



**TOWN OF MALABAR**  
**PLANNING AND ZONING**

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 1**  
**Meeting Date: AUGUST 13, 2014**

**Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary**

**SUBJECT: Approval of Minutes**

**BACKGROUND/HISTORY:**

The minutes must reflect the actions taken by the Board:

- Who made the Motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim and some editing is done to convey the thought. People do not speak the way they write.

**ATTACHMENTS:**

Draft minutes of P&Z Board Meeting of July 9, 2014  
Draft minutes of P&Z Board Meeting of July 23, 2014

**ACTION OPTIONS:**

Secretary requests approval of the minutes.

“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING  
JULY 23, 2014 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

**A. CALL TO ORDER, PRAYER AND PLEDGE:**

Meeting called to order at 7:30 P.M. Prayer and Pledge led by Chair Pat Reilly.

**B. ROLL CALL:**

CHAIR:	PAT REILLY
VICE-CHAIR:	LIZ RITTER
BOARD MEMBERS:	BUD RYAN
	DON KRIEGER
	GRANT BALL
ALTERNATE:	GEORGE FOSTER
ALTERNATE:	VACANT
BOARD SECRETARY:	DENINE SHEREAR

**ADDITIONAL ATTENDEES:**

Krieger added “Housekeeping” under Discussion between Item #2 & #3.

**C. ADDITIONS/DELETIONS/CHANGES:**

**D. CONSENT AGENDA:**

- 1. Approval of Minutes** Planning and Zoning Meeting –7/9/14(not ready)

<b>Exhibit:</b>	Agenda Report No. 1
<b>Recommendation:</b>	Motion to Approve

**E. PRESENTATION:**

**F. ACTION:**

**G. DISCUSSION:**

- 2. Discuss Off-Street Parking and Contiguous Parking**

<b>Exhibit:</b>	Agenda Report No. 2
<b>Recommendation:</b>	Discussion

Krieger said the right-of-way (ROW) is not solved on Highway US 1. Krieger wanted to make sure no one (property owners) lost their riparian rights, the danger is crossing the street, and other municipalities have in their code if the road ROW is greater than 35 mph that business should not be on both sides of the road.

Ritter explained that the discussion is definitions. Reilly went down the list of definitions submitted by Ritter at the 7/9/14 meeting. Reilly said that “right-of-way (ROW) line” definition is in the Code

Book, Krieger said in "Off Street Parking". Reilly said that ROW is established in Florida Statutes, not in the Code.

Ball asked if all parking is within the property of the business, Ritter responded that is "contiguous" The Board discussed that definitions only related to businesses. Krieger said that definitions are going into section 20 (XX) Languages & Definitions.

Ritter suggested describing the definitions as related to businesses for clarification purposes.

Page 1183 of Code Book

Reilly suggested:

Parking, Terms (definitions):

- 1.) Contiguous
- 2.) Off site
- 3.) Off Street
- 4.) On Street
- 5.) Roadway

The verbiage is from the 7/9/14 meeting, Reilly said that we are trying to solve "Off Street- Parking" areas in the Code Article 1.9.1 **Applicability**

Krieger suggested changing the pre-amble and stating that non-contiguous parking is not allowed unless... then give the reasons.

Ritter/Krieger suggested to insert non-contiguous in Article 1.9 Krieger suggested it should read like... "Parking should be provided in all districts at the time any building structure is erected, enlarged, or increased in capacity. Ritter suggested that 60% of parking like other municipalities. Krieger said that non-contiguous should be added in that section (1.9) unless 60% is contiguous; also add about health, safety, and welfare of the public. Reilly said the definitions go in the back of the Code Book (Article XX)

Homework for next meeting:

June 25, 2014 packet

- Page 62,63,64/79 work on adding paragraph to Section 1-9.1
- Update words in Definition

Reilly suggested adding "Safety & Welfare of the Public" into Code in #6 of 1.9-3 also, heading of "Location of "Off Street Parking Space & Non- Contiguous Parking"

## **2a. Housekeeping of the P&Z Board (suggested by Board Member Krieger)**

Krieger discussed about Ordinance 2014-08 relating to Boards and Committees. He spoke about absentees under this new Ordinance. He had a question for the consensus of this Board. Krieger asked, if someone comes in late and leaves early how does this effect attendance. Reilly responded that he would take care of this and use discretion relating to attendances.

Krieger said that apparently this Ordinance has eliminated discretion; it is just talking about time. The Municode as it formally was left it to the committee's discretion to determine their own rules. Now we have "non-rules", we should go in the future with the consensus of the committee, does this Board agree?

Krieger talked about the "alternates" and their position of alternating in the "new Ordinance" Krieger asked about at the beginning of a meeting the consensus of the Board determines the experience of the alternate. At times we had a quorum and by consensus the Board did not pick the Alternate

for a voting position. Has that ended now? Reilly suggested if an Alternate is new; bring up a voting issue at a future meeting.

Krieger read also in the Ordinance that a committee requires one meeting a month, is this Board going to one meeting or two meetings a month. The Board expressed that if we need two we will have two.

Krieger expressed it is hard to do things without minutes from previous meetings. We have minutes pending from October 2013. Sherear explained that if you are talking about the 10/23/13 minutes they were approved in November of 2013. Sherear explained they have to be retyped. Sherear also said you are missing a November 2013 set of minutes and she will do her best to get caught up. Krieger said he was not at the meeting when the 10/23/13 minutes were approved and asked for a copy.

Krieger said he read the Park Board minutes and was very confused about the ELL's property being cleared, he heard different explanations. Ritter said she was at the Council meeting, they explained they were supposed to just take out the underbrush and pines.

Sherear explained to the Board that they are welcome to contact BW who has been in touch with Mike Knight and Chris O'Hare with ELL's. Also, Chris O'Hare has said if anyone has questions they are welcome to contact him directly.

Krieger said that it is a road right-of-way in the Town of Malabar to Brook Hollow, when we look at the roads.

Krieger said that last Tuesday was a Town Budget meeting, but it included roads and stormwater issues. Sherear explained that the town engineer was present to explain issues of stormwater to be corrected. Ritter said that resident Mr. Hard was at Monday night's Council Meeting talking about roads and how holes form. Mr. hard talked about the simple solutions to road repairs. Ritter said the engineer was at that meeting, Morris Smith (Town Engineer) and it was very informative.

Krieger asked if any decisions were made at that meeting. Ritter said she thought the engineer has to approve the stuff with the roadways. Sherear said that Morris Smith works on the roadways and stormwater. Ritter said it was discussed about bringing the Roads & Drainage Committee back. Krieger said he was on that Committee.

Krieger asked for a copy of the road inventory.

**3. Continue Discussion on Future Land Use Maps and Defining R/LC**

**Exhibit:** Agenda Report No. 3

**Recommendation:** Discussion

The Board discussed R/LC on page 7/9 this packet. The Board added "R/LC" before district in the last paragraph

Krieger talked about different definitions of the districts, sometimes it is units per acre, and all these districts were formally residential. The RR-65 is 1.5 acres and will equal .75 units per acre.

Ritter said if it is R/LC it is R/LC it is all irrelevant. Reilly said it is six (6) units per acre. Krieger said that when you are changing to R/LC it is mixed use. There needs to be some sort of control, what was there verses the change. When you change to R/LC it is a mix use with that density.

Krieger reviewed the following:

RM4 = units per acre  
RM 6 = units per acre

R-15 = described by square foot of the lots  
R-21 = described by square foot of the lots  
R-10 = described by square foot of the lots

Krieger said that we need to review the maps again, Ritter said all the R/LC are on main roadways and arterial roads, and property owners are restricted due to water and sewer.

Krieger said that we are talking about Future Land Use and not zoning. Krieger said that R/LC should just be in the downtown area as an experiment like Mayor Eschenberg suggested.

The Board reviewed (on over head projector) the colored FLUM maps that Chair Reilly revised on July 2013.

Krieger pointed out that last time there was a major change in zoning was in the 80's and that was because of "DCA", who said you had to have so much high density, etc.

Reilly said the definition of R/LC is one thing, where it is used is another issue. Reilly pointed out to Krieger that nothing was changed along US Highway 1.

Reilly asked Krieger where he was headed with all this and Krieger responded that this is all "Future Land Use", it doesn't bother anyone, and it is all a thought experiment on how we affect other people's lives. Ritter added that we are envisioning the future.

Krieger said that this is a good future thought it is a work in progress and we just wait till property owners come in to ask what they want to propose on their property.

Ritter said to Krieger why do we all come here if we are not trying to do something, how long does it take to do something and get it through to Council. Krieger said we want to do things right and go line by line.

Krieger said that changes can hurt people, we are body of consensus here, the fact is we have been told and in memos that the intent is to change zoning with land use and he can never be for that.

Ritter said this is the future it is not changing anything now. Ball said that there is no guarantee that the zoning that we have today is going to be tomorrows zoning because if it was there would be no way for a community to expand.

Ritter commented that we are an advisory Board and we should advise Council what is best after doing a year's worth of work.

Ryan asked where R/LC came up originally. Krieger responded for saving houses along US Highway 1, if a house burned down it could be rebuilt, that was basically the purpose for all this.

Krieger said the Comp Plan doesn't have to change till 2016, that is when we have to look at it.

Reilly would like to go on with the verbiage.

Krieger understood the creation of R/LC and that it was for those buildings that if they changed that particular zoning to commercial zoning and they lost their house, you are putting people out of compliance with the zoning.

Ball said the best thing we (the Board) can do is when people come to the Board we can look at the properties. I know Krieger wants to keep things rural. The Town has the flexibility, we are setting the ground work for what we would like to see the town accomplish.

Krieger said he likes planning but it has been over a year, and he asked for the Future Land Use Maps (FLUM) to be put out in the "Mail Boat", if we submit the maps to the news letter the residents will come. Ritter said the Town solicited and asked for something to be put in the newsletter. Krieger said he asked and that we did submit something, Ritter said no we did not submit anything. Ritter said we (the Board) should submit the maps and say we want this in the newsletter. Ritter said to Krieger you can say a lot of things but you have to go and submit it (the maps) to be put in "Mail Boat". Reilly said it would cost a lot. Ritter suggested an article describing changes on Malabar Road properties to R/LC, and if concerned to come to Town Hall and Planning & Zoning Meetings.

Foster said that R/LC allows both residential and commercial which accommodates all the current residents and gives growth.

Krieger asked the Board if we at least have the consensus of this Board that we are changing land use and not changing zoning at the same time. Reilly responded that land use and zoning go hand and hand.

Ritter said as a Board we try to do our best for the citizens and if we make them aware of the changes and try to get an Article in the "Mail Boat" we are doing our due diligence.

Ryan asked to be excused at approx 9:15PM, Rielly said you met your 75%  
Foster asked to be excused also 9:15PM

Krieger said he doesn't mind the future land use changes but not to change the zoning.

Ball said we are not taking anything away from anybody. Krieger said if you (Town) change the zoning you are increasing the maximum use of the Town. The property tax will increase. If you change just the Land Use the property tax will not increase, this is forcing a rural place to become a non-rural place.

Homework:  
Update word on page 7/9 on Agenda packet (7/23/14)

#### **H. ADDITIONAL ITEMS FOR FUTURE MEETINGS:**

Roads and Drainage, also to get minutes from the Budget Workshop that talked about the drainage.

Reilly asked Krieger if he wanted Roads and Drainage for "Discussion Item" at the next meeting. Krieger responded yes.

#### **I. PUBLIC**

#### **J. OLD BUSINESS/NEW BUSINESS:**

**K. ADJOURN**

There being no further business to discuss, **MOTION:** Ball/ Krieger to adjourn this meeting. **Vote:** All Ayes. The meeting adjourned 9:39P.M.

BY:

\_\_\_\_\_  
Pat Reilly, Chair

\_\_\_\_\_  
Denine Sherear, P&Z Board Secretary

\_\_\_\_\_  
Date Approved: as corrected

# TOWN OF MALABAR

## PLANNING AND ZONING

### AGENDA ITEM REPORT

AGENDA ITEM NO: 2  
Meeting Date: August 13, 2014

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

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**SUBJECT: Off-Street Parking and Contiguous Parking**

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#### **BACKGROUND/HISTORY:**

At the 7/23/2014 Chair Pat Reilly suggested reviewing the different Codes provided by staff for the surrounding municipalities, along with "parking" definitions that Board Member Liz Ritter provided and bring suggestions to the next P & Z meeting of 8/13/14.

Staff took suggestions that Board presented verbiage and inserted into the current code **Article IX (9) Off Street parking & Internal Traffic Circulation** in our Code and **Article XX (20) Language and Definitions**.

#### **ATTACHMENTS:**

- Liz Ritter Definition of "Parking"(7/9/14)revised
- Article IX with bold/underlined added verbiage
- Article XX with bold/underlined added verbiage

## **BRING PACKET FROM 6/25/14 WITH SURROUNDING MUNCILPALITY INFORMATION**

#### **ACTION OPTIONS:**

Discussion

Corrections made @  
7/9/14 P+Z Meeting

Presented by Liz Ritter  
P&Z meeting of 7-9-14

Definitions of Parking:

Contiguous: ~~All~~ parking is in the same location and on the same property as the Business's Building and has the same owner(s).

Off Site: Parking is not on the same location or property as the Business's Building.

Off Street: Parking is not on any Roadway or ~~any Right Of Way.~~

<sup>↑</sup>  
within any Right of Way Line.

On Street: Parking is abutting a Roadway.

Roadway: Any path used by vehicles as a way of getting somewhere.

IE: Lane, Road, Street, Trail, etc.

## Article IX OFF-STREET PARKING AND INTERNAL TRAFFIC CIRCULATION

Section 1-9.1. Applicability.

Section 1-9.2. **Parking** spaces required by use.

Section 1-9.3. Computation of **parking** spaces.

Section 1-9.4. **Parking** in yards and landscaping.

Section 1-9.5. Design and specifications for **parking** and loading areas.

### Section 1-9.1. Applicability.



**Parking** shall be provided in all districts at the time any building or structure is erected or enlarged or increased in capacity by a change of use or the addition of dwelling units, floor area, seats, employees or other factors determinative of **parking** demand as stated in this Article IX. **Non-Contiguous Parking is not allowed unless approval has been granted by Town Council.**

### Section 1-9.2. **Parking** spaces required by use.

1.

*Single Family Dwellings.* Two (2) spaces for each single family dwelling, plus one (1) space for each one thousand square feet over two thousand square feet of floor area.

2.

*Two Family Dwellings.* Two (2) spaces for each family unit, plus one (1) visitor space for each two (2) units.

3.

*Multi-Family Dwelling.* Two (2) spaces for each family unit, plus one (1) visitor space for each two (2) units.

4.

*Hotels and Motels.* One (1) space for each sleeping unit plus one (1) space for manager and one (1) space for every three (3) employees on the largest shift.

5.

*Mobile Home **Parks** or Courts.* Two (2) spaces per unit; one (1) must be at lot site.

6.

7. *Mobile Home Subdivisions.* Two (2) spaces for each mobile home unit at the site.
8. *Private Clubs or Lodges.* One (1) space for every five (5) seats or one (1) space for every one hundred fifty (150) square feet of gross building area, whichever is greater.
9. *Stadiums and Other Places of Public Assembly.* One (1) space for every three (3) seats figuring maximum seating capacity or one (1) space for each one hundred twenty (120) square feet of floor area of the main assembly hall, whichever is greater.
10. *Places of Worship.* One (1) space for every three (3) seats figuring maximum seating capacity or one (1) space for each one hundred and twenty square feet of floor area in the main assembly hall, whichever is greater.
11. *Public Buildings, Theaters, Auditorium.* One (1) space for every three (3) seats figuring maximum seating capacity or one (1) space for each one hundred and twenty square feet of floor area in the main assembly hall, whichever is greater.
12. *Hospitals.* One (1) space for each two (2) beds intended for patients, plus one (1) space for each doctor, or other employee, and one (1) visitor space for every three beds, or one (1) space per three hundred (300) feet of building area, whichever is greater.
13. *Nursing Homes.* One (1) space for each five (5) beds plus one (1) space for each employee, including doctors, or one (1) space for per three hundred (300) feet of building area, whichever is greater.
14. *Medical Offices.* One (1) space for each one hundred fifty (150) square feet of gross building area or five (5) spaces for each doctor, whichever is greater.
15. *Child Care Facilities.* One (1) space for each employee plus one (1) visitor or parental space for every three children enrolled, or one (1) space for each three hundred (300) feet of building area, whichever is greater.
16. *Retail Sales Stores.* One (1) space for each two hundred (200) square feet of retail floor space.

17. *Restaurants and Lounges.* One (1) space for each one hundred (100) square feet of gross building area.
18. *Libraries and Museums.* One (1) space for each three hundred (300) square feet of gross building area.
19. *Manufacturing Wholesale and Warehousing.* One (1) space per five hundred (500) square feet of gross building area or one (1) space for each two (2) employees on the largest shift, whichever is greater.
20. *Bowling Lanes.* Six (6) spaces per lane.
21. *Marinas.* One (1) space for each three hundred (300) square feet of principal building plus one (1) space for every three (3) storage or slip places.
22. *Schools.*
- (a) *High Schools.* One (1) space for each four (4) students.
- (b) *Junior High and Elementary Schools.* One (1) space for each ten (10) students.
23. *Business and Vocational Schools.* One (1) space for each three (3) students.
24. *Gasoline Service Stations.* Two (2) spaces for each bay, grease rack (excluding grease trap as **parking** space) or similar facility, plus one (1) space for each gas pump. No such bay, rack or similar facility shall be counted as a **parking** space for meeting the **parking** requirements of this Article.
25. *Shopping Centers.* Five and one-half (5.5) **parking** spaces for each one thousand (1,000) square feet of gross floor space in the shopping center.
26. *Office and Professional Building (excluding medical offices).* One (1) space for each two hundred (200) square feet of office space.
27. *Transportation Terminals.* One (1) space for each two hundred (200) square feet of floor space.

*Auto Sales and Repair.* One (1) space for each employee at maximum employment on a single shift, plus two (2) spaces for each three hundred (300) square feet of auto repair or sales spaces.

28.

*Funeral Homes.* One (1) space for every three (3) seats figuring maximum seating capacity plus five (5) spaces for employees or one (1) space for each one hundred twenty (120) square feet of floor area of gross floor area [sic], whichever is greater.

29.

*Drive-Through Facilities.* In addition to other **parking** requirements for a principal use, stacking spaces shall be provided for drive-through facilities in compliance with the following minimum specifications:

(a)

*Number of spaces required including receiving or service window space.* Six (6) stacking spaces per drive-through lane. Where this requirement is demonstrated by the applicant to be inconsistent with the traffic generating characteristics of a specific use, the applicant may request that the standard be modified by the Town Council. The Town Council may approve a reduction in the required waiting spaces for such use provided the applicant demonstrates that the intended use generates a low volume of drive-up traffic and does not require the standard six (6) stacking spaces. The Town Council shall consider the nature of the use, its intensity, size, other **parking** facilities provided and other traffic generating characteristics.

(b)

*Length of Spaces.* Each space shall be a minimum of twenty (20) feet in length.

(c)

*Width of Spaces.* On curves with a radius of twenty-five (25) feet or less, a minimum pavement width of twelve (12) feet shall be provided. On curves with a radius of more than twenty-five (25) feet, a minimum pavement width of ten (10) feet shall be provided.

(d)

*Surface requirements* shall be the same as those specified for **parking** areas.

30.

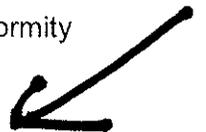
*Bed and Breakfast.* One (1) **parking** space for each guest quarter and two (2) spaces for the entire residence.

(Ord. No. 06-19, § 2, 1-11-07)

Section 1-9.3. Computation of parking spaces.

In computing the number of required **parking** spaces the following rules shall govern:

1. *Floor Area Calculation.* Floor area means the gross floor area of a particular use.
2. *Interpretation of Computation with Fractions.* Where fractional spaces result, the number of spaces required shall be construed to be the next whole number.
3. *Requirements for Uses Not Identified.* The **parking** requirement for any use not specified shall be the same as that required for a use of a similar nature as recognized herein or where not recognized herein, shall be based on criteria published by the American Planning Association or similarly recognized standards of their profession and such standard shall be approved by the Town Council.
4. *Requirements for Mixed Uses.* In the case of mixed uses the **parking** spaces shall be equal to the sum of the several uses computed separately.
5. *Applicability of Standards to Expanding Uses.* Whenever a building or use is enlarged in floor area, number of dwelling units, seating capacity or in any other manner so as to create a need for a greater number of **parking** spaces than that existing such spaces shall be provided in accordance with this Section. Any **parking** deficiency shall be brought into conformity concurrently with the enlargement or change of use.
6. *Location of **Off-Street Parking and Non Contiguous Parking** Spaces.* Except as otherwise prescribed for dwelling units, **off-street parking** spaces required by this section shall be located on the site on which the main building or use is located. For buildings or uses located in a commercial district, **parking** spaces may be located not more than five hundred (500) feet from the subject site if approved by the Town Council.  
**The interest of the health, safety and welfare of the general public in the promotion and preservation of traffic safety, all buildings, structures or activities shall be provided with adequate off-street parking and off-street loadin facilities for the use of occupants,**



employees, visitors and patrons associated with the site in accordance with the parking and loading of this section. Such **parking** space will be within a commercially zoned district and appropriate legal documents including any required restrictive covenants, necessary to implement conditions imposed by the Town Council shall be filed as an integral part of the approved site plan.

7.

*Combined **Parking** Spaces.* The required **parking** spaces for any number of separate uses may be combined in one (1) lot but the required space assigned to one (1) use may not be assigned to another use at the same time.

#### Section 1-9.4. Parking in yards and landscaping.

Unenclosed **parking** spaces may be located within a required yard. All **parking** areas other than for single family homes shall conform to the landscape requirements of the Town land development regulations, as exist or as may hereinafter be amended.

#### Section 1-9.5. Design and specifications for parking and loading areas.

A.

*Stalls, Aisles and Driveways.* **Parking** stalls shall be ten (10) feet wide by twenty (20) feet long for angle **parking**; and shall be nine (9) feet wide by twenty-three (23) feet long for parallel **parking** stalls. Aisle dimensions shall be in accord with standard specifications on file with the Building Official. Angle **parking** shall be restricted to angles of ninety (90) degrees, sixty (60) degrees, or forty-five (45) degrees. The following criteria are applicable to all **parking** spaces, excepting single family homes.

1.

Each **parking** stall shall be accessible from an aisle or driveway and designed so that no automobile shall back into a public **street** in order to exit a **parking** stall. The internal design of the **parking** lot shall be designed to facilitate vehicular circulation and avoid conflict between pedestrian and vehicular movements. Internal circulation also shall be designed so as not to create conflict with access into or egress from the site and shall be consistent with the landscape requirements of this Code.

2.

No door or pedestrian entrance at ground level shall open directly upon any driveway or access aisle unless the doorway or pedestrian entrance is at least three feet or more from said driveway or access aisle and appropriate improvements are provided to allow for safe pedestrian access to the door.

3.

All paved **parking** spaces shall have lines between spaces to indicate individual stalls, and each stall may be required to be equipped with wheel stops if deemed appropriate by the Town Council based on recommendations of the Town Staff.

(a)

Wheel stops for stalls adjacent to landscaped strips shall be located two and one half (2½) feet from the front end of the stall to prevent encroachment into required landscaped areas. The front two (2) feet of the stall may be kept as a maintained vegetative ground cover area although no credit will be extended toward the open space requirements of this Code.

(b)

Wheel stops for stalls not adjacent to landscaped strips shall be located three and one-half (3½) feet from the front end of the stall. The front three (3) feet of the stall may be kept as a maintained vegetative ground cover area although no credit will be extended toward the open space requirements of this Code.

4.

**Parking** lots with twenty (20) or more spaces may be comprised of a maximum of fifteen (15) percent compact car **parking** stalls. Such compact car stalls shall be seven and a half (7½) feet wide by fifteen (15) feet long and marked for use by small vehicles. The markings shall be maintained in perpetuity. The intent is to deter larger cars from using compact car spaces.

5.

All publicly maintained and operated **parking** facilities intended for public use and all businesses, firms, or other persons licensed to do business with the public shall comply with requirements for access established in the Accessibility Requirements Manual published by the Department of Community Affairs, Florida Board of Building Codes and Standards.

B.

*Entries, Exits, Drives and Vehicle Maneuvering Areas.* All uses which are required to provide three or more **off-street parking** spaces shall have entry and exit ways and drives at least eighteen (18) feet in width to accommodate two-way traffic unless a one-way traffic system is utilized, in which case entry and exit ways and drives shall be at least nine (9) feet in width. In the event a one-way traffic system is utilized, appropriate traffic direction markers shall be installed. The internal circulation system, including drives and maneuvering areas, shall be designed to permit convenient maneuvering of cars and service vehicles into and

out of each **parking** and loading space, and shall be arranged so that no vehicle need back onto a public right-of-way. No occupied **parking** or loading space shall interfere with access to any other **parking** or loading space, or with any pedestrian walkway. The design of **parking** facilities shall also comply with landscape requirements of Article XIII [Article XIV].

C.

*Restricted Use of **Off-Street Parking** Areas.* All **parking** areas shall be used for automobile **parking** only, with no sales, dead storage, non-emergency repair work, dismantling or servicing of any kind. Where lighting is provided, it shall be arranged to reflect away from residential areas and public ways.

D.

***Off-Street Loading Regulations.*** The following spaces shall be provided for the uses indicated:

1.

Every hospital, institution, hotel, commercial or industrial building or similar use having a floor area in excess of five thousand (5,000) square feet or fraction thereof requiring the receipt or distribution by vehicle of materials and merchandise, shall have at least one permanently maintained **off-street** loading space for each five thousand (5,000) square feet of gross floor area or fraction thereof.

2.

Retail operations, wholesale operations and industrial operations with a gross floor area of less than ten thousand (10,000) square feet, shall provide sufficient space so as not to hinder the free movements of vehicles and pedestrians over a sidewalk, **street** or alley.

3.

Each space shall have a direct access to a public right-of-way and shall have the following minimum dimensions:

(a)

Length: Twenty-five (25) feet; a larger length upward to thirty-five (35) feet may be required upon recommendation by the City Engineer and approval of the Planning and Zoning Commission.

(b)

Width: Twelve (12) feet.

(c)

Height: Fourteen (14) feet.

All subject to site plan approval.

E.

*Surfacing Requirements for **Parking** and Loading Spaces.* In all zoning districts, surfacing of all **off-street parking** areas and drives, except within the RR-65 zoning district having single family uses exclusively, shall be as follows:

- *Nonporous Surfaces.* All **parking** areas and approaches thereto shall require a minimum surfacing material of four (4) inches reinforced concrete, or six (6) inches of lime rock, after compaction or a comparable material with one (1) inch minimum asphaltic topping except as other [otherwise] provided herein.

F.

*Modifications.* The Town Council may approve modifications to the specifications of Section 1-9.5 upon demonstrated need by the applicant and based on recommendations of the Town Staff and the Planning and Zoning Board. In considering modifications to the specifications required by this Section, the Town Council shall be guided by the current edition of the Architectural Graphic Standards by Ramsey and Sleeper, or an equivalent commonly accepted source of standards.

G.

***Parking** Areas Not to be Reduced in Area.* Area designated for **off-street parking** or loading in accordance with the requirements of this Code shall not be reduced in area or changed to any other use unless the permitted use which it served is discontinued or modified, except where equivalent **parking** or loading space is provided and approved pursuant to Article III [Article VII] "Site Plan Review."

## **Town of Malabar Code Book- Article XX Language & Defintions**

### **Section 1-20.2. Definitions of terms.**

Terms not otherwise defined herein shall be interpreted first by reference to the Comprehensive Plan and this Code; secondly, by reference to generally accepted engineering, planning, or other professional terminology if technical; and otherwise according to common usage, unless the context clearly indicates otherwise.

For the purpose of enforcing and administering this Code, the following words shall have the definitions and meanings herein ascribed:

*Abandon.* To discontinue a use for more than six (6) consecutive months.

*Abutting.* See adjoining.

*Access.* For purposes of this Ordinance, the term access shall mean a way for prospective purchasers, visitors, and prospective customers to get from parking facilities to the model home. Such access shall be a minimum of 30" wide.

*Access, Point of.* A driveway or other opening for vehicles onto a public street.

*Accessory Use or Structure.* A use or a structure subordinate to the principal use or building on the same lot and serving a purpose customarily incidental to the use of the principal building, provided any such structure is built with or after the construction of the principal building.

*Adjoining Lot or Land.* A lot or parcel of land that shares all or part of a common lot line including a common right-of-way with another lot or parcel of land.

*Administrative Office.* A room, studio, suite or building in which the management and general administrative functions are performed.

*Administrative (or Town) Official.* The person appointed by the Town Council to administer and enforce this chapter [Code] who is normally the building inspector.

*Advertising Structure.* A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed.

*Airport.* A special facility designed to accommodate the takeoff and landing of aircraft [and which] may be equipped with hangars, facilities for refueling and repairing airplanes, taxiways, tie down areas, and various accommodations for passengers.

*Alley.* A roadway dedicated to public use which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

*Alteration.* Any change in the arrangement of a building, including work affecting the structural parts of a building or any change in occupancy.

*Apartment.* An independent housekeeping unit in an apartment house.

*Apartment House.* Any building or part thereof where separate accommodations for more than two (2) families living independently of each other are supplied to transient or permanent guests or tenants.

*Awning.* A light, protective appurtenance to a building.

*Bars.* Any place selling and dispensing for the drinking on the premises of liquor, malt, wine, or other alcoholic beverages.

*Basement.* A story partly underground and having at least one-half of its height below the level of the contacting grade.

*Bed and Breakfast.* A Bed and Breakfast is an owner-occupied residential structure, with no more than \_\_\_\_\_ sleeping rooms used as guest rooms, which has been modified to serve as a transient public lodging establishment, which provides accommodation and meal services and which is recognized as a bed and breakfast in the community in which it is situated.

*Board of Adjustment.* A body authorized to hear and decide administrative appeals, special exceptions and variances from the strict application of the zoning code.

*Buffer Strip.* A parcel or tract of land, plant material or other landscaping that is used to separate one use from another to shield or block noise, light or other nuisances.

*Buildable Area.* The portion of lot remaining after required yards have been provided.

*Builder.* Any person, firm, association, syndicate, partnership, corporation, realtor or corporation who constructs model homes and other residential dwellings for sale to the public.

*Building.* Any structure having a roof supported by columns or walls.

*Building Height.* The vertical dimension measured from the finished grade at the building line to the highest point of the structure. including any and all decorative and safety structures, unless exempted under 1-5.1 of the Land Development.

*Building, Principal.* A building in which the principal use of the lot in which it is located is conducted.

*Business Office.* Facility consisting of desks, files, phone banks, telephone switchboards, typewriters, or other equipment usually associated with and utilized in a business office.

*Cemetery.* Property used for the interring of the dead.

*Child.* A person less than eighteen (18) years of age.

*Child Care.* The care, protection and supervision of a child on a regular basis which supplements for the child, in accordance with his individual needs, daily care, enrichment opportunities, and health supervision and where a payment, fee or grant is made for care.

*Child Care Facility.* Includes any child center or child care arrangement that provides child care for more than five (5) children unrelated to operator and which received a payment, fee or grant for any of the children receiving care, wherever operated, and whether or not operated for profit, except that the following are not included: Public schools and nonpublic schools which are in compliance with the compulsory school attendance law, Chapter 232, Florida Statutes; summer camps having children in full-time residence; summer day camps, and Bible schools normally conducted during vacation periods. The provisions of this act shall not apply to a child care facility which is an integral part of a church or parochial schools conducting regular classes or courses of study.

*Church or Other Places of Worship.* Any structure and/or site legally approved for and used upon a permanent basis by a recognized and established religious sect or denomination as a place where such persons regularly assemble primarily for public worship.

*Clinic.* Any structure or premises used as an establishment for medical, dental or surgical examination and/or treatment of persons classed as outpatients who are not lodged overnight and maintained and/or operated by any licensed person or organization of persons.

*Club, Private.* A property owned or leased and operated by a group of persons and maintained and operated solely by and for the members of such group and their guests and not available for unrestricted public access or use. Such a club may be either a profit making or a not-for-profit enterprise.

*Commercial Amusement.* Establishments engaged primarily in providing amusement or entertainment for a fee or admission charge.

*Commercial Amusement, Enclosed.* A commercial amusement establishment, the operations of which are conducted entirely within the confines of an enclosed building or structure, excluding necessary off-street parking facilities. This definition includes, but is not limited to, the following: bowling alleys, billiard and pool establishments, skating rinks, video arcades, amusement arcade centers, electronic gaming establishments and indoor theaters.

*Commercial Amusement, Temporary.* A commercial amusement which is established as a temporary use. This definition includes, but is not limited to, the following: circuses, carnivals, festivals, fairs and special exhibitions.

*Commercial Amusement, Unenclosed.* A commercial amusement which is conducted in an outdoor area or in an unenclosed structure. This definition includes, but is not limited to, the following: drive-in theaters, miniature golf courses, golf driving ranges, animal or vehicular race tracks, amusement parks and stadiums.

*Commercial Fishery.* A commercial establishment for the receiving, processing, packaging, storage, and wholesale or retail distribution and sale of products of the sea. Such an establishment may include facilities for the docking, loading, unloading, fueling, icing and provisioning of vessels and for the drying, maintenance and storage of equipment.

*Comprehensive Plan.* The Town of Malabar Comprehensive Plan, as may hereinafter be amended and which was prepared and adopted pursuant to the "County and Municipal Planning and Land Development Regulation Act," Chapter 163, Part II, Florida Statutes.

*Conditional Use.* Any use which may be allowed by a Conditional Use Permit pursuant to Article VI, Conditional Use Criteria.

*Conditional Use Permit.* Any administrative permit issued pursuant to Article VI, Conditional Use Criteria.

*Condominium.* That form of ownership of condominium property under which units of improvements are subject to ownership by one or more owners, and there is appurtenant to each unit as part thereof an undivided share in the common elements. Condominium property means and includes the land in a condominium whether or not contiguous, and all improvements thereon and all easements and rights appurtenant thereto intended for use in connection with the condominium.

*Contiguous.* Next to, abutting, or touching and having a boundary, or portion thereof, which is coterminous.

*Contractor.* Any person, firm, association, syndicate, partnership, realtor, or corporation engaged in the business of accepting orders or contracts, either as a general contractor or subcontractor, for construction of model homes and other residential dwellings for sale to the public.

*Courtyard.* An open, unobstructed, unoccupied space, other than a yard, on the same premises on which the building is located. A court entirely surrounded by the building is an inner court. A court bounded on three (3) sides by the building and on the fourth side by any lot line is a lot line court. A court with at least one side opened to a yard, alley or street is an outer court.

*Cultural Facilities.* Establishments where the principal use is of an historical, educational or cultural interest, which are not operated commercially.

*Developer.* A "developer" is any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under this ordinance to effect the subdivision and/or development of land in the Town of Malabar and includes "subdivider," including model homes.

*Development.* The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, enlargement of any structure; any mining, excavation, landfill or land disturbance, or any extension of the use of the land.

*District.* Any section [or] area of the Town of Malabar to which these regulations apply, within which the zoning requirements are uniform.

*Dormitory.* A building intended or used principally for sleeping accommodations where such building is related to an education or public institution including religious institutions.

*Drive-in Establishment.* An establishment, which by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in motor vehicle.

*Duplex.* See Dwelling, Two Family.

*Dwelling.* A structure or portion thereof which is used expressly for human habitation.

*Dwelling, Attached.* A one-family dwelling attached to two or more one family dwellings by common vertical walls.

*Dwelling, Detached.* A dwelling which is not attached to any other dwelling by any structural means.

*Dwelling, Multiple Family.* A residential building designed for or occupied by two or more families living independently of each other.

*Dwelling, Single Family.* A residential building containing only one (1) dwelling unit and occupied exclusively by one (1) family as a single housekeeping unit.

*Dwelling, Triplex.* A dwelling containing three (3) dwelling units, each of which has direct access to the outdoors or to a common hall.

*Dwelling, Two Family.* A residential building containing only two (2) dwelling units and not occupied by more than two (2) families.

*Dwelling Unit.* One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be the same structure, and containing independent cooking, sleeping, and toilet facilities.

*Dwelling Unit, Single-Family.* A detached residential dwelling unit other than a mobile home, designed for and occupied by one (1) family.

*Dwelling Unit, Two Family.* A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

*Dwelling Unit, Mobile Home.* A detached residential dwelling unit designed for transportation after fabrication, on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling unit completed and ready for occupancy except for minor and incidental unpacking and

assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like.

*Dwelling Unit, Multiple-Family.* A residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

*Easement.* A grant by a property owner of the right of use of his land by another party for a specific purpose.

*Excavations.* Removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

*Extended Care Facility.* A long term care facility or a distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged or a governmental medical institution.

*Family.* A single individual, doing his own cooking, and living upon the premises as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon economic or domestic bond, as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

*Fast Food Restaurant.* An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant structure or off premises.

*Fence (or Wall).* A freestanding structure of any material or combination of materials erected for confinement, screening or partition purposes.

*Flag Lot.* A lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way.

*Floodplain.* An area likely to flood based on the officially adopted Flood Issuance [Insurance] Rate Map (FIRM).

*Floodplain, Tidal.* An area likely to flood or become inundated from water which is subject to tidal action.

*Floor Area.* The sum of the gross horizontal areas of the several floors of a building or buildings measured from exterior faces of exterior walls or from the center

line of walls separating two (2) attached buildings. The required minimum floor area within each district shall not apply to accessory uses; however, the floor area of accessory uses may be computed as a part of the area of the principal use.

*Foster Housing Facility.* Substitutes for family units where one or two resident adults care for no more than five (5) persons in an environment which approximates family living.

*Frontage.* All the property abutting measured along the street line.

*Funeral Home.* A premises, structure or site used as a commercial establishment for the preparation of deceased humans for burial and/or for the conduction of funeral services prior to burial or other disposition of deceased human remains. Such a premises, structure or site shall not be used for the burial, prolonged storage or permanent disposition of deceased human remains.

*Garage, Mechanical.* Any enclosed structure used for the storage, care, minor repair, or equipping for operation of motor vehicles, or where automotive mechanical service is provided, excluding paint and body repair.

*Garage, Private.* A detached accessory building or portion of a main building used for the parking or storage of automobiles of the occupants of the main building. A carport is considered a private garage. No garage may be erected prior to construction of a dwelling, or the garage may be built simultaneously with the residence.

*Gasoline Service Station.* Any structure, building, or land, used for the dispensing, sale, or offering for sale, at retail, of any motor vehicle fuels, oils or accessories and in connection with which is performed general motor vehicle servicing as distinguished from repair service.

*Governmental Facility.* Any office, facility, building or property owned, leased, or used by the Federal Government, the State of Florida, or any unit of local government, except such uses as are specifically listed elsewhere in this ordinance as specific uses, and except housing projects sponsored by government agencies.

*Green Area.* See "Open Space."

*Greenhouses.* A building wherein the temperature and humidity can be regulated for the cultivation of exotic or out of season plants.

*Group Care Facility.* A facility or dwelling unit housing no more than six (6) residents in a residential structure, living together as a single housekeeping unit under a

common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

*Hobby.* A subject or pursuit in which one takes absorbing interest.

*Home Occupation.* Any money-raising occupation or activity carried on within a residential property, where the activity is conducted only by members of the family living within the residence, where products are not offered for sale from the premises, where no evidence of the occupation is visible or audible from the exterior of the residential property, where traffic is not generated in excess of that customary of a residence, and where no commercial vehicles are kept on the premises or parked overnight on the premises unless otherwise permitted by these regulations. The occupation must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change residential character thereof.

*Hospital.* A building or group of buildings, having facilities for one or more overnight patients, used for providing services for the in-patient medical or surgical care of sick or injured humans, and which may include related facilities such as laboratories, out-patient departments, training facilities, and staff offices; provided, however, it is coordinate to the main use and must be an integral part of the hospital operations.

*Hotels and Motels.* Every building or other structure kept, used, maintained, advertised as or held out to the public to be a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants, in which rooms are furnished for the accommodation of such guests and which may have one or more dining rooms or cafes where meals or lunches are served to such transient or permanent guests, such sleeping accommodations and dining rooms or cafes being conducted in the same building or buildings in connection therewith.

*Houseboat.* A watercraft used as a dwelling and moored in the same general area at least eight (8) hours a day for ten (10) days in any month.

*Junk.* Old and dilapidated modes of conveyance such as automobiles, trucks, tractors, watercraft, and other such vehicles and parts thereof; wagons and other kinds of vehicles and parts thereof; household appliances, scrap building material, scrap contractors' equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron machinery, rags, paper, excelsior, hair, mattresses, beds, and bedding or any other kind of scrap or waste material which is stored, kept, handled or displayed.

*Junk Vehicle.* A vehicle which has not had a current license plate or cannot be moved under its own power.

*Junk Yard.* A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, based, cleaned, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for use of salvaged house wrecking and structural steel materials and equipment, but excluding pawn shops and establishments for the sale, purchase or storage of used cars in operable condition, salvaged machinery, used furniture and household equipment, and the processing of used, discarded or salvaged materials as part of manufacturing operations. The storage of non-operable machinery, equipment or automobiles for sixty (60) days or longer shall be prima facie evidence the property is a junk yard.

*Kennels, Commercial.* Any lot or premises on which four or more dogs, cats or other domestic animals, at least four months of age, are housed or accepted for boarding, trimming, grooming and/or bathing for which remuneration is received.

*Kennels, Non-Commercial.* Any building or buildings and/or land used, designated or arranged for the boarding, breeding, or care of four or more dogs, cats, pets, fowl, or other domestic animals belonging to the owner thereof, kept for purposes of show, hunting, or as pets (but not to include riding stables).

*Loading Space.* An off-street space within the main building or on the same lot, providing for the standing, loading or unloading of vehicles.

*Lot.* A lot shall mean a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are required in this chapter [Code]. Lot shall be comprised of contiguous land. Provided that in no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this chapter [Code]. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record;
- (2) A portion of a lot of record;
- (3) A combination of complete lots of record, and portions of lots of record;
- (4) A parcel of land described by metes and bounds.

*Lot, Building.* A building site area which shall be at least the minimum area required for the zone in which said area is located and such building lot shall be

consistent with all lot requirements within the respective zoning district. The term "building lot" is not necessarily synonymous with the term "lot" as defined above. A building lot is always at least one lot or one lot plus a part of another lot or a combination of two or more lots or fractions thereof.

*Lot, Corner.* A lot abutting upon two or more streets at their intersections.

*Lot, Double Frontage (also Through Lots).* A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

*Lot Frontage.* The portion nearest the street. For purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this section.

*Lot Lines.* The lines bounding a lot.

*Lot Measurements.*

(1)

*Depth of a Lot* shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

(2)

*Width of a Lot* shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the front building line established by the minimum from [front] setback of the required front yard, provided however that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in case of a lot on the turning circle of a cul-de-sac, where the eighty-percent requirement shall not apply. Front lot lines on a cul-de-sac shall be no less than forty (40) feet.

*Lot of Record.* A lot which is a part of a subdivision, the map of which has been recorded in the Office of the Clerk of the Circuit Court of Indian River County or a lot described by metes and bounds, the description of which has been thus recorded.

*Malabar Vernacular Style.* An architectural style representing Florida's historical influences upon the development of the Town of Malabar. This eclectic style includes elements such as elevated first floors, covered porches, verandas and overhangs that create a relationship to the street at human scale. This may include Cracker,

Mediterranean, Caribbean, as well as, other documented local common archetype styles dating back to the turn of the 19<sup>th</sup> century. The design standards provided in Section 1-5.29 of the Land Development Code of the Town shall apply to any structure required to be built in the Malabar Vernacular style.

*Manufactured Building.* A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating or other service systems manufactured in manufacturing facilities, for installation or erection, with or without other specified components, as a finished building or as part of a finished building which shall include but not be limited to residential, commercial, institutional, storage and industrial structure (F.S. 553.36). The building plans for such structures must be sealed by the Florida Department of Community Affairs.

*Marina.* A place for the sale and service of boats and marine supplies, exclusive of boat or ship building.

*Maximum building coverage.* The total building coverage on any lot divided by the total lot area.

*Mining.* The removal, either in or upon the soil of the earth or beneath the soil, of any valuable inert or lifeless substance formed or deposited in its present position through natural agencies alone, as a commercial business.

*Mini-Warehouse/Mini-Storage.* A mini-warehouse/mini-storage is defined as a fully enclosed, single story, building or buildings that may contain removable interior partitions and having individual compartmentalized units, stalls or lockers with privately controlled access points which are to be rented as storage space for customers' goods, wares, or personal property. No individual storage unit shall exceed five hundred (500) square feet in floor space. No unit shall be used for any wholesale or retail operations; however, it shall not preclude use as a depot for such purposes as franchised distribution.

An office for the rental of the storage spaces may be included, provided it does not exceed three hundred (300) square feet, excluding any bathroom facilities.

*Mobile Home Park.* A tract of land in one ownership, which provides rental spaces for mobile homes.

*Mobile Home Park, Transient.* A facility which provides short term parking areas for travel trailers, travel campers and mobile homes, along with the provision of utilities, recreation and related services.

*Mobile Home Site.* A lot or space or plot of ground within a mobile home park or trailer park, designated for the accommodation of not more than one mobile home or trailer coach.

*Mobile Home Subdivision.* A recorded subdivision of land officially recorded which provides individual sites, for sale, for mobile homes.

*Model Home.* A finished, single-family residential unit, including units in a multifamily structure and mobile homes for which a certificate of occupancy could be obtained, located in a residentially zoned district but utilized as an example of a product offered for sale to purchasers (by a realtor, builder, developer or contractor). The dwelling house may be furnished but not occupied as a residence while being used as "Model Home."

*Motel.* See Hotel.

*Noncomplying Building or Structure.* Any building or other structure which is a lawful use (permitted or nonconforming) but which does not comply with all applicable provisions of this Code, including bulk regulations, off-street parking requirements, landscape requirements, performance standards, or airport height hazard zone requirements, either on the effective date of this Ordinance or as a result of any subsequent amendment.

*Nonconforming Use.* A use of a building or structure or of a tract of land which, at the time of the commencement of the use, was a permitted use in the zoning district, or any legal change thereto from the time of the commencement thereof until the effective date of this Ordinance, but which does not, on the effective date of this Ordinance, conform to the use criteria of the district in which it is located.

*Open Space (Green Area).* Open space includes the gross area of the site less building coverage, parking surface and internal traffic circulation system.

*Parking Lot.* An area or plot of ground, used for the storage or parking of motor vehicles either for compensation or to provide an accessory service to a business, industrial or residential use.

*Parking Space, Off-Street* shall mean a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for three (3) or more automobiles shall have individual spaces marked and shall be so designed, maintained and regulated that no parking or maneuvering incidental to

parking shall be on any public street, walk or alley, and so that any automobile may be parked and unparked without moving another.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at three hundred (300) square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the Town.



**Parking Terms:**

**Contiguous Parking: Parking is in the same location and on the same property as the Business's Building and has the same owner(s).**

**Off-Street Parking: Parking is not on the same location or property as the Business's Building.**

**Off Street: Parking is not on any Roadway or any Right of Way or within any "Right of Way Line"**

**On Street: Parking is abutting a Roadway.**

**Roadway: Any path used by vehicles a sa way of getting somewhere. IE:Lane, Road, Street, Trail, etc.**

*Permeable Surface.* Any surface permitting full or partial absorption of stormwater into previously unimproved land.

*Premises.* Any land together with any structures occupying it.

*Principal Structure.* A building in which is conducted the principal use of the lot on which it is situated. An attached carport, shed, garage or any other structure with one (1) or more walls or a part of one (1) wall being a part of the principal building and structurally dependent, totally or in part, on the principal building, shall comprise a part of the principal building and be subject to all regulations applied to the principal building. A detached and structurally independent carport, garage or other structure shall conform to the requirements of an accessory building. A structure conforming as an accessory building may be attached to the principal building by an open breezeway.

*Public Water and Sewer Service.* This shall mean water and sewer systems, including pipes, rights-of-way and treatment plants, owned and operated by the Town or operated under a franchise granted by the Town.

*Recreational and Landscaped Open Space.* Unroofed or screen roofed ornamental landscaped areas and recreational areas which are easily accessible and regularly available to occupants of all dwelling units on the lot wherein the open space is located. Rooftops, porches, raised decks, parking spaces, driveways, utility and service areas are not calculated as open space.



*Right-of-Way Line.* The boundary line between highway, road or street and a tract or parcel of land adjoining such highway, road or street. The right-of-way line shall be considered the property line.

*Setback.* The minimum horizontal distance between the street, rear or side line of the lot and the front, rear or side lines of the building, including porches, carports and accessory uses.

*Shopping Center.* A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

*Shoreline.* The mean high water line for tidal water bodies and ordinary high water line for non-tidal waters for inland water bodies.

*Special Exceptions.* A special exception is a use that would not be appropriate generally or without restriction throughout a particular zoning district but would, if controlled as to number, area, location or relation to the neighborhood, be appropriate.

*Story.* That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there be no floor above it, then the space between such floor and ceiling next above. If any portion of a roof area is intended for human occupancy, except for maintenance purposes, then such roof area shall also be considered a story, notwithstanding that no floor or ceiling is located above it.

*Street.* A thoroughfare which affords principal means of access to abutting property. Street classifications include the following:

*Arterial.* Arterial streets serve as principal routes through the Town. The purpose of these facilities is to move large volumes of traffic from one part of the region or county to another. Arterial roads also provide connections between major activity centers of the County or Town.

*Major Collector Streets.* Major collector streets collect and distribute traffic from residential access streets to arterial streets or other collector streets.

*Minor Collector Streets.* Minor collector streets collect traffic from local streets and feed traffic to major collectors and arterials.

*Residential Access Streets (Local Streets).* Streets which directly serve abutting properties and residences. These streets should be relatively safe and quiet and should be completely free of any through traffic.

*Street Line.* See Right-of-Way Line.

*Structure.* Anything constructed or erected with a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, signs and poster panels, driveways, pools, and ponds.

*Structural Alteration.* Any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.

*Subdivision.* The division and recording in accordance with law of a parcel of land into two or more lots or blocks for the purpose of transfer of ownership or development for development, sale or lease.

*Swimming Pool.* A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18) inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty (30) inches, designed, used and maintained for swimming and bathing.

*Townhouse.* A one-family dwelling in a group of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

*Variance.* A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, size of structure, or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

*Warehouse.* A warehouse shall mean any premises where the principal use is the storage of merchandise, products, or materials in bulk, for a fee or charge or for distribution to other establishments operated by the same business enterprise or

establishment. A warehouse may include accessory wholesales, but shall not be deemed to include retail sales establishments, motor freight terminals, mini-warehouses or the bulk storage of flammable, explosive, toxic, or noxious materials as a principal use. No commercial vehicles (semi-trailers) shall be parked on the site overnight. No manufacturing, processing or craftsman of any kind shall be permitted.

*Yard.* An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the structure shall be used.

*Yard, Front.* A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the structure of any projections thereof, other than the projections of uncovered steps. On corner lots and through lots all yards which abut the street are considered front yards.

*Yard, Rear.* A yard extending across the rear of the lot between the inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

*Yard, Side.* A yard between any structure and the side line of the lot, and extending from the front lot line to the rear yard and being the minimum horizontal distance between a side lot line and the side of any structure. A yard which is not a front or rear yard.

**TOWN OF MALABAR**

**PLANNING AND ZONING**

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 3**  
**Meeting Date: August 13, 2014**

**Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary**

**SUBJECT: Future Land Use Map and Defining R/LC**

**BACKGROUND/HISTORY:**

Chair Pat Reilly suggested each Board Member provide their suggestions for Malabar Code, using verbiage from Liz Ritter suggestions submitted on 5/16/14 (attached). Bring back to next meeting on 8/13/14 to continue the discussion with the revisions from 7/9/14 & 7/23/14.

**ATTACHMENTS:**

- Liz Ritter R/LC Suggestions submitted 5/16/14 with revisions

**ACTION OPTIONS:**

Discussion/ Recommendation to Council

**BRING 3 RING BINDER FROM  
THE FEBRUARY 12, 2014  
MEETING  
&  
AGENDA (3) FROM FEBRUARY  
26, 2014**

***Revisions made by P&Z Board at July 9, 2014 MEETING***  
***Ritter originally submitted by email on 5/16/14***

Regular text is original MUNI code

Strike-through text we had wanted to be ~~deleted~~

Underline text is what we had proposed

Bold underlined text is further additions we had suggested (Purple is Liz)

Italic bold underlined text is my possible suggestions

## **R/LC**

### **Residential and Limited Commercial**

R/LC "Residential and Limited Commercial." The R/LC district is established to implement comprehensive plan policies for managing development on land specifically designated for mixed use Rural-Residential and Limited Commercial development on the Comprehensive Plan Future Land Use Map (FLUM).

***R/LC is intended for flexible land uses including elements of low-density rural and agricultural applications as well as allowing limited, low, and commercial applications within a mixed-use district(s).***

Such development is intended to accommodate limited commercial goods and services together with rural-residential activities on specific sites designated "R/LC" ~~which are situated along the west side of the US 1 corridor as delineated on the FLUM.~~ This residential land use and zoning shall permit moderate density multiple family residential development, limited commercial development separately where current Infrastructure allows or as a combination of these uses as regulated by table 1-3.3A.

For instance, sites within R/LC this district are intended to accommodate neighborhood shops with limited inventory or goods as well as single family and multiple family structures with a maximum density up to ~~four (4) six (6)~~ **six (6) residential** units per acre. A building(s) or portions of a building may have residential or commercial use(s) or a combination of both.

**Residential / Limited** Commercial activities shall generally cater to the following markets:

Local residential markets within the town as opposed to regional markets; or Specialized markets with customized market demands.

A Malabar Vernacular Style is required for all development along arterial roadways.

**Residential Dwelling unit(s) shall not exceed commercial use(s) by more than one**

**Commercial use(s) shall not exceed residential dwelling unit(s) by more than one as described in the following table**

Permitted Combinations of Uses

Total Units/ uses	Residential	Limited commercial
1	<u>1</u>	<u>0</u>
1	<u>0</u>	<u>1</u>
2	1	1
3	2	1
3	1	2
4	2	2
<u>5</u>	<u>3</u>	<u>2</u>
<u>5</u>	<u>2</u>	<u>3</u>
<u>6</u>	<u>3</u>	<u>3</u>

Building or portions of building may have residential or commercial use(s) or both as regulated by table 1-3.3A.

Areas designated for mixed use Residential and Limited Commercial development are not intended to accommodate commercial activities with a floor area in excess of four thousand (4,000) square feet, such as large-scale retail sales and/or service facilities or trade activities. These types of commercial activities generally serve regional markets and the intensity of such commercial activities is not generally compatible with residential activities located within the same structure or located at an adjacent or nearby site. Such stores would usually differ from limited commercial shops since the former would usually require a floor area larger than four thousand (4,000) square feet; would generally carry a relatively larger inventory; and require substantially greater parking area.

Uses, which are not intended to be accommodated within the limited commercial area, include the following: large-scale discount stores; health spas; supermarket; department stores; large scale wholesaling and warehousing activities; general sales, services or repair of motor vehicles, heavy equipment, machinery or accessory parts, including tire and battery shops and automotive service centers; commercial amusements; and fast food establishments primarily serving in disposal containers and/or providing drive-in facilities.

Liz changes: in purple      Original in red

Single family or multiple family residential uses with a density no greater than six (6) units per acre may also be located in the R/LC district. Such residential uses may be located either within a freestanding structure or within a structure housing both Residential and Limited Commercial activities. The R/LC district is intended and shall be interpreted to be a ~~"commercial"~~ "residential" district, until such time as application is made and accepted for a Limited Commercial activity, and shall then comply with respect to required setbacks and other size and dimension provisions referenced by zoning district in this Code.



# TOWN OF MALABAR

## PLANNING AND ZONING

### AGENDA ITEM REPORT

AGENDA ITEM NO: 4  
Meeting Date: August 13, 2014

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

**SUBJECT: Discuss Roads and Drainage**

#### **BACKGROUND/HISTORY:**

It was suggested by Board Member Don Krieger to discuss Roads and Drainage in the Town of Malabar. The P&Z Board is supposed to review the Transportation Element within the Comp Plan and make recommendations to Council. The Town Clerk at one point asked P&Z to consider changing some of the road classifications, specifically Marie Street (north end) and Corey Road (north end).

There was a map presented at the first Budget Workshop by the Town Engineer Morris Smith to familiarize Council with some of the proposed major stormwater projects. He was asked by Council to prepare this with an order of magnitude (cost estimate) and to prioritize the projects as "A" "B" or "C" based on the most "bang" for the buck. This was done so Town staff could better prepare a budget going into the workshops.

#### **ATTACHMENTS:**

- List of Accepted (by Council) Roads in the Town of Malabar from 2011
- Street Map of Roads in the Town of Malabar
- Comp Plan Chapter Two "Transportation Element, Goals, Objectives, and Policies"
- Drainage project list from Engineer Morris Smith with estimates (2 pages)

#### **ACTION OPTIONS:**

Discussion



## Town of Malabar - Public Right-of-Ways Accepted Streets 1/10/2011

**NOTE: THIS LIST DOES NOT INCLUDE ALL TOWN-OWNED RIGHT-OF-WAY**

<u>Absaroka Lane</u>	(Stillwater Preserve SD – 3200 lf paved - private)
<u>Arnold Lane</u>	(870 ft south of the center line of Hall Road in 2006)
<u>Atz Road</u>	(13,728 ft. west from center line LaCourt Lane) +114 ft east of LaCourt
<u>Appleby Lane</u>	(1,322 ft. x 25 ft. north from center line Hall Road) (800 ft. south from center line Hall Road)
<u>Barrow Lane</u>	(Stillwater Preserve SD – 980 fl paved - private)
<u>Baywood Court</u>	(Country Cove) (200 ft. paved)
<u>Bee Keeper Ln</u>	NOT AN ACCEPTED STREET – NAMED FOR FIRE FIGHTING LOCATION PURPOSES ONLY
<u>Benjamin Road</u>	(3,325 ft. x 40+ ft. east from center line Corey Road to Kramer Ln. only))
<u>Beran Lane</u>	(730 ft. north from center line Old Mission) (plus next 200 ft. north Old Mission- payback under 90-3)
<u>Billie Lane</u>	(500 ft. south from center line Atz Rd.) (Plus next 200 ft.--payback under 91-2)
<u>Blanche Street</u>	(1,330 ft. paved north from center line Malabar Road)
<u>Bluff View Place</u>	(Brook Hollow) (115 ft. paved west from center line Pemberton Tr.)
<u>Booth Road</u>	(630 ft. east of Babcock Street right-of-way)
<u>Briar Creek Blvd.</u>	(Brook Hollow) (2,875 ft. paved south from Malabar town limit)
<u>Briar Run Circle</u>	(Brook Hollow) (85 ft. paved west from center line Briar Creek Boulevard)
<u>Brookshire Circle</u>	(Brook Hollow) (334 ft. paved west from center line Hollow Brook Lane)
<u>Candy Lane</u>	(1322 ft. x 50 ft. north from center line Atz Road) ( South of Atz – No records in file of approval)
<u>Cason Lane</u>	(1,330 ft. south of center line Atz Road).
<u>Centre Street</u>	300' between Pine and Wl Railroad Ave.
<u>Century Oak Circle</u>	(1,260 ft. paved)
<u>Christian Lane</u>	(350) ft. "country lane" under construction as of Jan 2011
<u>Coral Way</u>	(1,550 ft. paved south from center line Huggins Drive south and east to center line Rocky Point Road).
<u>Corey Road</u>	(10,560 ft. paved south from center line Malabar Road to south town limit, and 3,553 ft. north from center line Malabar Road)
<u>Coquina Terrace</u>	(1,350 ft. paved west from center line Rocky Point Road)
<u>Country Cove Circle</u>	(Country Cove) 3,085 ft. paved
<u>Crescent Road</u>	(460 ft. x 40 ft. south from center line Township Road)
<u>Delaware Avenue</u>	(1,293 ft. west from center line Corey Road)
<u>Duncil Lane</u>	(2,440 ft. south from center line Hall Road; 1,055 ft. north from center line Hall Road)



# Town of Malabar - Public Right-of-Ways Accepted Streets 1/10/2011

**NOTE: THIS LIST DOES NOT INCLUDE ALL TOWN-OWNED RIGHT-OF-WAY**

<u>Elaine Lane</u>	(1,310 ft. south from center line Glatter Road to dead end)
<u>Eva Lane</u>	(2,640 ft. from center line Malabar Road to center line Hall Road)
<u>Falls Trail</u>	(Brook Hollow) (1,219 ft. paved from center line Briar Creek Boulevard to center line Briar Creek Boulevard)
<u>Fins Lane</u>	previously known as <u>Mussell Shoal Lane</u> (name approved by E911 in yr 2006– 500' road accepted 10/16/2006)
<u>First Lane</u>	(.240 ft. paved north from center line Riverview Drive)
<u>Flashy Lane</u>	(1,275 ft. north from Hall Road to dead end) (530 ft. x 25 ft. south from center line Hall Road)
<u>Florence Street</u>	(1,200 ft. paved north from center line Malabar Road)
<u>Garden Street</u>	(528 ft. east from center line Pine Street to dead end)
<u>Gator Way</u>	South from Hall St.
<u>Gilmore Street</u>	(1,280 ft. north from center line Malabar Road to center line Allen St.)
<u>Glatter Road</u>	(1,584 ft. east from center line Malabar Road) (2,640 ft. east from center line Elaine Lane)
<u>Hall Road</u>	(13,200 ft. west from center line Marie Street to town limits) (5,280 ft. of total--paved; 7,920 unpaved)
<u>Hard Lane</u>	(500' south of center line of Atz Road)(+64 ft per BOA variance – Waters, yr 2006)
<u>Hard Way Lane</u>	(730 ft. north from center line Old Mission Road) (plus 400 ft. north from Old Mission--payback under 90-3)
<u>Hawthorne Avenue</u>	(150 ft. west from center line US#1)
<u>Hollow Brook Lane</u>	(Brook Hollow) (2,045 ft. paved north from center line Briar Creek Boulevard)
<u>Holloway Trail</u> (Brook Hollow)	(324 ft. paved west from center line Briar Creek Boulevard)
<u>Homestead Lane</u>	(Sugar Pines) (1,200 ft. paved north from center line Atz Road to dead end)
<u>Howell Lane</u>	(1,100 ft. north from center line Hall Road to dead end) (728 ft. south from center line Hall Road, plus 200 ft. payback on lot 829 under Ord 03-01).
<u>Huggins Drive</u>	(808 ft. paved east from center line US#1).
<u>Hunter Lane</u>	(1,320 ft. north from center line Atz Road) (1,500 ft. south from center line of Atz Rd.--payback under 90-3)
<u>Isasa Lane</u>	(730 ft. south from center line of Hall Road)
<u>Ivey Lane</u>	(800 ft. south from center line of Hall Road)
<u>Johnston Avenue</u>	(1,164 ft. east from center line Marie Street) (the last 306 feet is a payback under 01-01)
<u>Jordan Boulevard</u>	(1,010 ft. paved west from the center line US#1)
<u>Kelly Lane</u>	(1,483 ft. south from the center line of Atz Road)



# Town of Malabar - Public Right-of-Ways Accepted Streets 1/10/2011

**NOTE: THIS LIST DOES NOT INCLUDE ALL TOWN-OWNED RIGHT-OF-WAY**

<u>Knave Lane</u>	(Stillwater Preserve SD – 1000 lf paved - private)
<u>Kramer Lane</u>	(1,322 ft. north from center line of Benjamin Road-payback under 91-2)
<u>LaCourt Lane</u>	(2,640 ft. south from center line Hall Rd. to center line Atz Rd.)
<u>Leghorn Road</u>	(1,000 ft. x 35 feet north of section line, section 12) (the last 600 feet is a payback under 01-01)
<u>Lett Lane</u>	(1,130 ft. south from center line Booth Road) (plus next 400 ft--payback under 91-2)
<u>Lineberry Lane</u>	(Sugar Pines) (1,200 ft. paved north from center line Atz Road to dead end)
<u>Linrose Lane</u>	(528 ft. x 25 ft. north from center line Hall Road) (1,300 ft. south from center line Hall Road to dead end)
<u>MacDonald Lane</u>	(600 ft. south from center line Atz Road) (the last 200 feet is a payback under 01-01)
<u>Marie Street</u>	(970 ft. x 35 ft. north from center line of Johnson Avenue) (5,280 ft. south from center line Johnston Avenue to center line Hall Road-includes 1,150 ft. paved north of Malabar Road) (780 ft. x 25 ft. south from center line Hall Road)
<u>Marshall Lane</u>	(528 ft. north from center line Malabar Road to dead end)
<u>Matthews Lane</u>	(1610 ft south from of Atz Road April 2, 2007 with paybackunder 01-01)
<u>McCain Lane</u>	(1,100 ft. north and 1,385 ft. south from center line Hall Road)+50 from south end per BOA variance – Kaye yr 2006)
<u>Moss Rose Avenue</u>	(1,015 ft. west from center line Corey Road)
<u>New Jersey Avenue</u>	(528 ft. west from center line US#1)
<u>Nome Lane</u>	(Stillwater Preserve SD 920 lf – private)
<u>Nord Street</u>	(561 ft. east from center line Marie Street)
<u>Oak Harbour Lane</u>	(Country Cove) (338 ft. paved)
<u>Oak Tree Place</u>	(Brook Hollow) (389 ft. paved north from center line Falls Trail)
<u>Oakridge Lane</u>	(700 ft. x 50 ft. north from center line Hall Road plus 350 feet x 25 feet) (1,130 ft. south from center line Hall Road)
<u>Old Mission Road</u>	(1,950 ft. west from center line Weber Road to center line Beran Lane)
<u>Orange Avenue</u>	(1,260 ft. west from center line US#1 toward railroad)
<u>Passaic Avenue</u>	(782 ft. west from center line US#1)
<u>Pemberton Trail</u>	(Brook Hollow) (1,053 ft. paved east from center line Briar Creek Boulevard)
<u>Pine Street</u>	(528 ft. south from center line Malabar Road to center line Garden Street)
<u>Prospect Ave</u>	renamed Christian Lane in Jan 2011
<u>Prosperity Lane</u>	(930 ft north from centerline of Osage Road in 2006)
<u>Quarterman Lane</u>	(1830 ft. south from center line Hall Road)



## Town of Malabar - Public Right-of-Ways Accepted Streets 1/10/2011

**NOTE: THIS LIST DOES NOT INCLUDE ALL TOWN-OWNED RIGHT-OF-WAY**

<u>Rebel Lane</u>	(1000 ft. north from Reese Road)
<u>Reef Place</u>	(510 ft. paved east from center line Coral Way)
<u>Reese Road</u>	(685 ft. x 25 ft. west from center line Weber Road)
<u>Richards Lane</u>	(807 ft. north from center line Hall Road)
<u>Riverview Drive</u>	(780 ft. paved west from center line US#1)
<u>Rivet Lane</u>	(700 ft. x 25 ft. north from center line Hall Road)
<u>Rocky Point Road</u>	(7,590 ft. paved from US#1 to US#1)
<u>Russell Lane</u>	(400 ft. south from center line Atz Road)
<u>Samantha Lane</u>	(300 ft south of Hall Road (payback under Ord 03-01) approved 2006 w/ condition name w/b changed to Candy when the roads connect)
<u>Sandy Creek Lane</u>	(1,500 ft. south from center line Malabar Road)
<u>Shiflett Lane</u>	(528 ft. south from center line Malabar Road to dead end)
<u>Ski Lane</u>	(564 ft. north of center line Atz Road--payback under 91-2)
<u>Smith Lane</u>	*(2244 ft. south of center line Atz Road) (the first 475 ft. is no payback; the next 125 ft. is a payback under 91-2; the next 400 ft. is a payback under 91-2; the next 644 ft. is a payback under 91-2; *the next 600 ft. is a payback under 01-01)
<u>Steeplechase Circle</u>	(Brook Hollow) (358 ft. paved west from center line Briar Creek Boulevard)
<u>Stika Lane</u>	(Stillwater Preserve SD – 840 lf - private)
<u>Township Road</u>	(1,056 ft. paved east from railroad to center line US#1)
<u>Waring Lane</u>	(1,290 ft. north of center line Atz Road) (2,035 ft. south of center line Atz Rd.) (plus 400 ft.--payback under 91-2)
<u>Weber Road</u>	(10,560 ft. paved south from center line Malabar Road to town limits)
<u>Weir Street</u>	(1,280 ft. north from center line Malabar Road to center line Allen Street)
<u>West Railroad Avenue</u>	(630 ft. paved south from center line Malabar Road)
<u>Westhorpe</u>	(Oakmont Preserve SD ?? If paved east from Marie Street- private)
<u>Wilson Lane</u>	(1,052 ft. south from center line Hall Road)

### NOTES:

- A. Ordinances 90-3, 91-2 & 01-01 require fees be collected from prospective homebuilders on certain parcels of property as payback to original road builder. These portions of streets are indicated.



## Town of Malabar - Public Right-of-Ways Accepted Streets 1/10/2011

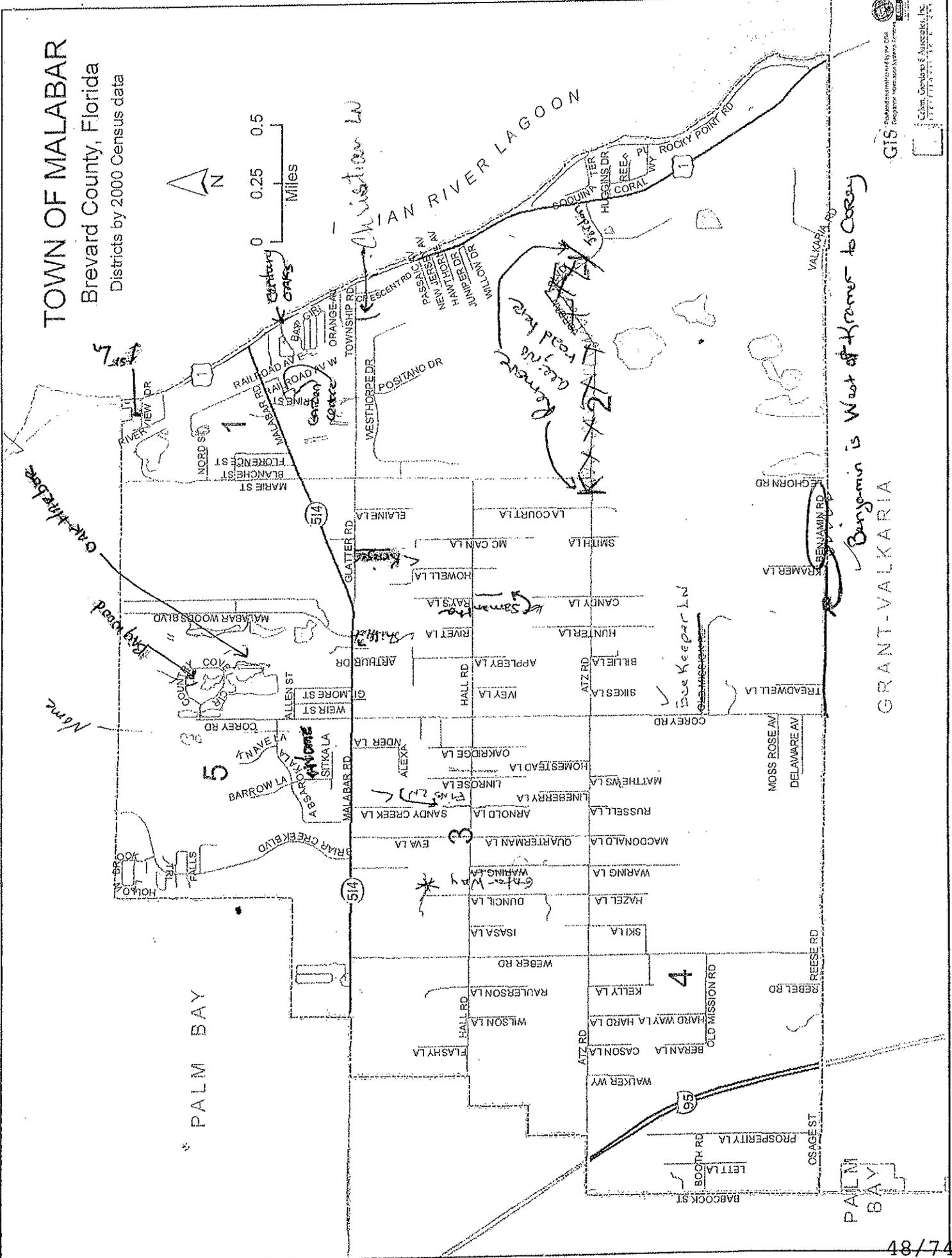
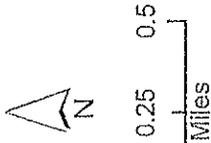
**NOTE: THIS LIST DOES NOT INCLUDE ALL TOWN-OWNED RIGHT-OF-WAY**

- B. Any road not on this list of accepted streets may be maintained from time to time, at the Public Works Department's discretion, to allow accessibility of emergency vehicles. This in no way implies that this maintenance constitutes acceptance of any road not on this list.

(Previous Updates 9/21/98, 12/1/99, 3/24/00, 12/29/00, 7/2/01, 10/15/03 5/10/04, )

\* Additions/changes since last update

**TOWN OF MALABAR**  
 Brevard County, Florida  
 Districts by 2000 Census data



GIS  
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 City of Malabar, Florida  
 10000 U.S. Highway 1, Malabar, FL 32952

*Benjamin is West of Kramer to Corey*

GRANT-VALKARIA



## CHAPTER TWO

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### TRANSPORTATION ELEMENT

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#### INTRODUCTION

As per Rule 9J-5.019, of the Florida Administrative Code, every local government which has all or part of its jurisdiction included within an urbanized area of the Metropolitan Planning Organization (MPO), must prepare and adopt a transportation element consistent with the provisions of this rule and Chapter 163 of the Florida Statutes.

#### PURPOSE

The purpose of the Transportation Element is to plan for an efficient, safe, and coordinated multimodal transportation system within the Town of Malabar. This Element is developed in coordination with Brevard County's Transportation Element, the Brevard County Metropolitan Planning Organization (MPO)'s Long Range Transportation Plan (LRTP), and the Florida Department of Transportation (FDOT). The Transportation Element consists of two main sections as follows: a) Data, Inventory and Analysis Report, and b) the Goals, Objectives, and Policies, which set the overall guidelines for transportation planning within the Town.

#### REGIONAL CONTEXT

##### **Socioeconomic, Political and Cultural Factors**

Malabar is a small rural town located along Indian River, extending in some sections to I-95. Incorporated in 1962, Malabar now has an estimated population of 2,842, according to 2005 census data, and a land area of approximately 6,372 acres. The Town is mostly a rural-oriented community with predominantly low density housing throughout the Town and commercial areas along major arterials such as US 1 and Malabar Road. Some areas are still dedicated to agriculture and many areas within Malabar are covered by swamp and wetlands as well. Much of Malabar is undeveloped land accounting for approximately 3,058 acres.

#### DATA, INVENTORY, AND ANALYSIS

This data, inventory, and analysis section provides a comprehensive approach of the Town of Malabar's existing and future needs. For the future analysis, the planning horizon Year 2025 has been used consistent with Brevard County's Long Range Transportation Plan and Comprehensive plan. The Data, Inventory and Analysis section includes the following:

- An analysis of the existing conditions, existing roadway system, existing and remaining capacities, existing land use, existing challenges facing the roadway system, existing transit facilities;
- Growth trends and travel patterns, including the relationships between land use and transportation systems;

- An analysis of the capital improvements planned by the Town of Malabar, Brevard County and the Florida Department of Transportation;
- Projected transportation system level of service;
- An assessment of future needs and funding resources;

The Data, Inventory and Analysis includes two main subsections:

- Existing Transportation System and Transportation Needs Analysis
- System (2025) and Future Transportation Needs Analysis

## EXISTING TRANSPORTATION SYSTEM AND TRANSPORTATION NEEDS ANALYSIS

For the Transportation Element, Rule 9J-5.019 requires an analysis of the existing transportation facilities and an evaluation of the existing system needs based on the existing conditions and existing land use analysis. For this purpose, all the transportation facilities were analyzed based on the collected data and information obtained from Brevard County and the Brevard County MPO. This Element is consistent with the Future Land Use Element, Coastal Element, MPO Long Range Transportation Plan (LRTP) and Brevard County's Comprehensive Plan.

### EXISTING TRANSPORTATION FACILITIES

The *Florida Intrastate Highway System (FIHS)*, was created in 1990 by the Florida Statutes, and is composed of a series of interconnected limited and controlled access roadways, including the Interstate Highways, the Florida Turnpike, selected urban expressways and major arterial highways. I-95, an Intrastate Highway, passes through the Town of Malabar.

The *Strategic Intermodal System (SIS)* consists of statewide system of high priority facilities including major interregional highways, airports, deepwater seaports, freight rail terminals, passenger rail and bus terminals, rail corridors, and waterways. In the Town of Malabar, I-95 is a **Designated SIS** corridor.

The existing transportation system in the Town consists of the existing roadway system, pedestrian network, sidewalks, transit system, waterways, port and FEC railroad corridor. The Town of Malabar does not have its own airport within Town limits, although, there is an international airport in the City of Melbourne known as the Melbourne International Airport, which is located north of the Town of Malabar and identified as **Emerging SIS** facility. There is no port within Malabar, but the County has the second busiest cruise port known as Port Canaveral, which is a **Designated SIS Seaport Hub**.

### RAIL

Heavy rail freight service in Brevard County is provided by the Florida East Coast (FEC) Railroad. It serves the east coast of Florida from Jacksonville to Miami. The important role of freight transportation is very vital to maintain the mobility and economic growth within the area. FEC is a **Designated SIS** facility in Brevard County.

## WATERWAYS

The Atlantic Intracoastal Waterway runs along the eastern edge of Brevard County via Indian River Lagoon. The Atlantic Intracoastal Waterway provides navigation along the southeastern seaboard of the United States, extending from Norfolk, Virginia to Miami, Florida. The channel is maintained at a depth of 12 feet by federal government. The Intracoastal Waterway is maintained by the U.S. Army Corps of Engineers. Because of its relationship to seaports, the Intracoastal Waterways are identified as a *Designated SIS* facility in the region.

The existing transportation system within the Town of Malabar is displayed in **Map TRN-1**.

**Map TRN-2** identifies all the existing major roadways within the Town recognized by the number of through lanes.

## FUNCTIONAL CLASSIFICATION

The Town of Malabar has local and county roadways and state highways within the Town. The roadways are classified based on the purpose they serve, speed of travel, access needs and mobility needs. The classification is consistent with Brevard County and FDOT District V Federal Functional Classification and Urban Boundaries.

The major thoroughfares, categorized into four functional classification groups common to rural and urban roads, are the principal arterials, minor arterials, collectors, and local streets. The rural or urban designation is part of the complete functional classification based on population. A description of each type of road is described as follows:

### *Major Arterial Road*

This roadway provides service primarily through high speed and high volume traffic. Major Arterials usually provide service that is relatively continuous and for longer trip lengths. Typical principal arterials include interstates, freeways, and other limited access facilities.

### *Minor Arterial Road*

This type of roadway focuses on through traffic similar to a major arterial, but provides greater land access, and distributes traffic to smaller geographic areas than the major arterials.

### *Collector Street*

This roadway provides both land access and traffic circulation between arterials and local roads for moderate trip length at moderate speeds. Conversely, a collector street system transitions vehicular traffic from local streets onto the arterial system. The Town of Malabar further distinguishes minor and major collector streets.

### *Local Street*

This roadway permits direct access to abutting property and connections to a higher order roadway. A local street provides service to low-volume and short average trip length or minimal through traffic movements.

The operational and maintenance responsibility of the state and county roadways falls under the jurisdiction of the Florida Department of Transportation and Brevard County, respectively.

The functional classification of within the Town is depicted in **Map TRN-3**.

### **Existing Roadways**

The Town of Malabar has a network of state, county and local roadways. Most of local roadways are unpaved roadways while state, county and local collectors are paved roadways. There are many roadways with unimproved rights-of-ways and the Town plans to improve those roadways with the help of developers. The major roadways within the Town are listed below:

#### **I-95**

I-95, an interstate highway, designated SIS facility, runs north south and passes through the Town of Malabar. The portion of I-95 which passes through the Town is classified as Urban Principal Arterial-Interstate, however I-95 serves as Rural Principal Arterial south of the Town limit. Improvements on I-95 are planned in the FDOT's Five Year Work Program.

#### **US-1**

US-1 is the primary north-south state highway which passes through the Town of Malabar and serves as an Urban Principal Arterial on the state highway system. US-1 connects Malabar with Melbourne and Grant-Valkaria.

#### **SR 514/Malabar Road**

SR514/Malabar Road is an Urban Minor Arterial connecting the Town with the City of Palm Bay. Malabar Road, a two-lane facility, runs east west and connects I-95, SR-507/Babcock Street, and US-1. FDOT completed a feasibility study for widening of Malabar Road in 2008. Roadway improvements are planned on the corridor in MPO's Long Range Transportation Plan.

#### **SR 507/Babcock Street**

SR 507/Babcock Street runs north-south and passes through the Town of Malabar and connects Brevard County with Indian River County. SR-507/Babcock Street connects the Town of Malabar with the Town of Grant-Valkaria, the City of Palm Bay and City of Melbourne. SR 507/Babcock is classified as an Urban Minor Arterial from south of Malabar Road to Valkaria Road and then converts into Urban Principal arterial north of Malabar Road. However, SR-507/Babcock Street is classified as Urban Collector south of Valkaria Road. Roadway improvements are planned on the corridor in FDOT's Five Year Work Program and MPO Long Range Transportation Plan. The small portion of Babcock Street within the Town is a two lane facility but is planned to be widened to four lanes in the MPO's 2025 Long Range Transportation Plan.

#### **Corey Road**

This two lane roadway centrally located and runs north-south in the Town. Corey Road serves as Major Collector south of Malabar Road.

### **Weber Road**

Weber Road, a two lane roadway, runs north-south parallel to Corey Road and is classified as Major Collector south of Malabar Road.

### **Valkaria Road**

Valkaria Road served as Major Collector and runs east west. A very small portion of road lies within the Town and used to access SR 507/Babcock Street and US-1.

### **Marie Street**

The Marie Street corridor generally extends from approximately 970 feet north of Johnston Avenue south across Malabar Road to a point 850 feet past Hall Road.

### **Jordan Boulevard**

Jordan Boulevard runs east west in the southeast section of the Town. It is classified as a major collector.

### **Minor Collectors**

Atz Hall, Old Mission, and Benjamin Road are east-west roads. These roads are classified as Minor Collectors.

### **Local Roads**

All other remaining roads are classified as local roads. Marie Street is a north-south roadway that may eventually connect to Leghorn Road.

### **Existing Parking Facilities**

Parking facilities are composed of parking corresponding to the industrial and institutional properties, within the Town limits. Currently, there are no significant parking facilities within the Town of Malabar.

### **Existing Pedestrian and Bicycle Facilities**

Malabar encourages non-motorized modes of transportation which have minimal impact on the natural environment. To maintain the mobility of a multimodal transportation system, it is vital that the Town of Malabar has a well connected system of sidewalks, bike paths, and/or multi-use trails within the existing roadways system.

Bicycle facilities include bikeways, bike paths, paved shoulders and multi-use paths. A bicycle lane is a portion of a roadway which has been designed by striping, signage, and pavement markings for the preferential or exclusive use of bicyclist, while bicycle path is a bikeway physically separated from motorized vehicular traffic by an open space or barrier and located either within the highway right-of-way or within an independent right-of-way.

Currently, there are almost no existing pedestrian and bicycling facilities in the Town of Malabar. The Town shall continue coordination efforts with Brevard County and the Florida Department of Transportation to install sidewalks and bicycling facilities along

major roadways connecting residential areas to schools, commercial and recreational areas.

Brevard County's MPO is currently working on a Master Plan known as "Bicycle, Pedestrian and Trails Master Plan" which will provide vision for future transportation planning for non-motorized uses. The Master Plan will provide inventory of all existing and proposed sidewalks, bicycle and trail facilities, and needs assessment for these facilities.

Bicycle, Pedestrian & Trails Advisory Committee (BPTAC), as part of the Brevard MPO, provides educational support and guidance for improved non-motorized modes of transportation.

### **Existing Sidewalks and Bicycle Needs Assessment**

Malabar prides itself on its rural lifestyle, anti-sprawl, and slow growth principles. Yet new development and an increasing population compel the Town to improve pedestrian, bike, and equestrian connectivity in order to ensure the Town's character and livability remain intact. Pedestrian and bicycle facilities are most needed around schools, civic centers, shopping centers, community centers, bus stops, parks and other activity centers. Currently, the Town has neither bicycle facilities nor sidewalks, except in the Brook Hollow and Weber Woods subdivisions. There is a need to analyze sidewalk deficiency and continuity on the arterial and collector roadways, near the recreational facilities including access to multi-use trails within the Environmentally Endangered Lands (EELs) and the hospital and medical offices in Palm Bay, Brevard MPO's Master Plan will evaluate the deficiencies and provide recommendations to mitigate the deficiencies in existing sidewalks and bike path system. To improve pedestrian safety, crosswalks should be provided at all major intersections. For safety, adequate lighting along sidewalks is necessary and should be provided.

Based on a preliminary analysis of the sidewalks and bicycle system, the following are a series of observed recommendations:

- There is a need to provide sidewalks along arterials and local streets especially near educational and community centers, and parks.
- Improve connectivity among the sidewalks and bike paths for efficient and safe sidewalk and bike path system.
- Incorporate recommendations from the Master Plan when completed.
- Signaling conforming to FDOT standards should be provided to bicyclist, pedestrian, and motorists. Accessibility and safety around the existing school and existing and emerging daycare facilities is also essential.
- Push-button crosswalks should be installed at major intersections.
- Adequate lighting on sidewalks is required for safety.
- The elevations and grades along sidewalks and handicapped ramps must address ADA requirements.
- Pedestal for signal needs to be provided at all signalized intersections.

## **GREENWAYS**

A greenway is a corridor of protected open space that is managed for conservation and/or recreation. Greenways follow natural land or water features, like ridges or rivers, or human landscape features like abandoned railroad corridors or canals and link natural reserves, parks, cultural and historic sites with each other and, in some cases, with populated areas. They include abandoned railroad corridors converted into multiple-use recreational trails, winding paddling trails that follow rivers or shorelines, large-scale natural areas, and even bicycle paths in urban areas.

The Greenways and Trails Committee was formed in 1995 to preserve County's unique natural resources and develop greenways and trails to enhance the quality of life. The Town of Malabar took the lead in 1996 by including the development of trails in their management plans for conservation lands acquired in coordination with the County's Environmentally Endangered Lands (EELs) program and the Florida Communities Trust. The Town of Malabar, in coordination with the Brevard Metropolitan Planning Organization (MPO) staff, held several public workshops designed to gather input and recommendations from stakeholders regarding the preferred locations and types of trails, and how to link these trails to surrounding neighborhoods and communities. In 2003, Malabar opened its first trailhead for the Sandhill Trail. Brevard County recognized the need for greenways and adopted the Brevard County Greenways and Trails Master Plan in 2001. Over the past several years, the Town has worked actively with the Brevard County MPO's Bicycle Pedestrian Trails Program Coordinator, and in July 2007, the Town's Parks and Recreation Advisory Board reinstated the Trails and Greenways Committee, which had been inactive in recent years.

Brevard County MPO included five multiuse trails in Transportation Improvement Program (TIP) within Brevard County. Al Tuttle Trail will link the Malabar Scrub Sanctuary and Jordan Scrub Sanctuary in Malabar to other natural areas outside of the Town's limits such as the preserve by Valkaria Airport, the Turkey Creek Sanctuary, and the Sebastian Buffer Preserve. The multi-use corridor will have equestrian paths, and will be kept natural (not paved) in environmentally sensitive areas. The Town of Malabar should continue to coordinate with Brevard County for identification and establishment of greenways.

## **EXISTING CHARACTERISTICS OF THE MAJOR TRIP GENERATORS**

The Town of Malabar is a small rural Town and most of the major regional attractions or generators like shopping malls, and employment centers are outside the Town limits. Mostly local commercial developments and retail lie along US-1 and Malabar Road.

## **EXISTING PUBLIC TRANSIT FACILITIES**

The transit service is provided within the County through Space Coast Area Transit (SCAT). Space Coast Area Transit Service is operated under the Brevard County Commissioners and provides fixed route service, paratransit, van pool, and volunteer services. Paratransit service is operated throughout the County Monday through Saturday, with limited service on Sunday. The van pool program provides vehicles to lease to private agencies and commuters.

Currently no fixed route bus service including community bus service is provided within the Town of Malabar, however, paratransit service is available for the residents of Malabar on certain routes. There are no intermodal facilities in the area. The Town

supports establishment of a passenger rail line along the east coast, and recently passed a resolution encouraging FDOT to pursue a feasibility study for the establishment of passenger rail service along the Florida East Coast Railroad (FEC).

### **Needs Assessment**

There are certain factors which govern transit like population, density and household income. For an efficient transit system, a certain population density and other supporting factors are needed. Based on Malabar's current population, it appears regular fixed route bus service may not be a viable option. The Town should coordinate with the County if transit becomes part of future plans.

## **TRANSPORTATION LEVEL OF SERVICE (LOS) STANDARDS**

### **Adopted Level of Service**

Chapter 9J-5 requires local governments to adopt level of service (LOS) standards during the peak hour for roadways. Factors, which influence the level of service, are number of lanes, number of vehicles, speed, control type, number of access connections, maneuverability, safety and convenience of the public who will utilize the facilities. The roadway level of service (LOS) standard is a qualitative assessment of the road user's perception of the quality of flow of traffic. The LOS standard is represented by letters "A" through "F," with "A" representing the most favorable conditions and "F" representing the least favorable.

### **Levels of Service Standards**

The level of service standard is used as a guide for planning purposes, to identify the needs and to plan for the improvements necessary to maintain a desired level of service. Factors which influence the level of service are number of lanes, number of vehicles, speed, control type, number of access connections, maneuverability, safety and convenience of the public who will utilize the facilities.

The description of level of service standards in transportation planning are defined as follows:

**LOS A-** Ideal conditions of primarily free-flow traffic conditions at average travel speed with minimal delay.

**LOS B-** Unimpeded traffic flow at average travel speed, the maneuver ability is a little restricted within the flow.

**LOS C-** Traffic flow is stable but drivers are more restricted in their choice of speeds and ability to maneuver as compared to LOS B.

**LOS D-** Traffic flow is unstable; speeds are tolerable for short periods of time but subject to sudden variance.

**LOS E-** Traffic flow is unstable and flow rates variable. This flow is characterized by significant delays and lower operating speeds

**LOS F-** Traffic flow at extremely low speeds, congested roadways, high approach delays, and driving comfort is very low.

**County Roads and Local Roads**

The county and local roads level of service will conform to the Brevard County and the Town's adopted LOS standards.

**State Roadways Florida Intrastate Highway System (FIHS)/Strategic Intermodal System (SIS)**

Rule 9J-5.0055(2) (c), F.A.C., requires local governments to adopt the LOS standards established by the Florida Department of Transportation. Rule 14.94003 for facilities on the Florida Intrastate Highway System (FIHS) (SIS) as noted in Table 2-1.

Interstate 95 is part of the Florida Intrastate Highway System (FIHS)/Strategic Intermodal System (SIS) and classified with an adopted level of service standard of "C". It is strongly recommended by the Florida Department of Transportation (FDOT) that local governments should involve the FDOT in development review process at an early stage if new proposed development impacts any SIS facility.

**TABLE 2-1**

<b>Statewide Minimum Level of Service Standards</b>				
Statewide Minimum Level of Service Standards for the state highway system, roadways on the Strategic intermodal System (SIS). Roadways on the Florida Intrastate Highway System (FIHS) and the roadway facilities funded in accordance with Section 339.2819, Florida Statutes, the Transportation Regional Incentive Program (TRIP).				
	SIS AND FIHS FACILITIES		TRIP FUNDED FACILITIES AND OTHER STATE ROADS <sup>3</sup>	
	Limited Access Highway <sup>4</sup> (Freeway)	Controlled Access Highway <sup>4</sup>	Other Multilane <sup>4</sup>	Two-Lane <sup>4</sup>
Rural Areas	B	B <sup>1</sup>	B	C
Transitioning Urbanized Areas, or communities	C	C	C	C
Urbanized Areas Under 500,000	C(D)	C	D	D
Urbanized Areas Over 500,000	D(E)	D	D	D
Roadways Parallel to Exclusive Transit Facilities	E	E	E	E
Inside TCMA <sup>s</sup>	D(E) <sup>2</sup>	E <sup>2</sup>	... <sup>2</sup>	... <sup>2</sup>
Inside TCEA <sup>s</sup> <sup>2</sup> and MMTD <sup>s</sup> <sup>2</sup>	... <sup>2</sup>	... <sup>2</sup>	... <sup>2</sup>	... <sup>2</sup>
Level of service standards inside of parentheses apply to general use lanes only when exclusive through lanes exist.				
1. For rural two-lane facilities, the standard is C.				
2. Means the Department must be consulted as provided by Section 163.3180 (5), (7), or (15), Florida Statutes, regarding level of service standards set on SIS or TRIP facilities impacted by TCMA <sup>s</sup> , MMTD <sup>s</sup> , or TCEA <sup>s</sup> respectively.				
3. Means the level of service standards for non-TRIP facilities may be set by local governments.				
4. It is recognized that certain roadways (i.e., constrained roadways) will not be expanded by the addition of through lanes for physical, environmental, or policy reasons. In such instances, a variance to the level of service may be sought pursuant to Section 120.542, Florida Statutes.				

Source: FDOT Rule Chapter 14-94.

**Statewide Minimum Level of Service Standards**

(1) Specific assumptions and restrictions that apply to these minimum LOS standards are:

- (a) The minimum LOS standards represent the lowest acceptable operating conditions in the peak hour.

- (b) Definitions and measurement criteria used for the minimum LOS standards can be found in the Transportation Research Board's Highway Capacity Manual Special Report 2000.
  - (c) When calculating or evaluating level of service pursuant to this rule, all calculations and evaluations shall be based on the methodology contained in Transportation Research Board's Highway Capacity Manual Special Report 2000, the Department's 2007 *Quality/Level of Service Handbook*, or a methodology determined by the Department to be of comparable reliability. Any methodology superseded by the Highway Capacity Manual Manual 2000, such as a methodology based on the 1997 Highway Capacity Manual or *Circular 212*, shall not be used.
- (2) Minimum LOS Standards for SIS Connectors and TRIP Funded Facilities are:
- (a) Minimum LOS Standards for SIS Highways.
    1. Limited access SIS highways shall adhere to the limited access FIHS LOS standards.
    2. Controlled access SIS highways shall adhere to the controlled access FIHS LOS standards.
    3. These standards shall apply regardless whether the facility is FIHS, SHS, or under other jurisdiction.
  - (b) Minimum LOS Standards for SIS Connectors. The minimum LOS standard for SIS connectors shall be LOS D.
  - (c) Minimum LOS Standards for Regionally Significant Roadways Funded by the TRIP.
    1. Regionally significant roadways utilizing TRIP funding shall adhere to the Other State Roads Standards in Chapter 14-94, F.A.C.
    2. These LOS standards apply to the TRIP funded portions of the roadway facilities extending to their logical termini for LOS analysis.

*Specific Authority 163.3180(10), 334.044(2) FS. Law Implemented 163.3180(10), 163.3184(4), 334.03, 334.044(10)(a), (12), (19), 339.155(2), 339.2819, 339.61-.64 FS. History--New 4-14-92, Amended 5-8-06.*

The Town of Malabar shall adopt the following generalized two-way peak hour level of service standards for Florida's urbanized areas within the Town of Malabar:

**TABLE 2-2: ADOPTED LEVEL OF SERVICE STANDARDS**

FACILITY TYPE	PEAK HOUR LEVEL OF SERVICE
Local Road	D
Collector Roadway	D
Minor Arterial	D
Major Arterial	D

Source: Town of Malabar

Based on above Table, all the roadways including paved and unpaved roadways within the Town of Malabar will have an adopted LOS 'D' standard.

## ROADWAY ANALYSIS

### Existing Roadway Capacities

Brevard County MPO conducts traffic counts throughout the County to evaluate transportation needs and plan for future improvements. The Brevard County Traffic Count Program also helps to identify the need for new signals in county.

Pursuant to Rule 9J-5.019, F.A.C. the capacity of existing roadways to serve the existing land use was assessed using a peak hour peak direction level of service analysis. The 2007-2008 annual daily traffic volumes were obtained from the Brevard County Traffic Count Program. The daily bi-directional volumes were converted into peak hour peak direction volumes by multiplying them with peak hour and directional factors. Peak-hour factors 'K' and directional factors 'D' are generally used to convert AADT to peak-hour peak direction volumes for planning purposes.  $K_{100}$  is the factor for the 100<sup>th</sup> highest traffic volume hour of the year to the AADT. The 100<sup>th</sup> highest hour is representative of typical weekday peak hour traffic during the peak travel season.  $K_{100}$  or K is used to convert AADT to peak hour or vice versa. D, the Directional Distribution Factor, is the proportion of an hour's total volume occurring in the higher volume direction. The D factor is used in converting AADT to directional peak traffic. The values for K and D factors were obtained from the FDOT 2007 *Quality/Level of Service Handbook*.

Then, the existing peak hour peak direction level of service was determined using the *FDOT Generalized Peak Hour Directional Volumes for Florida Urbanized Areas* (Table 4-7 and 4-9). Based on this methodology, the calculated level of service for existing roadways is listed in **Table 2-3**.

**TABLE 2-3  
EXISTING PEAK HOUR PEAK DIRECTION LEVEL OF SERVICE**

ROADWAY	FROM	TO	AREA TYPE	CLASSIFICATION	ADPT. LOS	LANES/WAY	PK HR. PK DIR. CAP.	2007 AADT VOL.	$K_{100}$	D	PK HR. PK DIR. VOL.	LOS
SR 5/US1	Valkaria Road	SR 514/Malabar Rd	U	State Arterial Class I	D	4	1,860	16,620	0.0950	0.5500	868	B
	SR 514/Malabar Rd	Robert Conlan Blvd	U	State Arterial Class I	D	4	1,860	22,840	0.0950	0.5500	1,193	B
SR 507/Babcock St	Valkaria Road	Foundation Park Blvd	U	State Arterial Class I	D	2	860	19,220	0.0950	0.5500	1,004	
SR 514/Malabar Rd	Babcock St	SR 5/US 1	U	State Arterial Class I	D	2	860	13,570	0.0950	0.5500	709	C
SR 9/I-95 <sup>5</sup>	SR 514/Malabar Rd	CR 516	U	Freeway	C	4	2,940	57,500	0.0950	0.5500	3,004	

Note:

(1) The existing 2007 volumes are directly taken from Brevard County Traffic Count Program.

(2) The values for adopted level of service are directly taken from the FDOT 2007 Level of Service Tables 4-7 for Generalized Peak Hour Directional Volume.

(3) Peak hour K and D factors are taken from the FDOT 2007 Level of Service Tables 4-7 & 4-9 for Generalized Peak Hour Directional Volume.

(4) The peak hour peak direction volume is calculated from multiplying 2007 AADT with K and D factors.

(5) The adopted level of service for SIS and FHIS facilities in urbanized areas under 500,000 is C. The 2006 AADT volume for I-95 is directly taken from the Brevard County LOS Report.

These existing roadway levels of service for the peak season 2007 are depicted in **Map TRN-4**.

### Existing Roadway Needs

The level of service analysis for existing conditions indicates that all the roadways within the Town of Malabar, except SR-9/I-95 and SR 507/Babcock Street, are operating at the adopted level of service. Currently, SR 507/Babcock Street is operating at below adopted level of service standard, however improvements are planned in the MPO's LRTP on Babcock Street. The widening of I-95 is programmed in FDOT's five year work

program. The Town shall coordinate with Brevard County, Brevard County MPO, Florida Department of Transportation District V for needed improvements to address the deficiency on SR-9/1-95 and SR 507/Babcock Street. To maintain the adopted level of service on roadways, Brevard County has an impact fee program for new developments. The Town supports improvements to parallel facilities, encourages other modes of transportation, and promotes travel demand management (TDM) techniques to reduce traffic on the FIHS facilities.

The travel demand techniques (TDM) include vanpool, car pool, employer incentives, ride share programs, and alternate work hours. The Town will continue to work with the County and FDOT to explore and discuss these alternatives to reduce traffic from the FIHS facilities. The Town shall continue to co-operate with County for development approval and access connection on County roads.

### **Malabar Road Corridor Planning**

Malabar Road is a two lane east west roadway which passes through the Town and connects US-1 with I-95. Residents have expressed an interest in developing Malabar Road as a corridor that incorporates low density office and commercial uses in order to promote economic development and provide additional services to the Town.

It is recommended to conduct a feasibility study to evaluate the impacts and identify the areas best suited for development of the corridor, as well as pursue Access Management Plan along Malabar Road to address right of way limitations. The Land Development Code should be revised to include regulatory provisions based on the recommendations from feasibility study. These regulations should, at a minimum address permitted land uses, densities, design standards, signage, and required improvements along the corridor. To that end, the Capital Improvements Element should be amended to create a program to allocate funds for the corridor project and any required improvements.

Recently, the Town passed a resolution to widen Malabar Road. FDOT recently completed a feasibility study on widening of Malabar Road from Babcock Street to US-1. Recently, the widening of Malabar Road from Babcock Street to US-1 is approved by the MPO's Technical Advisory Committee (TAC). The following improvements will help to enhance Malabar Road Corridor:

- Promote urban design standards;
- Encourage mixed use development;
- Pedestrian friendly design;
- Provisions for transit;
- Provide adequate parking.

### **Recommendations**

The following recommendations are provided to improve the existing transportation system:

- Pursue to develop Corridor Plan for Malabar Road;
- Pursue to develop an Access Management Plan for US-1 and Malabar Road;
- Develop a pedestrian and bicycle plan to identify and address the deficiencies;
- Pursue to develop a Greenway Plan;

- Reduce the crashes at the intersections and mid block;
- Implement of land development regulations regarding driveway access;
- Improve over all traffic operation efficiency through incorporating the Intelligent Transportation System (ITS) techniques to reduce delays at the intersections;
- Improve pedestrian safety and ensure that crosswalks and pedestrian heads are present at all signalized intersections;
- Resurface roadways to improve overall operations.

## **EXISTING HURRICANE EVACUATION ROUTES**

The hurricane season is from June 1 to November 30. An important component of evacuation is the clearance time. The clearance time is a fixed period of time based on a specific scenario with a given level of threat and behavioral response. It is recommended that Town shall continue coordinating with the County in continuing to maintain or improve hurricane evacuations times.

The roadways surrounding the Town of Malabar which are critical in the evacuation process are shown in **Map TRN-5**.

## **FUTURE TRANSPORTATION SYSTEM (2025) AND FUTURE TRANSPORTATION NEEDS ANALYSIS**

### **Future Roadways**

The future roadway system will consist of existing roadways since no new roadways are identified in capital improvement projects or Brevard County MPO's LRTP.

The anticipated future roadway system and future number of through lanes are depicted in **Map TRN-6**. The anticipated future functional classification is shown in **Map TRN-3**.

## **FUTURE PEDESTRIAN AND BICYCLE PLAN**

### **Cost Feasible Pedestrian, Bicycle and Greenway Projects**

Since transportation needs are greater than funding available for the identified improvements, all the projects are evaluated against a set of criteria.

The cost feasible projects in the 2025 LRTP are selected based on the ranking, cost and impact of the project on improving connectivity within region. Cost feasible bicycle and pedestrian projects are the projects that should be included with cost feasible roadway projects. Currently, there are no cost feasible pedestrian or bicycle projects planned within the Town; however there is one greenway trail is planned through the Town.

The following showcase trails are funded through Brevard County MPO:

- East Central Florida Regional Rail Trail,
- Brevard Zoo Trail,
- St. Johns River Heritage Trail,
- North Merritt Island Pioneer Trail,
- South Brevard Linear Trail.

The South Brevard Linear Trail known as Al Tuttle Trail passes through Town of Malabar. The Trail will link the communities of Malabar, Palm Bay, Grant-Valkaria, and

Micco to existing parks, conservation areas, and community destinations. The planned multiuse trail will provide amenities for joggers, hikers, bicyclists, roller bladders, equestrians, and physically challenged. The planned greenways will help to protect environmentally sensitive lands and wildlife, as well as provide access to recreation places. Greenways, as another transportation alternative, can help reduce air pollution, road congestion, and energy consumption.

### **Future Needs**

It is recommended that Town of Malabar should continue to work with Brevard County and the FDOT and, install new pedestrian and bicycle facilities in the Town. The streets or roadways which provide access to parks, community centers, entertainment places, and main pedestrian generators needs to have a well inter-connected pedestrian and bicycle path system for an efficient transportation system. To achieve this goal, continued coordination with Brevard County and FDOT is needed.

Following are specific transportation recommendations:

- Apply for grant applications
- Coordinate with FDOT and Brevard's MPO and Bicycle, Pedestrian & Trails Advisory Committee (BPTAC) to address the deficiencies in the system;
- Work together with BPTAC to Improve the awareness among public and provide educational programs to school kids;
- Identify the funding resources, and apply for grant funding;
- Provide education material at activity centers like community centers
- Improve the safety conditions through the development of neighborhood associations
- Develop a community vision towards the non-motorized uses;
- Increase coordination with stakeholders and new developments to provide sidewalks and bicycle facilities in and around the developments; and
- Install new benches and shade trees for pedestrian friendly design.

### **Future Transit Needs**

Since, Malabar is a small rural town, it is anticipated that most of the residents will travel to other cities to meet their employment, entertainment and educational needs. Currently, the Town of Malabar has a low degree of transit demand. The Brevard County MPO conducted a Transit Quality of Service analysis to better understand the future transit needs, policy/service delivery projects and identifying the transit supportive areas in Brevard County. Based on 2005 Transit Quality of Service Report prepared by the Brevard County MPO, Malabar does not have any transit supportive areas within the Town.

The Town of Malabar should coordinate with Brevard County Transit to include bus service through the Town of Malabar.

### **FUTURE ROADWAY CONDITION ANALYSIS**

The future 2025 volumes were obtained from the Brevard County MPO. The Central Florida Regional Planning Model (CFRPPM IV) was employed based on a travel demand modeling software known as the Florida Standard Urban Transportation Modeling Structure (FSUTMS).

## COST FEASIBLE ROADWAY PROJECTS

The Transportation Improvement Program (TIP) for Brevard County is a five year financially feasible multimodal transportation program prepared by Brevard County MPO. The roadway projects planned in the FDOT five year work program and Brevard County MPO's Transportation Improvement Program (TIP) are listed in **Table 2-4A**.

**TABLE 2-4A: FDOT FIVE YEAR WORK PLAN FY 2009-2013**

Roadway	From	To	Description	Phase
I-95	Brevard County line	S of SR 514/Malabar Road	Add Lanes and Rehabilitate Pavement	P D & E Study, Preliminary Engineering & ROW
I-95	S of SR-514/Malabar Road	Palm Bay Road	Add Lanes and Rehabilitate Pavement	Preliminary Engineering & Construction
Babcock Street at SR 514/Malabar Rd		Intersection Reconstruction	Add Lanes and Reconstruct	Highway/Right of Way
SR 507/Babcock Street	N of SR-514/Malabar Road	Palm Bay Road	Resurfacing	Construction

The cost feasible roadway projects included in the MPO's 2025 Long Range Transportation Plan (LRTP) are shown in **Table 2-4B**.

**TABLE 2-4B: Brevard County MPO 2025 Cost Feasible Projects**

Roadway	From	To	Description	Phase
SR 507/Babcock Street	Valkaria	SR-514/Malabar Road	Widen to 4 lane	Preliminary Engineering
SR 507/Babcock Street	SR-514/Malabar Road	Melbourne	Widen to 6 lane	Preliminary Engineering

Recently, the widening of Malabar Road from Babcock Street to US-1 was approved by the MPO's Technical Advisory Committee, and is part of the 2025 LRTP.

### Future Roadway Level of Service Analysis

The major concern in terms of transportation is to provide sufficient and adequate facilities to cope with the planned growth in the area. From the data available, population and development growth trends, and planned projects, the area is being analyzed to address these issues. The Town of Malabar's future needs were evaluated based on data available, consistent with Brevard County, the Brevard MPO's LRTP, and FDOT.

Year 2025 traffic projections were obtained from the Brevard County MPO. The Brevard County MPO uses the Central Florida Regional Planning Modal (CFRPM IV) for future projections. The future average annual daily traffic volumes were used to evaluate future level of service. The daily volumes were converted into peak hour peak direction volumes by multiplying them with peak hour 'K' and directional 'D' factors. The general values for K and D factors were obtained from the FDOT *2007 Quality/Level of Service Handbook*. Then, the future peak hour peak direction level of service was determined using the 'FDOT Generalized Peak Hour Directional Volumes for Florida Urbanized Areas' (Table 4-7). Based on this methodology, the calculated level of service for future conditions is listed in **Table 2-5**.

The level of service for 2025 network is displayed in **Map TRN-7**.

**TABLE 2-5 FUTURE (2025) PEAK HOUR PEAK DIRECTION LEVEL OF SERVICE**

ROADWAY	FROM	TO	AREA TYPE	CLASSIFICATION	ADPT. LOS	LANES (2-WAY)	PK HR. CAP.	2025 AADT VOL. (9)	K <sub>95</sub>	D <sub>95</sub>	PK HR. PEAK DIR. VOL. (10)	LOS
SR 5/US1	Valkaria Road	SR 514/Malabar Rd	U	State Arterial Class I	D	4	1,860	39,390	0.0950	0.5500	2,058	1.11
	SR 514/Malabar Rd	Robert Conlan Blvd	U	State Arterial Class I	D	4	1,860	45,870	0.0950	0.5500	2,397	1.29
SR 507/Babcock St	Valkaria Road	Foundation Park Blvd	U	State Arterial Class I	D	4	1,860	20,754	0.0950	0.5500	1,084	0.58 B
SR 514/Malabar Rd	Babcock St	SR 5/US 1	U	State Arterial Class I	D	4	1,860	12,314	0.0950	0.5500	643	0.35 C
SR 9M-95	Indian River County	SR 514/Malabar Rd	U	Freeway	C	6	4,530	59,742	0.0950	0.5500	3,122	0.69 B

Note:

- (1) The values for adopted level of service are directly taken from the FDOT 2007 Level of Service Tables 4-7 & 4-9 for Generalized Peak Hour Directional Volume.
- (2) 2025 AADT volume were obtained from Brevard County MPO's 2025 LRTP.
- (3) Peak hour K and D factors are taken from the FDOT 2007 Level of Service Tables 4-7 for Generalized Peak Hour Directional Volume.
- (4) The peak hour peak direction volume is calculated from multiplying 2025 AADT with K and D factors.

### Future Roadway Needs

The level of service analysis for future conditions indicates that all the roadways except US-1 within the Town of Malabar will be operating at adopted level of service. The Town shall coordinate with Brevard County, Brevard County MPO, Florida Department of Transportation District V for needed improvements to address the deficiency on US-1. The Town supports improvements to parallel facilities along I-95, encourages other modes of transportation, and promotes travel demand management (TDM) techniques to reduce traffic from the FIHS and non-FIHS facilities. The Town should continue to coordinate with County for development approval and access connection on County roadways.

### Greenhouse Gas Emission Reduction

The Town will strive to reduce greenhouse gas emissions by reducing traffic congestion and air pollution as much as possible. Currently, the Town is not experiencing traffic congestion on any roadways within the Town limit, however the Town will keep residents informed and aware of the connection between their transportation choices, possible traffic congestion and air pollution. The Town will help to emphasize simple, convenient actions people can take to improve air quality and fewer vehicles on roadways. Some of the things that the Town will be doing to promote alternative forms of transportation include solidifying a greenway/equestrian trail plan to promote horse riding and identifying new greenways.

### Future Evacuation Routes

It is Town's policy to maintain or improve the mobility on the roadways to reduce the clearance time. The clearance time is a fixed time period on a specific scenario with a given level of threat and behavioral response.

The future evacuation routes are shown on **Map TRN-5**.

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## TRANSPORTATION ELEMENT GOALS, OBJECTIVES, AND POLICIES

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### **§2-1 Transportation Goals, Objectives, and Implementing Policies.**

This section stipulates goals, objectives, and implementing policies for the Transportation Element pursuant to 163.3177(6)(b), F.S., and § 9J-5.007(3), F.A.C.

#### **GOAL 2.1: EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM**

Plan for a safe, convenient, and efficient motorized and non-motorized transportation system which shall be available for existing and anticipated future users of the system.

##### 2-1.1 Objective:

*Safe, Convenient, and Efficient Transportation System*

Establish a safe, convenient, and efficient motorized and non-motorized transportation system through development and implementation of level of service (LOS) standards.

##### 2-1.1.1 Policy:

*Level of Service Standards*

The Town hereby adopts the following peak hour LOS standards for non FIHS and non-SIS facilities:

- a. U.S. 1: LOS Standard D (FDOT facility)
- b. Malabar Road (SR 514): LOS Standard D (FDOT facility)
- c. Babcock Road (SR 507): LOS Standard D (FDOT facility)
- d. Collector Roadways: LOS Standard D
- e. Paved Local Roadways: LOS Standard D
- f. Unpaved Local Roadways: LOS Standard D

##### 2-1.1.2 Policy:

*Level of Service Standards*

The Town hereby adopts the following peak hour LOS standards for FIHS and SIS facilities within the Town:

- a. I-95: LOS Standard C (FIHS and SIS facility)

##### 2-1.1.3 Policy:

*Master Plan for Road Paving*

By 2010 the Town shall prepare and adopt a plan and schedule for paving local streets. The plan shall establish mechanisms for funding road paving projects and the schedule for implementation shall designate relative priorities for needed road improvements and shall establish a time frame for such improvements.

2-1.1.4 Policy:

*Criteria for Evaluating Proposed Roadway Improvement.* Future roadway improvement proposal shall be evaluated and assigned a relative priority based on specific criteria below cited:

- a. Whether the project is needed to protect public health and safety, to fulfill the Town's legal commitment to provide facilities and services, to preserve or achieve full use of existing facilities; or
- b. Whether the project increases efficiency of use of existing facilities, prevents or reduces future improvement cost, provides service to developed areas lacking full service, or promotes in-fill development.

2-1.1.5 Policy:

*Review of Proposed Developments.* The Town shall review all proposed development for consistency with adopted LOS standards. No development shall be approved that is projected to generate a traffic volume which would decrease the existing LOS below the adopted standard.

2-1.1.6 Policy:

*Assessments in New Developments.* The Town shall continue to implement the impact fee ordinance which assesses new developments an equitable pro data share of the costs to provide roadway improvements to serve the development.

2-1.1.7 Policy:

*Adequate Facilities Ordinance.* The Town shall continue to implement adequate facilities requirement as included in the Land Development Code. The Town shall prepare annual report on the adequacy of public facilities. The adequate facilities ordinance mandates that future applications for development shall include a written evaluation of the inputs of the anticipated development on the traffic system level of service. Prior to the issuance of a building permit, the Town shall render a finding that the applicant has provided assurance that the proposed development shall be serviced with adequate roadway capacity including any traffic system improvements required to maintain adequate levels of service. The developers application shall include written assurances that any required improvements shall be in place concurrent with the impacts of the development (i.e., by the time a certificate of occupancy is granted by the Town.)

2-1.1.8 Policy:

*On-Site Transportation Improvements.* The Town shall continue to implement land development regulations which require new developments to provide safe and convenient on-site traffic flow considering motorized and non-motorized vehicle parking and internal circulation needs.

2-1.1.9 Policy:

*Access Management.* The Town shall continue to implement land development regulations for:

- Controlling connections and access points of driveways and roadways to existing roadways;
- Connectivity through cross access easements among all new development and redevelopment projects;
- Preventing conflicts between vehicular, pedestrian and rail traffic; and
- Providing a traffic circulation system which is designed to accommodate the demands of emergency service delivery systems.

2-1.1.10 Policy:

*Monitor Intersections with High Crash Rates.* The Town shall continue to coordinate with Brevard County and law enforcement agencies to monitor the intersections with high crash rate and implement improvements to reduce accidents.

2-1.1.11 Policy:

*Intelligent Transportation System (ITS).* The Town shall incorporate Intelligent Transportation System (ITS) techniques to improve traffic operations and reduce delays at intersections.

2-1.1.12 Policy:

*Adequate Signage and Traffic Controls.* The Town shall continue to provide proper signage and adequate traffic control on Town roadways for efficient and safe traffic circulation.

2-1.1.13 Policy:

*Transit Service.* The Town shall coordinate with Brevard County, Space Coast Areas Transit (SCAT) service and MPO to expand bus service to the Town of Malabar.

2-1.1.14 Policy:

*Transportation Demand Management Techniques.* The Town shall support alternate modes of transportation and encourage transportation demand management techniques including ridesharing, van pool, and parking strategies.

2-1.1.15 Policy:

*Public Involvement.* The Town shall encourage public involvement in transportation planning and transportation improvement projects.

2-1.1.16 Policy:

*Establishment of Passenger Rail Line.* The Town shall support Florida Department of Transportation efforts towards the establishment of passenger rail line along the Florida East Coast (FEC) corridor.

2-1.2 Objective:

*Right-of-Way Acquisition.* The Town shall protect existing and future right-of-way from building encroachment. By 2010, additional transportation system right-of-

way acquisition needs shall be identified and relative priorities for land acquisition shall be established.

2-1.2.1 Policy:

*Transportation Map.* The Town hereby adopts that Future Transportation System Map. Additional right-of-way (R/W) needs for future roadway and drainage improvements shall be identified based on an assessment to be completed by 2010. The findings regarding specific additional R/W needs for roadway and drainage facility improvements shall be incorporated as an amendment to Future Transportation System Map.

2-1.2.2 Policy:

*Standards of Future Road R/W Acquisition.* The Town hereby adopts the following minimum standards for road rights-of-way:

- a. Arterial Roadways: 150' R/W
- b. Major Collector Streets: 100' R/W
- c. Minor Collector Streets: 70' R/W
- d. Local Streets: 60' R/W (if swale drainage)  
50' R/W (if curb and gutter)

2-1.2.3 Policy:

*Mandatory R/W Dedication/Fees in Lieu.* The Town shall continue to implement a program for mandatory dedication or fees in lieu thereof as a condition of development approval associated with plats, replats, PUDs, or site plans where such development generate a need for new or improved roadways. The purpose and intent of such program shall be to assure that: 1) adequate road R/W and necessary roadway improvements are dedicated and developed concurrent with the impacts of new development; and 2) the cost of such improvements shall be borne by the developer generating the need for the facilities.

2-1.3 Objective:

*Future Roadway Improvements.* The Town shall coordinate with the FDOT and with the Brevard County MPO to attain roadway improvements needed to accommodate future transportation system improvements needed to accommodate system demands.

2-1.3.1 Policy:

*FDOT Planned Roadway Improvements.* The Town shall provide necessary coordination in achieving planned FDOT improvements to Town roadways.

2-1.3.2 Policy:

*FDOT Planned Roadway Improvements.* Brevard County plans to pave Corey and Weber Roads and the Town shall participate in funding a portion of the scheduled improvement pursuant to their interlocal agreement on this subject.

2-1.3.3 Policy:

*Corridor Planning along Malabar Road.* The Town shall pursue a Corridor Plan for Malabar Road to enhance and improve traffic operations along Malabar Road.

2-1.3.4 Policy:

*Access Management Plan along Malabar Road.* The Town shall pursue an Access Management Plan for Malabar Road as part of Corridor Plan.

2-1.3.5 Policy:

*Improvements along Malabar Road.* The Town shall coordinate with Brevard County and FDOT for the capacity improvements along Malabar Road.

2-1.3.6 Policy:

*Overlay Zoning District.* The Land Development Code shall be amended in order to create an overlay zoning district allowing for commercial/office development along Malabar Road based on the recommendations of the Corridor Plan feasibility study.

2-1.3.7 Policy:

*Regulatory provisions.* The Land Development Code shall be amended to incorporate overlay zoning district regulatory provisions and performance standards. The provisions may include permitted land uses, densities, design standards, signage, and required improvements along the corridor.

2-1.4 Objective:

*Facilities for Bicycle Pedestrian Ways and Greenways.* The Town shall consider bicycle, pedestrian ways and greenways in planning for transportation facilities.

2-1.4.1 Policy:

*Planning for Bicycle and Pedestrian Ways.* The Town shall by 2010 prepare a plan for developing bicycle and pedestrian ways which connect residential areas to recreational areas and major activity centers. The plan shall include programs for implementation and anticipated funding sources.

2-1.4.2 Policy:

*Bicycle and Pedestrian Facilities Required for New Development.* The Town's land development regulations shall incorporate provisions requiring that new subdivisions, replats, planned unit developments, and site plans accommodate bicycle and pedestrian traffic needs. Similarly, multiple family residences as well as shopping facilities, recreational areas, and other public uses shall provide storage areas for bicycles.

2-1.4.3 Policy:

*Adoption of Master Plan for Pedestrian, Bicycle and Greenways.* The Town of Malabar shall adopt the Brevard County Bicycle, Pedestrian and Greenway Plan for an efficient multimodal transportation system.

2-1.4.4 Policy:

*Improved Connectivity on Sidewalks.* The Town of Malabar shall continue to coordinate with Brevard County for missing sidewalks and bicycle ways, and provide connectivity among them.

2-1.4.5 Policy:

*Right-of-way Acquisition for Greenways.* The Town shall continue to support Brevard County for the development of Greenway Plans and ensure that sufficient right-of-way is preserved to construct and maintain the multiuse trails as shown on County's Master Plan.

2-1.4.6 Policy:

*Improved Access.* The Town shall encourage the continued development of a greenway system that supports interconnectivity among and between recreational areas as a means of improving access.

2-1.4.7 Policy:

*Linear Open Spaces.* The Town shall continue to identify appropriate linear open spaces for potential greenway network programming, potential acquisitions, planning and development.

2-1.4.8 Policy:

*Equestrian Crossing.* Explore options for equestrian crossing of Malabar Road within greenway plans.

2-1.5 Objective:

*Coordinating Traffic Circulation Planning.* The Town shall coordinate transportation system planning with the plans and programs of the Brevard County Metropolitan Planning Organization (MPO), the FDOT Five (5) Year Transportation Plan, the City of Palm Bay, the Town of Grant, Valkaria and the East Central Florida Regional Planning Council (ECFRPC).

2-1.5.1 Policy:

*Implementing Transportation Planning and Coordination.* The Town shall review present and future transportation plans and programs of FDOT, Brevard County, the City of Palm Bay, and the ECFRPC in order to establish consistency with the Town's Comprehensive Plan.

2-1.5.2 Policy

*Coordination among Transportation Agencies.* The Town shall coordinate with Brevard County, the Brevard County MPO, FDOT, East Central Florida Regional Planning Council and neighboring municipalities for future transportation planning and roadway improvements and schedule meetings on regular basis to discuss regional and local transportation needs, and alternate solutions to meet transportation demands.

2-1.6 Objective:

*Managing Traffic Circulation and Land Use.* The Town shall coordinate the Transportation Element and implementing programs with goals, objective, and policies of the Future Land Use Element, including the Future Land Use Plan Map.

2-1.6.1 Policy:

*Integrated Traffic Circulation and Land Use Planning.* The Town shall continually monitor and evaluate the impacts of existing and proposed future land development on the transportation system in order to achieve integrated management of the land use decisions and traffic circulation impacts.

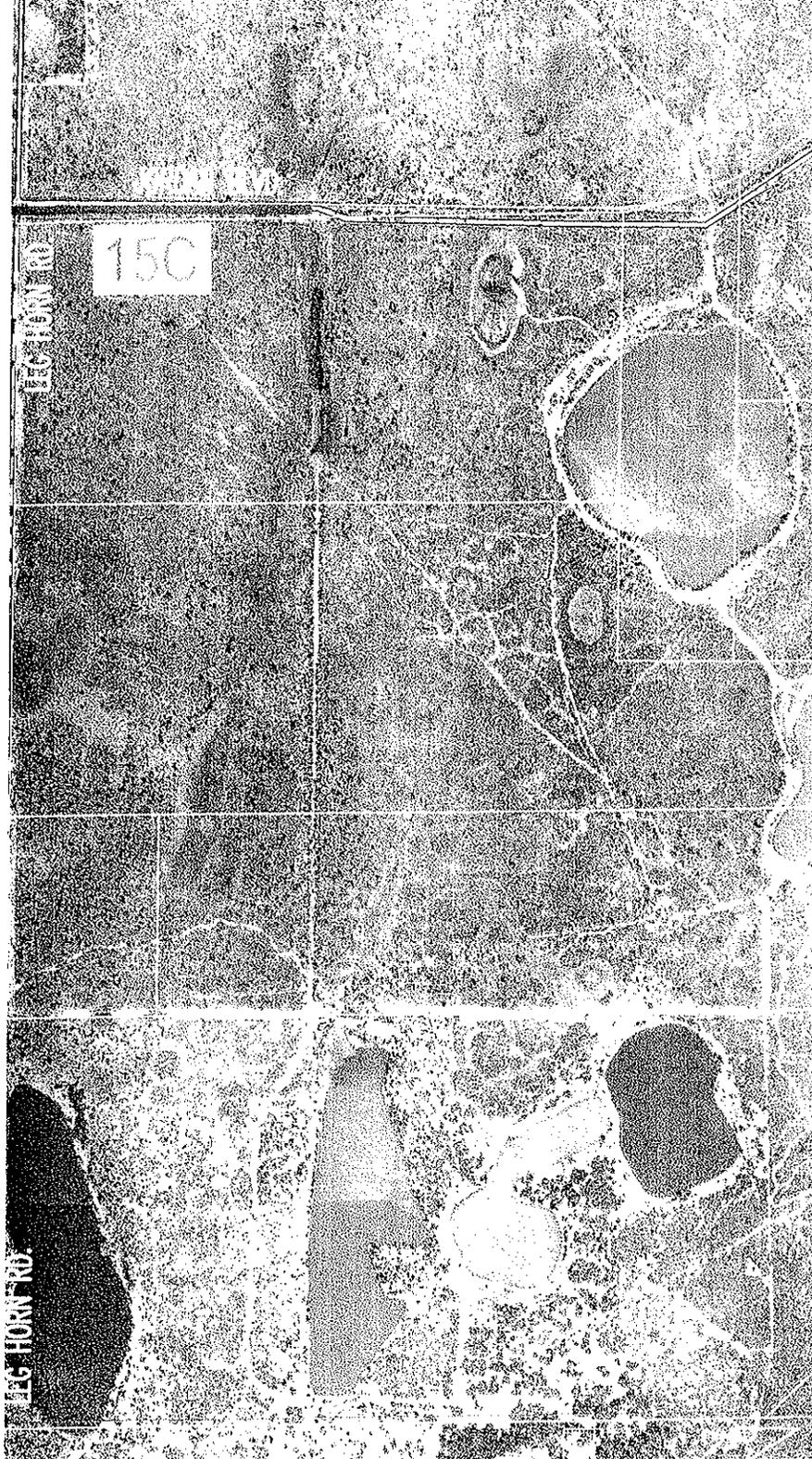
2-1.6.2 Policy:

*Traffic Circulation Performance Criteria.* The Town shall continue to implement performance criteria in the Land Development Code which require that future land development comply with traffic circulation level of service standards. The performance criteria requires that new development bear an equitable share of costs for traffic circulation system improvements necessary to accommodate traffic generated by the proposed development.

2-1.6.3 Policy:

*Traffic Circulation Site Plan Review Criteria.* The Town shall continue to implement Land Development Regulations regarding traffic circulation site plan review criteria. The criteria shall address such factors as trip generation; design of efficient internal traffic circulation and parking facilities including minimizing pedestrian and vehicular conflict, off-street parking, as well as safe and convenient circulation and maneuverability; control of access points; potential need for acceleration/deceleration lanes; adequacy surface water management.

Town of  
Malabar  
Town Council  
Drainage  
Workshop



Designation	Order-of-Magnitude
1A	\$11,900.00
2A	43,900.00
3A	29,000.00
4A	33,300.00
5A	1,080.00
6B	5,900.00
7B	95,900.00
8B	95,900.00
9B	75,500.00
10B	79,500.00
11B	23,100.00
12B	17,200.00
13C	48,900.00
14C	61,400.00
15C	14,200.00
16C	\$35,600.00

Project No. 14-0706  
 Drawn By: JMS  
 Site Designed By: \_\_\_\_\_  
 Civil Design By: JMS  
 Drawing Scale: 1" = 600'

Sheet EC1 Page 1 of 1

7/15/2014

Proposed

Prepared by  
MORRIS SMITH

# Drainage Projects

Location	From	To	Distance	Grade Slope		Culverts
					Creation	
Hall Road	Weber	Duncil	1150	\$	2,700.00	1
Atz Road	Atz	Hall	300	\$	700.00	6
3,300 Feet West of Weber Road	Atz	I-95 Ditch	2700	\$	6,200.00	3
Kelly Lane	S. End	Atz	1600	\$	3,700.00	4
Atz Road	Hard	Kelly	700	\$	1,600.00	1
Old Mission Road	Weber	Waring	2500	\$	5,700.00	6
Hall Road	Weber	City Limit	2000	\$	4,600.00	8
17 Acre Park			1500	\$	3,500.00	0
Ava Lane	Hall	Malabar	5200	\$	11,900.00	12
Quarterman Lane	Atz	Hall	5200	\$	11,900.00	12
Atz Road	Corey	Candy	5200	\$	11,900.00	9
Atz Road	Candy	LaCourt	4000	\$	9,100.00	10
Atz Road	LeCourt	Jordan	2200	\$	5,000.00	1
Hall Road	McCain	Marie	2600	\$	6,000.00	4
Glatter Road	Marie	FECRR	3100	\$	7,100.00	2

7/15/2014