

ORDINANCE NO. C-24-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-39.A.2. ENTITLED "DEFINITIONS AND MEASUREMENTS" AND SECTION 47-39.A.6. ENTITLED "DIMENSIONAL REQUIREMENTS" OF THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS; AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Section 47-39.A.2. entitled "Definitions and Measurements" and Section 47-39.A.6. entitled "Dimensional Requirements" of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR") to revise the height and zoning requirements in annexed areas to more accurately reflect current building construction techniques; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its meeting of February 21, 2024 (PZ Case No. UDP-T24002) found that the proposed text amendments for Section 47-39.A.2. of the ULDR are consistent with the City's Comprehensive Plan and the Planning and Zoning Board did recommended approval of said proposed text amendments to the City Commission; and

WHEREAS, notice was provided to the public that this ordinance would be considered by the City Commission at the commission meetings to be held on October 1, 2024, and October 15, 2024, at 6:00 o'clock P.M., at the Broward Center for the Performing Arts – Mary N. Porter Riverview Ballroom located at 201 S.W. 5th Avenue, Fort Lauderdale, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 47-39.A.2. entitled "Definitions and Measurements" of the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), is hereby amended as follows:

Section 47-39.A.2. Definitions and Measurements

The following definitions shall apply to all property located in the Melrose Park and Riverland Road areas as defined in Section 47-39.A. Where certain definitions and measurements do not

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appear in this section and are defined in Section 47-35.1 or Section 47-2.2, Section 47-35.1 and Section 47-2.2 shall apply.

A. General construction of terms. For the purpose of this code, certain terms used herein are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory. The word "building" shall include the word "structure." The word "used" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used. The word "land" shall include water surface and land water.

B. Terms defined. (Defined in Sec. 47-35.1)

Accessory building: An "accessory building" is a subordinate building which is located on the same development site as the principal building, the use of which building is clearly incidental to the use of the principal building.

Adult Day Care Center: An establishment, which provides day care and activities for adolescents or adults who require supervision due to physical or mental limitations.

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Habitable Room Area: The total floor area of a dwelling unit excluding closets, bathrooms, garages, utility rooms, storage areas, and rooms not accessible from the interior of the dwelling unit.

~~*Height of Building:* The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and to the mean height level between eaves and ridge for gable, hip and gambrel roofs.~~ The height of buildings and structures shall be measured from grade to the uppermost part of the roof or structure. Church spires and steeples, chimneys, parapet walls, machine rooms, elevator towers and the like necessary to the design and function of a building but not designed for human occupancy, shall not be included in the measurement of overall height of a building. The height shall be the roof peak for structures with pitched roofs and the top of finished roof for structures with flat roofs. Parapet walls may extend not more than forty-two (42) inches above the allowable height of a building.

Home Office: An office designed for and operated as a business location in a dwelling unit, and carried on by persons residing in the dwelling unit involving only written correspondence, phones,

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computers, or other common office equipment, and which is clearly incidental and secondary to the use of the dwelling for residential purposes. Home offices shall preclude any business operation, which requires or permits customers or patrons to visit the dwelling. Home offices shall be permitted in all residential zoning districts subject to the following limitations:

- (1) Not more than ten (10) percent of any dwelling unit may be used for a home office.
- (2) No merchandise or equipment related to the home office shall be stored at, delivered to or dispensed from the dwelling unit, or from any accessory building or structure on the property, except office equipment or supplies required for daily office operations.
- (3) Commercial vehicles associated with the home office in all residential districts shall be subject to Section 47-39.A.1.b.(7) General Provisions.
- (4) No sign or any other evidence of the existence of the home office shall be visible from the exterior of the dwelling unit.
- (5) A certificate of use shall be obtained for any home office. In addition to the requirements of Section 47-19.7, certificates of use for home offices shall comply with the following:
 - a. A floor plan of the dwelling unit, drawn to scale, shall be submitted with an application for a certificate of use for a home office, designating the room or rooms to be occupied by the home business.
 - b. Any certificate of use issued for a home.

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Plot: Land occupied or to be occupied by a building or use, and their accessory buildings and accessory uses, together with such yards and open spaces as are required by this code. A plot may consist of one (1), or more, or portions of a platted lot and/or unplatted land.

Plot, Corner: A corner plot is a plot of which at least two (2) adjacent sides abut for their full length upon a street, provided that such two (2) sides intersect at an interior angle of not more than one hundred thirty-five (135) degrees. Where a plot is on a curve, if tangents through the intersections of the lot lines with the street lines make an interior angle of not more than one hundred thirty-five (135) degrees, such a plot is a corner plot. In the case of a corner plot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangents herein described.

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Plot Coverage: The combined area occupied by all buildings and roofed structures.

Plot Depth: The mean horizontal distance between the front and rear plot lines.

Plot, Interior: A plot other than a corner plot.

Plot, Through: A plot abutting on two (2) streets, not at their intersection, if any, which may be either a corner or interior plot.

~~*Plot Depth:* The mean horizontal distance between the front and rear plot lines.~~

Plot Width: The horizontal distance between the side plot lines at the depth of the required front yard.

Plot Line, Front: The line dividing a plot from a street or base building line, whichever will result in a lesser depth of plot. On a corner plot the shorter of the two (2) front lines as above defined shall be considered to be the front plot line for the purposes of determining required plot width and required front yard depth. On a corner plot where both front plot lines as above defined are equal or within five (5) feet of the same length, both such lines shall be considered to be front plot lines for the purposes of determining required street yard depth. On through lots, both front plot lines as above defined shall be considered to be front plot lines for the purpose of determining required yards.

Plot Line, Rear: The plot line opposite and most distant from the front plot line. In the case of a triangular or gore-shaped lot wherein the two (2) side plot lines converge in the rear, the rear plot line shall be considered to be a line ten (10) feet in length within the plot parallel to and at the maximum distance from the front plot line.

Plot Line, Side: Any plot line other than a front or rear plot line. A side plot line separating a plot from a street is called a side street plot line. A side plot line separating a plot from another plot or plots is called an interior or side plot line.

Plot Line, Street or Alley: A plot line separating the plot from a street or alley.

Porch: A roofed-over space attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered an enclosure.

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Principal building: A building that is occupied by, devoted to, a principal use on the development site and shall include any addition or alteration to an existing principal building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one (1) principal building on a parcel.

Principal structure: A structure, the use of which is the primary use of the land. A principal structure may consist of a building or an unmanned or uninhabited structure such as a communication tower, utility substation, parking facility or other similar construction. There may be more than one (1) principal structure on a parcel.

Private Property: All lands and water areas owned by other than a municipality, county, state or federal government or any of its subdivisions.

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~~Story: A habitable area of a building horizontally enclosed by the exterior walls of the building, with a vertical clearance between the floor and ceiling of at least seven and one-half (7½) feet. Any upper story which does not exceed two-thirds (2/3) of the area of the first floor level shall not be considered a story except for determining the height of the building. For the purposes of determining the height of a building, a story shall be considered to be every ten (10) feet of building height above first floor level measured from the exterior elevation. For purposes of determining the height of a structure other than a building, a story shall be each ten (10) feet in height of the structure above the established grade.~~

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Townhouse: A one-family dwelling constructed as part of a series or group of attached dwellings consisting of three (3) to eight (8) units per building with a common party wall or fire separation wall connecting each dwelling unit and with a property line running through the center of the common party wall or fire separation wall. Dwellings attached only by an open breezeway; or other unroofed wall or fence are not included in this definition. Section 47-18.33 does not apply to townhouse developments located in Section 47-39.A, Areas.

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SECTION 2. That Section 47-39.A.6. entitled “Dimensional Requirements” of the ULDR is hereby amended as follows:

Section 47-39.A.6. Dimensional Requirements

A. Table of Dimensional Requirements for RS-3.52, RS-6.70, RS-6.85A, RS-6.85B districts.

<u>Requirements</u>	<u>RS-3.52</u>	<u>RS-6.70</u>	<u>RS-6.85A</u>	<u>RS-6.85B</u>
<u>Maximum density per net acre</u>	<u>3.52</u>	<u>6.70</u>	<u>6.85</u>	<u>6.85</u>
<u>Minimum plot area per unit</u>	<u>10,000 square feet</u>	<u>7,500 square feet</u>	<u>6000 square feet</u>	<u>6000 square feet</u>
<u>Maximum Structure Height</u>	<u>35 feet</u>	<u>20 feet</u>	<u>35 feet</u>	<u>35 feet</u>
<u>Minimum plot width</u>	<u>Note A</u>			
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>1,000 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>
<u>Minimum Front Yard</u>	<u>25 feet</u>			
<u>Minimum side yard</u>	<u>7.5 feet, up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>			
<u>Minimum street side yard</u>	<u>15 feet</u>			
<u>Minimum rear yard</u>	<u>15 feet</u>			
<u>Maximum plot Coverage</u>	<u>40%</u>			

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen

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(19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.

B. Table of Dimensional Requirements for RD-12.22 district.

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Duplex /Two-Family Dwelling</u>	<u>Townhouse or Villa</u>
<u>Maximum density per net acre</u>	<u>12.22</u>	<u>12.22</u>	<u>12.22</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>		
<u>Maximum Structure Height</u>	<u>35 feet</u>		
<u>Minimum plot width</u>	<u>Note A</u>		
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>25 feet along all street sides consisting of three or more dwelling units.</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per</u>	<u>5 feet See Section 47-39.A.6.F.</u>

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	<u>per foot of additional height.</u>	<u>foot of additional height.</u>	
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.

C. Table of Dimensional Requirements for RD-12.67 District

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Two-Family Dwelling</u>	<u>Townhouse or Villa</u>	<u>Multi-family dwelling (three (3) or more dwelling)</u>
<u>Maximum density per net acre</u>	<u>12.67</u>	<u>12.67</u>	<u>12.67</u>	<u>12.67</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>	<u>3,300 square feet</u>	<u>3,300 square feet</u>	<u>3,300 square feet</u>
<u>Maximum Structure Height</u>	<u>35 feet</u>	<u>35 feet</u>	<u>35 feet</u>	<u>40 feet</u>
<u>Minimum plot width</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>

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<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>600 square feet 400 (efficiency apartment)</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet up to 22 feet in height Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</u>	<u>5 feet See Section 47-39.A.6.F</u>	<u>5 feet</u>
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts. All individual plots used for multiple-family dwellings consisting of

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three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

D. Table of Dimensional Requirements for RM-16 District

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Two-Family Dwelling</u>	<u>Townhouse or Villa</u>	<u>Multi-family dwelling (three (3) or more dwelling)</u>
<u>Maximum density per net acre</u>	<u>16</u>	<u>16</u>	<u>16</u>	<u>16</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>
<u>Maximum Structure Height</u>	<u>35 feet</u>	<u>35 feet</u>	<u>35 feet</u>	<u>40 feet</u>
<u>Minimum plot width</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>
<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>600 square feet</u> <u>400 square feet (efficiency apartment)</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</u>	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1</u>	<u>5 feet, See Section 47-39.A.6.F</u>	<u>5 feet</u>

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		<u>foot per foot of additional height</u>		
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts. All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

E. Table of Dimensional Requirements for RM-33.5

<u>Requirements</u>	<u>One Family detached Dwelling</u>	<u>Two-Family Dwelling</u>	<u>Townhouse or Villa</u>	<u>Multi-family dwelling (three (3) or more dwelling)</u>
<u>Maximum density per net acre</u>	<u>33.5</u>	<u>33.5</u>	<u>33.5</u>	<u>33.5</u>
<u>Minimum plot area per unit</u>	<u>3,300 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>	<u>2,904 square feet</u>
<u>Minimum plot width</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>	<u>Note A</u>

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<u>Minimum floor area per dwelling unit</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>800 square feet</u>	<u>600 square feet</u> <u>400 square feet</u> <u>(efficiency apartment)</u>
<u>Minimum Front Yard</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>	<u>18 feet</u>
<u>Minimum side yard</u>	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</u>	<u>5 feet up to 22 feet in height</u> <u>Where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Minimum street side yard</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Minimum rear yard</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Maximum plot Coverage</u>	<u>65%</u>	<u>40%</u>	<u>40%</u>	<u>40%</u>

Note A: Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet. The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion. Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in

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all residential zoning districts. All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

Note B: Every individual plot used for multiple-family dwellings consisting of three (3) or more dwelling units shall maintain a setback along all street sides of at least twenty-five (25) feet.

All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.

F. Specific Use Requirements:

(1) Common Open Space. For each net acre of property reflected in a subdivision plat or site plan for construction of one-family, two-family or townhouse dwellings in RS-3.52, RS-6.70, RS-6.85A and RS-6.85B and RM-12.67 to RM-33.5 submitted for plat review after the effective date of this article, common open space for active or passive recreation areas or water retention areas shall be reserved and supplied as follows:

- (a) For each net acre of property reflected in a subdivision plat or site plan, a minimum of thirteen thousand five hundred sixty (13,560) square feet of plot area;
- (b) For plots containing less than one (1) net acre, a minimum of twenty (20) percent of the plot area;
- (c) For lots platted prior to the effective date of this article or recorded in the public records as an individual plot, no common open space shall be required, provided the lots are not further subdivided.
- (d) A reduction in the size of such reserved areas shall be permitted for one-family, two-family or townhouse dwelling developments if one (1) or more individual plots are increased above minimum plot area at a ratio of one (1) square foot increase in residential plot area to one (1) square foot decrease in common open space area.
- (e) Such areas must be specifically delineated on the recorded subdivision plat or approved site plan and shall be conveyed by any of the following procedures:

1. The acceptance of a deed to such land by the City of Fort Lauderdale.

2. The sale, lease or other disposition of such property to a nonprofit corporation, such as a homeowners association, chartered under the laws of Florida, to administer and maintain the facilities and land or water areas.
3. The inclusion of a portion of said property in the deeded lots or descriptions of individual purchasers subject to an acceptable deed restriction limiting that portion to the use outlined in the approved site plan and recorded in the public records. Access rights for all residents within the development shall be guaranteed.

(2) Townhouses:

- a. Side yards shall not be required on any common party wall plot line.
- b. Where a building abuts a one family detached or duplex/two-family dwelling, where a building exceeds 22 feet in height, that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.

(3) Zero lot line developments:

- a. On any two (2) or more plots which meet the minimum area stated in this article, one-family detached dwellings and accessory buildings may be located on a side plot line, provided the sum of both required side yards exists on the opposite side plot line.
- b. No openings of any kind shall be permitted on the side of any building directly abutting and running parallel to the zero yard side of the plot. No encroachments of any kind, including roof overhangs, shall be permitted on any adjoining property.
- c. Zero lot line development shall require submission, approval and recordation of a subdivision plat indicating the area and dimension of each lot and specifically indicating that a minimum five (5) feet wide maintenance easement, in favor of the adjoining property owner, shall be provided on each lot adjacent to the zero lot line side of each lot. The subservient property owner shall not place any landscaping or other obstruction in the maintenance easement which would interfere with reasonable access to the easement for maintenance purposes. Such subdivision plats shall also meet all applicable requirements of the ULDR.

d. At no time shall a zero lot line development be approved which would allow a residential structure to be placed on a plot line that directly abuts land held in separate ownership, which is not developed or intended to be developed utilizing the zero lot line concept.

~~A. Plot size.~~

~~(1) The minimum plot area per dwelling unit in residential zoning districts shall be as follows, provided common open space is provided in compliance with Section 47-39.A.6.C. of this Code:~~

Min. plot area per unit	
District	in square feet
RS-3.52	10,000
RS-6.70	7,500
RS-6.85	6,000
RD-12.22	3,300
RM-12.67	3,300
RM-16	3,300 (1-family detached)
	2,904 (all others)
RM-33.5	3,300 (1-family detached)
	2,904 (all others)

~~Every individual plot shall have at least one (1) side, which has a minimum dimension of sixty (60) feet. The plot line, which provides access to the plot must be a minimum of nineteen (19) feet.~~

~~(2) The minimum plot size for all permitted nonresidential uses shall be one (1) net acre, with a minimum street frontage of one hundred fifty (150) feet, except that existing nonresidential buildings on plots which are less than one (1) net acre may be expanded provided the expansion meets all requirements for setbacks, off-street parking, landscaping, and all other development standards in effect at the time of site plan submittal for the expansion.~~

~~B. Plot coverage. The combined area occupied by all buildings and roofed structures shall not exceed the following maximum percentages of any individual plot:~~

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District	Maximum Coverage
RS-3.52, RS-6.70, RS-6.85A and RS-6.85B	40%
RD-12.22, RM-12.67 to RM-33.5	65% for 1-family detached, 40% for all other uses

~~C. Common open space.~~

- ~~(1) For each net acre of property reflected in a subdivision plat or site plan for construction of one-family, two-family or townhouse dwellings in RS-3.52, RS-6.70, RS-6.85A and RS-6.85B and RM-12.67 to RM-33.5 submitted for plat review after the effective date of this article, common open space for active or passive recreation areas or water retention areas shall be reserved and supplied as follows:

 - ~~(a) For each net acre of property reflected in a subdivision plat or site plan, a minimum of thirteen thousand five hundred sixty (13,560) square feet of plot area;~~
 - ~~(b) For plots containing less than one (1) net acre, a minimum of twenty (20) percent of the plot area;~~
 - ~~(c) For lots platted prior to the effective date of this article or recorded in the public records as an individual plot, no common open space shall be required, provided the lots are not further subdivided.~~~~
- ~~(2) A reduction in the size of such reserved areas shall be permitted for one-family, two-family or townhouse dwelling developments if one (1) or more individual plots are increased above minimum plot area at a ratio of one (1) square foot increase in residential plot area to one (1) square foot decrease in common open space area.~~
- ~~(3) Such areas must be specifically delineated on the recorded subdivision plat or approved site plan and shall be conveyed by any of the following procedures:

 - ~~(a) The acceptance of a deed to such land by the City of Fort Lauderdale.~~
 - ~~(b) The sale, lease or other disposition of such property to a nonprofit corporation, such as a homeowners association, chartered under the laws of Florida, to administer and maintain the facilities and land or water areas.~~~~

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~~c) The inclusion of a portion of said property in the deeded lots or descriptions of individual purchasers subject to an acceptable deed restriction limiting that portion to the use outlined in the approved site plan and recorded in the public records. Access rights for all residents within the development shall be guaranteed.~~

~~D. *Height.* No building or structure, or part thereof, shall be erected or altered to exceed the maximum height of two (2) stories: scenery lofts, towers, cupolas, steeples and domes, not exceeding in gross area, at a maximum horizontal section, thirty (30) percent of the roof area, and flag poles, airplane beacons, broadcasting towers, antenna, chimneys, stacks, tanks and roof structures used for ornamental or mechanical purposes, may exceed the permissible height limit in any district by not more than twenty-five (25) percent. Parapet walls may extend not more than five (5) feet above the allowable height of a building. (Inserted from Broward County Code 39-103 entitled "Exclusions from height limits").~~

RM-12.67 to RM- 33.5	4 stories
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~~E. *Front yard.*~~

~~(1) Every individual plot shall maintain a front yard as follows:~~

District	Front Yard
RS-3.52, RS-6.70, RS-6.85A and RS-6.85B	25 feet
RD-12.22	Eighteen (18) feet for one-family or two-family dwellings, twenty-five (25) feet along all street sides for multiple-family dwellings consisting of three (3) or more dwelling units
RM-12.67 to RM-33.5	18 feet

~~(2) Every individual plot used for nonresidential uses shall maintain a setback along any street side of at least thirty (30) feet in all residential zoning districts.~~

~~(3) Every individual plot used for multiple-family dwellings consisting of three (3) or more dwelling units shall maintain a setback along all street sides of at least twenty-five (25) feet.~~

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F. ~~Side yards.~~

(1) ~~Every individual plot used for one-family or two-family dwellings shall maintain side yards as follows:~~

District	Side Yard
RS-3.52, RS-6.70, RS-6.85A and RS-6.85B	7.5 feet
RD-12.22, RM-12.67 to RM-33.5	5 feet

~~(a) Street side yards:~~

District	Street Side Yard
RS-3.52, RS-6.70, RS-6.85A and RS-6.85B	15 feet
RD-12.22, RM-12.67 to RM-33.5	10 feet

~~(b) Zero lot line developments:~~

- ~~1. On any two (2) or more plots which meet the minimum area stated in this article, one-family detached dwellings and accessory buildings may be located on a side plot line, provided the sum of both required side yards exists on the opposite side plot line.~~
- ~~2. No openings of any kind shall be permitted on the side of any building directly abutting and running parallel to the zero yard side of the plot. No encroachments of any kind, including roof overhangs, shall be permitted on any adjoining property.~~
- ~~3. Zero lot line development shall require submission, approval and recordation of a subdivision plat indicating the area and dimension of each lot and specifically indicating that a minimum five (5) feet wide maintenance easement, in favor of the adjoining property owner, shall be provided on each lot adjacent to the zero lot line side of each lot. The subservient property owner shall not place any landscaping or other obstruction in the maintenance easement which would interfere with reasonable access to the easement for maintenance purposes. Such subdivision plats shall also meet all applicable requirements of the ULDR.~~

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~~4. At no time shall a zero lot line development be approved which would allow a residential structure to be placed on a plot line that directly abuts land held in separate ownership, which is not developed or intended to be developed utilizing the zero lot line concept.~~

~~(c) Townhouses: Side yards shall not be required on any common party wall plot line.~~

~~(2) All individual plots used for multiple-family dwellings consisting of three (3) more dwelling units, or nonresidential uses shall maintain a side yard on each side of the plot not contiguous to a public or private street of at least twenty (20) feet.~~

~~G. Rear yard.~~

~~(1) All individual plots used for one-family or two-family dwellings shall maintain a rear yard as follows:~~

District	Rear Yard
RS-3.52, RS-6.70, RS-6.85A and RS-6.85B	15 feet
RD-12.22, RM-12.67 to RM-33.5	5 feet

~~H. Minimum floor area of dwelling units. The following minimum floor areas per dwelling unit shall be provided:~~

District	Minimum Floor Area per Dwelling Unit
RS-6.70	1,000 square feet (City RS-8 Requirements)
RS-3.52, RS-6.85A, RS-6.85B, RD-12.22	800 square feet
RM-12.67 to RM-33.5	800 square feet (1-family) 600 square feet(multiple-family) 400 square feet (efficiency apt.)

SECTION 3. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

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SECTION 4. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. That this Ordinance shall be in full force and effect on _____, 2024.

PASSED FIRST READING this ____ day of _____, 2024.

PASSED SECOND READING this ____ day of _____, 2024.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN