



# Council Communication

**To:** Mayor and Village Council

**Through:** Maria T. Aguilar, Village Manager

**From:** Cheryl Cioffari, AICP, Director of Planning

**Date:** August 11, 2016

**SUBJECT: SECOND READING - LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT FOR SITE DEVELOPMENT STANDARDS FOR REQUIRED PARKING IN ZONING DISTRICTS**

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## **Background:**

The proposed Ordinance would amend Chapter 30, Article V, Division 2, *Zoning Districts*, of the Village Code of Ordinances (the “Code”) to amend the regulations for the required minimum number of off-street parking spaces for multifamily dwelling units.

At the July 11, 2016 Local Planning Agency (LPA) Meeting, the LPA voted 4-0 to recommend approval of the proposed ordinance.

At the July 21, 2016 Village Council Meeting, the Village Council voted 5-0 to pass the proposed ordinance on first reading.

## **Analysis:**

On June 9, 2016, the Village Council passed and adopted an ordinance that amended the regulations for the required minimum parking spaces for multifamily dwelling units. The adopted ordinance requires a minimum of two (2) off-street parking spaces for each multifamily dwelling unit.

In order to maintain uniformity within the land development regulations, the proposed Ordinance would amend the site development standards as they relate to parking in the Residential Estate (RE) Zoning District, Residential single-family (R1) and (R1M) Zoning District, Residential Duplex (R2) Zoning District, Residential Triplex (R3) Zoning District, Residential Fourplex (R4) Zoning District, Multifamily (MF) Zoning District and Settlers Residential (SR) Zoning District. The modifications would direct all parking requirements in each zoning district to Code Chapter 30, Article V, Division 7, *Off-Street Parking, Loading and Driveway Standards*.

**Budget Impact:**

None.

**Staff Impact:**

Staff impact is limited to the drafting of the proposed Ordinance.

**Recommendation:**

It is recommended that the Village Council pass and adopt the proposed Ordinance on second reading.

**ORDINANCE NO:**

**AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 2 “ZONING DISTRICTS” SECTION 30-683 “RESIDENTIAL ESTATE (RE) ZONING DISTRICT”; SECTION 30-686 “RESIDENTIAL DUPLEX (R2) ZONING DISTRICT”; SECTION 30-687 “RESIDENTIAL TRIPLEX (R3) ZONING DISTRICT”; SECTION 30-688 “RESIDENTIAL FOURPLEX (R4) ZONING DISTRICT”; SECTION 30-689 “MULTIFAMILY (MF) ZONING DISTRICT”; SECTION 30-691 “SETTLERS RESIDENTIAL (SR) ZONING DISTRICT”; AND SECTION 30-692 “VILLAGE CENTER (VC) ZONING DISTRICT” TO REVISE THE MINIMUM REQUIRED PARKING SPACES PER DWELLING UNIT IN EACH ZONING DISTRICT; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

**WHEREAS,** the Comprehensive Plan of Islamorada, Village of Islands (the “Village”) states that the Village shall designate adequate housing sites for all residents of Islamorada including affordable housing; and

**WHEREAS,** on January 24, 2002, the Village Council of Islamorada, Village of Islands (the “Village Council”) adopted Ordinance No. 02-10, which established the Off-Street Parking, Loading and Driveway Standards within Chapter 30, Article V, Division 7 (the “Parking Standards”) of the Code of Ordinances (the “Code”) of Islamorada, Village of Islands, Florida (the “Village”); and

**WHEREAS**, the Village’s Parking Standards were previously amended by Ordinance Nos. 02-29, 05-20, 09-01, 10-01, 12-05, and 13-08; and

**WHEREAS**, the Village Council amended the regulations for the required minimum number of parking spaces for multifamily dwelling units pursuant to Ordinance 16-10; and

**WHEREAS**, the Village Council wishes to clarify the minimum required parking spaces in each zoning district; and

**WHEREAS**, the Village Local Planning Agency reviewed this Ordinance on July 11, 2016 in accordance with the requirements of Chapter 163, Florida Statutes; and

**WHEREAS**, the provisions of this Ordinance are consistent with the Village Comprehensive Plan and the Principles for Guiding Development in the Florida Keys Area of Critical State Concern; and

**WHEREAS**, the Village Council finds that the provisions of this Ordinance are intended to advance the public health, safety, and welfare of the citizens of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.** The above recitals are true, correct and incorporated herein by this reference.

**Section 2.**     **Zoning Districts.** Chapter 30 “Land Development Regulations,” Article II “Schedule of District Use and Development Standards,” Division 2 “Zoning Districts” of the Code is hereby amended to read as follows:

\* \* \* \* \*

**Section 30-683. Residential Estate (RE) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-684. Residential single-family (R1) and (R1M) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~Two spaces per dwelling unit or one and one-half spaces per each attached affordable housing unit.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-686. Residential Duplex (R2) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per duplex dwelling unit.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-687. Residential Triplex (R3) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~1.5 spaces per dwelling unit.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-688. Residential Fourplex (R4) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~1.5 spaces per dwelling unit.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-689. Multifamily (MF) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-691. Settlers Residential (SR) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: ~~Two spaces per single family dwelling unit or 1.5 spaces per dwelling unit for multifamily development.~~ See division 7 of this article.

\* \* \* \* \*

**Section 30-692. Village Center (VC) Zoning District.**

\* \* \* \* \*

(e) Site development standards.

\* \* \* \* \*

(9) Parking requirements: See division 7 of this article.

\* \* \* \* \*

**Section 3. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Repeal of Conflicting Provisions.** The provisions of the Code and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Inclusion in the Code.** It is the intention of the Village Council, and it is hereby ordained that the provisions of this Ordinance shall become a part of the Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 6. Transmittal to the Florida Department of Economic Opportunity.** The provisions of this Ordinance constitute a "land development regulation" as State law defines that term. Accordingly, the Village Clerk is authorized to forward a copy of this Ordinance to the Florida Department of Economic Opportunity ("DEO") for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

**Section 7. Effective Date.** This Ordinance shall not be effective until approved pursuant to a final order by DEO, pursuant to Chapter 380.05, Florida Statutes; or if the final order is challenged, until the challenge to the order is resolved pursuant to Chapter 120, Florida Statutes.

The foregoing Ordinance was offered by Councilman Chris Sante, who moved for its adoption on first reading. This motion was seconded by Councilman Dennis Ward, and upon being put to a vote, the vote was as follows:

Mayor Deb Gillis	YES
Vice Mayor Jim Mooney	YES
Councilman Mike Forster	YES
Councilman Chris Sante	YES
Councilman Dennis Ward	YES

**PASSED** on the first reading this 21<sup>st</sup> day of July, 2016.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved for its adoption on second reading. This motion was seconded by \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Mayor Deb Gillis	_____
Vice Mayor Jim Mooney	_____
Councilman Mike Forster	_____
Councilman Chris Sante	_____
Councilman Dennis Ward	_____

**PASSED AND ADOPTED** on the second reading this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
DEB GILLIS, MAYOR

ATTEST:

\_\_\_\_\_  
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF  
ISLAMORADA, VILLAGE OF ISLANDS ONLY

\_\_\_\_\_  
ROGET V. BRYAN, VILLAGE ATTORNEY