



DATE: April 26, 2023

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director Community Sustainability

MEETING: May 3 & May 10, 2023

SUBJECT: **Ordinance 2023-06:** Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” to address several housekeeping and minor changes for clarity, to provide for a reduction in the side setback requirements to 5 feet for accessory structures and pools on all lot sizes, to provide for new standards for street walls, and to expand and clarify the waiver provisions.

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**PROPOSAL / BACKGROUND/ ANALYSIS:**

The subject amendment to the City’s Land Development Regulations (LDR) was drafted to clarify interpretations, address general housekeeping items, resolve inconsistencies, provide greater flexibility with the location of secondary (accessory) dwelling units, accessory structures and mechanical equipment in residential properties, create a waiver process, and implement street wall requirements for nonconforming properties and new auto-centric uses that cannot meet build-to line requirements.

The proposed LDR Amendments will modify the following sections of the City’s Land Development Regulations:

- Article 1 – Section 23.1-12: Definition
- Article 2 – Section 23.2-27: Waiver
- Article 2 – Section 23.2-31: Site Design Qualitative Standards
- Article 3 – Section 23.3-7: Single-Family Residential (SF-R)
- Article 3 – Section 23.3-8: Single-Family and Two-Family Residential (SF-TF 14)
- Article 3 – Section 23.3-10: Multi-Family Residential (MF-20)
- Article 3 – Section 23.3-11: Medium Density Multi-Family Residential (MF-30)
- Article 3 – Section 23.3-12: High Density Multi-Family Residential (MF-30)
- Article 4 – Section 23.4-1: Secondary (Accessory) Dwelling Unit
- Article 4 – Section 23.4-10: Off Street Parking
- Article 4 – Section 23.4-13: Administrative Uses and Conditional Uses
- Article 4 – Section 23.4-16: Mechanical Systems/Equipment for existing residential structures
- Article 5 – Section 23.5-1: Signs
- Article 5 – Section 23.5-3: Nonconformities

**Secondary (Accessory Dwelling Unit):** Clarifying and consolidate the maximum unit size and minimum living area requirements. Also, identifying certain provisions eligible for a waiver application.

**Accessory Structure:** Reducing the minimum side setback requirement from 10% of lot width for lots over 50 feet to a minimum of five (5) feet which allows additional flexibility in the placement of accessory structures and pools.

**Pawn Shops:** Revising the definition of pawn shop and clarifying the review process.

**Street wall:** Creating a street wall definition and developing regulations for the redevelopment of existing nonconforming properties and new auto-centric uses that cannot meet build-to line requirements.

**Signs:** Establishing a waiver review process for changeable message signage for public and institutional uses outside of the City's Major Thoroughfares.

**Waiver:** Expand and clarify waiver review process of limited and specified land development regulations.

**Housekeeping Items:** Revising the definitions to distinguish between extended stay lodging facilities and lodging facilities, removing inconsistencies related to the maximum secondary (accessory) dwelling unit size, clarifying material options for single-family and two-family driveways, and further identifying minimum setback requirements for mechanical systems of existing residential structures.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2023-06.

**POTENTIAL MOTION:**

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2023-06.

Attachments

- A. Draft Ordinance 2023-06