

The Council of Ft. Lauderdale Civic Associations, Inc.

Proposed Neighborhood Development Criteria

July 10, 2007

COUNCIL OF FORT LAUDERDALE CIVIC ASSOCIATIONS Proposed Changes and Recommendations Fort Lauderdale ULDR

This document contains suggestions for potential ULDR. Specific numbers are suggestions only.

Overall Goals

- Propose positive changes to influence building code.
- Promote choices.

Recommendations for Implementation

Ask the Commission to initiate a two-step process to:

- Direct staff to act on items that can be accomplished in 6 months or less.
- Act on remaining items in the next 12 months, hiring a consultant if necessary.

Areas addressed:

I. BUILDING TYPOLOGY AND PLACEMENT

Purpose:

- Facilitate variety of housing.
- Improve the relationship of adjacent buildings.
- Place garages on the side or rear of the lot instead of the front yard.
- Promote green space/tree preservation.
- Facilitate workforce housing

A. Massing:

1. Reduce building massing as it approaches the property lines:

Reducing building massing as it approaches the property line allows for light and ventilation between buildings. There are several ways to reduce mass as it relates to adjacent neighbors. (See 4. below)

2. Change setback requirements:

a. Allow averaging of setbacks to create undulating sides of the buildings on the first and second floor and to enable tree preservation. The averaging of setbacks allows a minimum setback of 5 feet and an average of 7.5 feet, 10 feet, or 15 feet depending on lot width,

zoning and building height. The averaging as it relates to the building length along the side property lines will create pockets for trees and eliminate continuous uninterrupted bulk. It is important to reduce the massing as the structure gets taller. The footprint on the ground floor, for example, is not as imposing on the neighboring property as it is on the second or third floors. The proposed reduction in footprint and floor area ratios will allow for these open spaces to be located along the sides to satisfy this new requirement. Formulas will have to be worked out depending on building lengths. Short buildings may not be required to have this requirement.

- b. Institute progressive setbacks (i.e. larger lot, larger setback) to adjust proportionally to the width of the lot. (for example 5 feet up to 60 feet; 7.5 feet at 75 feet; and 10 feet at 100 feet.) Progressive setbacks will require that lots with different widths have different side setbacks. On smaller lots, such as the typical 50 or 60 feet lots in older neighborhoods, the 5 feet setback may remain as a minimum provided the averaging setback are as described above. Lots that are larger than 60 feet to less than 75 feet would be required to have 7 feet 6 inches minimum, and lots that are over 75 feet would be required to have 10 feet minimum. Also taller structures would require stepped back setbacks (like a wedding cake) as the structure goes up or the entire structure may be setback farther from side yards.
- c. Apply progressive setbacks to multifamily also.

3. Change Floor Area Ratio (F.A.R.) Requirements.

Floor area ratio is the total of all the enclosed square feet of all floors divided by the area of the lot. It regulates mass or bulk.

- **Require F.A.R. for duplexes and multiple family**. The code today regulates floor area ratio for single family zoned properties only, which could also be revisited for adjustments if necessary.
- Apply F.A.R. standards to multiple family, with each zoning district having an adequate ratio.

4. Allow breakup of mass:

- a. Permit single dwelling structures to be detached buildings on the same lot. Once the setbacks and massing are established, allow single family homes to be separated into separate buildings such as detached garages, studios, guest rooms, cabanas, work shops, etc. The result will be a reduction in mass, more interesting structures with smaller roof lines, smaller spans and additional natural light.
- b. Permit separate dwelling structures on multifamily zoned lots. For example a duplex may be less bulky as two separate structures with open space between them than if they were all under one large roof.

- c. Implement kitchen restrictions in single family zoning to prevent illegal renting. Separate structures can still be used as individual dwelling units.
- d. Permit detached garages in all zoning categories. Many times the space between the garages and the main structure could be used as courtyards so that additional natural light can enter the structure.
- **5.** Create maximum building footprint. 'Footprint' is the usual term for projection of the structure onto the site. Sometimes it is referred to as lot coverage. At present the footprint can go from setback to setback, which can create the 'boxy' look. Reducing the footprint will allow more open space for outdoor living; trees, natural light, and pervious ground. Massing will be reduced by undulating structure and by creating pockets to save existing trees or creating space for new ones.

SUGGESTIONS AND ULDR CODE SECTIONS THAT APPLY:

ULDR Sections 47-5.30, for RS-4.4 district (Single family homes)

Since this zoning district is comprised of larger lots, and the side yard is a minimum of 10 feet, not many changes would be needed except as follows:

Current ULDR:

The lot areas that regulate F.A.R. stop at lots over 15,000 SF or larger.

Recommendations

- A maximum footprint and F.A.R. could be added to address cases where 2 or 3 lots have been assembled in a row to allow for a larger home, and the side and rear yard setbacks need to be increased to allow for increases in the size of the parcel. For example, if the parcel is bigger than 100 150 feet wide, then the side yard would need to be increased to 15 feet and the rear yard to 20 feet. If the lot is bigger than 150 feet, the side yard would need to be increased to 20 feet and the rear yard to 25 feet. These changes will make the "McMansions" fit better into the neighborhood.
- The Lot coverage of 35%, and F.A.R. of 0.55 % for lots bigger than 20,000 square feet, would also be more appropriate.
- In order to reduce bulk, and to avoid plain facades on the side yards, buildings over 50 feet deep would have offsets at least 5 feet for 25% of the façade. This offset area may be spread along the side façade to create pockets that would allow for outdoor living, landscaping, equipment, or any other permitted use.

The side yards suggested above are minimums. We suggest adding a new regulation for "average side yard" as it relates to the building length along a side as follows:

Parcels up to100 feet - 12.5 feet average. Parcels over 100 feet up to 150 feet - 17.5 feet average. Parcels over 150 feet - 22.5 feet average.

ULDR Sections 47-5.31, for RS-8 district (Single family homes)

This zoning district is the most commonly used, citywide, for single family homes.

Current ULDR

The lot areas that regulate F.A.R. and lot coverage stop at lots over 12,000 square feet or larger.

Recommendations

- A maximum footprint and F.A.R. could be added in cases where someone wants to build a larger home, and/or 2 or 3 lots are assembled in a row. In such cases the side and rear yard setbacks need to be increased as the lot frontage increases at the front yard. If the parcel is bigger than 50 feet and up to 75 feet wide, the side yard would need to be increased to 7 feet 6 inches with a rear yard of up to 20 feet. If the lot is bigger than 75 feet wide, the side yard would need to be increased to 10 feet and the rear yard to 20 feet.
- The Lot coverage of 35% and F.A.R. of 0.55 % for lots bigger than 17,000 square feet would also be more appropriate.

The side yards stated above are minimums. We suggest adding a new regulation for "average side yard" as it relates to the building length along a side as follows:

Parcels up to 50 feet - 7.5 feet average. Parcels over 50 feet up to 75 feet -10.0 feet average. Parcels over 75 feet -12.5 feet average.

In order to reduce bulk, and to address the issue of plain façades on the side yards, the side facades of buildings over 50 feet deep would have offsets at least 5 feet for 25% of the façade. This offset area may be on either story, or spread along the side façade. The pockets created could be used for outdoor living, landscaping, equipment, or any other permitted use.

ULDR Sections 47-5.32, for RD-15 district (multiple family) ULDR Sections 47-5.33, for RC-15 district (multiple family) ULDR Sections 47-5.34, for RM-15 district (multiple family)

Current ULDR

These districts allow a density of 15 units per acre.

Recommendations

(When building a single family home, the same suggestions we made for RS-8 district, above, should apply.)

- When building any multiple family structures, starting with a 2 family dwelling or more units, additional requirements for offsets on side façades, larger setbacks, and average setbacks, should be added on a sliding scale.
- These districts do not presently have restrictions for F.A.R., which should be added. A F.A.R. as a sliding scale (depending on parcel size) should be added.
- These districts do not presently have restrictions for lot coverage or footprint, which should be added.
- A requirement for a sliding scale, depending on parcel size, should be added.
- When the sides of buildings exceed 50 feet in length, the façade needs to be offset 5 feet minimum for 25%.

ULDR Sections 47-5.35, for RML-25 district (multiple family) ULDR Sections 47-5.36, for RMM-25 district (multiple family) ULDR Sections 47-5.37, for RMH-25 district (multiple family)

Current ULDR

These districts allow a density of 25 units per net acre. (When building a single family home, the same suggestions we made for RS-8 district, above, should apply.)

Recommendations

- When building any multiple family structures, starting with a 2 family dwelling or more units, additional requirements for offsets on side facades, larger setbacks, and average setbacks should be added on a sliding scale.
- These districts do not presently have restrictions for F.A.R., which should be added. A F.A.R. as a sliding scale, depending on parcel size, should be added.
- These districts do not presently have restrictions for lot coverage or footprint, which should be added.
- A requirement for a sliding scale, depending on parcel size, should be added.
- Similar to suggestions for single family homes, when the sides of buildings exceed 50 feet in length, the façade needs to be offset 5 feet for a minimum of 25%.

• In the RML-25 district only, what appears to be an error in the code should be corrected. It is the only district that does not require a larger setback when buildings are taller. At present, a 10 feet side setback is required for multiple family structures up to 35 feet high instead of half the height as in all other districts.

ULDR Sections 47-5.38, for RMH-60 district (hi-rise multiple family)

Current ULDR

This district allows a density of 60 units per acre.

Recommendations

Similar criteria as discussed above should apply. This district is adjacent to very low density districts without any buffer. Specific criteria of compatibility should be established that are objective. Create transitional zoning or buffers.

B. Design:

Purpose:

- Encourage flexibility in the case of small platted lots.
- Require new regulations to encourage creative architecture, tree preservation, reduction in the impact of vehicles and garage doors.
- Increase the pervious area along street frontages and swales.
- Address the possibility of having specific requirements for individual neighborhoods such as on street parking, sidewalk widths, and massing.
- 1. Create incentives to accomplish the above:
 - a. **Reduce the number of garages facing the street in the same lineal plane**. At present garage doors and driveways dominate the front yards and swale areas, especially in duplex structures, which results in the paving of entire front yards.
 - i. Allow narrower drives through to the middle or rear of the property by reducing the width of the driveways to 10 feet from 12 feet, and by placing them along the side of the structures. The landscape buffer may be reduced from 2 feet 6 inches to 18 inches to allow for a hedge or vines as a buffer to the neighboring properties. Allow strips instead of solid drives at 10 foot driveways, as in the older homes. Allow the sharing of two driveways between two adjoining properties such as two duplex lots. The code allows this today as a "cross easement agreement", but it is not clear that it can be used in all cases.
 - ii. Encourage the use of alleys for access to garages and parking instead of from the street. Clarify that only the frontage of the alley abutting the parcel being developed

needs to be paved, rather than the entire block (which discourages the use of the alley due to cost.)

- iii. Allow sharing of driveways as outlined above.
- b. **Reduce the front setback as an incentive** to make up for development rights lost to other suggestions.
- 2. Reduce the amount of frontage in the front yard or city swale that can be paved for vehicular use areas. Depending on the lot widths, there should be a percentage that can be paved for vehicular use areas. Study to make sure the lots can still be developed and provide the proper parking. This will allow tree preservation, and re-orient the front doors and windows to the street.

It is much better to reduce the front setback for at least a portion of the frontage or area and the result will be a landscaped swale with street trees, and the placement of all, or a portion, of the garages to other areas rather than the front yard. Cities with creative zoning, like Seaside in the Panhandle and Celebration in Orlando, allow reduced setbacks and are much more aesthetically pleasing cities with better walking areas. Even if the reduction is only for a portion of the frontage, it will break up the mass facing the streets.

Recommendations:

1. **Reduce paving/impervious areas** so that no more than 50% of the front yard or city swale may be paved for vehicular uses, to encourage more creative ways of providing garages and parking, as well as some relief of the setback in the rear and front yards.

Care should be taken when modifying these regulations. Many parcels in the city have only a 50 feet frontage. In the case of single family homes, there will be not much of a problem complying. The worst case is for duplexes on a 50 feet lot with a two car garage per unit and some guest parking located on non corner or interior parcels and without access to an alley. ASHTOP (standards for passenger vehicles) should be provided.

2. Encourage the creation of an individual identity for townhouses.

By offsetting units even a few inches, changing roof lines, material, colors, window shapes, parapets, detailing, and banding, individual units will be perceived as individual. Subtle changes can do a lot for the overall massing and aesthetics. This condition could be accomplished with a minimum of 8 inches offset between units to allow for changes in paint color or materials, without reducing development rights.

3. Allow architectural features to encroach into the setbacks.

As the code stands, the amount of architectural features in most cases has to meet the same setbacks as the main structure. The result has been faceless boxes because the developers are not willing to lose area they can use for larger balconies, trellises, columns, or non-habitable

features such as those used in modern architecture. If a footprint is created, features can encroach into the space. This will help minimize the impact of the bulk. Examples of such features are: balconies, open staircases, trash enclosures, porches, verandas on upper floors, trellises, dormers, chimneys, and parapets. In ground decorative fountains with 30 inch walls above grade within setbacks (similar to swimming pools) should also be allowed.

- 4. **Provide incentives,** such as accelerated inspection schedules, to encourage LEED compliant design and establish a minimum amount of points to promote sustainable green building practices.
- 5. **Overhaul the dumpster section of the code.** The City now has a staff person that is addressing this issue for DRC cases only. However, many other projects need to be addressed in the beginning of the design process. Guidelines for each case should be established, keeping in mind that the collection vehicle cannot enter and maneuver within the small lots in the City.
 - a. Require plans to specifically designate the placement of solid waste and recycling for other than single family homes.
 - b. Require permanent solid waste and recycling container enclosures and screening.
 - c. Revise the existing ordinance to require that in multiple family developments of 3 or more units, the location of the containers should be determined as part of the site plan. The screening should be complimentary, or of similar construction as the main building, if they are visible from the street.
 - d. The enclosures should have solid gates not facing the street if they are in the front yard.
- 6. Screen mechanical equipment to the top of the equipment when it is mounted on a roof. The screening should be of similar material to the main structure. At present the ordinance in most cases requires non-visible screening from any point around the property line of a lot that is being developed. In taller buildings that is easily achieved. However, the equipment may still be very visible from the street or from places on the neighboring properties.

II. QUALITY OF LIFE

Purpose:

Increase green space/tree preservation.

New Construction Landscaping:

- 1. Increase new construction landscaping.
 - a. Require larger, mature trees proportionate to the size of the building.

As the amount of pervious area decreases, one way to mitigate the impact is to require larger trees at planting. Some trees take too many years to grow in restricted areas. Also, as buildings get taller, taller trees are necessary to minimize the mass and be in context with the taller structures. Also a larger percentage of trees need to be of native species to reduce watering needs.

b. Increase number of ornamental bushes.

At present, the amount required is too small. A larger percentage needs to be draught resistant and the larger amount of bushes will require less watering than sod. Requirements for variety, as well as for different heights, need to be established as foundation planting.

- 2. Identify trees on surveys. Require that surveys indicate any existing trees and their species prior to obtaining a building permit for new construction or additions. Caliper (diameter to 4 feet 6 inches above grade) should also be indicated.
- **3.** Increase fines for removal of existing trees. This will encourage maintaining existing mature trees. The additional green areas created by reducing mass and bulk will allow more trees to be maintained.
- 4. Increase the percentage of pervious area. The reduction of building coverage will facilitate this requirement. In addition, wood decks built with recycled materials will allow pervious ground to remain, as well as outdoor enjoyment areas.

B. Parking:

- 1. Create a requirement for on-site guest parking for duplexes, townhouses, and multiple family homes. At present the requirements do not designate the labeling of guest parking separate from the resident parking so these spaces are sold to unit owners and are no longer available to guests. In the case of townhouses or duplexes, most of the required parking is inside private garages, a good place to hide cars for owners but an unlikely place for guests to park. Guests now park in the neighborhood. In many cases this ruins the swales.
- 2. Count off-site parking for guests. Allow parking off-site to count towards the guest parking requirement. As the back out parking is reduced, it will allow for some on-street parallel parking for guests. These spaces should be encouraged and should be allowed to count toward the guest requirement.
- **3.** Review current allowances for curb cuts (driveways). The width may be reduced from 12 feet to 10 feet in some cases. The amount of lineal feet, as it relates to street frontage, needs to be reduced to allow for more landscaped areas in the front yard and the swale areas.

4. Create and define Transit Oriented Corridors/Roads

a. The City is at the tip of redevelopment. Defining transit oriented corridors will guide development to those areas such as the major east/west and north/ south corridors. Existing or future transit lines will allow for higher densities in those areas such as mixed use developments and workforce housing. This will relieve pressure in the lower density

neighborhoods. Future growth should be encouraged on these corridors because many sites are under utilized with large areas of surface parking and obsolete one story strip centers.

- **b.** Allow reduced parking ratio along the Transit Oriented Corridors in exchange for a transit fee. The fees could be used for additional public transportation and to encourage the use of mass transit.
- **5.** Allow off-site parking requirements to be met by providing parking at a further distance (quarter of a mile suggested) as long as the remote parking is located on private property. In many cases the short walk is doable and will encourage, for example, centralized parking garages or parking lots along railroad tracks that can serve the community. Centralized parking will also allow for better traffic circulation, put pedestrians on sidewalks, and allow for better architecture.

6. Review street geometric standards.

C. Construction Management:

- 1. Review and strengthen construction mitigation requirements.
- 2. Improve enforcement.
- **3.** Make requirements part of the ULDR.

Amend ULDR to require that a contact cell phone number be posted conspicuously on every construction site. Note: Create standardized signs that should include development and city code enforcement contact information.

4. Measurement standards, for example light emission, noise, sight lines, should be changed so that they extend beyond the property lines.

D. Trash and Recycling Collection:

Alter the trash collection system in those areas where the swale area is too small to stage the carts, such as on major roadways (e.g. A1A) so that trash and recycling containers are not left on the sidewalk. This would ensure that:

- a. Pedestrians have clear access to sidewalks,
- b. Bicyclists don't have to go around receptacles into the traffic lane; and
- c. Baby strollers are provided with a safe passage.

One suggestion, which will require an additional person, is to have someone take the container out of the driveway and to the truck as it gets picked up, or make the route just ahead of the truck and tuck the containers away right after pick up.

E. Greenway Connectivity and Bicycle Pedestrian Transit Routes:

- 1. Designate greenway corridors and integrate them with Broward County's Greenway Plan.
- 2. Identify requirements for properties adjacent to greenway corridors.
- **3.** Encourage an initiative to develop multi-modal activities throughout the city. Encourage connections to the system. As our corridors redevelop, especially along the major corridors, larger sidewalks and bicycle lanes need to be established. If not built at present, at least a bicycle corridor easement needs to be created. The present system of having bicycles alongside fast moving traffic is dangerous and does not encourage their use.
- 4. Within Five Years:
 - **a.** Remove as many impediments as possible (light poles, signs, traffic signal equipment) and widen sidewalks on major streets. Our proposal is to set a time scale of 5 years under city control to accomplish the goal. Several agencies will be involved such as Florida Department of Transportation, Broward County Engineering, City of Fort Lauderdale, and private property owners adjacent to the right of ways. Voluntary or eminent domain will be necessary to achieve this goal where space does not allow for relocation.
 - **b.** Widen sidewalks on major streets to create safe pedestrian paths. At present most sidewalks are only 5 feet wide. New development requires at least 7 feet wide for commercial developments.
 - **c.** Traffic lane widths may need to be reduced to slow traffic and to create the space necessary for wider sidewalks.

III. NEIGHBORHOOD CHARACTER.

A. Master Plans and Compatibility:

- Encourage neighborhood specific character plans. Each neighborhood has a character that needs to be preserved including the tree canopy, architecture, history, larger lots, and mixed uses.
- **Provide objective criteria for neighborhood compatibility.** At present the criteria are too subjective and are enforced at whim, or due to popularity votes.
- **Require that neighborhood compatibility is neighborhood specific**. Developers need to know the rules prior to purchasing property. The trial and error system used at present is costly.
- **B.** Changes to Zoning Designations:

- 1. Educate residents about property owner/neighborhood initiated rezoning possibilities, such as from multiple family to single family, in areas where single family homes are prevalent and most residents want to maintain the status quo.
- 2. Establish standardized and clear processes (standing, percentage of property owners, notification).
- 3. **Establish transitional zoning** (buffers) where it does not exist. In some neighborhoods, for example, RSH-60 and RS-8 are next to each other or there are commercial properties adjacent to single family homes.
- 4. Limit surface parking lots along transit corridors.
- 5. **Review and update permitted uses** along Image/Gateway/Priority/Pedestrian Streets and discourage, through overlays, objectionable uses that are neighborhood specific.
- 6. Allow density bonuses for projects with smaller square feet units to encourage more affordable housing.

C. Neighborhood Involvement:

ULDR Notification requirements:

- 1. **Expand current notification requirements** to include all DRC submissions (currently notice to property owners is within 300 feet and posted signs) and notice to neighborhood associations. Additional notification should include informing neighborhood associations of proposed developments as soon as possible. At present not all stakeholders are notified in a timely manner, many times decisions have been made without input from the supporting community. Make agenda item submissions available on line for at least the site plan, elevations, floor plans, and landscape plans. Many cities do this already.
- 2. **Require that the city planning staff conduct a meeting with developer and residents to** define what is eligible to be built on a site whenever new construction/redevelopment projects will be submitted for review by the DRC (Development Review Committee). Meetings shall be conducted prior to submittal to DRC. The City shall notify the Civic Association/neighborhood of the meeting. Guidelines shall be established for the notification process.

D. Historic Preservation:

- 1. Make it easier to preserve rather than demolish historic buildings. They should be made more productive (e.g. adaptive re-use, accessory structures).
- 2. Update the Historic ordinance.
- 3. Examine definition of "hardship" for BOA to include historic consideration.
- 4. Create incentives for upkeep, designation, adaptive re-use, and preservation.
- 5. Hire full time staff and allocate resources necessary to operate effectively.
- 6. Educate property owners and the general public about the positive economic impacts of preservation.
- 7. Provide relief in code regarding the current requirements to upgrade to current standards under the 50% rule, change of use, and provisions for conformity, density, setbacks, parking, landscape.
- 8. Allow additional structures to be located on property within density limitations that are conforming.
- 9. Provide relief from the breezeway/air conditioned space requirement for additional structures.
- 10. Allow "carriage house" designs.
- 11. Examine fire risk materials provisions.

IV. BUILDING AND PERMITTING PROCESS.

A. Permitting Process:

- 1. Require that all Site plan Level II (DRC) developments and above be posted on the City's Web page, with graphics.
- 2. Increase user friendliness by allowing comments and responses to be sent to the City planner for the case on line with a "contact us button".
- 3. Expedite the permitting and approval process.

Although the regulations have not changed in years, the length of time the permitting process takes has increased to unacceptable levels. The result is an increase in the cost of the end

product. Delays cause additional engineering, architectural fees, and extra taxes that are passed on to the buyer making affordable homes harder to come by.

B. Code Review:

- Schedule automatic review.
- Make comparisons to other Cities' codes.
- Update code.

V. GROWTH POLICY.

Establish policy allowing growth and redevelopment to occur where needed.

VI. COUNCIL RECOMMENDATIONS FOR CHANGES TO THE ULDR AND PROPOSED POLICY ADDITIONS TO OCCUR WITHING NEXT 12 MONTHS

- Clearly define, and consistently apply, objective neighborhood compatibility criteria.
- Create transitional zoning criteria.
- Create model historic preservation ordinance with incentives for preservation, renovation, and adaptive reuse.
- Incentivize projects that meet LEED standards or other green building techniques; include workforce housing; encourage park creation; preserve open space, etc.
- Create incentives such as:
 - Transferable development rights
 - Density bonuses
 - Expedited plan review
 - Expedited building process
 - Fee mitigation
- Improve and streamline site plan review and approval (time-certain/fee based system.)
- Clarify pre-filing approval requirements for site plans.
- Provide notification to neighborhoods and make DRC site plans available on the web.
- Consider creation of overlay districts on a neighborhood-by-neighborhood basis.
- Encourage updated neighborhood character plans for streetscape, landscape, and sidewalk continuity.
- Improve traffic efficiency and parking.
- Create zoning to encourage transit-oriented corridors.
- Provide public education about initiating the rezoning process.
- Implement studies related to connectivity and greenways.
- Identify and brand city gateways and primary corridors.
- Create Marquee street zoning.
- Design for South Florida climate/environment.
- Establish a design review by team of industry professionals.
- Create a plan for stormwater/wastewater management.
- Institute Smart Growth principles.

- Create streetscape design/geometry standards.
- Examine definition of permitted "density" in residential zoning and consider how it should reflect the impacts generated by differing types and sizes of residential units.
- Involve professionals, advisory boards, neighborhoods, and staff NOW.
- CREATE A VISION!