conditions as determined by a federal “Disaster Declaration” where public or individual assistance is made available, or as determined by the City Manager.

3. Time period - Temporary accommodations for the displaced as permitted by this section shall not be installed for more than 24 months from the date of the declaration or determination, except as authorized by City Council.

4. Housing removal - Temporary housing units shall be removed from the site within 30 calendar days after completion of the rehabilitation work which may include, but not be limited to, issuance of a Certificate of Occupancy, Certificate of Completion, or final inspection if this occurs prior to the 24-month expiration period.

5. Zoning – Temporary relocation housing can be placed in any of the following zoning districts:
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>District Name</th>
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<tbody>
<tr>
<td>R-A</td>
<td>Residential Agricultural</td>
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<tr>
<td>R-1AAA</td>
<td>Single-family Residential</td>
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<tr>
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<td>R-3</td>
<td>Multi-family Residential</td>
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<td>Mobile Home Park</td>
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<td>Gateway Interchange</td>
</tr>
<tr>
<td>P-1</td>
<td>Institutional</td>
</tr>
</tbody>
</table>

6. **Permits** - Temporary housing units are subject to additional agency approvals which may include, but not be limited to, water supply, wastewater disposal, solid waste management and disposal, building permits, stormwater permits, or other utilities through the applicable regulatory office. Additional code requirements which may include, but not be limited to, building code and fire code shall be adhered to.

7. **Flood requirements** - Temporary housing units shall comply with either the minimum National Flood Insurance Program standards as set forth in Code of Federal Regulations, Title 44 Part 60 or Article 9: Flood Damage Preventions.

8. **Occupancy** – No person shall occupy a temporary dwelling units prior to inspection of the electrical and plumbing connections to the unit and approval by the City’s Building Official or designee.

9. **Temporary Relocation housing on individual lots** - A maximum of one (1) travel trailer/recreational vehicle or mobile home will be allowed on an existing home site providing these criteria are met:
   - The travel trailer/recreational vehicle or mobile home must be properly connected to the City’s sanitary sewer system in accordance with codes in effect at the time.
Electrical service must be available on site and shall be properly connected to the temporary relocation housing. Generators for temporary relocation housing's electrical service is prohibited.

Water and/or sewer connection to previously unserved locations will require permits and the payment of applicable connection fees.

Only licensed mobile home installation contractors will be allowed to apply for a permit and perform any work related to the connection of plumbing, electrical, and mechanical service systems to the temporary relocation housing.

10. Individual Home Setbacks - Each housing unit shall have a minimum setback of five feet from any street right of way or property line.

11. Setbacks for multiple housing communities - For temporary housing units in a community or group setting, the following shall apply:
   - All units shall be set back a minimum of 20 feet from the perimeter of the site.
   - A sketch plan showing the general location and estimated number of units, parking, access points and traffic circulation, and provision for utilities including power, water supply, wastewater disposal, stormwater management and solid waste management shall be submitted to the Building Department.

12. The Building Official may enforce additional requirements beyond that which is contained in this code to ensure health, safety, and welfare to the residents of West Melbourne.

- Secs. 98-1151-1152—98-1175. - Reserved.

- Subdivision II. - Travel Trailer Campgrounds
To: Honorable Members of the West Melbourne Planning and Zoning Board

Through: Christy Fischer, AICP, Planning Director

From: Denise Curry, Planner

Meeting: June 9, 2020

SUBJECT

Code Changes Chapter 86, Subdivisions, Lot Split clarifications and updates to the subdivision code.

RECOMMENDATION

Staff recommends the following motion:

Recommend to City Council to approve the code changes to Chapter 86, Subdivisions to clarify the lot split process and update the subdivision code.

FISCAL IMPACT

The City Clerk has budgeted the advertisement and codification of code changes.
<table>
<thead>
<tr>
<th>DISCUSSION</th>
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**PROPERTY ADDRESS**
Not applicable

**APPLICANT/PROPERTY OWNER**
City of West Melbourne

<table>
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<tr>
<th>PUBLIC MEETING DATES</th>
<th>LOCATIONS</th>
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<tr>
<td>City Council</td>
<td></td>
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<td>June 16, 2020</td>
<td></td>
</tr>
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**BRIEF SUMMARY OF REQUEST**

This is a staff initiated request to revise Chapter 86, Subdivisions code to clarify the lot split process and to update the subdivision code regarding preliminary plat submittal requirements; preliminary plat and final plat review process; and the procedures for recording of the final plat Mylar.

**STAFF RECOMMENDATION**

- **APPROVE**
- **APPROVE WITH CONDITIONS**
- **DENY**

**Staff Analysis**

The following information has been compiled to assist the Board in reviewing the draft code amendments and making a recommendation to City Council.

Revised Sections in Chapter 86 (Subdivisions):

**LDR Sec. 86-10 Preliminary plat submittal requirements.**
- Delete the requirement for a transparency of the preliminary plat.

*Staff comments: With the advent of computer technology to project images onto screens, transparencies are no longer used with overhead projectors in public meetings, therefore this requirement has been stricken.*

**LDR Sec. 86-14 Lot splits.**
- Delete the reference to page numbers in the lot split application and to simply refer to the lot split application itself.
Staff comments: Simply referring to the lot split application will eliminate the need to update page numbers if the page numbers change in the application document. All of the Planning Departments’ applications are available to the public via the City’s web site.

- Add the requirement to show the proposed location of utilities; proposed or existing easements; and to indicate any proposed installation in existing rights-of-way.

Staff comments: Adding this requirement ensures that the proposed utility connections are depicted in maps, surveys or other documents and prepares city staff if additional discussion is needed regarding the provision of utilities. Utilities must be installed and readily available for use in both new lots, not just one lot.

- Add a requirement to record a covenant stating that a lot split has occurred and a subdivision would be required by the City for any subsequent lot line changes.

Staff comments: Including a covenant document was a suggestion of the City Attorney to ensure that any subsequent splits are understood by the current property owners and future property owners as final, and the subsequent step for further property division must be through the subdivision review process as required by the Florida Statutes.

LDR Sec. 86-15 Preliminary plat review by planning and zoning board.
- To delete the reference to vehicular trip generation and the Planning and Zoning Board’s approval of the preliminary plat.

LDR Sec. 86-16 Preliminary plat review by city council.
- To delete the reference to vehicular trip generation

LDR Sec. 86-22 Final plat review by planning and zoning board.
- To delete the reference to vehicular trip generation and the Planning and Zoning Board’s approval of the final plat.

LDR Sec. 86-23 Final plat review by city council.
- To delete the threshold of vehicular trip quantities to distinguish when a plat goes to the Planning and Zoning Board and when it is subject to Council review

Staff comments: These sections have always been a part of the subdivision code and they detail the preliminary plat and final plat reviews processes by the respective boards. The inclusion of thresholds of which developments are reviewed strictly by the Planning and Zoning Board versus City Council was changed in 2009 at the suggestion of a former charter committee member and a Planning and Zoning Board member. Subsequent to enactment of the City Code, the City Attorney determined that City Council approval for all preliminary plats and final plats is required by the Florida Statutes. Therefore these sections are being modified to reflect the State of Florida requirement for subdivision approval.
LDR Sec. 86-24  Recording of final plat.

- To revise the number of copies to be submitted of the final plat Mylar and to revise the responsibility of recording the final plat Mylar from the subdivider to the City.

Staff comments: This section has been updated to ensure that the adequate amount of copies are submitted and that the City records the final approved version of the final plat Mylar into the land records instead of the applicant as allowed in the previous code language. Mylars is the trade name for “bopet” a type of polyester film or plastic sheet that is used for its tensile strength, chemical stability and durability over time. However, ink used on mylars can be erased or altered, therefore it is important to the City that the printed subdivision particulars and drawing match exactly what City Council approved and it is because of this that the City desires to be the recorder of the document. This type of “bopet” sheet is required in this County by the County Clerk since original Mylars are kept forever.

Conclusion—

Staff initiated these code changes to update the subdivision code to be in compliance with the Florida Statutes and to ensure that developers and others have a clear and concise process outlined in the codes to follow when lot splits and subdivisions are proposed. The public hearing for the code changes was advertised as required by the Florida Statutes in the legal section of Florida Today.

On June 16, 2020, City Council will consider whether to adopt the proposed code changes as presented with a recommendation from the Planning and Zoning Board.

RECOMMENDATION

Based on the analysis and discussion in this staff report, staff suggests that the Planning and Zoning Board make a motion for Council to approve the code changes to Chapter 86, Subdivisions to clarify the lot split process and update the subdivision code.

ATTACHMENTS

1. Chapter 86, Strikethrough version of proposed code changes
Proposed changes to:

Chapter 86 - SUBDIVISIONS

ARTICLE I. - IN GENERAL

ARTICLE II. - IMPROVEMENTS

ARTICLE I. - IN GENERAL

Sec. 86-10. - Preliminary plat submittal requirements.

(a) An application for preliminary plat review of a subdivision shall be filed with the city no later than the first day of the month preceding a regularly scheduled meeting of the planning and zoning board. The number of required copies of the preliminary plat as determined by the city council shall be submitted to the city staff at the time of the application.

(b) A fee shall accompany each application for preliminary plat review (refer to section 66-486 for applicable fees).

(c) All preliminary plats shall be prepared by a land surveyor registered and licensed in the state. All engineering exhibits shall be prepared by a professional engineer registered and licensed in the state.

(d) Each sheet of the preliminary plat shall be the same size and shall be no larger than 24 inches by 36 inches. The sheets of the preliminary plat shall be numbered consecutively, attached together, and folded.

(e) Two signed and sealed certified surveys, not more than one year old, by a land surveyor registered and licensed in the state shall be submitted for the property which is the subject of the preliminary plat application and, if applicable, any area encompassing off-site improvements. The survey shall be at a scale of one inch equals not more than 100 feet and shall be submitted on sheets not more than 24 inches by 36 inches.

(f) For those sites which have existing trees, the applicant shall provide a tree survey in accordance with chapter 94.

(g) An affidavit or other document approved by the city shall be submitted by the owner of the subject property or by the owner's agent making application for preliminary plat approval. The affidavit shall state the applicant is the owner or the owner's agent of the land which is the subject of the application and that all land shown on the preliminary plat application is being made. The affidavit or other document approved by the city shall be witnessed by two persons and acknowledged by a notary public so as to be recordable with the clerk of the circuit court of the county. When the affidavit is submitted by the owner's agent, a notarized letter authorizing the agent to represent the owner shall be required.

(h) An 8½-inch by 11-inch transparency of the preliminary plat shall be submitted.

(i) Failure by an applicant to submit a preliminary plat meeting all submittal requirements as set forth in this chapter shall be grounds for the city to reject the preliminary plat application.
Sec. 86-14. - Lot splits.

(a) Generally. The city may approve a lot split of a legally created lot that conforms to the requirements of this section. An applicant for a lot split shall have six months from the date of the application is submitted to the city, to finalize the lot split. An extension of a two-month period can be provided administratively by city staff if the applicant demonstrates the need for an application extension.

(b) Submittal. The city shall consider a proposed lot split upon submittal of the following information:

1. A cover letter describing the project, identifying the project contact person(s) and any other information relevant for city’s staff review. If the applicant is other than the legal owner, the applicant's interest shall be indicated and the legal owner's authority to apply shall be included in a certified legal form (see pages 4 and 5 of the lot split application).

2. Completed application form.

3. All applicable fees per land development regulations, section 66-486

4. Affidavit of application.

5. Owner’s authorization (if applicable).

6. Copies of a lot split survey (signed and sealed, not more than one year old, by a land surveyor registered and licensed in the state, each sheet of the lot split package shall be the same size and shall be no larger than 24 inches by 36 inches).

(c) Standards. All lot split requests shall conform to the following standards:

1. The division of land shall not increase the number of "lots" to more than a total of two lots.

2. The newly created lots have frontage on an existing right-of-way or conforming private access road.

3. The newly created lots meet the lot width requirements (the horizontal distance between side lot lines, measured along the required minimum front yard setback as stated in the zoning code for said property.

4. The newly created lots meet the lot requirements stated in land development regulations, section 86-61, regarding the creation of lots on curved roads, corner lots, double frontage and reverse frontage lots and orientation.

5. A statement of utility availability or proposed availability as stated in an approved site plan, and additional services or granting new easements for new main trunk lines is not required. Lots in the R-A, residential-agricultural zoning district are exempt from the provision of utilities unless the proximity of utilities requires connection per the F.S. § 58.334 and land development regulations, regarding sewer.

6. The newly created lots meet all of the dimensional standards of the zoning district of the subject property and have no encumbrances on the subject property that would render the newly created lots undevelopable, or would impact the transfer of title.

7. If there are existing structures on the subject property, the lot split shall not cause the existing
principal structures to become nonconforming in terms of required setbacks, intensity or density.

(8) If there is existing infrastructure on the subject property, infrastructure shared in common must be addressed by use easement agreements.

(d) Site plan. Prior to approval of lot split requests, if utilities and access are not immediately available, the property owner(s) shall conform to these requirements:

(1) Show the proposed location of utilities. If utilities are not available to the site as described in the F.S. § 58.334 and the land development regulations, the property owner(s) shall submit a site plan showing recorded, proposed or existing easements, or indicate any proposed installation in existing rights-of-way.

(2) If the property lacks road right-of-way or private access frontage, the property owner(s) shall submit a site plan showing the recorded joint access easement or the proposed private road right-of-way.

(e) Restrictions. No further division of an approved lot split is permitted, unless a subdivision plat is submitted in accordance with the subdivisions code. Record a covenant stating that a lot split has occurred and that a subdivision would be required by the City for any subsequent lot line changes.

(Ord. No. 2009-20, § 2, 3-17-2009)

Sec. 86-15. - Preliminary plat review by planning and zoning board.

(a) Following the submittal of a preliminary plat which requires planning and zoning board review or decision, the planning and zoning board shall hold a public hearing at which comments of the applicant and public may be heard. A minimum of 14 days' notice of the public hearing shall be given to the applicant, and public notice shall be published in a newspaper of general circulation in the county not less than seven days prior to the date of the public hearing.

(b) If the proposed preliminary plat will generate more than 500 average daily vehicular trips, the planning and zoning board shall review the preliminary plat together with the city staff's technical comments and make a recommendation to the city council to either approve, approve subject to changes, or disapprove the preliminary plat (refer to section 66-157 for more information). The recommendation shall be based on, but limited to; the technical comments of the city staff, requirements of this subpart B, the functional aspects of the preliminary plat, and the board's determination as to whether the applicant has sufficiently addressed the requirements of the preliminary plat as set forth in this chapter.

(e) If the proposed preliminary plat will generate less than 500 average daily vehicular trips, the planning and zoning board shall review the preliminary plat together with the city staff's technical comments and make a decision to approve, approve subject to changes, or disapprove the preliminary plat (refer to section 66-157 for more information). The decision shall be based on the technical comments of city staff or other technical advisers, requirements of this subpart B, the functional aspects of the preliminary plat and the board's determination as to whether the applicant has sufficiently addressed the requirements of the preliminary plat as set forth in this chapter.

(4) If the preliminary plat is denied, the applicant shall have the option to resubmit an application pursuant to all requirements, including payment of fees, as set forth in this chapter.

Subpart B - LAND DEVELOPMENT REGULATIONS
Chapter 86 – SUBDIVISIONS

Sec. 86-16. - Preliminary plat review by city council.

(a) If the proposed preliminary plan generates more than 500 average daily vehicular trips, the preliminary plat of a subdivision shall be reviewed for a decision by the city council. As part of the review, the city council shall hold a public hearing at which comments of the applicant and the public may be heard. A minimum of 14 days’ written notice of the public hearing before the city council shall be given to the applicant, and public notice of the hearing shall be published in a newspaper of general circulation in the county not less than seven days prior to the date of such hearing.

(b) The city council, as part of its review, shall ascertain that all requirements of this chapter, the requirements of this subpart B, and the requirements of any other relevant city ordinance have been met by the applicant with regard to the proposed preliminary plat. In addition, the city council shall also consider those specific standards, factors, and recommendations set forth for review by the city staff and the planning and zoning board.

(c) Following such public hearing and consideration, the city council shall vote to approve, approve subject to changes, or disapprove the proposed preliminary plat. The decision shall be based on the review staff, the functional aspects of the preliminary plat, the requirements of this subpart B, and the council’s determination as to whether the applicant has sufficiently addressed the requirements of the preliminary plat as set forth in this chapter.

(d) If a preliminary plat is approved subject to changes, the city council may require the applicant to submit a revised preliminary plat to be reviewed at the next regularly scheduled council meeting or may direct the city manager to ensure that all required changes are made to the preliminary plat. If the council chooses to review the revised preliminary plat, the council shall determine the date on which the applicant must submit the revised preliminary plat to the city. In such case the applicant shall submit to the city staff copies of the revised preliminary plat. The number of required copies shall be as determined by the city council. In addition to the revised preliminary plat, the applicant shall submit written responses to the city staff’s review comments.

(e) If the council directs the city manager to ensure that all required changes are made on the preliminary plat, the applicant shall have 14 days in which to submit the revised preliminary plat to the city. In such case the applicant shall submit seven copies of the preliminary plat to the city. In addition to the revised plat, the applicant shall submit written responses to the city staff’s review comments.

(f) Failure to submit revised preliminary plats according to the time schedule set forth in this section shall be grounds for denial.

(g) If the preliminary plat is denied, the applicant shall have the option to resubmit an application pursuant to all requirements, including payment of fees, as set forth in this chapter.

Sec. 86-22. - Final plat review by planning and zoning board.

(a) If the proposed final plat will generate more than 500 average daily vehicular trips, the planning and zoning board shall review the final plat of a subdivision and make a recommendation to the city council to either approve, approve subject to changes, or disapprove the plat (refer to section 66-157 for more information). The recommendation shall be based on information indicating that all requirements for final plat approval have been met and that the final plat is in agreement with the approved preliminary plat. In addition, the board shall also consider those specific standards, factors and recommendations set forth for review by the city staff.
(b) Whenever review at the planning and zoning board meeting provides for changes to the final plat, the final plat and a list of the recommended changes shall be forwarded to the city council for its review. The final plat shall also be forwarded to the city council for review if no changes are recommended by the city staff and/or the planning and zoning board.

(c) If the proposed final plat will generate less than 500 average daily vehicular trips, the planning and zoning board shall review the final plat together with the city staff’s technical comments and make a decision to approve, approve subject to changes, or disapprove the preliminary plat (refer to section 66-157 for more information). The decision shall be based on, but not limited to, the technical comments of the city staff, requirements of this subpart B, the functional aspects of the preliminary plat, and the board’s determination as to whether the application has sufficiently addressed the requirements of the final plat as set forth in this chapter.

(d) If the planning and zoning board recommends approval or grants approval of the final plat without changes, the signature of the planning and zoning board chairperson shall be inscribed on the final plat. If changes are required, the chairperson shall be notified after the changes are made in order to have the required signature inscribed.

(Ord. No. 98-1, § 3(53-19), 10-21-1997; Ord. No. 2009-16, § 12, 2-3-2009)

Sec. 86-23. - Final plat review by city council.

(a) If the proposed final plat generates more than 500 average daily vehicular trips, the final plat of a subdivision shall be reviewed by the city council (refer to section 66-157 for more information). As part of its review, the city council shall ascertain that all requirements for approval of a final plat have been met and that the final plat is in accordance with the approved preliminary plat, if applicable. In addition, the city council shall also consider those specific standards, factors and recommendations set forth for review by the city staff and the planning and zoning board.

(b) The city council shall vote to approve, approve subject to changes, or disapprove the final plat. The decision shall be based on, but not limited to, the technical comments of the city staff, the final plat’s functional merits, and the council’s determination as to whether the applicant has sufficiently addressed the requirements of the final plat as set forth in this chapter.

(c) Upon approval by the city council or the city manager of the final plat, the signature of the mayor shall be inscribed on the final plat.

(Ord. No. 98-1, § 3(53-20), 10-21-1997; Ord. No. 2009-16, § 12, 2-3-2009)

Sec. 86-24. - Recording of final plat.

Following final plat approval as provided for in this chapter, the city clerk shall ensure that all requirements of F.S. ch. 177 have been complied with before the City Clerk presents the plat to the clerk of the circuit court of the county for recording. No plat of land within the corporate limits shall be recorded by the clerk of the circuit court unless the approval of the planning and zoning board and/or the city council is inscribed thereon. Two copies of One reproducible Mylar of the recorded plat shall be returned to the city clerk, the cost of which shall be borne by the subdivider. The subdivider shall also be responsible for having the final plat recorded.