

May 16, 2023

CITY COUNCIL STAFF REPORT

Text Amendment

Ordinance 708

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE CITY OF WILLISTON LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT INCREASED HOUSING NEEDS; RELATED TO AN AMENDMENT OF THE TEXT OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AMENDING CHAPTER 60-256, MINIMUM LOT REQUIREMENTS AND MINIMUM YARD REQUIREMENTS, ALLOWING FOR DUPLEXES AND TOWNHOMES, DESCRIBED HEREIN; PROVIDING SEVERABILITY; PROVIDING FOR INCORPORATION ON CITY MAPS, AND PROVIDING AN EFFECTIVE DATE.

SUMMARY

The proposed text amendment is a staff initiated update to the City of Williston’s Code of Ordinances. Staff initiates these updates when trends begin to change and it becomes apparent that the City’s current Code is no longer adequate. This Ordinance specifically changes the lot sizes and yard requirements for duplexes and townhomes. These changes will only apply to the Residential Multi-Family and Residential Duplex Zoning where duplexes and townhomes are already allowed.

There are multiple duplex and townhome developments in the planning stages within the City. Residents have inquired about the possibility of owning these types of homes. As the Code stands now, these types of homes could only be owned by one entity and rented to residents as the properties could not be platted and therefore could not be separate parcels. Updating the Code with this Ordinance, will allow for privately owned units.

LEGAL REVIEW: Completed

FISCAL IMPACTS: None

RECOMMENDED ACTION: Planning and zoning Board Recommends approval of Ordinance 708 to City Council.

ATTACHMENTS: Duplex and Townhome Schematic

Ordinance 708

ACTION: _____ APPROVED _____ DISAPPROVED

Duplex Now



One Owner / One Parcel
13,590 SF Lot & 100 LF Lot Width

Duplex with Code Change



Two Owners Possible / Two Parcels
Similar "Lot Size" But Split Into 2 Parcels.
6,800 SF Each Parcel = 13,600 SF (10 FT bigger than one parcel)
50 LF Minimum Lot Width = 100 LF

Townhome Now



One Owner / One Parcel
Minimum Site Area = 3,630 SF
Septic and Wells Allowed

Townhomes with Code Change



Multiple Owners / Multiple Parcels
Minimum Site Area = 1,800 SF per dwelling
Septic and Wells NOT Allowed

ORDINANCE NO. 708

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE CITY OF WILLISTON LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT INCREASED HOUSING NEEDS; RELATED TO AN AMENDMENT OF THE TEXT OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AMENDING CHAPTER 60-256, MINIMUM LOT REQUIREMENTS AND MINIMUM YARD REQUIREMENTS, ALLOWING FOR DUPLEXES AND TOWNHOMES, DESCRIBED HEREIN; PROVIDING SEVERABILITY; PROVIDING FOR INCORPORATION ON CITY MAPS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 166.021, Florida Statutes, as amended, empowers the City Council of the City of Williston, Florida, hereinafter referred to as the City Council, to prepare, adopt and enforce land development regulations;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, requires the City Council to prepare and adopt regulations concerning the use of land and water to implement a comprehensive plan;

WHEREAS, the City Council of the City of Williston, Florida, did on May 7, 2002, validly approve and adopt the City of Williston Land Development Regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Williston, designated as the Local Planning Agency, did hold the required public hearing, with public notice having been provided, on said applications for amendments, as described below;

WHEREAS, the Planning and Zoning Commission of the City of Williston reviewed and considered all comments received during said public hearings as described below and recommended approval of the above referenced text amendment to the City Council;

WHEREAS, the City Council did hold the required public hearings, under the provisions of the amendment procedures established in Chapters 163 and 166, Florida Statutes, on said applications for amendments, as described below, and at said public hearing, the City Council reviewed and considered all comments received during the public hearing, including the recommendation of the Planning and Zoning Commission, serving also as the Local Planning Agency.

WHEREAS, the City Council has determined and found said amendments, as described below, to be consistent with the Future Land Use Element objectives and policies, and those of other affected elements of the City's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. City Council to amend the text of the Land Development Regulations, Section 60-256. – Minimum lot requirements is hereby amended to read, as follows:

Section 60-256. – Minimum lot requirements.

Minimum lot requirements for area and width in the RMF districts shall be as follows:

- (1) Single-family dwellings or mobile homes:
 - a. Minimum lot area: 8,712 square feet (with city water and city sewer).
 - b. Minimum lot area: 11,000 square feet (with city water and septic tank).
 - c. Minimum lot area: 22,000 square feet (with individual well and septic tank).
 - d. Minimum lot width: 66 feet.
- (2) Duplexes :
 - a. Minimum lot area: 6,800 square feet per dwelling unit (with city water and city sewer).
 - b. Minimum lot area: 10,890 square feet per dwelling unit (with city water and onsite sewer treatment and disposal system).
 - c. Minimum lot area: 21,780 square feet per dwelling unit (with individual well and onsite sewer treatment and disposal system).
 - d. Minimum lot width: 100 feet (50 feet for each dwelling unit if platted).
- (3) Multiple-family development (townhomes):
 - a. Minimum lot area: 750 square feet per lot (with city water and city sewer).
- (4) Other permitted uses and structures: None, except as needed to meet all other requirements herein set out.

Sec. 60-257. - Minimum yard requirements.

Minimum yard and requirements for the depth of the front and rear yard, and the width of the side yard in the RMF districts shall be as follows:

- (1) Single-family dwellings:
 - a. Front: 25 feet.
 - b. Side: 7 feet for each side yard.
 - c. Rear: 20 feet.
- (2) Duplexes
 - a. Front: 25 feet.
 - b. Side: 7 feet for each side yard.
 - c. Rear: 20 feet.

(3) Multiple-family dwellings and connected structures (to be applied to perimeter of entire subdivision):

- a. Front: 25 feet.
- b. Side: 20 feet.
- c. Rear: 20 feet.

Additional requirement: Where units are grouped into separate detached structures, no such structure shall be closer than 15 feet to another such structure.

(4) Public and private schools, adult and child care centers, churches, other houses of worship, private clubs and lodges, nursing homes, residential homes for the aged, group living facilities, and all other permitted uses unless otherwise specified:

- a. Front: 35 feet.
- b. Side: 15 feet for each side yard.
- c. Rear: 20 feet.

(Ord. No. 434, § 4.7.7, 5-7-2002)

Sec. 60-258. - Maximum height of structures: no portion shall exceed.

The maximum height of structures in the RMF districts shall be 35 feet. See article II of this chapter for exceptions from height limitations.

(Ord. No. 434, § 4.7.8, 5-7-2002)

Sec. 60-259. - Maximum floor area ratio.

The maximum floor area ratio by all buildings in the RMF districts shall be as follows:

- (1) Single-family dwellings, including their accessory buildings: 35 percent.
- (2) Duplexes, including their accessory buildings: 45 percent.
- (3) Multiple-family developments, including their accessory buildings: 55 percent (or 100 percent if zero-lot line development).

(Ord. No. 434, § 4.7.9, 5-7-2002; Ord. No. 583, § 1(att. A, § 8), 4-22-2008)

Sec. 60-260. - Maximum lot coverage by all impervious surfaces.

The maximum lot coverage by all impervious surfaces in the RMF districts shall be as follows averaged over the entire project area:

- (1) Single-family dwelling unit: 35 percent.
- (2) Duplex: 50 percent.
- (3) Multifamily: 50 percent.

(Ord. No. 434, § 4.7.10, 5-7-2002; Ord. No. 583, § 1(Att. A, § 8), 4-22-2008)

Section 60-261. – Developer’s agreement as alternative to other requirements.

(a). This Section 20-261 establishes a procedure for establishing alternative requirements to those set forth in sections 60-256 through sections 60-260.

(b). A developer may enter into a developer’s agreement with city, which agreement shall be considered along with any site plan, plat or similar approval by city council. Any developer’s agreement shall be acceptable to city and developer in their sole discretion.

(c). To be eligible to enter into a developer’s agreement under this section, the development must consist of at least two (2) units attached on one side by a common wall that separates the units or separates units from yards, and may include detached single-family units that are accessory to the number of attached units. All detached single-family units must be compatible with the size, scale and design of the attached units, and must be developed under unified control.

(d). The developer’s agreement may establish different requirements from those set forth in sections 60-256 through 60-260, together with such other provisions as agreed to be developer and city. The development shall comply with any provisions in Sections 60-256 through 60-260 that are not modified by the developer’s agreement.

(e). If approved, such developer’s agreement shall prevail over conflicting provisions set forth in sections 60-256 and 60-260.

(f). The developer’s agreement shall run with title to the project, and shall be binding upon the developer until it no longer owns any units, and upon all successors in title to developer.

Section 2. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 3. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

Section 4. Inclusion in the Code. It is the intention of the City council of the City of Williston,

Florida and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Land Development Code of the City of Williston, Florida; that the sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate designation to accomplish such intention.

Section 5. Effective Date. This Ordinance shall become effective 30 days after the passing on second reading or upon the Mayor signing his consent below after the passing on second reading (whichever comes first), this ____ day of _____, 2023.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Williston, Florida, after properly dispensing with the final reading this ____ day of _____, 2023.

ATTEST:

CITY OF WILLISTON

LATRICIA WRIGHT
CITY CLERK

DEBRA JONES
PRESIDENT, CITY COUNCIL

30-DAY VETO WAIVER:

CHARLES GOODMAN
MAYOR

APPROVED AS TO FORM AND LEGALITY:

KIERSTEN BALLOU, ESQ.
CITY ATTORNEY