



TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: May 21, 2013

TITLE: Ordinance – Amending Section 47-5.60, Residential Office Zoning Districts.

Recommendation

It is recommended that the City Commission approve an ordinance on first reading amending Section 47-5.60 of the Unified Land Development Regulations (ULDR), Residential Office Zoning Districts. This amendment will accomplish the following:

- Revise the development review and approval process to remain consistent with Section 47-24, Table 1, Development Permit and Procedures allowing for a streamlined process;
- Revise the requirements for a bufferyard to allow vehicular use areas to encroach into the bufferyard up to the standard requirements for vehicular use areas; and,
- Allow alternatives to the standard wall requirement by permitting the applicant to construct a wood fence or some other alternative to the commercial standard concrete block wall.

Background

The Residential Office (RO) zoning districts (Residential Office (RO), Residential Limited Office (ROA), and Residential Planned Office (ROC) Districts) were created to allow single-family homes to be re-purposed as a commercial use (including professional office and limited retail) and allow new non-residential construction in certain areas of the City that is compatible with existing residential character. However, current ULDR language requires approval from the Planning and Zoning Board (PZB) for all uses (residential and commercial) in the ROC zoning district. These requirements are inconsistent among the three RO zoning districts.

Therefore, staff recommends a revision to the ULDR that would provide for a review and approval process that is in keeping with the existing process found in all other standard zoning districts in the City. These approval processes include, but are not limited to Site Plan Level I if under 5,000 square feet of commercial or five dwelling units for residential

and Site Plan Level II if 5,000 or more square feet of commercial or five or more dwelling units for residential. Conditional use requests will remain as a Site Plan Level III request to the Planning and Zoning Board. This recommendation is in response to a communication sent to the City Commission by the PZB in October 2012.

As part of this effort staff is proposing to revise the requirements for a bufferyard when a RO district use is proposed adjacent to a residential use. The current requirements for a 10-foot buffer yard is difficult to provide in many situations as lots in RO districts tend to be around 50-feet in width, making the buildable width of the lot when adjacent to residential on both sides 30-feet. This can come into conflict with parking areas as well as limit the development potential of these sites. The proposed amendment will not remove the requirement for a bufferyard, but will allow the parking area to encroach into the bufferyard up to the distance requirements for vehicular use areas in other zoning districts of the City as indicated in ULDR Section 47-21.9, Landscape requirements for vehicular use areas. All structures will still be required to meet the bufferyard distance of ten (10) feet. Staff is also recommending a revision that would allow for alternatives to the standard wall requirements. Currently, the ULDR requires a concrete block wall at a minimum height of five feet. Staff believes this standard requirement adds a non-residential element to these established residential areas. This recommendation would allow for alternatives such as a wood fence that is residential in look and feel and consistent with existing residential properties. It is important to note that any fence that may be proposed as an alternative to a wall would still be required to remain opaque and will be required to maintain a minimum height of five feet.

Please note that staff has revised the draft language that was provided to the PZB to clarify the setback requirements for the vehicular use areas. Please see the revised language below indicated with a strike and double underline (double underline indicates new language; ~~strike~~ indicates removed language):

All non-residential uses permitted in the Residential Office (RO), Limited Residential Office (ROA) and Planned Residential Office (ROC) Zoning Districts are permitted to allow vehicular use areas to encroach into the bufferyard requirements subject to Section 47-21.9, Landscape requirements for vehicular use areas the standard setback requirements for the zoning district in which it is located and may provide a fence in lieu of a wall as indicated in Section 47-25.3.A.3.d., Bufferyard Requirements, of Section 47-25.3, Neighborhood Compatibility Requirements of the Unified Land Development Regulations.

On April 17, 2013, the PZB recommended approval of the proposed amendment to the City Commission by a vote of 9-0. Please see the PZB minutes attached as Exhibit 1 and the PZB staff report attached as Exhibit 2 for more information.

Staff believes these amendments to the ULDR will streamline and clarify the process and allow options for sites that have limited space. They will accomplish this by allowing for development in these zoning districts to preserve the existing residential character by maintaining a residential in look and feel.

To review the draft ordinance, please see Exhibit 3.

Resource Impact

There is no fiscal impact associated with this action.

Attachments

Exhibit 1 – 04/17/13 PZB Minutes

Exhibit 2 – PZB Staff Report

Exhibit 3 – DRAFT Ordinance

Prepared By: Anthony Greg Fajardo, Zoning Administrator

Department Director: Greg Brewton, Sustainable Development