

ORDINANCE NO. C-17-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ARTICLE III – DEVELOPMENT REQUIREMENTS, OF THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS, CREATING NEW SUBSECTIONS AND AMENDING EXISTING SUBSECTIONS TO REVISE NEIGHBORHOOD DESIGN CRITERIA; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Article III – Development Requirements of the City of Fort Lauderdale Unified Land Development Regulations (“ULDR”), specifically Section 47-18.9 entitled “Cluster development”; Section 47.18.33 entitled “Townhouse”; Section 47.19.2.B entitled “Architectural features in residential districts”; Section 47-19.2.H entitled “Driveways”; Section 47.19.2.K entitled “Garages and carports (residential use)”; Section 47-19.2.Y entitled “Porches”, Section 47-20.2 entitled “Parking and loading zone requirements”; Section 47-20.13 entitled “Paving and drainage”; Section 47-21.14 entitled “Additional landscape requirements for special uses and districts”; and creating Section 47-18.45 entitled “Duplex/two family dwelling”; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its meeting of December 21, 2016, (PZ Case T16005) found that the proposed text amendments are consistent with the City’s Comprehensive Plan and as the Planning and Zoning Board, did recommend to the City Commission that the amendment to the ULDR is consistent with the City of Fort Lauderdale Comprehensive Plan; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meeting to be held on Tuesday, February 21, 2017, and Tuesday, March 7, 2017, at 6:00 o’clock P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida;

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

SECTION 1. That Section 47-18.9 of the City of Fort Lauderdale, Florida ULDR is hereby amended to read as follows:

Sec. 47-18.9. - Cluster development.

- A. For the purposes of this section, a cluster development is defined as one (1) or more cluster buildings and ~~their required~~ associated amenities located on the same development site occurring on abutting lots.
- B. A cluster building is defined as a residential structure containing two (2), three (3), or four (4) dwelling units, ~~which building is required to have at least one (1) shared amenity for use solely by the inhabitants of that building. Amenities may include, but are not limited to, a pool, spa, gazebo, outdoor grill, or covered terrace. Required amenities may be combined in one (1) location for use by the inhabitants of a maximum two (2) cluster buildings only when those two (2) buildings are located back-to-back.~~
- C. *Design criteria for cluster buildings.* A cluster building shall meet the following design criteria:
1. *Lot requirements.* The minimum lot size for a cluster building shall be as required by the zoning district where it is located.
 2. *Density.* ~~As regulated~~ The density is determined by the regulations governing the zoning district where the cluster development is located.
 3. *Access to cluster developments shall meet the following requirements:* ~~All units in a cluster building shall have vehicular access to a public street in the form of a private driveway. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveways for all public utilities and for use by owners within the group.~~
 - a. Dwelling units within cluster buildings shall have access from a shared driveway or from individual driveways fronting an alley.
 - b. Parking facilities and garages for cluster buildings with a facade facing a right-of-way, other than an alley, shall be provided in the side or rear of the cluster building.
 - c. Each dwelling unit shall have vehicular access to an alley, paved driveway or parking area serving the group. Private driveways shall be provided in accordance with Section 47-20.5.D. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveway for all public utilities and for use by owners within the group.

- d. Those cluster developments located on a corner lot may have up to one (1) garage facing the right-of-way. The garage facing the right-of-way shall be subject to the following requirements:
- i. The garage shall be limited to a width equivalent to a maximum of fifty (50) percent of the width of the dwelling unit. The width shall be measured as the linear dimension of the garage that is visible from the street, such as the garage door; and,
 - ii. The garage shall be set back an additional two (2) feet from the principal facade of the building or eighteen (18) feet from the property line, whichever is greater.
4. Yard requirements. Yard requirements shall be measured from the property lines of the development site, as established in Section 47-2.S, unless otherwise noted.
- a. Front yard. The front yard of a cluster building abutting a public right-of-way shall be a minimum of fifteen (15) feet ~~front yard shall be the same as for the district where the cluster building is located.~~ A five-foot easement along the front property line of the cluster building ~~shall be~~ is required ~~when a fee simple lot within the cluster development does not directly abut the public right-of way.~~ Provisions satisfactory to the city attorney shall be made for a recordable easement along the front property line of the cluster building for use by the owners of the units.
 - b. Corner yards. A cluster building abutting two (2) or more public rights-of-way shall provide a minimum corner yard of fifteen (15) feet. A five (5) foot easement shall be required along the corner property line of the cluster development when a fee simple lot within the cluster development does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the corner property line of the cluster building for use by the owners of the units.
 - bc. Side yards. The minimum side yard shall be the same as required by the zoning district where the cluster building is located. The shared side yard of a cluster building shall be five (5) feet for the principal structure only. A five-foot easement shall be granted along the side property line of the cluster development, which extends from front to rear lot lines along a side lot line of the cluster building not abutting a public street shall be required for use by owners within the group.

- ~~ed.~~ *Rear yard.* The minimum rear yard shall be as required by the zoning district where the cluster building is located. A five-foot easement is required to be granted along the rear property line of the cluster development. ~~The rear yard of a single cluster building shall be fifteen (15) feet for the principal structure.~~ Provisions satisfactory to the city attorney shall be made for a five-foot recordable easement along the rear property line of the cluster building for use by the owners of the dwelling units in that building.
- ~~e.~~ *Interior separations.* Buildings within the development shall be separated by a minimum of ten (10) feet from each other.
- ~~ef.~~ *Additional setbacks.*
- i. A minimum of twenty-five percent (25%) of the front façade shall be set back a minimum of an additional five (5) feet from the rest of the front façade. ~~This setback shall be centered on the building and shall have a roof line a minimum of five (5) feet lower than the highest adjacent roof line.~~
 - ii. A minimum of twenty-five percent (25%) of the rear façade shall be set back a minimum of an additional ~~ten (10)~~ five (5) feet from the rest of the rear façade. ~~This setback shall be centered on the building and shall have a roof line a minimum of five (5) feet lower than the highest adjacent roof.~~
 - iii. ~~Where two (2) cluster buildings share a rear property line, the minimum rear setback may be reduced to five (5) feet on each side of that rear property line if this additional portion of the building is set back an additional five (5) feet from the nearest side property line and has a roof line that is a minimum of five (5) feet lower than the highest adjacent roof line.~~ A minimum of twenty-five percent (25%) of any portion of the façade area abutting a waterway shall be set back a minimum of an additional five (5) feet from the rest of the façade facing the waterway.
 - iv. A minimum of twenty-five percent (25%) of an interior façade must be recessed at least two (2) feet.
 - iv. When any portion of a cluster building abutting the side yard for the development site exceeds twenty-two (22) feet in height, that portion of the

structure shall be set back an additional one (1) foot for each foot of height above twenty-two (22) feet.

5. ~~Architectural style elements. A cluster building shall be designed of an architectural style compatible with and complementary to adjacent structures.~~
 - a. A cluster building shall be designed to provide a minimum of twenty-five percent (25%) of the area of the front façade in the form of transparent glass.
 - b. When abutting a waterway, the façade of the cluster building facing the waterway shall provide additional architectural elements such as, but not limited to, unenclosed balconies, variation of rooflines between each unit.
6. ~~Entrance requirements. Any building façade facing a public right-of-way shall be considered the front façade for those units. Each dwelling unit facing a public right-of-way, other than an alley, must have, on a front façade, its own principal entrance visible from and facing the right-of-way that shall include the following: The principal entrance of each unit shall be a roofed concrete landing a minimum of three (3) feet by five (5) feet and shall be of architectural design and material similar to and integral with the principal structure. No two principal entrances shall share a roofed concrete landing. A minimum of eight (8) linear feet shall be provided between entrances which are located within the same plane of the façade.~~
 - a. A roofed concrete landing, and;
 - b. An architectural design and material similar to and integral with the principal structure, and;
 - c. A minimum of four (4) linear feet shall be provided between principal entrances, and;
 - d. The roofed landing may encroach into the front yard an additional three (3) feet, and;
 - e. For individual dwelling units facing more than one right-of-way, only one entrance will be required.
7. *Minimum floor area.* Each individual dwelling unit shall have a minimum floor area of seven hundred fifty (750) square feet.

8. *Height.* The maximum height shall not exceed thirty-five (35) feet. See Section 47-2, Measurements.
9. *Fence and wall requirements.* ~~Seventy-five percent (75%) of all fences within twenty-five (25) feet of a public right-of-way must be of non-opaque materials such as vertical bars or picket fence.~~
 - a. Seventy-five percent (75%) of all fences within the front yard setback must be of non-opaque materials such as, but not limited to, vertical bars or picket fence.
 - b. A wall or fence shall be installed between the development site and any neighboring residential property abutting the development site subject to the requirements of Section 47-19.5 unless this requirement is waived by approval of the Planning and Zoning Board as part of the Site Plan Review.
10. *Maintenance agreement.* A cluster development shall have a recorded maintenance agreement for ~~the~~ all common areas and any required guest parking spaces.
11. *Sidewalk/street tree requirements.* A cluster development shall provide the following:
 - a. A minimum five-foot wide sidewalk along each public street abutting the property along the full length of the front property line.
 - b. A minimum three-foot wide sidewalk shall connect the front entrances with the sidewalk along the right-of-way unless it is determined by the Department that alternative pedestrian access to the public sidewalk is provided.
 - ~~b. Street trees shall be planted and maintained along the public street abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on height, bulk, shadow, mass and design of the structures on the site and the proposed plan's compatibility to surrounding properties.~~
12. *Street tree requirements.* Street trees shall be planted and maintained along the public right-of-way abutting the property to provide a canopy effect. The type of street trees

may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on building and site design, separation distance, utility infrastructure and the proposed plan's compatibility to surrounding properties.

~~42.13~~ *Landscape requirements.* As required by the zoning district where located, pursuant to ~~Section 47-21.10, Landscaping and Tree Preservation Requirements~~ 47-21-13, Landscape requirements for all zoned districts.

~~14.~~ *Solid waste, yard waste, and recycling requirements.* Each cluster unit shall have incorporated into the design a designated area to locate containers that meet the requirements of Chapter 24 of the City's Code of Ordinances. The size of the containers and alternatives to these requirements may be permitted subject to approval of the Public Works Department, Sanitation Division.

SECTION 2. That Section 47-18.33 of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-18.33 – Townhouse

- A. *Definition.* For the purposes of this section, a townhouse development shall be defined as three (3) or more attached single family dwelling units where each individual single family unit and land thereunder is owned in fee simple.
- B. *Site design criteria.* A townhouse development shall meet the following site design criteria:
1. *Minimum lot size.* The ~~lot~~ parcel upon which the group is located shall contain a minimum area of seven thousand five hundred (7,500) square feet and shall provide an average of two thousand (2,000) square feet per dwelling unit, including driveways and areas held in common ownership.
 2. *Density.* ~~Density shall be limited as provided for the zoning district where a townhouse development is proposed to be located~~ The density is determined by the regulations governing the zoning district where the townhouse development is located.
 3. *Group limit.* A townhouse group shall be limited to a maximum of eight (8) dwelling units. A minimum of twenty-five percent (25%) of the townhouse group's front façade shall be set back an additional five (5) from the rest of the front façade. Attached units

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may have a common wall or individual sidewalls separated by a distance of not more than one (1) inch or as determined reasonable by the building inspector. If individual walls are used, the buildings shall have adequate flashing at the roofline.

4. ~~Access to townhouse developments shall meet the following requirements: Each dwelling unit shall have vehicular access on a public street or paved driveway or parking area serving the group. Private driveways shall be provided in accordance with Section 47-20.5.D. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveway for all public utilities and for use by owners within the group.~~

a. Each townhouse dwelling unit shall have vehicular access to a public right-of-way, paved driveway or parking area serving the group. Private driveways shall be provided in accordance with Section 47-20.5.D. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveway for all public utilities and for use by owners within the group.

b. Townhouse developments that abut a platted alley are encouraged to provide access from the platted alley.

5. *Yard requirements.*

a. *Front yard.* The minimum front yard shall be the same as that required for the zoning district where the townhouse development is located. A ~~five-five~~ (5) foot easement along the front property line of the ~~group townhouse development~~ shall be required if the fee simple lot of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the front property line of the ~~group development~~ for use by the owners of the ~~group units~~.

b. *Corner yards.* A townhouse building abutting two (2) or more public rights-of-way shall provide a minimum corner yard of twenty (20) feet. A five (5) foot easement along the corner property line of the group shall be required if the fee simple lot of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the corner property line of the townhouse development for use by the owners of the units.

~~b.c.~~ *Side yard.* The ~~minimum~~ side yard shall be a minimum of ten (10) feet from the side property line of the townhouse development ~~group and a minimum of twenty (20)~~

~~feet measured from an ultimate right-of-way, dedicated street, or street widening line.~~ A five-foot easement which extends from front to rear lot lines along a side lot line of the townhouse development group not abutting a public street shall be required for use by owners within the development group. Provisions satisfactory to the city attorney shall be made for a recordable easement along the side property line of the townhouse development for use by the owners of the units.

~~ed.~~ *Rear yard.* The rear yard shall be a minimum of twenty (20) feet from the rear property line. A five (5) foot easement along the rear property line of the townhouse group shall be required if the fee simple lots of each unit does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the rear property line of the development group for use by the owners of the group.

~~de.~~ *Additional requirements.* When any portion of a townhouse ~~structure abutting the side yard for the development site~~ exceeds twenty-two (22) feet in height, that portion of the structure shall be set back a minimum of an additional one (1) foot for each foot of height above twenty-two (22) feet.

~~f.~~ *Reduced setback.* Townhouse developments that provide for parking or garage access at the rear of units may reduce the front and corner yard requirement to fifteen (15) feet subject to the following:

~~i.~~ No individual garages may face the public right-of way except those townhouse developments located on a corner lot may have up to one (1) garage facing the right-of-way. The garage facing the right-of-way shall be subject to the following requirements:

~~a.~~ Garages shall be set back an additional two (2) feet from the principal façade of the building or eighteen (18) feet from the property line, whichever is greater; and

~~ii.~~ Townhouse units may be accessed from one (1) two-way driveway or two (2) one-way driveways; and,

~~iii.~~ Parking shall not be permitted between the townhouse buildings and any public right-of-way; and,

iv. The area between the townhouse building and the public right-of-way shall be landscaped in accordance with the requirements of Section 47 21.

6. Architectural elements. When abutting a waterway, the façade of the townhouse development facing the waterway shall provide additional architectural elements such as, but not limited to unenclosed balconies, variation of rooflines between each unit, and variation of at least one (1) foot on twenty-five percent (25%) of the area.

67. Entrance requirements. Within the RC-15 district only, any principal structure's façade facing a public right-of-way shall be considered the front façade for those units. Each dwelling unit facing a public right-of-way other than an alley must have, on a front façade, its own principal entrance, visible from and facing the right-of-way, that shall include the following: The entrance shall be a roofed concrete landing a minimum of three (3) feet by five (5) feet and shall be of architectural design and material similar to and integral with the principal structure. No two (2) principal entrances shall share a roofed concrete landing. A minimum of eight (8) linear feet shall be provided between entrances which are located within the same plane.

a. A roofed landing; and

b. An architectural design and material similar to and integral with the principal structure; and,

c. A minimum of four (4) linear feet shall be provided between principal entrances; and,

d. The roofed landing may encroach into the front yard an additional three (3) feet; and,

e. Four (4) units facing more than one right-of-way, only one entrance shall be required.

78. Minimum floor area. Each individual dwelling unit shall have a minimum floor area of seven hundred fifty (750) square feet.

89. *Height.* The maximum height shall not exceed thirty-five (35) feet. See Section 47-2, Measurements.

910. *Fence and wall requirements.* Fences and walls shall be provided subject to the following:~~Within the RC-15 district only, for new construction, seventy-five percent (75%) of all fencing along the front yard of a townhouse development abutting a public right-of-way must be of non-opaque materials such as vertical bars or picket fence, and be subject to all other requirements of Section 47-19.5, Fences, Walls and Hedges.~~

a. Seventy-five percent (75%) of all fencing along the front yard of a townhouse development abutting a public right-of-way must be of non-opaque materials such as vertical bars or picket fence, and shall be subject to all other requirements of Section 47-19.5, Fences, Walls and Hedges.

b. When parking is placed in the rear of the development site, a wall shall be installed between the development site and any neighboring residential property abutting the development site subject to the requirements of Section 47-19.5.

10. *Landscape requirements.* ~~A townhouse development shall provide the following:~~

a. ~~A minimum five-foot wide sidewalk along each public street abutting the property along the full length of the front property line. A minimum three-foot wide sidewalk shall be provided from each principal entrance to the public sidewalk unless the DRC determines that alternative pedestrian access to the public sidewalk is provided.~~

b. ~~Street trees shall be planted and maintained along the public street abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on height, bulk, shadow, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties.~~

11. *Garages.* Garages facing public rights-of-way, other than an alley, shall be subject to the following requirements:

- a. Garages shall be limited to a width equivalent to a maximum of fifty percent (50%) of the width of the townhouse unit. The width shall be measured as the linear dimension of the garage that is visible from the street, such as the garage door; and,
 - b. Garages shall be set back an additional two (2) feet from the principal façade of the building.
 - c. As a result of the garage being set back an additional two (2) feet, an area equivalent to the square footage of the recessed garage may be reallocated to the front façade of the building as additional square footage to the living area and may extend into the front yard up to three (3) feet into the setback or fifteen (15) feet, whichever is greater.
12. Driveways. Driveways facing the public right-of-way shall be subject to the following criteria:
- a. These driveways shall have a minimum separation of eight (8) feet from the adjacent driveway within the same development for the entire length of the driveway.
 - b. The separation of driveways can be reduced to a minimum of four (4) feet in width with the installation of structural soil or other mitigating alternative to allow room for root development of required trees, as reviewed and approved by the City's Landscaping Representative.
 - c. The area between the driveways must be a landscaped pervious area with a minimum of one canopy tree and continuous shrub planting.
13. Sidewalk requirements. A townhouse development shall provide the following:
- a. A minimum five (5) foot wide sidewalk along each public right-of-way abutting the property along the full length of the property line.
 - b. A minimum three (3) foot wide sidewalk shall connect the front entrances with the sidewalk along the right-of-way unless it is determined by the Department that alternative pedestrian access to the public sidewalk is provided.

14. Street tree requirements. Street trees shall be planted and maintained along the public right-of-way abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on building and site design, separation distance, utility infrastructure and the proposed plan's compatibility to surrounding properties.
15. Maintenance agreement. A townhouse development shall have a recorded maintenance agreement for the common areas and any guest parking.
16. Solid waste, yard waste, and recycling requirements. Each townhouse dwelling unit shall have incorporated into the design a designated area to locate containers that meet the requirements of Chapter 24 of the City's Code of Ordinances. The size of the containers and alternatives to these requirements may be permitted subject to approval of the Public Works Department, Sanitation Division.

SECTION 3. That Section 47-18.45 of the ULDR of the City of Fort Lauderdale, Florida, is hereby created to read as follows:

Sec. 47-18.45 – Duplex/Two Family Dwelling

- A. Definition. For the purposes of this section, a duplex or two (2) family dwelling is defined as a building containing two (2) single family dwelling units, totally separated from each other by one (1) dividing partition common to each unit, and contained entire under one (1) roof and designed for or occupied by two (2) single family housekeeping units. A duplex is a building where one (1) unit is on one (1) lot and the other attached unit is on an abutting lot. A two (2) family dwelling is a building on a single lot.
- B. Lot requirements. The minimum lot size for a duplex or two (2) family dwelling shall be as required by the zoning district where it is located.
- C. Density. The density shall be regulated by the zoning district where it is located.
- D. Dimensional requirements. The dimensional requirements for a duplex or two (2) family dwelling shall be listed in the table of dimensional requirement for the zoning district where it is located, unless otherwise specified in this section.

1. Duplexes or two (2) family units that provide for parking or garage access at the rear of the units may reduce the front yard setback requirement to eighteen (18) feet and, where applicable, the corner yard setback to fifteen (15) feet subject to the following:
 - a. No individual garages may face the public right-of-way.
 - b. Duplex or two (2) family dwellings may be accessed from one (1) two-way driveway or two (2) one-way driveways.

E. Design criteria. A duplex or two (2) family dwelling shall meet the following site design criteria:

1. Entrance requirements. Each dwelling unit facing a public right-of-way must have its own principal entrance, visible from and facing the right-of-way, that:
 - a. Shall have a roofed landing; and,
 - b. Shall be of architectural design and material similar to and integral with the principal structure; and,
 - c. A minimum of four (4) linear feet shall be provided between principal entrances; and,
 - d. The roofed landing may encroach into the front yard an additional three (3) feet from the building façade; and,
 - e. For units facing more than one right-of-way, only one entrance shall be required.
2. Vehicular access to duplex or two (2) family dwellings shall meet the following requirements:
 - a. Each duplex or two (2) family dwelling unit shall have vehicular access to a public right-of-way, paved driveway or parking area serving the group. Private driveways shall be provided in accordance with Section 47-20.5.D.
 - b. Duplex or two (2) family dwellings that abut a platted alley shall be encouraged to provide access exclusively from the platted alley.
3. Fence and wall requirements.

- a. For new construction, seventy-five percent (75%) of all fencing located within the front yard setback must be of non-opaque materials such as vertical bars or picket fence, and be subject to all other requirements of Section 47-19.5, Fences, Walls and Hedges.
 - b. When parking is placed in the rear of the development site, a wall or fence shall be installed between the development site and any neighboring residential property abutting the development site subject to the requirements of Section 47-19.5, Fences, Walls and Hedges.
- 4. Garages facing the public right-of-way shall be subject to the following criteria:
 - a. Garages shall be limited to a width equivalent to a maximum of fifty percent (50%) of the width of the duplex or two family dwelling unit. The width shall be measured as the linear dimension of the garage that is visible from the street, such as the garage door; and,
 - b. Garages shall be set back an additional five (5) feet from the furthest projection of the building to the property line.
- 5. Driveways facing the public right right-of-way shall be subject to the following criteria:
 - a. These driveways shall have a minimum separation of eight (8) feet from the adjacent driveway within the same development for the entire length of the driveway.
 - b. The separation of driveways can be reduced to a minimum of four (4) feet in width with the required installation of structural soil or other mitigating alternative to allow room for root development of required trees, as reviewed and approved by the City's Landscaping Representative.
 - c. The area between the driveways is to be a landscaped pervious area with a minimum of one canopy tree and continuous shrub planting.
- 6. Sidewalk requirements. A duplex or two family development shall provide the following:
 - a. A minimum five (5) foot wide sidewalk along the full length of each public right-of-way excluding an alley.

- b. A minimum three (3) foot wide sidewalk shall connect the front entrances with the sidewalk along the right-of-way unless it is determined by the Department that alternative pedestrian access to the public sidewalk is provided.
7. Street tree requirements. Street trees shall be planted and maintained along the public right-of-way abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on building and site design, separation distance, utility infrastructure and the proposed plan's compatibility to surrounding properties.
8. Solid waste, yard waste, and recycling requirements. Each unit shall have incorporated into the design a designated area to locate containers that meet the requirements of Chapter 24 of the City's Code of Ordinances. The size of the containers and alternatives to these requirements may be permitted subject to approval of the Public Works Department, Sanitation Division.

SECTION 4. That Section 47-19.2. of the City of Fort Lauderdale, Florida ULDR is hereby amended to read as follows:

Sec. 47-19.2. – Accessory building, structures and equipment, general

...

- B. *Architectural features in residential districts.* Architectural features such as eaves, cornices, unenclosed balconies with open railings, window sills, awnings, chimneys, bay windows, and dormers accessory to a residential use are permitted to extend into a yard area a maximum distance of three (3) feet from the face of the building, or one-third (1/3) of the required yard, whichever is less. Unenclosed balconies with open railings may extend into the front yard a maximum distance of five (5) feet from the face of the building and may extend the entire linear length of the front façade. Accessory uses which encroach into any yard area, excluding unenclosed balconies encroaching into the front yard, are permitted to have a total combined linear façade length not greater than twenty percent (20%) of the total linear length of the façade to which they are attached. Items such as windowsills or belt courses which extend six (6) inches or less into the yard area shall not be considered for the length limitation. Eaves shall not be subject to the length limitation. The dimensional limitations of this subsection shall not apply and the provisions of subsection C. shall apply to awnings accessory to a residential use in a nonresidential zoning district.

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H. *Driveways.* ~~Driveways are subject to the following requirements: shall be permitted in all zoning districts within the required front and side yards. Driveways shall be permitted in all residential zoning districts within the required rear yards only when that yard abuts a street or alley. In nonresidential zoning districts, driveways shall be permitted in any yard, except where prohibited by the ULDR. A driveway shall be a minimum of eighteen (18) feet in length when used as a stacking or a parking space. See Section 47-20, Parking and Loading Requirements.~~

1. Driveways are permitted in the required front, corner and side yards; and
2. Driveways are permitted in the rear yard of residentially zoned properties when the rear yard abuts a street or an alley or the driveway is in association with a townhouse, cluster, duplex, two-family home, or multifamily development; and,
3. In nonresidential zoning districts, driveways are permitted in any yard, except where prohibited by the ULDR; and,
4. A driveway shall be constructed at a minimum length of eighteen (18) feet measured from the property line when used as stacking or as a parking space; and,
5. Driveways shall meet all requirements of Section 47-20, Parking and Loading Requirements.

...

K. *Garages and carports (residential use).* Garages and carports may extend into a required front yard in RD, RC and RM zoning districts when accessory to a single family dwelling ~~but no closer than twenty (20) feet from the front property line~~ subject to the following requirements:

1. Garages that are accessory to a standard single family dwelling shall have minimum front yard setback of twenty (20) feet from the front property line.
2. Carports may extend into a required front yard, when they are accessory to a standard single family dwelling, and shall have a minimum front yard setback of fifteen (15) feet from the front property line, a maximum height of ten (10) feet, a maximum of two hundred (200) square feet of roof area within the required front yard, and

3. Any portion of a carport encroaching into a required front yard shall be open on all sides, except where attached to the principal building.

...

Y. *Porch.* A porch that is an accessory to a single family dwelling may be permitted to extend into the required front and corner yards ~~only when attached to a standard single family home, but shall be no closer than seventeen (17) feet from the front property line in the RS-8, RD, RC and RM in all residential zoning districts. Such porches shall be open on at least two (2) sides with no screen enclosure permitted on the open sides~~ subject to the following criteria:

1. When accessory to a standard single family dwelling, a porch shall have a minimum setback of seventeen (17) feet measured from the furthest extent of the roofline or overhang; or,
2. When accessory to an attached single family dwelling a porch may encroach an additional three (3) feet into the required front or corner yard beyond the setback of the principal building, as measured from the furthest extent of the roofline or overhang.
3. The porch must be open on at least two (2) sides with no screen enclosure.

SECTION 5. That Table 1. Parking and Loading Zone Requirements of Section 47-20.2 of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-20.2 – Parking and Landing Zone Requirements

TABLE 1. PARKING AND LOADING ZONE REQUIREMENTS

...

| | | |
|---|--|-----|
| ... | ... | ... |
| Duplex/townhouse/cluster with garage and driveway, attached housing, coach homes with individual garages | <u>2/ per dwelling unit</u> | NA |
| Duplex/tTownhouse/cluster, coach homes, four units or less without garage, attached housing | <u>2/ per dwelling unit + 0.25/dwelling unit guest parking</u> | NA |

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

| | | |
|---|---|-------------|
| Dwellings | See Duplex/townhouse/cluster, Multifamily/rowhouse, Duplex, Townhouse/cluster, <u>coach homes, four units or less, Townhouse/cluster, coach homes, five or more units,</u> Mobile home park and Single family standard and zero-lot-line. | ... |
| ... | ... | ... |
| Terminal | See Commuter airport, rail, bus transit terminal | |
| <u>Townhouse/cluster, coach homes, five or more units</u> | <u>2 per dwelling unit + 0.25/dwelling unit designated for guest parking</u> | <u>NA</u> |
| Trucking and courier services | 1/800 sf gfa | See Table 2 |
| ... | ... | ... |

Sec. 47-20.13 – PAVING AND DRAINAGE.

A. Definition. For the purposes of this section, swale area shall mean the portion of the right-of-way immediately adjacent to the paved road surface and extending to the property line. The swale area is stormwater infrastructure, as the term is used in this section, and is primarily intended for the drainage of the paved roadway by percolation of the water through the soil and groundcover. Swale areas shall not be obstructed except as permitted herein. The planting of trees is permitted in swale areas subject to the issuance of required Landscaping and Engineering Permits prior to installation. Owners of property abutting the swale areas shall maintain the swale area, including the preservation of adequate slope for stormwater purposes and containing sod or other living groundcover maintained at the appropriate height.

AB. Paving. Except as provided in subsections B and C, off-street parking facilities and spaces, including aisles and driveways, shall at a minimum be surfaced with a hard, dust free material, at least one (1) inch thick asphaltic cement on at least six (6) inch compacted limerock base course compacted to an average density not less than ninety-eight percent (98%) of the maximum density obtainable under the test provided pursuant to engineering standard (AASHTO T-180) or an equivalent test. The minimum density which will be acceptable at any location within the base shall be ninety-six percent (96%) of such

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maximum density and, in the determination of average density, the maximum density which shall be used in the calculation shall be one hundred two percent (102%). Other equivalent pavement systems which will support the intended use may be approved by the city engineer. All pavement systems shall be maintained in a smooth, well-graded condition.

1. Residential zoning district design standards. Paved areas used for access to property across public rights-of-way shall comply with the following standards:

- a. In single-family Residential zoning districts and single-family sites in other districts, up to twenty-four (24) feet may be paved on a lot with a width of less than seventy (70) feet. For corner lots or lots with a width in excess of seventy (70) feet, the right-of-way frontage shall not be paved more than fifty percent (50%) of the right-of-way frontage. Whenever the total pavement area in the swale area frontage on that public right-of-way is fifty percent (50%) or more of the total frontage on that public right-of-way, an exfiltration trench stormwater system or an alternative drainage system approved by the City Engineer shall be installed in the swale area in accordance with city construction standards and specifications.
- b. Parking facilities for single-family uses may have a gravel surface, provided the gravel surface does not extend more than forty (40%) of the length of the property line adjacent and parallel to a right of way.
- c. Paving material located within the right-of-way shall match the paving material used to construct the driveway and/or parking area of the private property.

~~B. Parking spaces and facilities for single family uses may have a gravel surface.~~

- C. Parking facilities and spaces for public and private schools offering academic courses, houses of worship, and public recreational uses when use of the lots is limited to three (3) days of the week or less may be grass over a compacted subsurface. Grass parking surfaces shall consist of at least a six (6) inch course of natural limerock, surfaced with a species of grass acceptable for high-traffic use. Other equivalent surfaces may be approved by the city engineer. The parking area shall have adequate drainage as provided herein. All requirements for landscaping vehicular use areas shall be met as well as all required interior landscaping requirements for parking areas. Grass parking areas shall not count toward satisfying any landscaping area required by Section 47-21, Landscape and Tree Preservation Requirements.

D. *Drainage.* On-site stormwater retention shall be provided in accordance with the requirements of the regulatory authority with jurisdiction over stormwater retention.

~~E. Whenever the total pavement area in the swale area frontage on public right-of-way is fifty percent (50%) or more of the total frontage on that public right-of-way a french drain stormwater system in the swale area in accordance with city construction standards and specifications will be required. When the adequacy of the existing storm drain facilities can be certified by a licensed engineer this requirement may be waived by the city engineer.~~

E. Grading and sodding swale area. Swale areas shall comply with the following standards:

1. Grading and sodding of the swale area shall be required in conjunction with any swale reconstruction, any construction of right-of-way improvement permit or when a building permit is issued for work on abutting property for which the cost of the work exceeds fifty (50) percent of the value of the property.
2. Swale areas shall be graded in accordance with the City of Fort Lauderdale Minimum Construction Standards and Standard Details issued by the Office of the City Engineer.
3. Sod shall not project above the paved surface of the roadway so as to inhibit drainage into the depressed swale.
4. The addition of sand, gravel, or other material to any sodded swale area shall not be permitted for the purposes of decreasing the minimum swale depth specified, nor shall it inhibit drainage into depressed swales.

F. Paving in the right-of-way swale area may only be permitted for on-street public parking or driveway approaches or aprons for vehicular ingress and egress. Approved materials for paving in swale areas shall be asphalt or removable concrete/grass pavers. Loose gravel, rock or other unbound materials are prohibited with an exemption for single family properties.

G. Permits and inspections for paving in swale areas.

1. A construction or right-of-way improvement permit shall be obtained from the Department of Sustainable Development prior to construction, grading, excavation, or other physical alterations within public rights-of-way, swale areas, or easements, except in the following instances:

- a. The proposed construction, grading, excavation or other physical alteration is included in plans submitted and approved for a building permit by the Department of Sustainable Development.
- b. An emergency situation requires immediate action by a public utility to safeguard public health, safety and welfare.

...

SECTION 6. That Section 47-21.14 of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-21.14 – Additional landscape requirements for special uses and districts.

- A. In addition to the requirements for land zoned in certain districts, additional landscaping shall be required for certain special districts and uses as follows:

...

3. Townhouse developments/zero-lot-line homes/cluster dwellings shall be subject to the same open space and planting requirements as the district in which it is located subject to the following: ~~Land which is common area for a townhouse complex or cluster complex shall have the same open space and planting requirements as the district in which it is located. Individual lots owned in fee simple by individual owners in a townhouse development, zero-lot-line development or cluster development shall have the same planting requirements as in the RS-4.4 district.~~
 - a. The development area of the calculated in the lot coverage measurement shall be exempt from the calculation of the required landscape area.
 - b. Individual lots owned in fee simple within a townhouse development, zero-lot-line development or cluster development are exempt from the requirements to provide landscaping in the rear yards except for those areas subject to common easements. All hardscapes located in the landscaping exemption area of the rear yards shall consist of pervious materials, subject to approval by the Office of the City Engineer.

SECTION 7. 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 8. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 9. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the _____ day of _____, 2017.

PASSED SECOND READING this the _____ day of _____, 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI