
1st Reading _____

2nd Reading _____

ORDINANCE 2026-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY OF WESTLAKE CODE OF ORDINANCES BY AMENDING CHAPTER 101, "GENERAL AND ADMINISTRATIVE PROVISIONS," TO REVISE SECTION 101-1, "DEFINITIONS AND ACRONYMS," TO ESTABLISH DEFINITIONS FOR "CABANA" AND "TRELLIS OR ARBOR"; AMENDING CHAPTER 119, "ZONING," BY AMENDING SECTION 119-31, "RESIDENTIAL DISTRICTS," TO PROVIDE REDUCED REAR YARD SETBACKS FOR CERTAIN ACCESSORY STRUCTURES, ESTABLISH MINIMUM BUILDING SEPARATION STANDARDS FOR STRUCTURES WITH SOLID ROOFING SYSTEMS, AND ESTABLISH ROOF OVERHANG STANDARDS FOR CERTAIN ACCESSORY STRUCTURES; AMENDING SECTION 119-33, "MIXED USE DISTRICT," TO ESTABLISH ROOF OVERHANG STANDARDS FOR CABANAS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Westlake finds it necessary and appropriate to update and clarify certain definitions related to accessory structures, including cabanas, trellises, and arbors, in order to improve consistency and enforcement of the City's land development regulations; and

WHEREAS, the City Council of the City of Westlake finds that allowing reduced rear yard setbacks for certain accessory structures and establishing minimum building separation standards for structures with solid roofing systems within the Residential-1 (R-1) and Residential-2 (R-2) Districts will provide property owners with additional flexibility while maintaining public safety and neighborhood compatibility; and

WHEREAS, the City Council of the City of Westlake finds that establishing clear standards for roof overhang encroachments for accessory structures, including cabanas, will reduce ambiguity in plan review, support proper drainage, and prevent adverse impacts to adjacent properties.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA THAT:

SECTION 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein by reference and made a part hereof.

SECTION 2. Amendment to the Code of Ordinances.
The City of Westlake Code of Ordinances is hereby amended as follows:

(a) Chapter 101, "General and Administrative Provisions," Section 101-1, "Definitions and Acronyms," is amended to establish definitions for Cabanas and Trellises

or Arbors;

(b) Chapter 119, "Zoning," Section 119-31, "Residential Districts," is amended to provide reduced rear yard setbacks for certain accessory structures, establish minimum building separation standards for structures with solid roofing systems, and establish roof overhang standards for accessory structures; and

(c) Chapter 119, "Zoning," Section 119-33, "Mixed Use District," is amended to establish roof overhang standards for cabanas.

Section 101-1. Definitions and acronyms.

Cabana means a freestanding accessory structure with a solid roofing system that is used in connection and associated with outdoor pools. A cabana may have privacy walls or curtained sides, but it shall not be used for habitation, and shall not contain kitchen facilities, bathrooms, or sleeping areas.

Trellis or Arbor means a structure made from an open framework or lattice panels of interwoven or intersecting pieces of wood, bamboo, or metal that may be used to support and display climbing plants. Trellises and arbors shall not include solid roofing systems.

Sec. 119-31. - Residential districts.

(a) Residential-1 District (R-1).

(3) *Accessory structures.* Accessory structures shall be permitted pursuant to the requirements below:

a. Unless otherwise specified in this subsection, accessory structures are subject to the following requirements: shall not exceed twenty five (25) feet in height, and shall meet all setback requirements of the principal structure.

1. Height. Accessory structures shall not exceed the lesser of (i) twenty-five (25) feet in height, or (ii) the height of the principal structure on the same lot. The height of structures shall be measured in accordance with the height measurement provisions of this Code.

2. Setbacks. Accessory structures shall meet the front, side road, and side yard setback requirements of the principal structure. The minimum rear setback is five (5) feet, unless otherwise specified in this section for a specific accessory structure type.

3. Accessory structures with solid roofing systems are subject to the following requirements:

(i) Building separation. Accessory structures shall be separated from each other and from the principal structure by a minimum distance of five (5) feet, inclusive of a minimum horizontal separation of 24 inches between rooflines. Separation shall be measured horizontally at the closest point between structures, including eaves and roof overhangs.

(ii) Roof overhang. An encroachment of no more than 24 inches into the required setbacks is allowed to accommodate roof overhangs, provided roof drainage shall be directed onto the subject property and shall not discharge onto adjacent property.

b. The following structures are subject to the following requirements:

1. Fences and walls.

(i) Setbacks. The minimum front setback for fences and walls is ten (10) feet. Except for decorative edge treatments permitted in this subsection, fences and

walls shall be set back at least three (3) feet from the nearest face of the structure.

A. Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right-of-way, and shall not exceed three (3) feet in height.

B. Fences and walls are not subject to any other setback requirements.

(ii) The maximum height of a wall or fence shall be six (6) feet.

2. Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.

(i) For single-family detached dwelling units, these structures are not permitted in the front yard.

(ii) The minimum side road, side yard, and rear setbacks are three (3) feet.

(iii) For cabanas, an encroachment of no more than twelve (12) inches into the required setbacks is allowed to accommodate roof overhangs, measured from the vertical face of the structure to the edge of the roofline.

3. Detached garages.

(i) For detached garages on lots developed under a common plan of development, the minimum rear setback is five (5) feet.

(ii) For all other detached garages, the minimum rear setback is ten (10) feet.

(b) *Residential-2 District (R-2).*

(1) *Permitted uses, density and intensity.* Uses permitted within the R-2 district are identified in Table 119-127.

a. *Density for all residential uses.*

1. The maximum gross density is twelve (12) dwelling units per gross acre.

(i) Accessory dwelling units are not counted towards the maximum gross density.

(ii) The maximum gross density for continuing care and assisted living facilities may be calculated as follows: twenty-five (25) beds per acre.

2. Bonus densities may be permitted up to eight (8) dwelling units per gross acre pursuant to section 119-39.

b. *Accessory dwelling units.*

1. Each single-family dwelling unit may have one (1) accessory dwelling unit.

2. Mobile homes are not permitted as accessory dwelling units.

c. *Intensity for all nonresidential uses.*

1. Maximum FAR is 0.35.

2. Neighborhood centers shall not exceed fifteen (15) acres and shall be governed by the requirements of section 119-38.

(2) *Requirements.*

-
- a. Development in R-2 is subject to the standards found in the following tables.
 - b. Forty (40) feet is the minimum lot width for a lot containing a single-family detached dwelling.

Table 119-31-5. R-2 district residential standards for single-family detached (excluding zero lot line)

Residential Use Type	Lot Width	Minimum Lot Size (square feet)	Minimum Front Setback ¹ (feet)	Minimum Side Road Setback ² (feet)	Minimum Side Yard Setback ² (feet)	Minimum Rear Yard Setback (feet)	Maximum Building Height (feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single-family detached dwellings	403	3,600	Bldg: 10	Bldg: 10	Bldg: 5	10	40	60%	25%
			Flg:20	Slg: 10	Slg: 10				
	504	4,500	Bldg: 10	Bldg: 10	Bldg: 5	10	40	60%	25%
			Flg: 20	Slg: 10	Slg: 10				
	More than 705	6,300	Bldg: 10	Bldg: 10	Bldg: 5	10	40	55%	25%
			Flg: 20	Slg: 10	Slg: 10				

1. Bldg = building without front-loading garage, or portion of building without front-loading garage. Flg = front loading garage.
2. Bldg = building without side-loading garage, or portion of building without side-loading garage. Slg = side loading garage.
3. If a lot is at least 40 feet wide but less than 50 feet wide, the standards in this row apply.
4. If a lot is at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.
5. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.

Table 119-31-6. R-2 District Residential Standards for Detached Zero Lot Line Development

Residential Use Type	Minimum Lot Width (feet)	Minimum Lot Size (square feet)	Minimum Front Setback ¹ (feet)	Minimum Side Road Setback On Non-Zero-Lot-Line ^{2,3} (feet)	Minimum Building Separation (feet)	Minimum Rear Yard Setback (feet)	Maximum Building Height (feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Zero lot line single-family detached dwellings	40	3,600	Bldg:10	Bldg: 10	10	10	40	60%	25%
			Flg:20	Slg: 15					

1. Bldg = building without front-loading garage, or portion of building without front-loading garage. Flg = front loading garage.
2. No setback is required (i.e., a 0-foot setback is permitted) for zero lot line development on the zero lot line side.
3. Bldg = building without side-loading garage, or portion of building without side-loading garage. Slg = side loading garage.

Table 119-31-7. R-2 District Other Residential Standards

Residential Use Type	Minimum Lot or Parcel Width (feet)	Minimum Lot or Parcel Size (square feet)	Minimum Front Road Setback ¹ (feet)	Minimum Side Road Setback ² (feet)	Minimum Side Yard Setback ² (feet)	Minimum Rear Yard Setback (feet)	Maximum Building Height ³ (feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single-family attached	20	1,600	Bldg: 10 Flg: 20	Bldg: 10 / 5 ⁵ Slg: 10	Bldg: 10 Flg: 20	10	40	65%	20%
Cottage Homes	20	1,600	Bldg: 10	Bldg: 10	Bldg: 5	Bldg: 10	36	65%	20%
Multifamily dwellings ⁴	-	10,000	15	10	10	20	60	50%	25%
Assisted living facilities	-	-	20	20	20	20	75	50%	25%
Foster care facilities and group homes	50	3,500	Bldg: 10 Flg: 20	Bldg: 10 Slg: 10	Bldg: 10 Flg: 20	10	40	60%	25%

1. Bldg = building without front-loading garage, or portion of building without front-loading garage. Flg = front loading garage.
2. Bldg = building without side-loading garage, or portion of building without side-loading garage. Slg = side loading garage. No setback is required for single-family attached dwelling units along the shared wall.
3. The maximum building height for buildings abutting lots containing single-family detached dwellings shall be 40 feet, regardless of the number in this column.
4. For multifamily developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.
5. The minimum side yard setback for Single-family attached and cottage homes with no more than two attached units shall be reduced to five feet (5').

Table 119-31-8. R-2 District Nonresidential Standards

Nonresidential Use Type	Minimum Parcel Size (square feet)	Minimum Parcel Width (feet)	Minimum Front Setback (feet)	Minimum Side Road Setback (feet)	Minimum Side Yard Setback (feet)	Minimum Rear Setback (feet)	Maximum Building Height ² (feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	100	20	20	30	30	50	35%	25%
Educational uses	43,560	100	20	20	30	30	40	35%	25%
Recreational	N/A	-	15	15	15	151	40	30%	40%
Residential amenity center	20,000	-	20	30	30	301	30	40%	25%
Conservation uses	-	-	-	-	-	-	-	-	-

1. No setback required if abutting a lake or open space tract.
2. All mechanical equipment located on rooftops must be screened by parapets or other architectural features.

- (3) *Accessory structures.* Unless otherwise specified in this section, accessory structures are subject to the following requirements: ~~shall not exceed twenty-five (25) feet in height, and shall meet all setback requirements of the principal structure.~~
1. Height. Accessory structures shall not exceed the lesser of (i) twenty-five (25) feet in height, or (ii) the height of the principal structure on the same lot. The height of structures shall be measured in accordance with the height measurement provisions of this Code.
 2. Setbacks. Accessory structures shall meet the front, side road, and side yard setback requirements of the principal structure. The minimum rear setback is five (5) feet.
 3. Accessory structures with solid roofing systems are subject to the following requirements:
 - (i) Building separation. Accessory structures shall be separated from each other and from the principal structure by a minimum distance of five (5) feet, inclusive of a minimum horizontal separation of 24 inches between rooflines. Separation shall be measured horizontally at the closest point between structures, including eaves and roof overhangs.
 - (ii) Roof overhang. An encroachment of no more than 24 inches into the required setbacks is allowed to accommodate roof overhangs, provided roof drainage shall be directed onto the subject property and shall not discharge onto adjacent property.
- (4) *Other structures.* The following structures are subject to the following requirements:
- a. *Fences and walls.*
 1. Setbacks. The minimum front setback for fences and walls is ten (10) feet. Except for decorative edge treatments permitted in this section, fences and walls shall be set back at least three (3) feet from the nearest face of the structure.
 - (i) Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right-of-way, and shall not exceed three (3) feet in height.
 - (ii) Fences and walls are not subject to any other setback requirements.
 2. The maximum height of a wall or fence shall be six (6) feet.
 - b. *Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.*
 1. For single-family detached dwelling units, these structures are only permitted in the rear yard.
 2. The minimum side road, side yard, and rear setbacks are three (3) feet, except that screen enclosures are permitted along the attached side of attached dwelling units.
 3. For cabanas, an encroachment of no more than twelve (12) inches into the required setbacks is allowed to accommodate roof overhangs, measured from the vertical face of the structure to the edge of the roofline.
 - c. *Detached garages.* Detached garages shall only be permitted as part of a common plan of development. The minimum setback is ten (10) feet.

Sec. 119-33. – Mixed Use District (MU).

...

- (3) *Accessory structures.* Accessory structures shall be permitted pursuant to the following requirements:
- a. Unless otherwise specified in this subsection, accessory structures ~~are subject to same setback and height requirements as the principal structure.~~ shall comply with the same setback requirements as the principal structure and shall not exceed the lesser of (i) twenty-five (25) feet in height, or (ii) the height of the principal structure on the same lot.
 - b. The following structures are subject to the following additional requirements:
 - 1. Fences and walls.
 - (i) The minimum front setback for fences and walls is ten (10) feet. Fences and walls are not subject to any other setback requirements.
 - (ii) The maximum height of a wall or fence shall be six (6) feet; except for fences or walls for an athletic training facility, which have a maximum height of eight (8) feet. The city council may approve additional fence height for purposes of protecting public health, safety, or welfare.
 - 2. Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.
 - (i) For single-family attached residential uses, these structures are only permitted in the rear yard.
 - (ii) The minimum side road, side yard, and rear setbacks for a screen enclosure are five (5) feet, unless the screen enclosure is adjacent to a lake or open space tract, in which case the minimum side road, side yard, and rear yard setbacks are three (3) feet from the lake or open space tract.
 - (iii) Except for screen enclosures, the minimum side road, side yard, and rear setback is three (3) feet.
 - (iv) For cabanas, an encroachment of no more than twelve (12) inches into the required setbacks is allowed to accommodate roof overhangs, measured from the vertical face of the structure to the edge of the roofline.
 - 3. Detached garages.
 - (i) Detached garages shall have minimum side road, side yard, and rear setbacks of ten (10) feet.

SECTION 3. Codification. It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions which are in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 5. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be 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 remain notwithstanding the invalidity of any part.

SECTION 6. Effective Date. This ordinance shall be effective upon adoption on second reading.

PASSED this __ day of _____, 2026, on first reading.

PUBLISHED on this __ day of _____, 2026 in the Sun Sentinel

PASSED AND ADOPTED this __ day of _____, 2026, on second reading.

City of Westlake
JohnPaul O'Connor, Mayor

Odet Izquierdo, Acting City Clerk,

APPROVED AS TO LEGAL FORM

OFFICE OF THE CITY ATTORNEY