



MIAMI SHORES

DEPARTMENT OF PLANNING & ZONING
10050 NE 2nd Avenue
Miami Shores FL 33037-2304
www.miamishoresvillage.com

David A. Dacquisto AICP, Director

Main Number: 305-795-2207 Fax Number: 305-756-8972

PLANNING BOARD HEARING			
Miami Shores Village Town Hall Council Chambers 10050 NE 2nd Avenue Miami Shores			
Hearing Date		May 25, 2017	
Subject		Staff request: Delete planning and building review of swale projects and provide for review by the public works department, Chapter 20 and Appendix A Zoning Sec. 521.	
Action Required		Provide the village council with a recommendation on public works review of swale projects.	
Staff Report		David A. Dacquisto AICP, Director, Planning and Zoning	Report Date April 18, 2017

Background

Building permits have been issued in the past for projects in the swale including driveways, parking spaces and utilities.

Miami Shores is changing with the introduction of Public Works permits for work undertaken in the public right-of-way.

The proposed changes give the authority to review and approve permits for work in the right-of-way to the public works director and removes the authorization from the building official and planning director.

The public works department will develop policies for development in the swale rather than zoning code based requirements.

Public works will contract independently from the building department for inspectors to review work in the swale.

Proposed Language

New language is underlined.

Chapter 20 Streets, Sidewalks and Other Public Places

Sec. 20-17 Responsibilities of property owners regarding parkway area abutting street.

(c) Property owners may pave a portion of the parkway abutting their property if approval of the ~~building and zoning~~ public works director is granted after ~~his~~ evaluation of drainage and traffic considerations. The ~~building and zoning~~ public works director will set the standards of paving each property owner must meet.

Appendix A Zoning

Sec. 521. - Required off-street parking.

(b) *Size, materials, and location of off-street parking spaces and access aisles.*

(2) *Single-family uses.*

- b. *Driveway/parking spaces on right-of-way.* Parking for adjoining single-family detached residences may be approved on the swale/parkway subject to the following requirements:
1. All required parking must be located on the plot it serves. Street, sidewalk or parkway/swale areas may not be used for required off-street parking purposes. No paving (except village projects) shall be permitted on the swale/parkway unless all required parking spaces consistent with this Code are provided on and for the adjoining property.
 2. A public works permit is required and must be applied for and approved before any paving, planting or any other activity not undertaken by the village, takes place in the swale. Swale/parkway areas may be paved for driveways or parking if the design is approved by the planning and zoning director of public works, ~~as being consistent with the standards of this Code and the area to be paved does not exceed 50 percent of the swale/parkway area on the particular front elevation (or side, if on corner) with at least 50 percent of the particular front elevation (or side, if on corner) of the swale/parkway to be maintained as green space (pervious area).~~
 3. ~~All driveways on the right-of-way must be a minimum of 5 feet from the prolongation of the property lines extended except driveway flares may be located not less than three feet from the prolongation of the property lines extended.~~
 4. ~~Each paved area running perpendicular to the street may be up to 20 feet wide on the right-of-way. A landscape strip of not less than two feet in width shall be located between any village sidewalk and the perpendicular paved area for any portion of the paved area that does not connect over any sidewalk to a driveway on the property.~~
 5. ~~A circular drive up to ten feet wide may be approved for location in the swale/parkway. A landscape strip of not less than two feet in width shall be located between any village sidewalk and the circular drive on the swale/parkway and a landscape island of not less than two feet width shall be provided between the roadway edge of pavement and the inside edge of the circular driveway. A sidewalk of not more than three feet in width may be located in the required landscape strip to connect the circular driveway or parking area with the village sidewalk or property sidewalk, subject to the limitations of Section 521(b)(2)b.2. for paved areas.~~
 6. ~~Driveway flares shall not exceed five feet in width.~~
 7. ~~Trees are not to be removed to pave in the parkway/swale or adversely disturbed as a result of the installation of pavement.~~
 8. ~~A minimum of two 12 foot shade trees must be present in the parkway/swale for each 75 feet of frontage in order to pave any portion of the parkway/swale. The adjoining property owner proposing to pave a portion of the parkway/swale shall plant sufficient shade trees approved by the public works to meet the minimum requirement.~~

9. A covenant for the maintenance of the parkway/swale area must be completed and signed by the property owner. A covenant ~~available from the building department~~ shall be signed by the owner of the adjoining property in consideration of the approval of a public works building permit to construct in the swale/parkway. The covenant signed by the property owner shall at a minimum confirm the owner's responsibility for maintenance of the swale/parkway, liability and removal or relocation of the driveway in the right-of-way if required by the village.

Analysis

The public works department has responsibility for village property and rights-of-way are village property.

Recommendation

Provide the village council with a recommendation on amending the code, Chapter 20 and Appendix A Zoning Sec. 521, to delete planning and building review of swale projects and provide for review and approval by the public works department.