

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

ORDINANCE 2015-05 AMENDING SUB-SECTIONS 703.3.1, 703.3.3, 703.3.5, 703.3.8, 703.3.9, 703.3.10 and 703.3.11 OF SECTION 703 OF THE CITY'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REGULATIONS PERMITTING AND CONTROLLING RESIDENTIAL DEVELOPMENT AT A DWELLING UNIT

Summary

This Ordinance amends Subsections 703.3.1 thru 703.3.11 of Section 703 of the City's Land Development Regulations to permit and control residential development at a dwelling unit density of 25 units per acre.

Staff Recommendation

Background:

The proposed text amendment is to create the RM-25 district and provide density/intensity standards, consistent with the applicable Comprehensive Plan designation — Medium-High (25) Residential which permits up to 25 dwelling units per gross acre.

On October 27, 2014, American Land Ventures filed Application No. 03-TA-14, and it was reviewed by the Development Review Committee on November 19, 2014 offering no objection and finding the application consistent with the Comprehensive Plan.

Funding Source:

Not applicable

Sponsor Name/Department: Danny A. Holmes, AICP, Director of Development Services

Meeting Date: 3/24/2015

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Ordinance 2015-05	Ordinance
<input type="checkbox"/> Interoffice Memorandum regarding American Land Ventures' Application No. 03-TA-14	Backup Material

ORDINANCE 2015-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES, FLORIDA, AMENDING SUB-SECTIONS 703.3.1, 703.3.3, 703.3.5, 703.3.8, 703.3.9, 703.3.10 and 703.3.11 OF SECTION 703 OF THE CITY'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REGULATIONS PERMITTING AND CONTROLLING RESIDENTIAL DEVELOPMENT AT A DWELLING UNIT DENSITY OF 25 UNITS AN ACRE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Land Development Regulations were previously amended and in such process, provision for a zoning district permitting 25 dwelling units per acre was eliminated, and

WHEREAS, it appears that the elimination of the multi-family, medium-high zoning district was an oversight, and

WHEREAS, it is appropriate to provide for multi-family, medium-high density development, and

WHEREAS, the Planning and Zoning Board has reviewed provisions regarding medium-high residential regulations and recommended the adoption of same,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Sub-Section 703.3.1 of Section 703 of the Land Development Regulations is hereby amended to read as follows:

703.3.1 *Purpose of districts.* The RM-10, RM-16, RM-20, RM-25 zoning districts are established to provide suitable sites for the development of well planned, environmentally compatible, low-medium, medium and medium-high density multi-family residential use and single family detached structures in areas consistent with the city's comprehensive plan future land use element. Densities shall not exceed ten units per gross acre in the RM-10, 16 units per gross acre in the RM-16, ~~and 20 units per gross acre in the RM-20,~~ and 25 units per gross acre in the RM-25 zoning districts.

SECTION 3. AMENDMENT: Sub-Section 703.3.3 of Section 703 of the Land Development Regulations is hereby amended to read as follows:

703.3.3 *Multifamily residential districts (RM-10, RM-16, RM-20).* The following regulations shall apply to all RM-10, RM-16, RM-20, RM-25 districts.

SECTION 4. AMENDMENT: Sub-Section 703.3.5 of Section 703 of the Land Development Regulations is hereby amended to read as follows:

703.3.5. *Maximum height.* No building or structure, or part thereof shall be erected to a height exceeding the following standards:

RM-10 district: Two stories or 30 feet.

RM-16 district: Three stories or 35 feet.

RM-20 district: Four stories or 50 feet.

RM-25 district: Four stories or 50 feet.

Town house and duplex: Two stories or 30 feet.

Single-family detached unit: Two stories or 30 feet.

SECTION 5. AMENDMENT: Sub-Section 703.3.8 of Section 703 of the Land Development Regulations is hereby amended to read as follows:

703.3.8. *Front yards.* Every plot upon which a residential structure is hereafter erected shall have a minimum front yard as follows:

RM-10: Twenty-five feet in depth or a depth equal to the height of the building, whichever is greater.

RM-16, ~~and~~ RM-20 and RM-25 districts: Thirty feet in depth or a depth equal to the height of the building, whichever is greater.

Townhouse and duplexes: Twenty-two feet in depth.

Non-residential: Forty feet in depth or the height of the principal building, whichever is greater.

Single-family detached unit: Twenty feet to a garage; 15 feet to a structure; ten feet to a front porch.

SECTION 6. AMENDMENT: Sub-Section 703.3.9 of Section 703 of the Land

Development Regulations is hereby amended to read as follows:

703.3.9. *Side yards.* Every plot upon which a residential structure is hereafter erected shall have a minimum side yard as follows:

RM-10, RM-16, ~~and~~ RM-20 and RM-25 districts: Fifteen feet in depth or one-half the height of the building, whichever is greater.

Townhouse and duplexes: Principal structure ten feet.

Corner lots: Upon corner plots in all zoning districts included in this section there shall be a front yard as herein specified, and in addition thereto, a side yard at least 20 feet in width on the side of the plot abutting on the side street. This provision shall not apply to a single-family detached plot.

Non-residential: Twenty-five feet plus one foot additional for each two feet of principal height.

Single-family detached unit: Five feet.

SECTION 7. AMENDMENT: Sub-Section 703.3.10 of Section 703 of the Land

Development Regulations is hereby amended to read as follows:

703.3.10. *Rear yards.* Every plot upon which a residential structure is hereafter erected shall have a minimum rear yard as follows:

RM-10: Twenty feet in depth or a depth equal to the height of the building, whichever is greater.

RM-16, ~~and~~ RM-20 and RM-25 districts: Twenty-five feet in depth or a depth equal to the height of the building, whichever is greater.

Townhouse and duplexes: Fifteen feet in depth.

Non-residential: Forty feet in depth or 25 feet plus one foot additional for each two feet of principal height whichever is greater.

Lots bordering on canal or waterway: All lots which border in the rear of the lot upon a canal or waterway shall provide a minimum setback of 30 feet in depth.

Single-family detached unit: Twenty feet.

SECTION 8. AMENDMENT: Sub-Section 703.3.11 of Section 703 of the Land

Development Regulations is hereby amended to read as follows:

703.3.11. Minimum distances between buildings. The following regulations shall apply to multi-family residential structures within the RM-10, RM-16, ~~and~~ RM-20 and RM-25 districts:

Standard building separations: Buildings shall be separated from one another as follows:

Buildings that are arranged side to side shall have a minimum separation of 20 feet or the average of their median heights, whichever is greater. If arranged in a lineal form, the provisions of subsection 703.3.9(b) shall apply.

Buildings that are arranged side to front or side to back shall have a minimum separation of 25 feet or the average of their median heights, whichever is greater.

Buildings that are arranged front to front, front to back, or back to back shall have a minimum separation of 30 feet or the average of their median heights, whichever is greater. However, the average separation between such buildings shall not be less than 40 feet.

SECTION 9. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 10. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or

unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11. INCLUSION IN LAND DEVELOPMENT REGULATIONS: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 12. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL/BY TITLE ONLY, UPON APPROVAL OF AT LEAST FIVE (5) AFFIRMATIVE VOTES OF THE CITY COMMISSIONERS, ON THE 3RD DAY OF MARCH, 2015.

PASSED ON SECOND READING BY TITLE ONLY THE 24TH DAY OF MARCH, 2015.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE 24TH DAY OF MARCH, 2015.

BARRINGTON A. RUSSELL, SR., MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

JCB:ja

Sponsored by: DANNY A. HOLMES, Director of Development Services

VOTE:

Vice-Mayor Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Edwina Coleman	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Eileen Rathery	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Patricia Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Development Services Department

INTEROFFICE MEMORANDUM

TO: Jonathan K. Allen, MPA
City Manager

DATE: December 15, 2014
Rev. February 24, 2015

THRU: Danny A. Holmes, AICP
Public Works & Development
Services Director

RE: AN ORDINANCE APPROVING APPLICATION NO. 03-TA-14; AMENDING SUBSECTION 703.3 AND 703.3.1 THRU 703.3.11 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REGULATIONS PERMITTING AND CONTROLLING RESIDENTIAL DEVELOPMENT AT A DWELIING UNIT DENSITY OF 25 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE.

FROM: Fernando Leiva, AICP, Assoc. AIA
Development Services Manager/
Principal Planner

November 19, 2014 – Development Review Committee Meeting
February 12, 2015 – Special Planning and Zoning Board Meeting
March 3, 2015 – City Commission Regular Meeting – 1st Reading
March 24, 2015 - City Commission Regular Meeting – 2nd Reading

RECOMMENDATION

Staff recommends approval of the proposed ordinance amending Subsection 703.3 of the Land Development Regulations (LDRs) of the City of Lauderdale Lakes to create the RM-25 zoning district, consistent with the Comprehensive Plan.

THE REQUEST

Briefly, the proposal is to request approval of an ordinance amending Subsection 703.3 of the LDRs, creating the RM-25 district and providing density/intensity standards. The proposed text amendment is necessary in order to be consistent with the applicable Comprehensive Plan designation — Medium-High (25) Residential which permits up to 25 dwelling units per gross acre.

BACKGROUND

The request was filed with the City on October 17, 2014, submitted by American Land Ventures, and it was reviewed by the Development Review Committee on November 19, 2014 offering no objection and finding the application consistent with both the Comprehensive Plan and the Land Development Regulations (LDRs).

HISTORY

Related Request(s):

- On January 13, 2015, the City Commission adopted Resolution 2015-03, approving an amendment to the note on the face of the plat known as “Headway Office Park” to allow 425 garden apartment units and 175 mid-rise units. Application No. 03-PL-14.
- On September 9, 2014, the City Commission approved and adopted a land use amendment from Commercial and Commercial Recreation to Medium Multi-Family Residential (up to 25 du/acre).

PLANNING INFORMATION

Project Summary:

Application:	03-TA-14 – Text Amendment application.
Application Summary:	To create the Multi-family Residential (RM-25) District, consistent with the Comprehensive Plan.
Name of Owner:	Coral Ridge Presbyterian Church, Inc. 5555 N. Federal Hwy. Fort Lauderdale, FL 33308
Name of Applicant:	American Land Ventures, LLC 800 Brickell Avenue Miami, FL 33131
Name of Representative:	Leigh Kerr, AICP Leigh Robinson Kerr & Associates 808 E. Las Olas Blvd., Suite 104 Fort Lauderdale, FL 33301
Project Planner:	Fernando Leiva, AICP, Assoc. AIA
Related Applications:	Plat Note Amendment (03-PL-14) Land Use Plan Amendment (01-LU-13) Rezoning (01-RZ-14) Site Plan (01-SP-15)
Site Information:	+/- 23.09 acres
Proposed Building Area:	TBD
Site Location:	4850 N State Road 7, Lauderdale Lakes
Proposed Restrictive Note:	425 garden apartment units and 175 mid-rise units.
Existing Use:	Vacant

Legal Description:	All of parcel "A," together with a portion of parcels "B" and "C," Headway Office Park according to the plat thereof as recorded in Plat Book 125, Page 49 of the public records of Broward County, Florida.	
Land Use Plan Designation:	Medium Multi-Family Residential (up to 25 du/ac)	
Existing Zoning:	Community Facilities	
Proposed Use:	Up to 600 apartment units	
<u>Adjacent Properties:</u>		
<u>Existing Use</u>	<u>Land Use Future Designation</u>	<u>Zoning</u>
North: Retail	Commercial (City of Tamarac)	B-3/B-1
South: Ball fields	Community Facilities	CF
East: Residential	Multi-Family Residential (City of Oakland Park)	PUD
West: Office	Commercial	OP

ANALYSIS

1. Sec. 507.8. *Standards for reviewing proposed amendments to the text of the LDR* apply to this request:

(a) The proposed amendment is legally required.

Yes. The proposed amendment is consistent with the newly approved comprehensive land use plan amendment.

(b) The proposed amendment is consistent with the goals and objectives of the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan's goals and objectives.

(c) The proposed amendment is consistent with the authority and purpose of the LDR.

The proposed text amendment is consistent with the authority and the purpose of the City's Land Development Regulations.

(d) The proposed amendment furthers the orderly development of the city.

The proposed amendment will not adversely affect the orderly development of the city.

(e) The proposed amendment improves the administration or execution of the development process.

Yes.

PROPOSED TEXT AMENDMENT TO THE LDRs

The change(s) proposed to the LDRs of the City of Lauderdale Lakes is as follows¹:

703.3. *Multi-family residential districts (RM-10, RM-16, RM-20)*. The following regulations shall apply to all RM-10, RM-16, RM-20, RM-25 districts:

¹ Underlined language indicates proposed new language.

Language crossed out indicates language proposed to be deleted.

* * * (ellipses) indicates language not amended which has been omitted to save space.

703.3.1. *Purpose of districts*. The RM-10, RM-16, RM-20 zoning districts are established to provide suitable sites for the development of well planned, environmentally compatible, low-medium, medium and medium-high density multi-family residential use and single family detached structures in areas consistent with the city's comprehensive plan future land use element. Densities shall not exceed ten units per gross acre in the RM-10, 16 units per gross acre in the RM-16, ~~and 20 units per gross acre in the RM-20,~~ and 25 units per gross acre in the RM-25 zoning districts.

* * *

703.3.5. *Maximum height*. No building or structure, or part thereof shall be erected to a height exceeding the following standards:

RM-10 district: Two stories or 30 feet.

RM-16 district: Three stories or 35 feet.

RM-20 district: Four stories or 50 feet.

RM-25 district: Four stories or 50 feet.

Town house and duplex: Two stories or 30 feet.

Single-family detached unit: Two stories or 30 feet.

* * *

703.3.8. *Front yards*. Every plot upon which a residential structure is hereafter erected shall have a minimum front yard as follows:

RM-10: Twenty-five feet in depth or a depth equal to the height of the building, whichever is greater.

RM-16, ~~and~~ RM-20, and RM-25 districts: Thirty feet in depth or a depth equal to the height of the building, whichever is greater.

Townhouse and duplexes: Twenty-two feet in depth.

Non-residential: Forty feet in depth or the height of the principal building, whichever is greater.

Single-family detached unit: Twenty feet to a garage; 15 feet to a structure; ten feet to a front porch.

703.3.9. *Side yards*. Every plot upon which a residential structure is hereafter erected shall have a minimum side yard as follows:

RM-10, RM-16, ~~and~~ RM-20, and RM-25 districts: Fifteen feet in depth or one-half the height of the building, whichever is greater.

Townhouse and duplexes: Principal structure ten feet.

Corner lots: Upon corner plots in all zoning districts included in this section there shall be a front yard as herein specified, and in addition thereto, a side yard at least 20 feet in width on the side of the plot abutting on the side street. This provision shall not apply to a single-family detached plot.

Non-residential: Twenty-five feet plus one foot additional for each two feet of principal height.

Single-family detached unit: Five feet.

703.3.10. *Rear yards*. Every plot upon which a residential structure is hereafter erected shall have a minimum rear yard as follows:

RM-10: Twenty feet in depth or a depth equal to the height of the building, whichever is greater.

RM-16, ~~and~~ RM-20, and RM-25 districts: Twenty-five feet in depth or a depth equal to the height of the building, whichever is greater.

Townhouse and duplexes: Fifteen feet in depth.

Non-residential: Forty feet in depth or 25 feet plus one foot additional for each two feet of principal height whichever is greater.

Lots bordering on canal or waterway: All lots which border in the rear of the lot upon a canal or waterway shall provide a minimum setback of 30 feet in depth.

Single-family detached unit: Twenty feet.

703.3.11. *Minimum distances between buildings*. The following regulations shall apply to multi-family residential structures within the *RM-10, RM-16, ~~and~~ RM-20, and RM-25* districts:

CONCLUSION(S)

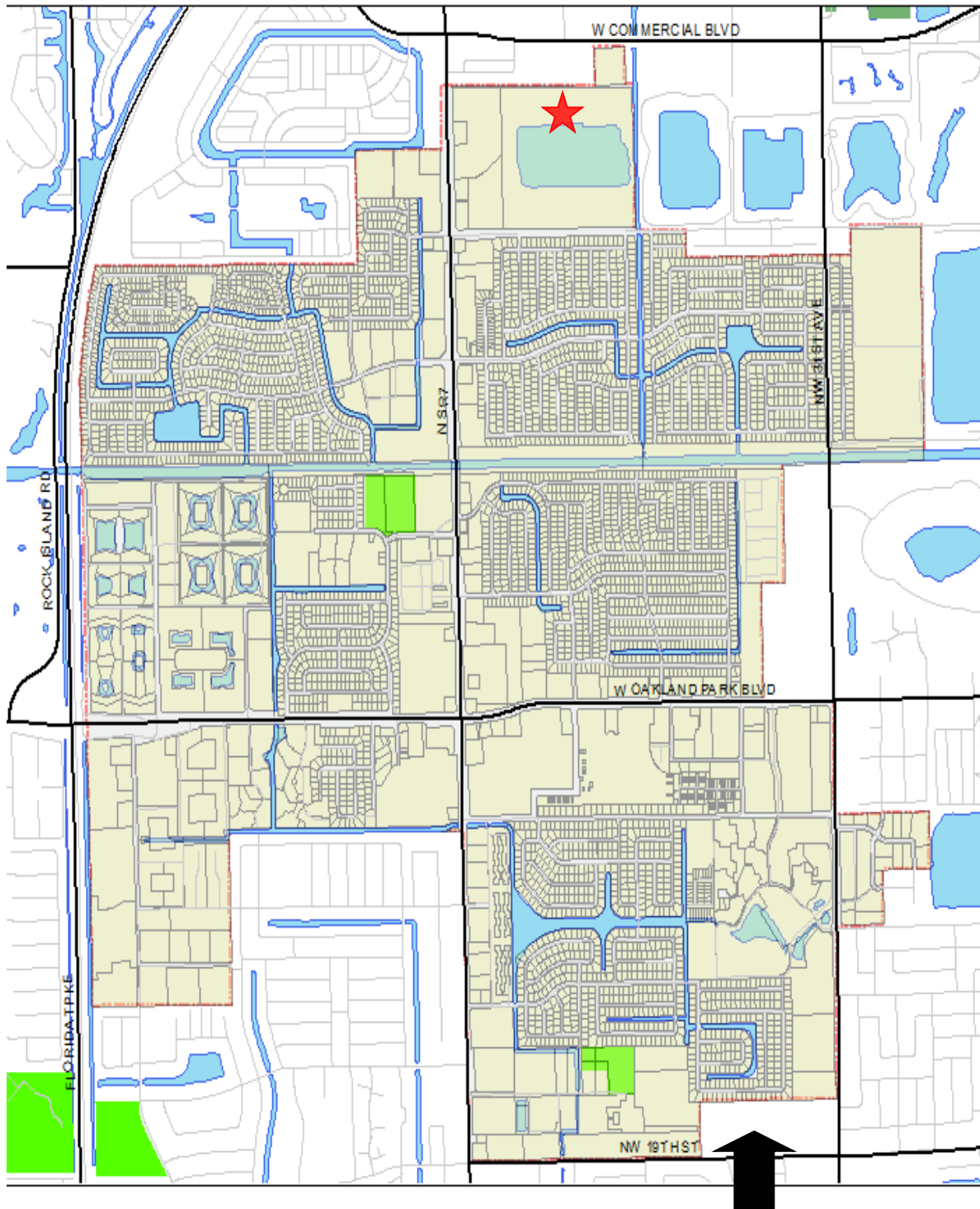
Staff finds the subject application complete and suitable for transmittal to the City Commission for further consideration.

Planning and Zoning Board Recommendation: At the February 12, 2015 Planning & Zoning Board meeting, all members in attendance voted in favor to approve this item (Motion carried 3-0).

ATTACHMENTS/EXHIBITS:

1. Location Map
2. Updated Future Land Use Map
3. Ordinance

EXHIBIT 1 Location Map



 **Subject Location**

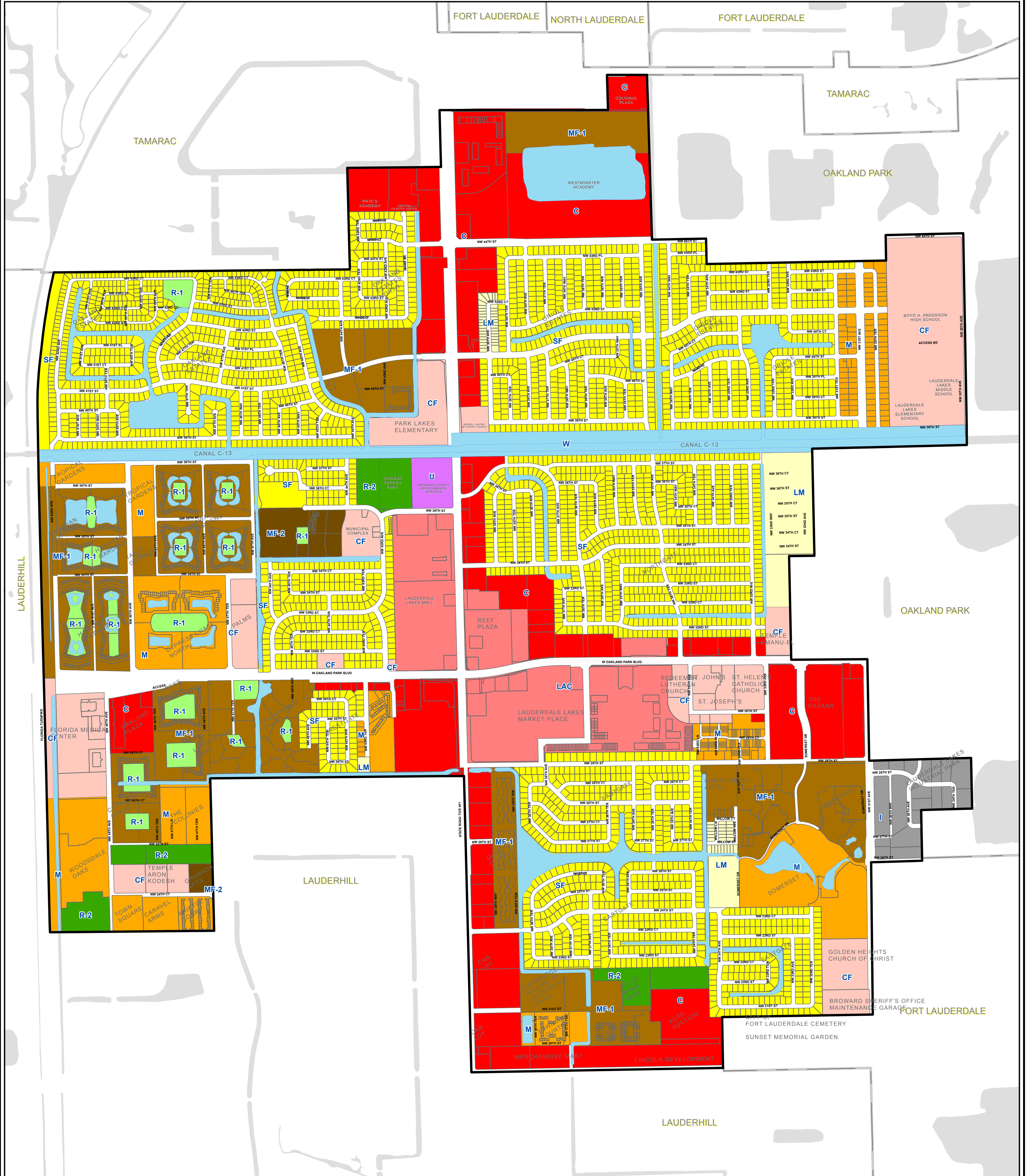
 **North**

CITY OF LAUDERDALE LAKES

Future Land Use Map



Lauderdale Lakes
LIFE IN FULL COLOR



LAND USE CLASSIFICATIONS

- SF** SINGLE FAMILY (UP TO 5 DU/ACRE)
- LM** LOW MEDIUM RESIDENTIAL (6 TO 9.9 DU/ACRE)
- M** MULTI-FAMILY RESIDENTIAL (10 TO 16 DU/ACRE)
- MF-1** MEDIUM MULTI-FAMILY RESIDENTIAL (UP TO 25 DU/ACRE)
- MF-2** HIGH MULTI-FAMILY RESIDENTIAL (UP TO 50 DU/ACRE)
- C** COMMERCIAL

- LAC** LOCAL ACTIVITY CENTER
- R-1** PRIVATE RECREATION
- R-2** PUBLIC RECREATION
- CF** COMMUNITY FACILITIES
- I** INDUSTRIAL
- U** UTILITIES

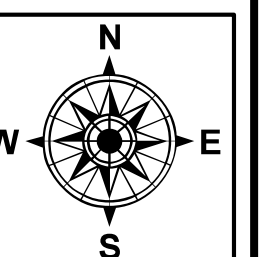
OTHER MAP FEATURES

- LAUDERDALE LAKES MUNICIPAL BOUNDARY
- PARCEL/LOT LINES
- WATER BODIES
- ADJACENT MUNICIPAL BOUNDARIES

Source: Base data (roadways, water features, municipal boundaries) obtained from Broward County Geographic Information Systems Department download page, last accessed November, 2014.
Future land use data obtained from the City of Lauderdale Lakes.

The Mellgren Planning Group
Professional Planning, Zoning & Land Use Consulting
6535 Nova Drive, Suite 110 Davie, FL 33317
954.475.3070 TEL 954.475.9550 FAX
www.tmgplanning.com

Absolute Scale: 1:7,200
Relative Scale: 1 inch = 600 feet
0 300 600 1,200 Feet



Note: Road rights-of-way derive their land use designations from abutting land uses, up to the right-of-way centerline.