

**TOWN OF MALABAR  
PLANNING AND ZONING ADVISORY BOARD  
REGULAR MEETING  
WEDNESDAY JULY 22, 2015  
7:30 PM  
MALABAR COUNCIL CHAMBER  
2725 MALABAR ROAD  
MALABAR, FLORIDA**

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**AGENDA**

- A. **CALL TO ORDER, PRAYER AND PLEDGE**
- B. **ROLL CALL**
- C. **ADDITIONS/DELETIONS/CHANGES**
- D. **CONSENT AGENDA :**
  - 1. **Approval of Minutes**                      Planning and Zoning Meeting – 7/08/15  
    **Exhibit:**    Agenda Report No. 1  
    **Recommendation:**                                Request Approval
- E. **PUBLIC HEARING: none**
- F. **ACTION: none**
- G. **DISCUSSION:**
  - 2. **Review & Discussion Future Land Use Maps for R/LC**  
    **Exhibit:**    Agenda Report No. 2  
    **Recommendation:**                                Discussion
- H. **ADDITIONAL ITEMS FOR FUTURE MEETING**
- I. **PUBLIC:**
- J. **OLD BUSINESS/NEW BUSINESS:**
- K. **ADJOURN**

**NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.**  
If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service in compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

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

**AGENDA ITEM REPORT**

**AGENDA ITEM NO: 1**  
**Meeting Date: July 22, 2015**

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

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**SUBJECT: Approval of Minutes**

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**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 8, 2015

**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 8, 2015 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, Excused
	WAYNE ABARE
	GEORGE FOSTER
ALTERNATE:	DOUG DIAL
ALTERNATE:	VACANT
BOARD SECRETARY:	DENINE SHEREAR

ADDITIONAL ATTENDEES:

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

Reilly said Bud Ryan is excused due to medical procedure and Doug Dial will be voting in his (Bud Ryan) place.

**D. CONSENT AGENDA:**

- 1. Approval of Minutes** Planning and Zoning Meeting – 6/10/15  
Planning and Zoning Meeting – 6/24/15

<b>Exhibit:</b>	Agenda Report No. 1
<b>Recommendation:</b>	Request Approval

**Motion: Ritter/Abare to Un-Table Minutes of 6/10/15 All Vote: Ayes**

**Motion: Ritter /Abare to Recommend Approval of Minutes of 6/10/15 as corrected All Vote: Aye**

Ritter corrections:

Page 3/22 1<sup>st</sup> parag. under "Public" 7<sup>th</sup> line down add Road after Malabar for clarification  
Page 5/22 replace Pat Reilly, Chair with Liz Ritter, Vice Chair.

**Motion: Ritter /Abare to Recommend Approval of Minutes of 6/24/15 as presented All Vote: Aye**

**E. PUBLIC HEARING: none**

**F. ACTION: none**

**G. DISCUSSION**

2. **Continue Discussion re: Future Land Use Maps for R/LC**  
**Exhibit:** Agenda Report No. 2  
**Recommendation:** Discussion

Reilly went over each FLUM maps by page:

**Page 4 FLUM map: (page 13/22)**

The Board discussed changing the large "OI" vacant property on Osage to "CL", after much discussion the consensus of the PZ Board was to change it to "CL".

**Page 5 FLUM map :( page 14/22)**

The Board discussed changing the R/LC east of Enchanted Lakes to "OI".

**Page 6 FLUM map: (page 15/22)**

The Board discussed in depth the area around MIMA and Palm Bay Hospital. The consensus of the PZ Board was to change property north side of Malabar Road east of Enchanted Lakes to "OI".and change property on south side of Malabar Road east of Weber Road to "OI" as noted on map.

Juliana Hirsch 1035 Malabar Road, discussed due to doctors' offices being located in the hospital, she does not see any doctor's offices being built anytime soon.

**Page 7 FLUM map: (page 16/22)**

Board discussed no change

**Page 8 FLUM map: (page 17/22)**

The Board discussed corner of Corey Road on the southeast side to move line to make corner square as noted on map and make all "R/LC". The consensus of the PZ Board was to change property on the north side of Malabar Road east of Malabar Fire Department from "OI" to "R/LC". The Board discussed the Post Office is "INS".

**Page 9 FLUM map: (page 18/22)**

The PZ Board after much discussion changed the "CL" along west side of railroad tracks to "RR-65".

**Page 10 FLUM map: (page 19/22)**

The PZ Board after much discussion changed "CL" along north side of Malabar Road, west of railroad tracks to "CG", also on this map change south side of Malabar Road along railroad tracks "CL" to RR-65 as discussed previously.

**Page 11 FLUM map: (page 20/22)**

The Board discussed changing south side of Malabar Road along railroad tracks "CL" to RR-65 as discussed previously.

The Board discussed the "CG" along Highway 1 south of Township Road, aka as "Hotel California" The consensus of the Board was to change it to "R/LC".

**Page 12 FLUM map: (page21/22)**

The Board discussed extensively the "OI" on north side of Jordan Blvd along Highway 1. Foster would like to see "CL" as a great transition. Board consensus to leave "as is" for now.

Abare suggested to Reilly to put on maps that have no change, a "No Change" note.

**Page 13 FLUM map: (page 22/23)**

Board discussed no change

**Page 14 FLUM map: (not in package)**

Board discussed no change.

- H. **ADDITIONAL ITEMS FOR FUTURE MEETING**
- I. **PUBLIC**
- J. **OLD BUSINESS/NEW BUSINESS:**

Old Business:

Sherear said that a vacate will be coming before this Board on August 12, 2015.

New Business:

Sherear gave the PZ Board a copy of email from Gary Parris dated 6/29/15. This was an update of events concerning the Assisted Living Facility "The Shores" (Mr. Paladin) along Highway 1.

**K. ADJOURN**

There being no further business to discuss, MOTION: Abare /Ritter to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:01 P.M.

BY:

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

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

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

# TOWN OF MALABAR

## MEMORANDUM

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**Date:** January 29, 2015 15-AABO-001

**To:** Debby Franklin, Town Clerk/Treasurer  
Town Council

**From:** Denine M. Sherear, Administrative Assistant to the Building official DS

**Ref:** Recommendation from P&Z to Council Increasing the MBC Permitted in R/LC (Residential/Limited Commercial) District.

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The PZ Board received a directive from Council in December 2014 in reference to increasing the Maximum Building Coverage (MBC) in R/LC district. The PZ Board discussed this at the last few meetings.

On January 28<sup>th</sup>, 2015 the Planning and Zoning Board made a Motion after much discussion and debate. The four options recommended were:

- 1.) 0.20 no matter what size (MBC) Max. Building Coverage—foot print (below diagram *portion* of Article III District Provisions "D")
- 2.) 4,000sf max no matter how big lot size (gross)
- 3.) 4,000sf max first ½ acre with a factor for a ½ acre or acre TBD and every acre after that
- 4.) Any building larger than four thousand (4,000) square feet would be considered Conditional Use.

**Motion: Abare/Ritter Recommend to Council to pick Option #1, after much deliberation and debate.**

**Roll Vote: Foster, Aye; Abare, Aye; Reilly, Aye; Ryan, Aye; Ritter, Aye Motion passed 5 to 0**

The PZ Board wanted to include a *portion* of Article III District Provisions "D" see below for clarification:

D.

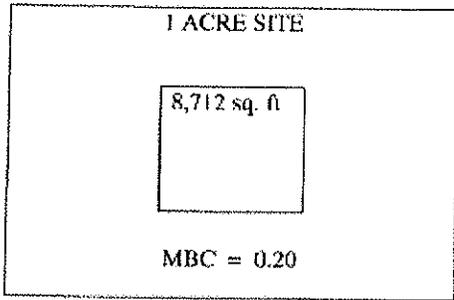
*Maximum Building Coverage.* The term "maximum building coverage" is defined as a measurement of the intensity of development on a site. For purposes of this Code, maximum building coverage (MBC) is used to regulate nonresidential development.

1.

*Calculation of MBC.* The MBC is the relationship between the total building coverage on a site and the gross site area. The MBC is calculated by adding together the total building coverage of a site and dividing this total by the gross site area. See figure 1-3.3(D) for a graphic illustration of this concept.

All proposed nonresidential development shall comply with the MBC requirements stipulated in Table 1-3.3(A) for the zoning district in which the development is located.

FIGURE 1-3.3(D). MAXIMUM BUILDING COVERAGE ILLUSTRATION



Maximum building coverage for a MBC of 0.20 = 8,712 sq. ft.

MBC	=	<u>Total Building Coverage</u>
		Total Lot Area

# TOWN OF MALABAR

## PLANNING AND ZONING

### AGENDA ITEM REPORT

AGENDA ITEM NO: 2  
Meeting Date: July 22, 2015

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

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**SUBJECT: Future Land Use Map for Residential/Limited Commercial (R/LC)**

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

The PZ Board edited the Future Land Use Maps at the 7/08/15 meeting. The Board went over each corridor Babcock Street, Malabar Road, and US Highway 1 discussing and making suggestions to incorporate the R/LC zoning into these areas. Chair Pat Reilly went over edits from the 7/08/15 PZ Meeting to make revisions to Draft maps to bring back to this meeting for review.

Sherear also included Portion of Article III District Provisions related to "R/LC" verbiage and clarification, along with Memo # 15-AABO-001 related to the "R/LC", increasing the Maximum Building Coverage (MBC).

#### **ATTACHMENTS:**

- Pat Reilly revised FLUM maps dated July 12, 2015
- Portion of Article III District Provisions "O." and Tables for "R/CL" Residential and Limited Commercial.
- Denine Sherear Memo # 15-AABO-001 Recommendation to Council from PZ Board relating to MBC in R/LC.

#### **ACTION OPTIONS:**

Discussion

# TOWN OF MALABAR PROPOSED FUTURE LAND USE CHANGES

PRESENTED BY THE PLANNING AND ZONING BOARD

July 12 2015

# Present Land Use Designations

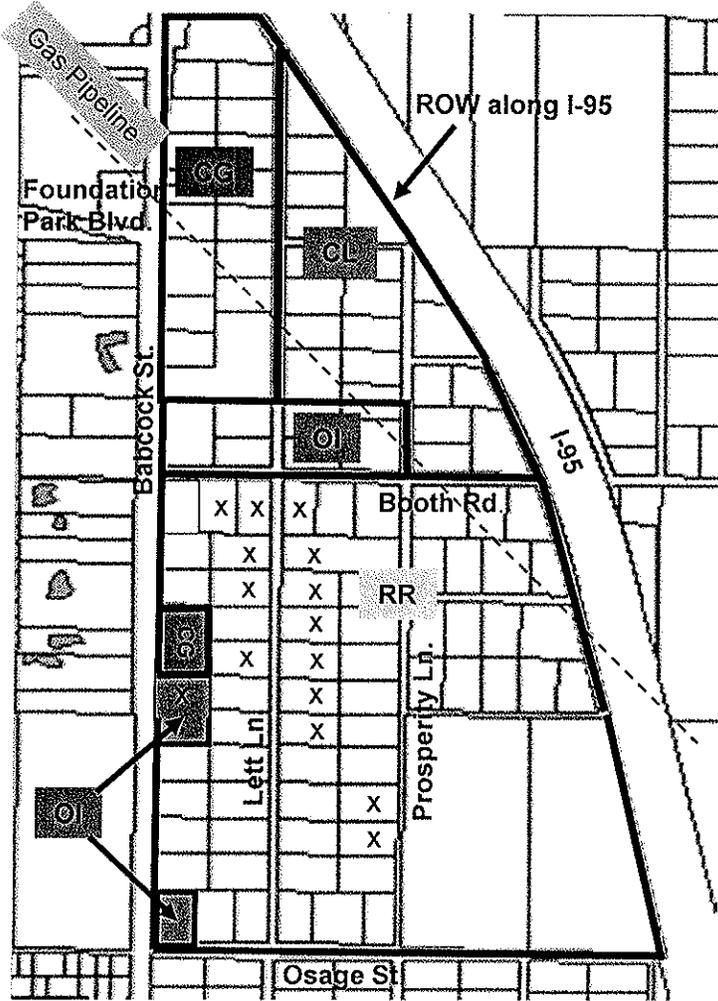
- Residential/Limited Commercial (R/LC)
- High Density Residential (HDR)
- Medium Density Residential (MDR)
- Low Density Residential (LDR)
- Rural Residential (RR)
- Commercial General (CG)
- Commercial Limited (CL)
- Industrial (IND)
- Office Institutional (OI)
- Institutional (INS)
- Open Space and Recreation (OSR)
- Multiple-family Residential or Office Space (MRO)
- Conservation (CON)
- Recreational Services (RS)
- PUD (Residential or Commercial)

# Related Data

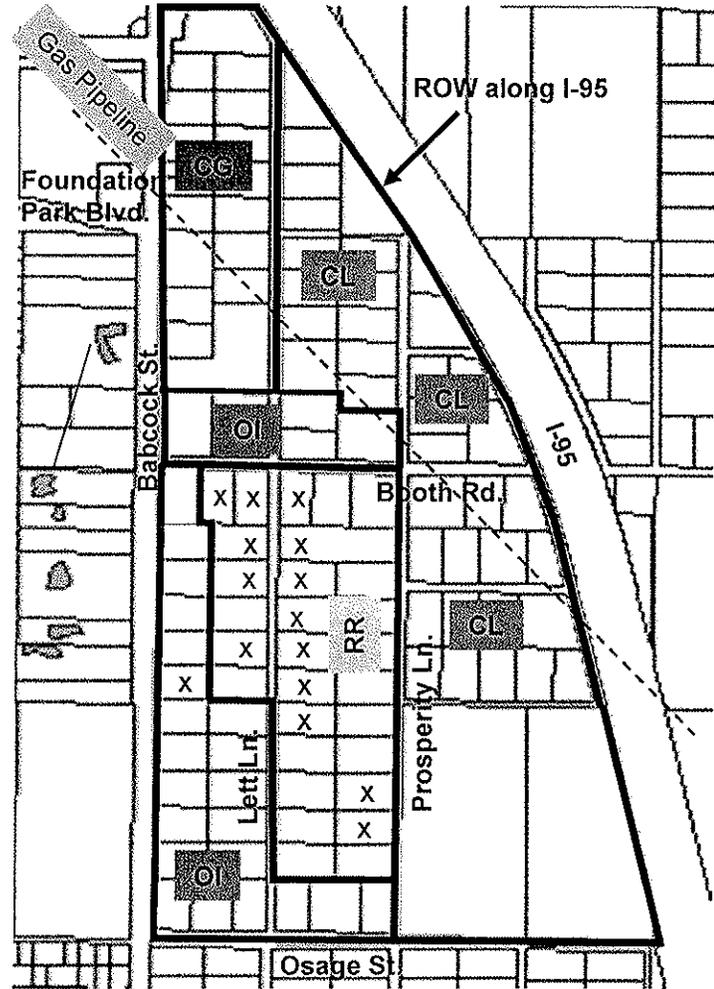
- Use FLU-1 Map for Present Land Use
  - It was 2009's Future Land Use, now it is Malabar's Present Land Use Map
- Definitions of Malabar's Land Use Districts
  - Malabar Land Development Code, Article III, District Provisions handout
  - Board is presently looking at the R/LC densities in the Land Development Codes
- Satellite Aerial Maps

# Land Use Along Babcock Street

## Present Land Use



## Proposed Land Use

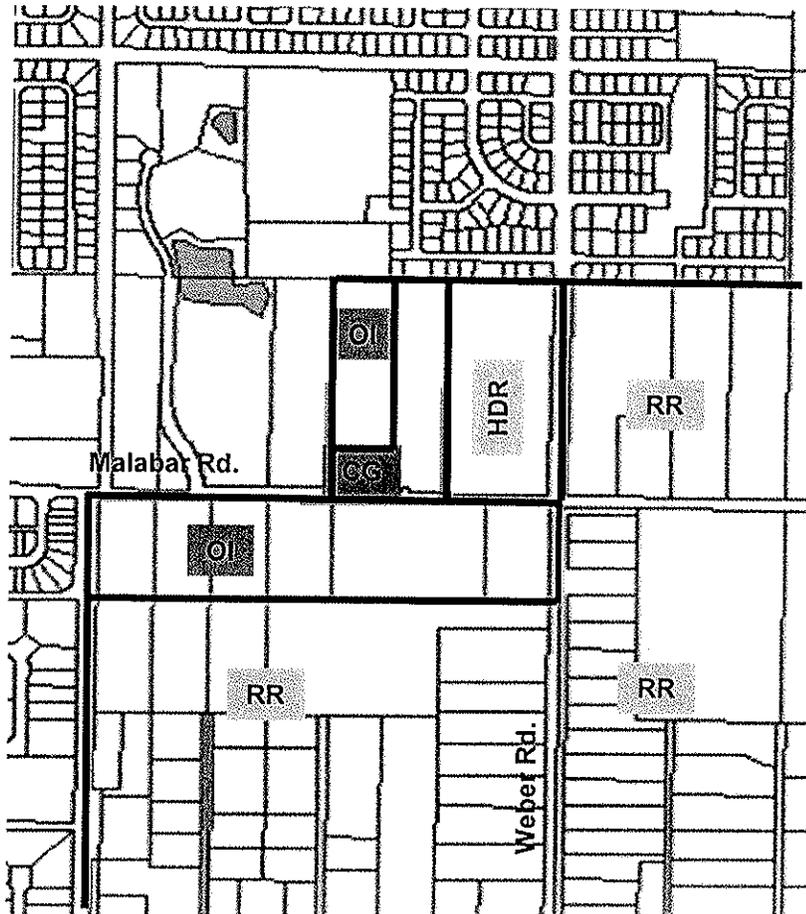


X = Homes

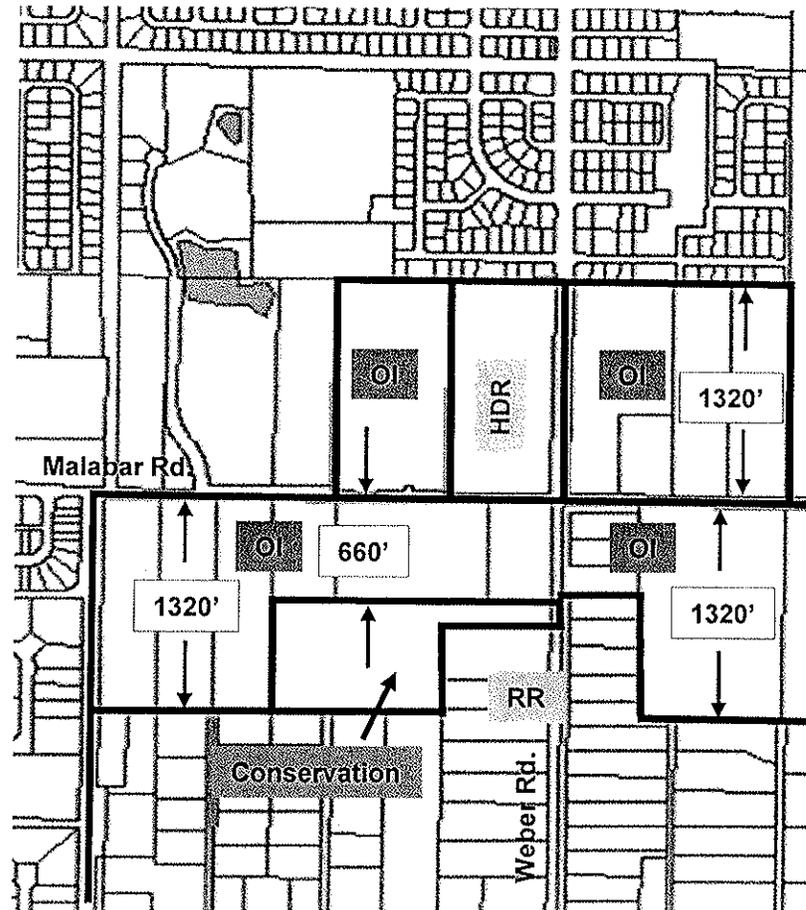
July 12 2015

# Land Use Along Malabar Rd. (West end)

## Present Land Use

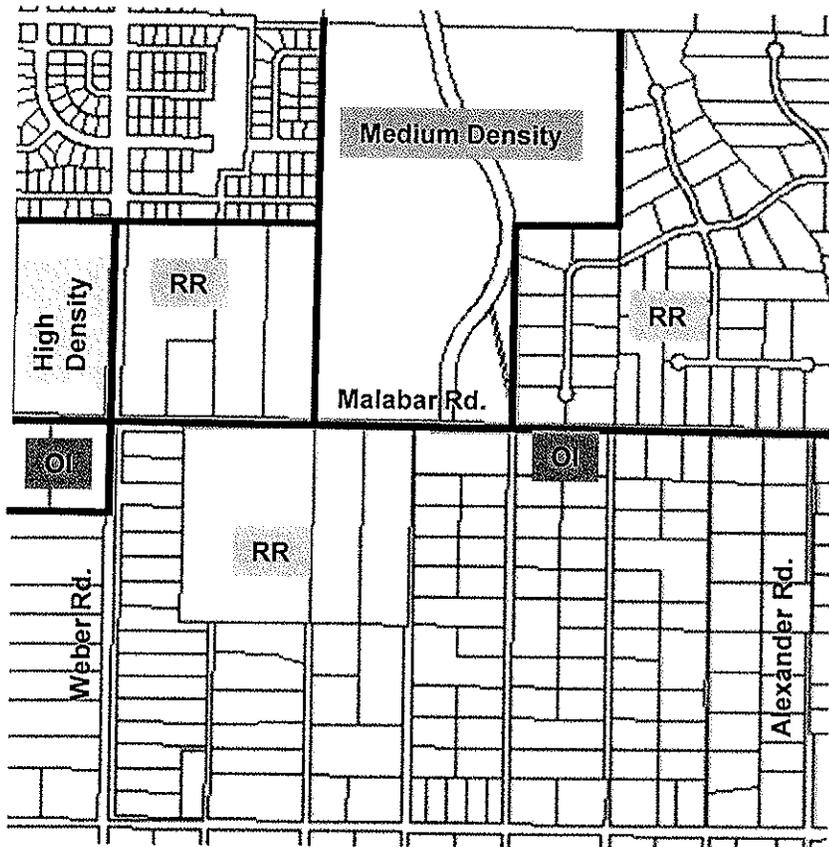


## Proposed Land Use

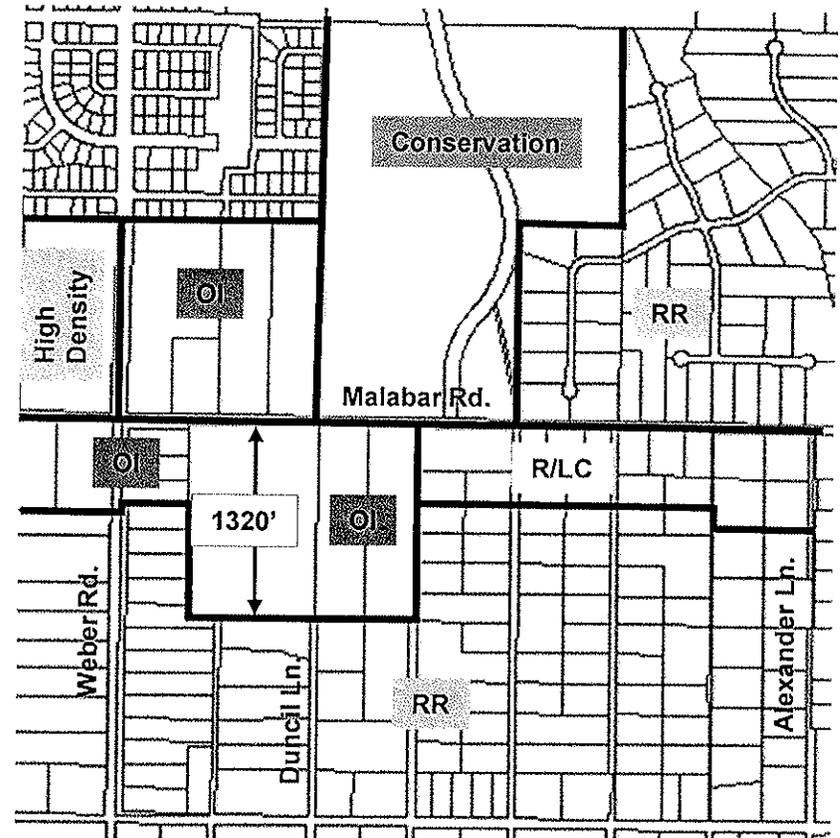


# Land Use Along Malabar Rd. (Weber Rd. to Alexander Ln.)

## Present Land Use

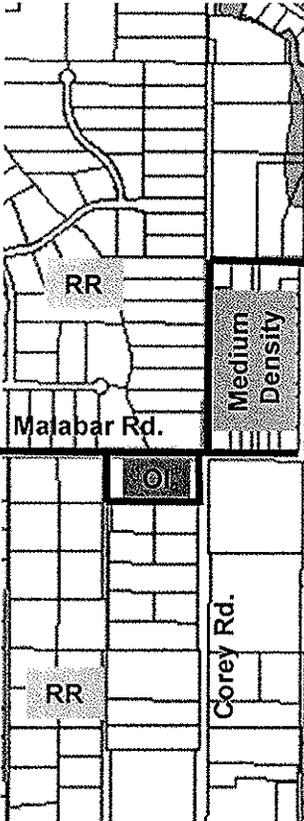


## Proposed Land Use

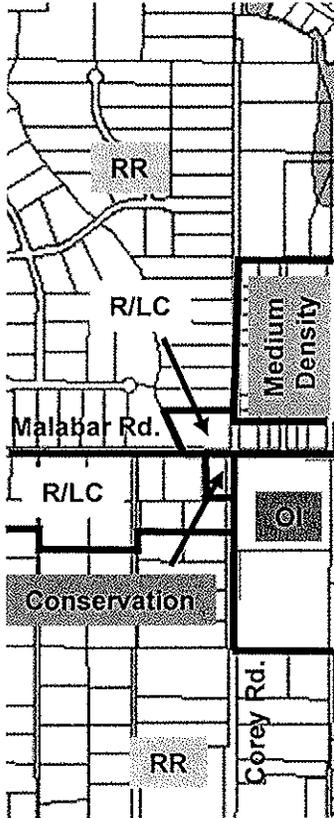


Land Use Along Malabar Rd. (Alexander Ln. to Corey Rd.)

Present Land Use

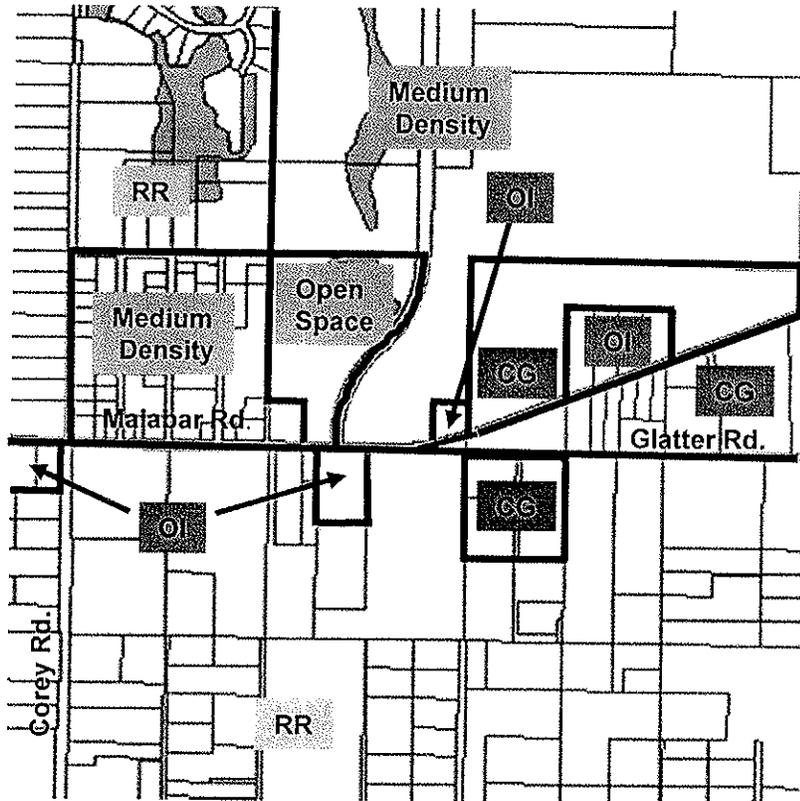


Proposed Land Use

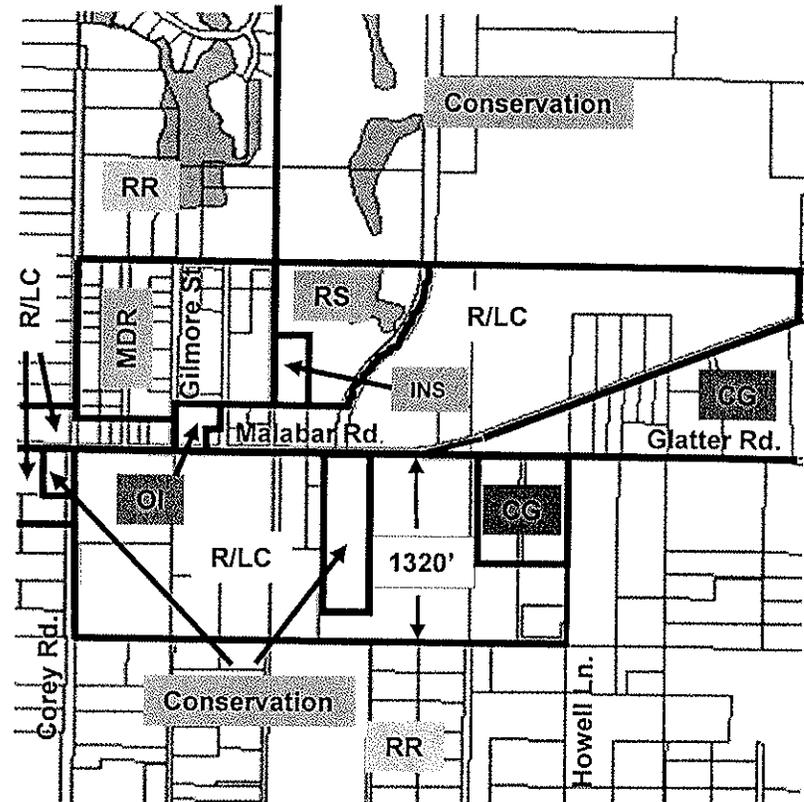


# Land Use Along Malabar Rd. (Corey Rd. to Marie St.)

## Present Land Use

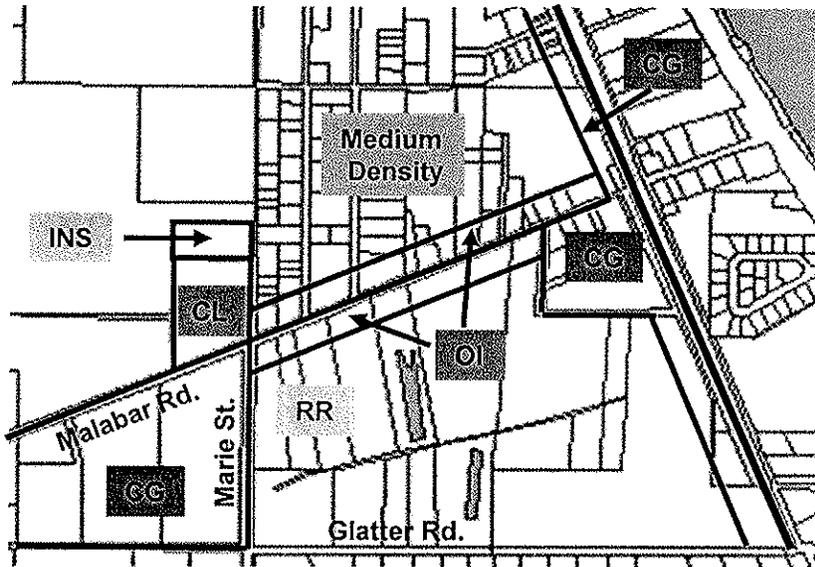


## Proposed Land Use

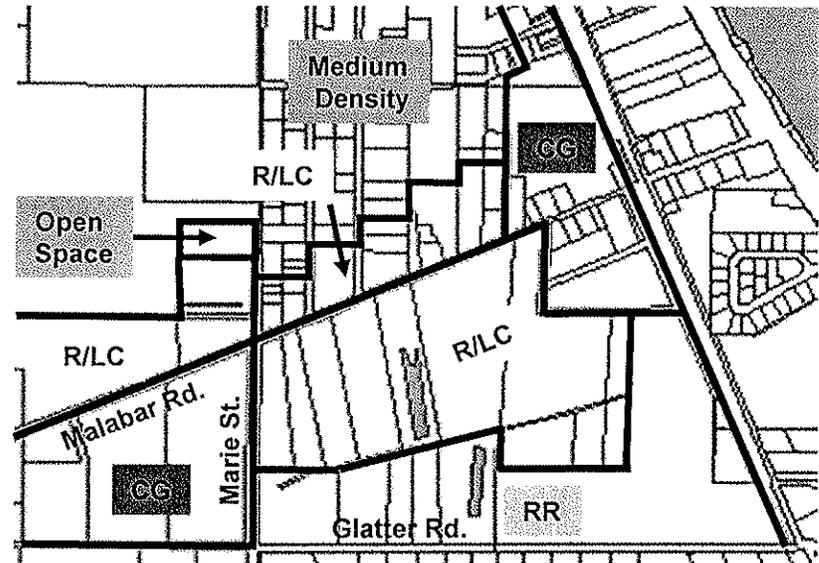


# Land Use Along Malabar Rd. (Marie St. to RR Tracks)

## Present Land Use

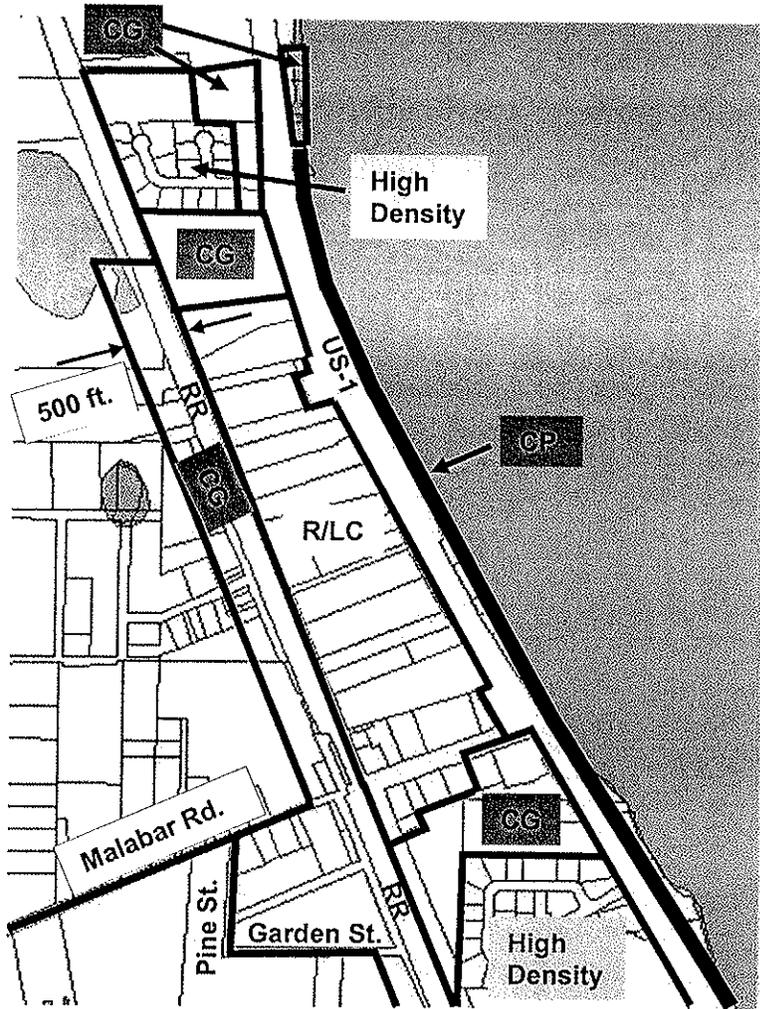


## Proposed Land Use

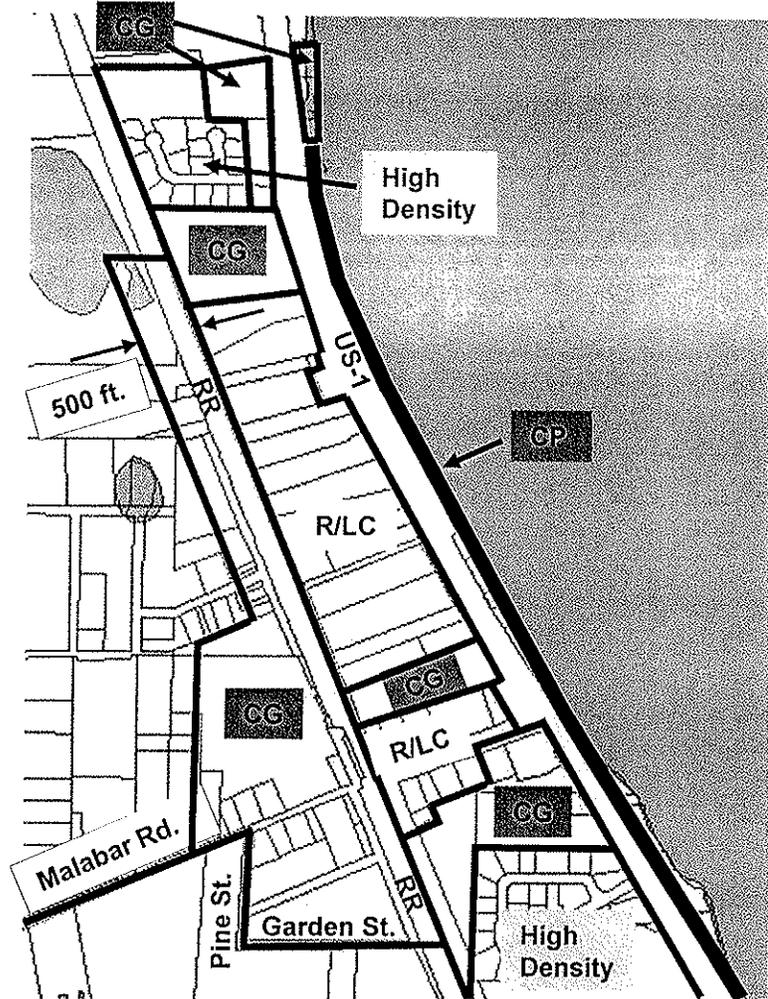


# Land Use Along US-1 (North end of Malabar)

## Present Land Use

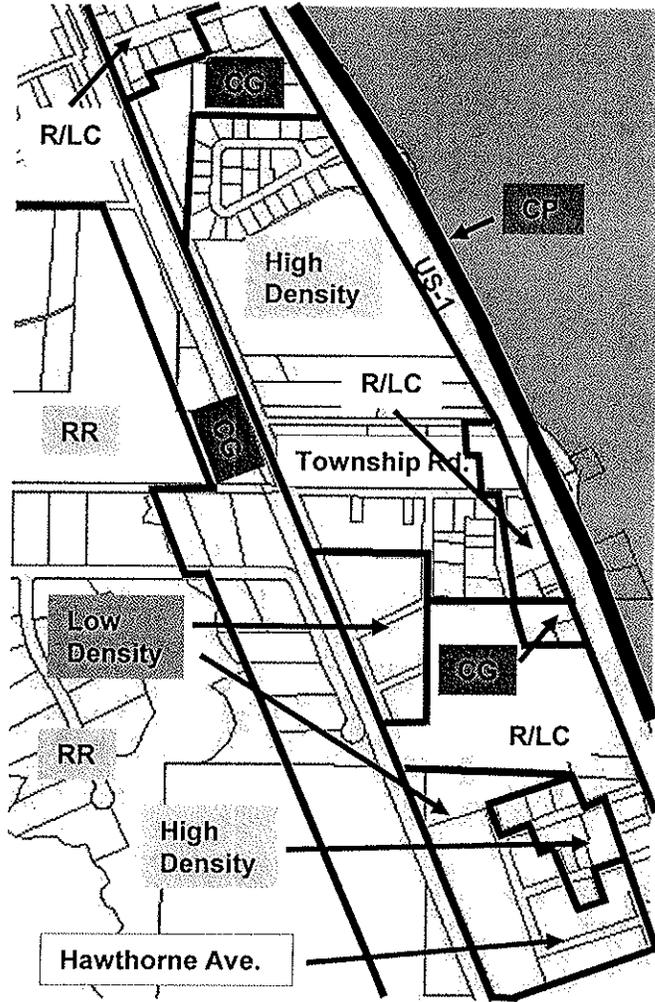


## Proposed Land Use

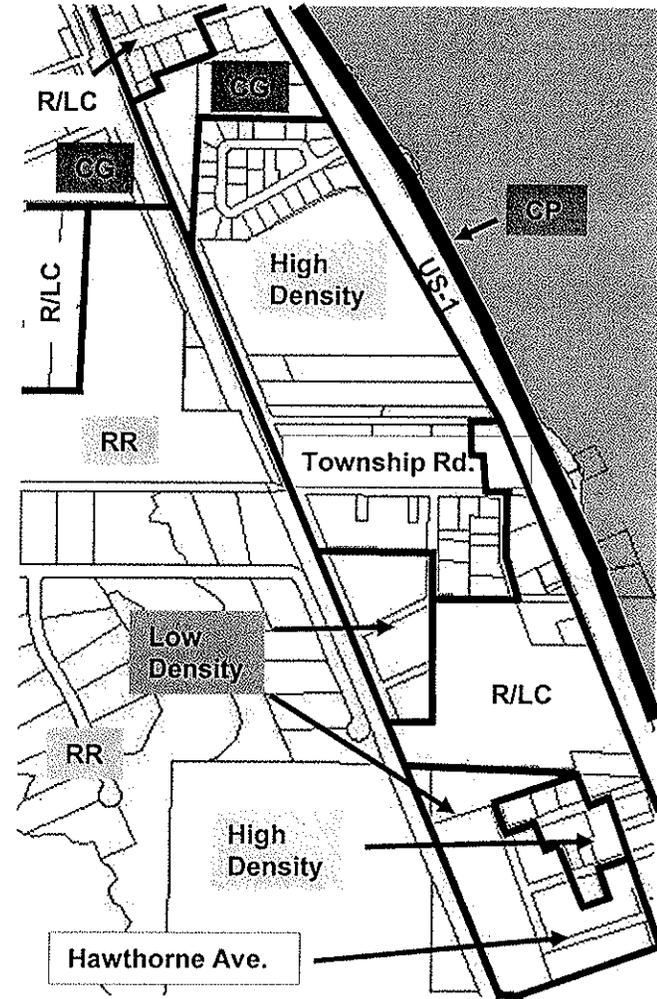


# Land Use Along US-1 (Malabar Rd. to Hawthorn Ave.)

## Present Land Use

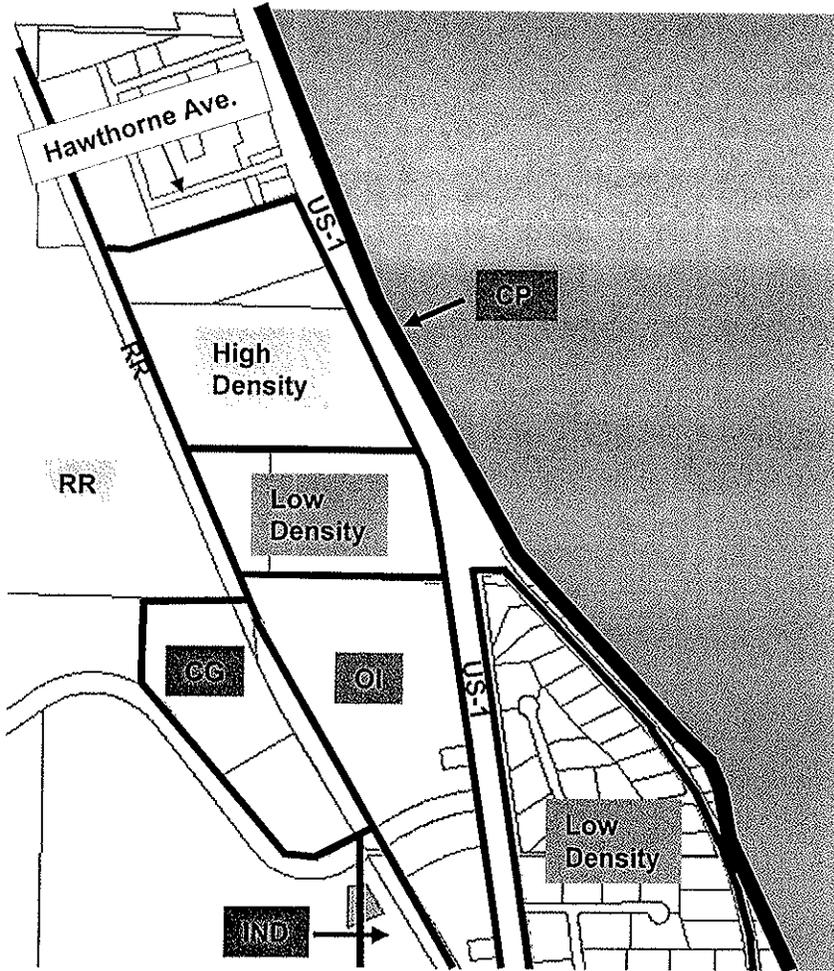


## Proposed Land Use

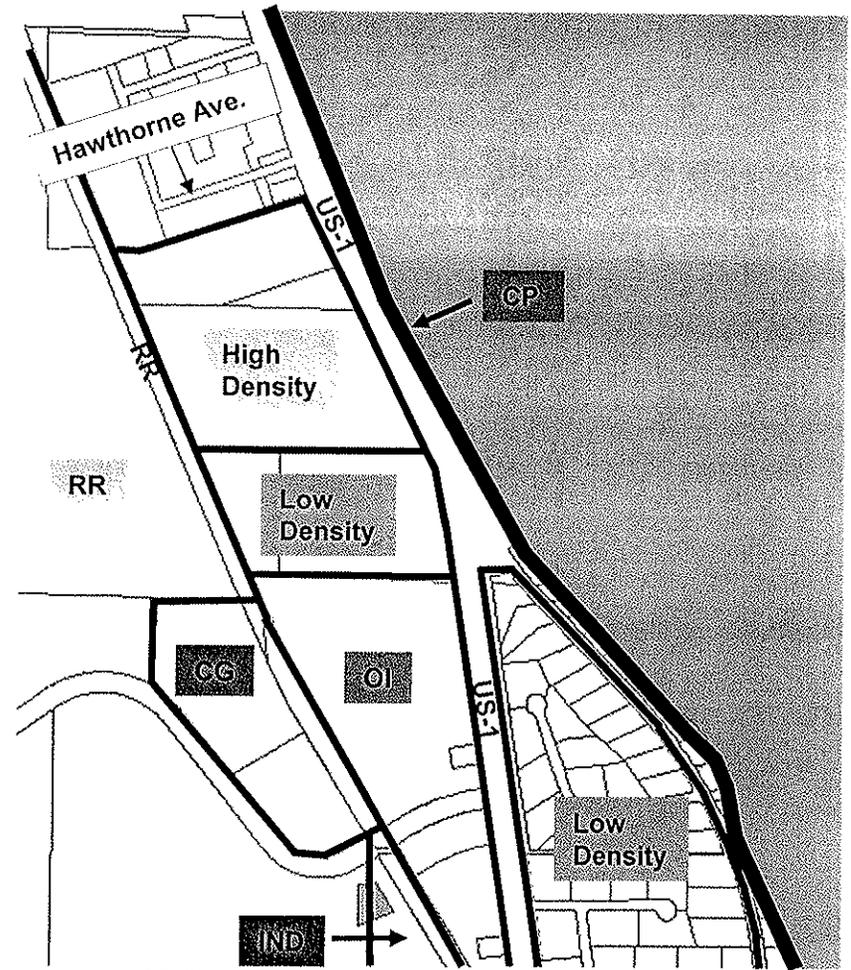


# Land Use Along US-1 (North Rocky Point)

## Present Land Use



## Proposed Land Use

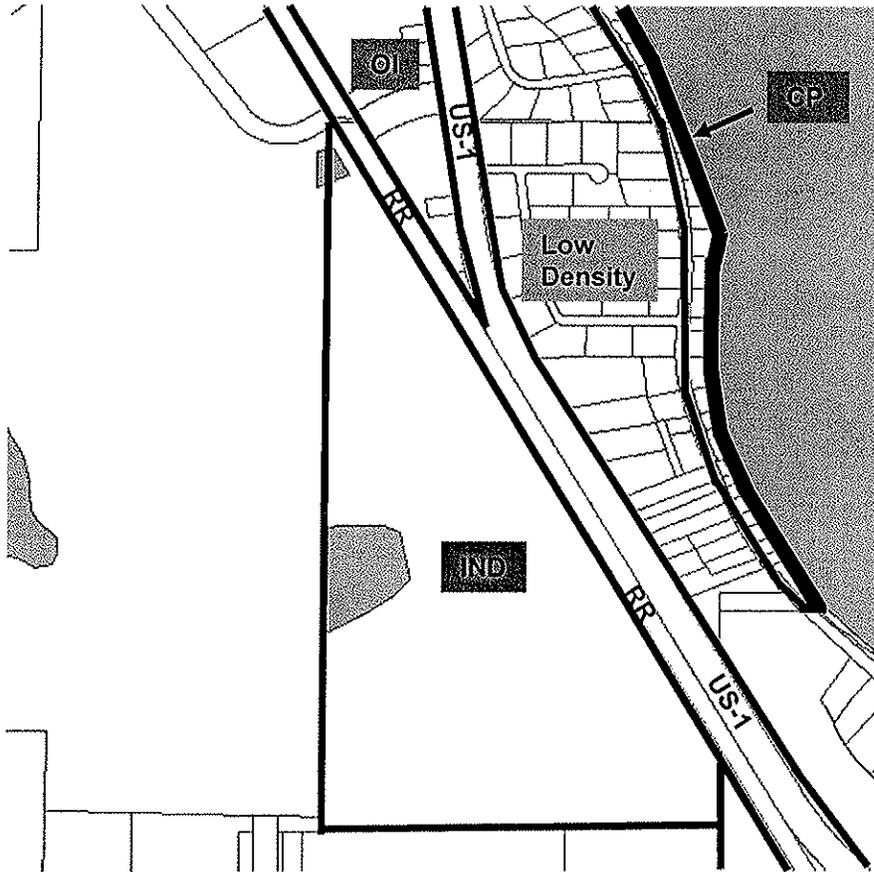


No Change from Present

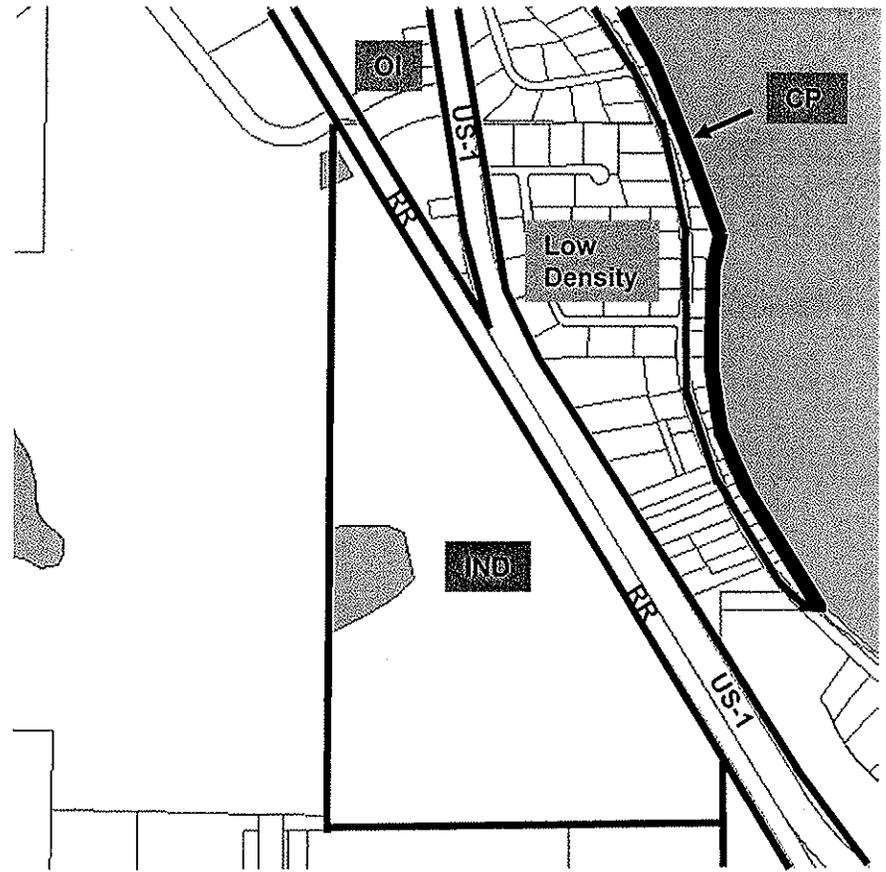
July 12 2015

# Land Use Along US-1 (Rocky Point)

## Present Land Use



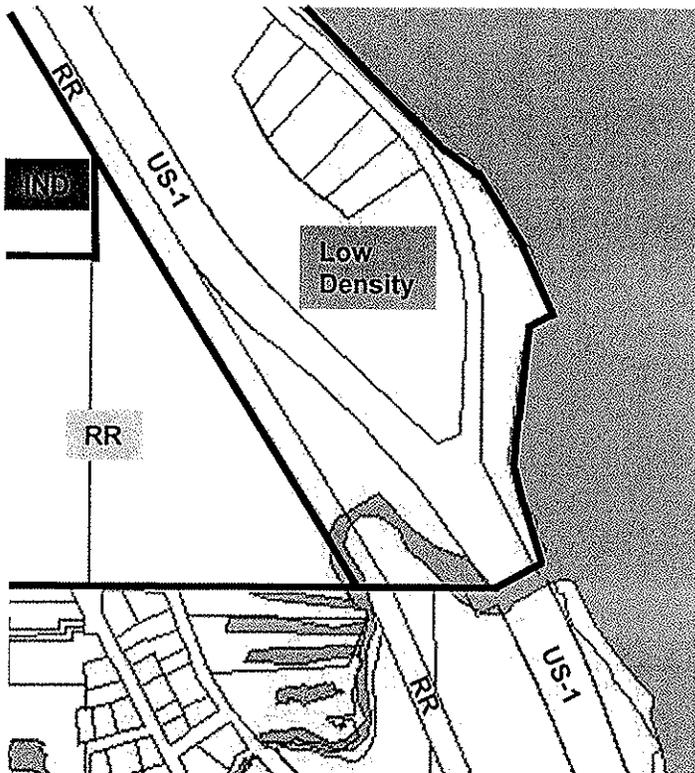
## Proposed Land Use



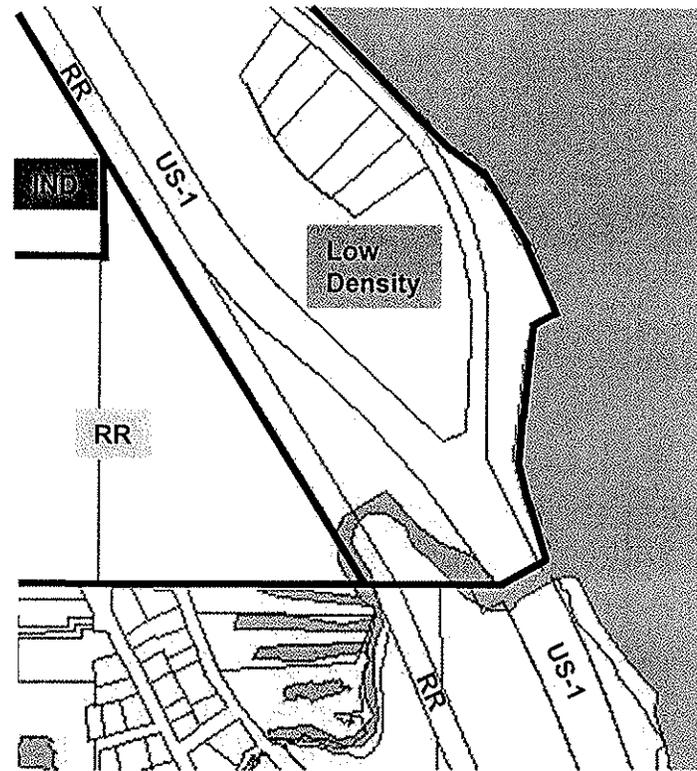
No Change from Present

# Land Use Along US-1 (South Rocky Point)

## Present Land Use



## Proposed Land Use



No Change from Present

(Portion of District Revisions Article III)

Clean Copy (easier reading) (updated 4/22/2015 by Pat Reilly/Denine Sheear)

O.

*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 rural and agricultural applications as well as allowing limited commercial applications within a mixed-use district(s). A Malabar Vernacular Style is required for all development along arterial roadways. (see Article V General Provisions Section 1-5.29)

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(s) housing both Residential and Limited Commercial activities. The R/LC district is intended and shall be interpreted to be a "residential" district, until such time as application is made and accepted for a Limited Commercial activity, and shall then comply with the required setbacks and other size and dimension provisions referenced by zoning district as shown in Table 1-3.3(A).

Such development is intended to accommodate Rural Residential activities together with Limited Commercial goods and services on specific sites designated "R/LC". This residential land use shall permit multiple family residential development, limited commercial development separately where current infrastructure allows, or as a combination of these uses as regulated by Table 1-3.1 and Table 1-3.3(A).

Residential and Limited Commercial activities shall generally cater to the local residential markets within the town as opposed to regional markets or specialized markets with customized market demands.

Residential Dwelling unit(s) shall not exceed commercial use(s) by more than one as regulated by Table 1-3.1.

Limited Commercial use(s) shall not exceed residential dwelling unit(s) by more than one as regulated by Table 1-3.1.

**Table 1-3.1. Permitted Combinations of R/LC Land Uses**

Total Units/ Uses	Residential	Limited Commercial
1	1	0
1	0	1
2	1	1
3	2	1
3	1	2
4	2	2
5	3	2
5	2	3
6	3	3

*(Ord. No. 94-4, § 2, 4-3-95; Ord. No. 07-02, §§ 1-4, 4-2-07; Ord. No. 14-01, § 2, 2-3-14)*

TABLE 1-3.3(A). SIZE AND DIMENSION REGULATIONS

Zoning District	Minimum Lot (1)			Maximum Height (ft./ stories)	Minimum Living Area (sq. ft.)	Setback (ft.)(2)				Maximum Impervious Surface Ratio (%)	Maximum Building Coverage	Minimum Open Space (%)	Maximum Density (units per acre) with Central Water and Wastewater
	Size (sq. ft.)	Width (ft.)	Depth (ft.)			Front	Rear	Side (I)	Side (C)				
<b>Rural Residential Development</b>													
RR-65	65,340	150	260	35/3	1,600	40	80	30	30	20	N/A	80	0.06
<b>Traditional Single Family Residential Development</b>													
RS-21	21,780	120	150	35/3	1,800	36	20	15	15	35	N/A	65	2.00
RS-15	15,000	100	120	35/3	1,600	30	20	15	15	45	N/A	65	2.904
RS-10	10,000	75	100	35/3	1,200	25	20	10	10	60	N/A	50	4.00
<b>Multiple Family Residential Development</b>													
RM-4	5 Acres Minimum Site	200	200	35/3	1 Bedroom: 900 2 Bedroom: 1100 3 Bedroom: 1300 Each Additional Bedroom: 120	60	40	40	40	50	N/A	50	4.00
RM-6	5 acres Minimum Site	200	200	35/3	Single Family:	25	20	10	10	50	n/a	50	6
					Multiple Family: 1 Bedroom: 600 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120	60	40	40	40	50	n/a	50	6
<b>Mixed Use Development</b>													
R/LC	20,000	100	150	35/3	Single Family:	25	20	10	10	60	n/a	50	4
					Multiple Family: 1 Bedroom: 600 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120	60	25	10*	20	65	n/a	35	6
					Commercial: Min. Area: 900 <del>Min. Area: 1,000</del>					0.20			
<b>Mobile Home Residential Development</b>													
R-MH	Site: 5 Acres Lot: 7000					10	8	8	10	50	N/A	50	6.00
<b>Office Development</b>													

\* R/LC →

DISTRICT PROVISIONS

TABLE 1-3.3(A)

REVISED 07/2 RECEIVED 7/11/13

§ 1-3.3

Zoning District	Minimum Lot (1)				Maximum Height (ft./ stories)	Minimum Living Area (sq. ft.)	Setback (ft.)(2)				Maximum Impervious Surface Ratio (%)	Maximum Building Coverage	Minimum Open Space (%)	Maximum Density (units per acre) with Central Water and Wastewater
	Size (sq. ft.)	Width (ft.)	Depth (ft.)	Minimum Floor Area: 1000			Front	Rear	Side (B)	Side (C)				
O1	20,000	100	160	35/3	Minimum Floor Area: 1000	35/80	25	20	25	65	20	35	N/A	
<b>Commercial Development</b>														
CL	20,000	100	150	35/3	Minimum Floor Area: 900 Min. Area: 800 Max. Area: 4,000	60	25	10 <sup>a</sup> 16 <sup>a</sup>	20	65	0.20	35	N/A	
CG	20,000	100	160	35/3	Minimum Floor Area: 1200 Minimum Hotel/ Motel Area: 300 Each Unit	50	25	20 <sup>a</sup> 15 <sup>a</sup>	30	65	0.20	35	N/A	
<b>Industrial Development</b>														
IND	20,000	100	180	35/3	Minimum Floor Area: 1200	60	25	100 <sup>a</sup>	30	70	0.42	30	N/A	
<b>Institutional Development</b>														
INS	20,000	100	180	35/3	Minimum Floor Area: 1200	60	25	20	30	60	0.20 0.10 <sup>b</sup>	40	N/A	
<b>Coastal Preservation</b>														
CP	No Size or Dimension Standards Adopted													

<sup>1</sup>Minimum size sites and lots include one-half of adjacent public right-of-way.

<sup>2</sup>Minimum setbacks determined from the existing right-of-way line where the yard abuts a public street pursuant to the above cited standards or from the center of the right-of-way pursuant to Table 1-3.3(E) whichever is most restrictive.

<sup>3</sup>Setback where rear lot line abuts an alley.

<sup>4</sup>Setback shall be greater where side property line abuts a district requiring a larger setback on the abutting yard. In such case the more restrictive abutting setback shall apply.

<sup>5</sup>Where any yard of industrial zoned property abuts a residential district, the building setback for such yard shall be 100 feet.

<sup>6</sup>Recreation activities maximum FAR shall be .10.

TABLE 1-3.2. LAND USE BY DISTRICTS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
<b>RESIDENTIAL USES</b>														
Duplex					P	P					P			
Mobile Homes							P							
Multiple Family Dwelling					P	P					P			
Single Family Dwellings	P	P	P	P	P	P	P				P			
<b>COMMUNITY FACILITIES</b>														
Administrative Services (Public and Not-for-Profit)								P	P	P	P		P	
Child Care Facilities								C			C		C	
Churches, Synagogues and Other Places of Worship	C	C	C	C	C	C		P, A <sup>1</sup>	P	P	P		P	
Clubs and Lodges (Not-for-Profit)									P	P				
Cultural or Civic Activities								P	P	P	P		P	
Educational Institutions								C, A <sup>1</sup>					C	
Golf Course Facilities	C													
Hospital and other Licensed Fa- cilities								C					C	
Nursing Homes and Related Health Care Facilities					C	C		C					C	
Protective Services					C	C	C	C	C	C	C	C	C	C
Public Parks and Recreation	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public and Private Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>COMMUNITY RESIDENTIAL HOME</b>														
Level 1 (1 to 6 residents/beds)	C <sup>3</sup>				C	C								
Level 2 (7 to 14 residents/beds)					C	C							C	
<b>ASSISTED CARE COMMUNITIES</b>														
<b>I Assisted Living Facility</b>														
Level 1 (1 to 5 residents/beds)		C	C	C	C <sup>4</sup>	C <sup>4</sup>					C			
Level 2 (6 to 15 residents/beds)					C <sup>4</sup>	C <sup>4</sup>								
Level 3 (16 or more residents/ beds)					C <sup>4</sup>	C <sup>4</sup>								
<b>II Adult Family-Care Homes (1 to 5 residents/beds)</b>														
III Adult Day Care Centers	C <sup>3</sup>	C	C	C	C	C		C			C		C	
<b>AGRICULTURAL ACTIVITIES</b>														

TABLE 1-3.2

DISTRICT PROVISIONS

§ 1-3.2

TABLE 1-3.2. LAND USE BY DISTRICTS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	OL	CG	R/LC	IND	INS	CP
Noncommercial Agricultural Operations	P													
Wholesale Agricultural Activities	P													
Commercial Stables	C													
<b>COMMERCIAL ACTIVITIES</b>														
Adult Activities														
Bars and Lounges										C				
Bed and Breakfast										C				
Business and Professional Offices											P <sup>1</sup>			
Enclosed Commercial Amusement								P	P	P	P	P	P	
Arcade Amusement Center/ Electronic Gaming Establishment										P				
Funeral Homes										C <sup>2</sup>				
General Retail Sales and Services									P	P	C			
Hotels and Motels										P				
Limited Commercial Activities										P				
Marine Commercial Activities									P	P	P			
Medical Services										C*				
Mini Warehouse/Storage								P	P	P	P			
Parking Lots and Facilities									C	P		P		
Retail Plant Nurseries								P	P	P	P		P	
Restaurants (Except Drive-Ins and fast food service)									P	P	P			
Restaurants (Drive-ins)									P	P	P			
Service Station, Including Gasoline Sales										P				
Trades and Skilled Services										C*		C*		
Veterinary Medical Services										C*		P		
Vehicular Sales and Services								P	P	P	C	P		
Vehicular Services and Maintenance										C*		P		
Wholesale Trades and Services										C*		P		
										C*		P		
<b>INDUSTRIAL ACTIVITIES</b>														
Kennels												C		
Manufacturing Activities												P		

TABLE 1-3.2. LAND USE BY DISTRICTS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
Manufacturing Service Establishments														
Vehicle and Other Mechanical Repair and Services												P		
Warehouse, Storage and Distribution Activities										C*		P		
WATER DEVELOPMENT NONCOMMERCIAL ACTIVITIES														
Noncommercial piers, boat slips, and docks														C

C = Conditional Use

P = Permitted Uses

A = Accessory Use

\* = These uses are permitted only on sites abutting Babcock Street, US 1, and West Railroad Avenue.

1 = Allowing up to 1,000 square feet of a church or educational institution for the housing of a caretaker or security guard serving the church or educational institution. No such use shall be allowed unless administrative approval is granted by the Town.

<sup>1</sup> Any Bed and Breakfast which is proposed to have more than five (5) living quarters shall only be approved as a conditional use in accordance with Article VI of the Land Development Regulations.

<sup>2</sup> Any Arcade Amusement Center and Electronic Gaming Establishment as defined herein shall only be approved as a conditional use in accordance with Article VI of the Malabar Land Development Code.

<sup>3</sup> Allowed in RR-65, (1 to 2 residents/beds) as defined in FS Title XXX Chapters 419 & 429

<sup>4</sup> ALF Factor of "3" (see section 1-2.6.B.13.B, Part I) only applies to RM-4 & RM-6 for ALF's

(Ord. No. 94-4, § 3, 4-3-95; Ord. No. 97-3, § 2, 3-17-97; Ord. No. 05-01, § 1, 3-7-05; Ord. No. 06-19, § 1, 1-11-07; Ord. No. 12-48, § 2, 1-23-12; Ord. No. 14-01, § 3, 2-3-14)

**Section 1-3.3. Size and dimension criteria.**

A. *Minimum Lot or Site Requirements for All Uses.* Table 1-3.3(A) incorporates required size and dimension regulations which shall be applicable within each respective zoning district. All developments shall have a total land area sufficient to satisfy all standards stipulated within the land development code, including but not limited to:

- Setback requirements;
- Open space, buffers, and landscaping;
- Surface water management;
- Water and wastewater services;
- Access, internal circulation and off-street parking;
- Wetland protection; and
- Soil erosion and sedimentation control standards.

Conventional single family lots shall be required pursuant to square footage requirements stipulated in Table 1-3.3(A). Similarly, more intense development within multiple family residential districts and other specified nonresidential districts shall maintain sites having minimum acreage requirements stipulated in Table 1-3.3(A).

# TOWN OF MALABAR

## MEMORANDUM

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**Date:** January 29, 2015 15-AABO-001

**To:** Debby Franklin, Town Clerk/Treasurer  
Town Council

**From:** Denine M. Sherear, Administrative Assistant to the Building official DS

**Ref:** Recommendation from P&Z to Council Increasing the MBC Permitted in R/LC (Residential/Limited Commercial) District.

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The PZ Board received a directive from Council in December 2014 in reference to increasing the Maximum Building Coverage (MBC) in R/LC district. The PZ Board discussed this at the last few meetings.

On January 28<sup>th</sup>, 2015 the Planning and Zoning Board made a Motion after much discussion and debate. The four options recommended were:

- 1.) 0.20 no matter what size (MBC) Max. Building Coverage—foot print (below diagram *portion* of Article III District Provisions "D")
- 2.) 4,000sf max no matter how big lot size (gross)
- 3.) 4,000sf max first ½ acre with a factor for a ½ acre or acre TBD and every acre after that
- 4.) Any building larger than four thousand (4,000) square feet would be considered Conditional Use.

**Motion: Abare/Ritter Recommend to Council to pick Option #1, after much deliberation and debate.**

**Roll Vote: Foster, Aye; Abare, Aye; Reilly, Aye; Ryan, Aye; Ritter, Aye Motion passed 5 to 0**

The PZ Board wanted to include a *portion* of Article III District Provisions "D" see below for clarification:

D.

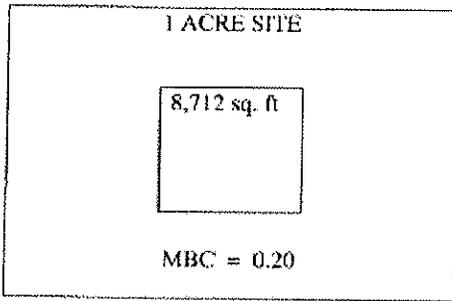
*Maximum Building Coverage.* The term "maximum building coverage" is defined as a measurement of the intensity of development on a site. For purposes of this Code, maximum building coverage (MBC) is used to regulate nonresidential development.

1.

*Calculation of MBC.* The MBC is the relationship between the total building coverage on a site and the gross site area. The MBC is calculated by adding together the total building coverage of a site and dividing this total by the gross site area. See figure 1-3.3(D) for a graphic illustration of this concept.

All proposed nonresidential development shall comply with the MBC requirements stipulated in Table 1-3.3(A) for the zoning district in which the development is located.

FIGURE 1-3.3(D). MAXIMUM BUILDING COVERAGE ILLUSTRATION



Maximum building coverage for a MBC of 0.20 = 8,712 sq. ft.

MBC	=	<u>Total Building Coverage</u>
		Total Lot Area