

ORDINANCE NO. 230-06-113

AN ORDINANCE OF THE CITY OF LAUDERHILL FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR) ARTICLE III, ZONING DISTRICTS, SECTION 3.1, RESIDENTIAL ZONING DISTRICTS; SECTION 3.8, MIXED USE DEVELOPMENT; AMENDING ARTICLE IV, DEVELOPMENT REVIEW REQUIREMENTS, SECTION 5.3, SITE PLAN REVIEW PROCESS; SECTION 5.9, CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) REVIEW REQUIREMENTS; AMENDING SCHEDULE C, ZONING DISTRICT DEVELOPMENT STANDARDS TO PROVIDE REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

WHEREAS, at their duly noticed meeting and public hearing of May 30, 2023, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance and all other relevant and substantial competent evidence into the record, and forwarded the record to the City Commission with the recommendation that the proposed Ordinance be adopted; and

WHEREAS, at their duly noticed meeting and public hearing of June 12, 2023, the City Commission considered the record, adopted findings and conclusions, and approved the proposed Ordinance on first reading; and

WHEREAS, at their subsequently duly noticed meeting and public hearing of June 26, 2023, the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations;

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

SECTION 1. That Article III, Zoning Districts, Section 3.1, Residential Zoning Districts is hereby amended to read as follows:

Sec. 3.1 Residential Zoning Districts

* * *

~~*Recreation and open space.* Common open space may be used for amenity or recreation purposes and must be suitably improved for its intended use.~~

- ~~a. At least three (3) acres of recreational land shall be set aside for each projected one thousand (1,000) resident and guest population.~~
- ~~b. Only one half () the size of a man-made surface water body may count toward meeting the recreation and open space level of service, provided the water body is deed restricted for open space and passive recreation use.~~

- c. ~~Tot lots with playground equipment shall be provided and incorporated into the overall design scheme of the development.~~

7. Recreational Amenities and open space. Common open space may be used for amenity or recreation purposes and must be suitably improved for its intended use. Recreational amenities must be ten (10) percent or more of the total square feet dedicated to residential uses. The following amenities shall be provided:

- a. Swimming pool and associated canopy or recreational water feature if a pool cannot be accommodated; and
- b. Air-conditioned club house with community conference/meeting room and with restrooms; and
- c. Playground with playground equipment and canopy shall be provided and incorporated into the overall design scheme of the development; and
- d. Barbeque areas with canopy; and
- e. Community gym equipped with weights and cardio equipment;

* * *

SECTION 2. That Article III, Zoning Districts, Section 3.8, Mixed Use Development is hereby amended to read as follows:

Sec. 3.8 Mixed use development

3.8.1 Mixed use development

* * *

B. Principal uses and structures permitted. The following uses are allowed within the MU development:

1. Residential and commercial uses permitted within a MU development as provided by the zoning district where the MU development is located.
2. The commercial uses permitted per Schedule B of the LDR are allowed within MU Development as follows:
 - a. ~~The aggregate of the commercial use or uses shall be no greater than an aggregate five thousand (5,000) square feet in gross floor area or ten (10) percent of the total development site. whichever is less and includes the~~ The following uses are allowed:
 1. Retail.

2. Restaurant.
3. Personal services.
4. Business and professional offices.
5. Fitness center, gym, health and wellness spa.

Landscaping and open space requirements.

- a. Street trees shall be planted and maintained along the street abutting the property where the MU is located in a manner to provide a canopy effect.
 - b. The type of street trees may include shade tree, flowering tree and palms. The trees shall be planted at a minimum height and size in accordance with the requirements of Schedule J., Landscape Installation, Irrigation and Maintenance Standards and Requirements of the LDR. Open space and landscaping shall be required in conjunction with residential uses in a MU development.
 - c. MU developments abutting residential zoning districts shall install a 10-ft buffer wall completely screening the property.
 - d. MU developments located in commercial and industrial zoning districts shall install a 10-ft buffer wall screening the property. For developments located on Commercial Boulevard an 8-ft buffer wall shall be installed.
 - ~~d.e.~~ The buffer shall be fully landscaped on the interior side of the subject property.
3. *Internal roadways requirements.* Internal roadways shall be "pedestrian friendly" including the use of pavers, wide sidewalks, narrow vehicular lanes and parallel parking within the MU development, pedestrian movement and safety shall be given priority. Major parking areas shall be located to encourage walking and discourage internal vehicle trips among the various buildings and uses.
 4. *Outdoor use requirement.* Outdoor uses and public places shall be designed to connect various buildings and promote pedestrian activity.
 5. ~~*Recreational amenities.* MU shall be required to provide recreational amenities within the development. Recreational amenities must be ten (10) percent or more of the total acreage dedicated to residential uses. Each MU may consist and other amenities including (but not limited to):~~

- ~~a. Clubhouse with related parking facilities;~~
 - ~~b. Cabana;~~
 - ~~c. Pool with accessory structures;~~
 - ~~d. tot lot Playground;~~
 - ~~e. Basketball and tennis courts;~~
 - ~~f. Open recreational space with any accessory structures and landscaping~~
5. Recreational Amenities and open space. Common open space may be used for amenity or recreation purposes and must be suitably improved for its intended use. Recreational amenities must be ten (10) percent or more of the total square feet dedicated to residential uses. The following amenities shall be provided:
- a. Swimming pool and associated canopy or recreational water feature if a pool cannot be accommodated; and
 - b. Air-conditioned club house with community conference/meeting room and with restrooms; and
 - c. Playground with playground equipment and canopy shall be provided and incorporated into the overall design scheme of the development; and
 - d. Barbeque areas with canopy; and
 - e. Community gym equipped with weights and cardio equipment;

* * *

SECTION 3. That Article IV, Development Review Requirements, Section 5.3, Site Plan Review Process, is hereby amended to read as follows:

Sec. 5.3 Site plan review process

* * *

G. Public Safety and Security Plan. Each multi-family and mixed used development shall be required to submit a public safety and security plan as part of the final site plan submittal. Said plan shall include graphic and textual materials addressing the following public safety and security issues required by CPTED and provide a plan that includes securing the property and a gated entrance.

1. Provision of natural surveillance.

- a. The placement and design of physical features to maximize visibility. This will include building orientation, windows, entrances and exits, parking

lots, walkways, guard gates, landscape trees and shrubs, fences or walls, signage and any other physical obstructions.

b. The placement of persons and/or activities to maximize surveillance possibilities.

c. Lighting that provides for nighttime illumination of parking lots, sidewalks, walkways, entrances, exits and pay phones.

2. *Provision for natural access control.*

a. The use of sidewalks, pavement, lighting and landscaping to clearly guide the public to and from entrances and exits.

b. The use of fences, walls or landscaping to prevent and/or discourage public access to or from dark and/or unmonitored areas.

3. *Provision of territorial reinforcement.* The use of pavement treatments, landscape, art, signage, screening and fences to define and outline ownership of property.

4. *Maintenance.* The use of low-maintenance landscaping and lighting treatment to facilitate the CPTED principles of natural surveillance, natural access control and territorial reinforcement.

* * *

SECTION 4. That Article IV, Development Review Requirements, Section 5.9, Crime Prevention Through Environmental Design (CPTED) Review Requirements, is hereby amended to read as follows:

Sec. 5.9. Crime Prevention Through Environmental Design (CPTED) review requirements.

5.9.1. A CPTED review for special exception uses, site plans, site plan modifications, landscape plan modifications and sign applications is required. The CPTED site plan review must be completed and signed by one (1) Law Enforcement Officer and one (1) CPTED trained Planner or Building Official and shall be required to respond to all concerns noted by the CPTED reviewers before being scheduled for review before the Development Review Committee or Planning and Zoning Board.

5.9.2. All residential and mixed used developments shall be required to submit a public safety and security plan as part of the final site plan submittal. Said plan shall include graphic and textual materials addressing

the following public safety and security issues required by CPTED and provide a plan that includes securing the property and a gated entrance.

SECTION 5. That Schedule C, Zoning District Development Standards, is hereby amended to read as follows:

SCHEDULE C. ZONING DISTRICT DEVELOPMENT STANDARDS¹

(a) *Residential Districts.*

Land Use Category:	RS-4	RS-5	RM-5	RM-8	RM-10	RM-18	RM-22 (15)	RM-45	RMH-50	Unit of Measurement
Minimum Parcel Area Requirement (1)	7,500	7,000	12,000	12,000	6,500 single family 12,000 multi-family	12,000	12,000	12,000	12,000	Sq. Feet
Minimum Parcel Frontage on a Street	(1) 75	(1) 70	100	100	60 single-family 100 multi-family	100	100	100	20	Feet
Minimum Building Size (11), (12):										
Single-Family Detached	1,400	1,400	N/A	1,400	1,400	1,400	N/A	N/A	N/A	
Multi-family, Townhouses and Connected Units										
Efficiency	N/A	N/A	700	700	700	700	700	700	N/A	
One Bedroom	N/A	N/A	900	900	900	900	900	900	900	
Two Bedroom	N/A	N/A	1,100 1,000	1,100 1,000	1,100 1,000	1,100 1,000	1,100 1,000	1,100 1,000	1,100 1,000	
Each Additional Bedroom	N/A	N/A	150	150	150	150	150	150	150	

¹Editor's note(s)—Ord. No. 06O-03-120, § 1, adopted April 10, 2006, amended the title of Schedule C to read as herein set out. Prior to inclusion of said ordinance, Schedule C was entitled, "General Requirements for Building Parcels, Building Setbacks, and Yards, and Area Dimension Regulations for Lot and Tract."

Setbacks:						(13)				
Front	25	25	30	30	30	(2) 30	(2) 30	(2) 30	(2) 40	Feet
Side	7.5	7.5	20	20	7.5 single-family 25 multi-family (8)	(2)	(2)	(2)	(2)	Feet
Rear	15	15	15	15	15 single-family 25 multi-family	(2)	(2)	(2)	(2)	Feet
Maximum Lot Coverage	40(7)	40(7)	(4)	(7)	(9)(7)	(5)	(5)	(5)	(5)	% of Area Parcel

Land Use Category:	RS-4	RS-5	RM-5	RM-8	RM-10	RM-18	RM-22 (15)	RM-45	RMH-50	Unit of Measurement
Maximum Building Height (14)	2 Story 30	2 Story 30	2 Story 30	3 Story 35	2 Story 30	8(13) Story 100	8 Story 100	8 Story 100	8 Story 100	Stories Feet
Density-Maximum	4	5	5	8	10	18	22	45	(6)	Units Per Acre

1. Area and Dimension Regulation Footnotes:

- (1) Some lots may have a minimum of sixty-six (66) feet of frontage; or
- (2) One (1) times the building height or greater.
- (3) Thirty-five (35) percent for two-story buildings; forty (40) percent for one-story buildings.
- (4) One (1) story = thirty-five (35) percent;
Two (2) story = thirty (30) percent;
Three (3) story = thirty (30) percent;
Four (4) story = twenty-seven (27) percent.
- (5) One (1) to four (4) story = forty (40) percent;
Five (5) to eight (8) story = thirty-five (35) percent.
- (6) One hundred (100) sleeping units per acre or double the maximum density as permitted by the City Future Land Use Map.
- (7) The maximum lot coverage may be exceeded in cases where an on-site retention system is provided for any runoff generated by the impervious area which is in excess of the maximum allowed in the preceding table. In order to exceed the maximum lot coverage, sealed drawings which set forth the on-site drainage retention must be submitted by an architect, engineer, or

landscape architect registered in the State of Florida. The plans must be approved by the City Engineer prior to the issuance of a building permit for the use which causes the need for the on-site retention system. The system must be designed to retain on-site the twenty-five (25) year, three (3) year storm event. In no case shall any lot exceed sixty-five (65) percent lot coverage even when an on-site drainage system is provided.

- (8) On all corner plots, there shall be a front setback as specified and a side yard at least fifteen (15) feet in width on the side which abuts the side street or dedicated waterway. The front and side of the plot shall be determined from the plat.
- (9) One (1) story = forty (40) percent;
Two (2) story = thirty-five (35) percent.
- (10) Single-family minimum setbacks of fifteen (15) feet rear, twenty-five (25) feet front and seven and one-half (7½) feet side should be applied to single family development in RM-8 zoning districts.
- (11) The minimum building size refers to living area; it excludes garages, patios, etc.
- (12) The minimum building size set out above is not applicable to hotels, motels, hospitals, assisted living facilities, dormitories, or special residential facility overlay zones as more particularly described in Schedule U.
- (13) On all corner plots, there shall be a front setback as specified and a side yard at least ten (10) feet in width on the side that abuts the side street or dedicated walkway. The front and side plot shall be determined from the plat.
- (14) The maximum building height may be exceeded by up to fifteen (15) feet in order to accommodate unoccupied hierarchical architectural features, such as cupolas and camouflaged telecommunication antenna, designed to create a focal point for the surrounding area.
- (15) Within the RM-22 zoning district, a one-family dwelling unit shall be subject to the RS-5 zoning district development standards. Alternatively, if located within the RM-22 zoning district and a safe neighborhood district, then the following standards shall be allowed:
 - a. Minimum street frontage: seventy (70) feet.
 - b. Minimum lot depth: eighty-five (85) feet.
 - c. Front setback: twenty (20) feet.
 - d. Rear setback: fifteen (15) feet.
 - e. Side setback: seven and one-half (7½) feet.
 - f. Street side setback: fifteen (15) feet.
- (16) Recreational Amenities and open space. Common open space may be used for amenity or recreation purposes and must be suitably improved for its intended use. Recreational amenities must be ten (10) percent or more of the total square feet dedicated to residential uses. The following amenities shall be provided:
 - a. Swimming pool and associated canopy or recreational water feature if a pool cannot be accommodated; and
 - b. Air-conditioned club house with community conference/meeting room and with restrooms; and
 - c. Playground with playground equipment and canopy shall be provided and incorporated into the overall design scheme of the development; and

d. Barbeque areas with canopy; and

e. Community gym equipped with weights and cardio equipment;

(b) *Non-residential Districts.**

	CO-1	C-2	C-3	C-4	I-1	CR	S-1	CF	CN	Unit of Measurement
Land Use Category:										
Minimum Parcel Area Required	No Minimum	10,000	No Minimum	No Minimum	No Minimum	40,000	No Minimum	TBD	No Minimum	Sq. Feet
Minimum Parcel Frontage on a Street	None	100	None	None	None	200	None	TBD	None	Feet
Setbacks:										
Front	25	40	25	25	10	25	25	25 TBD	20 Maximum	Feet
Side, Interior	25					25	25	TBD	0	Feet
Side, Street								TBD	10	Feet
Rear	205	18	20	20	10	25	25	TBD	25	Feet
Maximum Building Area	35	None	None	None	None	None	None	35	25	% of Parcel
Maximum Building Height (9), (11)	50	75	50(10)	50	50	50	50	100	35	Feet
Maximum District Size								10,000	2	Acres

* The following footnotes apply to this entire Schedule C subsection (b) regarding Non-residential Districts:

TBD = To Be Determined through the site plan or site plan modification process.

1. Area and dimension regulation footnotes:

(1) The following setbacks shall be measured from the centerline of the street or parcel which fronts on the following trafficways:

A. Commercial Blvd.—One hundred twenty-three (123) feet;

- B. University Drive—One hundred twenty-five (125) feet;
 - C. Oakland Park Blvd.—One hundred twenty-five (125) feet;
 - D. Sunrise Blvd.—One hundred fifty (150) feet;
 - E. State Road 7—One hundred (100) feet.
- (2) Required water retention areas may account for only fifty (50) percent of the previous area, when determining amount of open space provided.
 - (3) Where the side or rear property line of non-residential property abuts a residential property line, the side and rear yard setback shall be no less than twenty-five (25) feet. There shall be no parking in the twenty-five (25) feet. Uses found in Schedule B-2 of this Land Development Regulation that require a special exception may be subject to increased setbacks due to the hazards or conflicts inherent with their use, at the discretion of the City Commission. In this 25-foot setback shall be a wall or fence landscaped on both sides with a hedge or vine, and shall include installed shade trees, thirty (30) feet on center. No parking shall be allowed in the twenty-five (25) feet where it abuts residential.
 - (4) When not abutting residential property, the minimum setback shall be five (5) feet on the interior side or one-half ($\frac{1}{2}$) times the height of the building, whichever is greater. When not abutting residential property, the minimum rear yard setback shall be a minimum of fifteen (15) feet.
 - (5) When a non-residential property abuts residentially zoned property and is separated from that residentially zoned land by a waterway of at least twenty-five (25) feet, then parking may be allowed in the 25-foot setback, provided that hedging is provided and maintained between the canal and the parking lot and that all other provisions of the landscaping schedule are met.
 - (6) When not abutting a residential district, setback shall be five (5) feet or one-half ($\frac{1}{2}$) times the height of the building not to exceed ten (10) feet.
 - (7) *Reserved.* [See Article III, § 5.34.8 for self-storage facilities setbacks.]
 - (8) Uses found in Schedule B-2 of this Land Development Regulation that require a special exception may be subject to increased height limitations due to the hazards or conflicts inherent with their use, at the discretion of the City Commission.
 - (9) Consistent with the requirements of Article III, Part 5.0, Section 5.41., Telecommunication facility uses, the maximum height for telecommunication antenna support structures is one hundred fifty (150) feet.
 - (10) The height limit in the General Commercial (C-3) zoning district is fifty (50) feet, except that those properties zoned General Commercial district that abut a RS-4, RS-5, or RM-8 zoning district are limited to a maximum building height of twenty-five (25) feet.
 - (11) The maximum building height may be exceeded by up to fifteen (15) feet in order to accommodate unoccupied hierarchical architectural features, such as cupolas and camouflaged telecommunication antenna, designed to create a focal point for the surrounding area.
 - (12) Multifamily developments located in commercial and industrial zoning districts shall install a 10-ft buffer wall screening the property. For developments located on Commercial Boulevard an 8-ft buffer wall shall be installed.

SECTION 6. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning Department is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending Land Development Regulations.

SECTION 7 Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 8. Codification. The provisions of this Ordinance shall become and be made a part of the City of Lauderdale, Florida Land Development Regulations; sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and the word "ordinance" may be changed to "article," "part," "section," or other appropriate word.

SECTION 9. Effective Date. This Ordinance shall take effect immediately upon its adoption.

DATED this ____ day of _____, 2023.

PASSED on first reading this ____ day of _____, 2023.

PASSED AND ADOPTED on second reading this ____ day of _____, 2023.

PRESIDING OFFICER

ATTEST:

CITY CLERK

	FIRST READING	SECOND READING
MOTION	_____	_____
SECOND	_____	_____
M. DUNN	_____	_____
D. GRANT	_____	_____
L. MARTIN	_____	_____
S. MARTIN	_____	_____
K. THURSTON	_____	_____