

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY HOLLYWOOD, FLORIDA,
AMENDING CHAPTER 155 OF THE CODE OF
ORDINANCES ENTITLED "BASIC LAND IMPROVEMENT
CODE" TO UPDATE THE REQUIREMENTS UNDER
DRIVEWAYS AND APRONS AND UPDATE CERTAIN
PROVISIONS FOR OPERATIONAL PURPOSES.

WHEREAS, Chapter 155 sets forth regulations regarding basic land improvements to property within the City that include the responsibility for the repair and maintenance of sidewalks within the City; and

WHEREAS, the Department of Development Services/Engineering, Transportation and Mobility Division staff have been reviewing the regulations under Chapter 155 and have determined certain provisions need to be updated.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated into this Ordinance.

Section 2: That Chapter 155 of the Code of Ordinances entitled "Basic Land Improvement Code" is hereby amended as follows:

TITLE XV: LAND USAGE

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CHAPTER 155. BASIC LAND IMPROVEMENTS CODE APPENDIX: TABLES OF DESIGN AND CONSTRUCTION STANDARDS

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GENERAL PROVISIONS

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§155.11. DRIVEWAYS; PARKING APRONS

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Coding: Underlined text reflects additions to existing text; ~~stricken through~~ text reflects text that has been removed from existing text. Shaded text reflects changes presented on the dais at first reading. Shaded and double underlined text reflects changes between first and second reading.

(D) ~~In areas which have curb, gutter and sidewalk, All~~ all driveways shall be constructed in conformance with official design and construction standards in of the ~~City. city; except, however, in residential areas only, in the event an owner of property desires to reconstruct driveway, if the City Engineer shall determine that the sidewalk is in good condition, then reconstruction of sidewalk shall not be required simultaneously with reconstruction of driveway. In the event at a later date such sidewalk determined to be in good condition at the time of reconstruction of driveway deteriorates, the cost of repair and replacement of such sidewalk shall be paid by special assessment against the property.~~

(E) ~~In areas where there is no curb or gutter, All~~ all driveways shall be surfaced with a hard, dustless material and may be constructed of materials listed below concrete, asphaltic concrete or sand-oil surface in conformance with the official design and construction standards of the ~~City. city.~~ Any driveway material used is at the property owner's risk. In the event the driveway materials are damaged or removed from the public right-of-way or easement as the result of utility construction, repairs, or any other reason, the City will only be required to replace or restore the driveway with asphalt pavement. Further, all driveways shall be maintained in a smooth, well-graded condition.

(1) Concrete (pervious or impervious) with the following conditions:

- (a) Minimum 6-inch 3,000 psi concrete or 5-inch fiber mesh may be used on private property.
- (b) No fiber mesh is allowed for concrete apron within the rights-of-way and shall be finished flush with the existing roadway.
- (c) Control joints shall be located approximately every 250 square feet.
- (d) Sawcut existing asphalt at roadway.
- (e) The newly constructed driveway and/or apron shall be flush with existing roadways and adjacent sidewalks.

(2) Asphalt Pavement (pervious or impervious) with the following conditions:

- (a) Minimum 6-inch limerock base, tack coat, and 1-inch layer of S-III asphalt.
- (b) Saw cut existing asphalt at roadway.

- (c) The newly constructed driveway and/or apron shall be flush with the existing roadways and adjacent sidewalk.
- (3) Interlocking Paver Systems (pervious or impervious) with the following conditions
 - (a) Minimum 2 3/8th inch pavers placed over a 1 1/2 inch sand base and compacted subbase.
 - (b) Minimum 6-inch edge restraint (concrete border) is required around perimeter to interlock pavers.
 - (c) Saw cut existing asphalt at driveway.
 - (d) The newly constructed driveway and/or apron shall be flush with existing roadways and adjacent sidewalk.
- (4) Two Strip Driveways with sod or artificial sod in between concrete, asphalt or paver sections. Installation shall be as specified above or for each type of material.
- (5) Concrete, asphalt or paver sections with sod, artificial sod or stone in between the concrete slabs. Installation shall be as specified above for each type of material.
- (6) Natural Stone (Flagstone) Pavers. Installation similar to paver systems above.
- (7) Turf Block (West of US1).
 - (a) A typical turf block installation consists of a soil subgrade, a gravel base, a layer of bedding sand and the turf block. Topsoil and grass, or stone aggregate is placed in the Openings.
 - (b) Soil subgrade shall be uniformly compacted to 95 percent optimum density.
 - (c) Six inch thick layer of FDOT No. 57 stone shall be placed over the subgrade.
 - (d) One to 1.5 inch layer of bedding sand shall be placed over the aggregate base. Sand should have uniform moisture content (not saturated) prior to placing the turf block.
 - (e) Concrete edge restraint or turf lock retainers shall be installed and shall have an area of four inch by eight inch with

compressive strength of 3,000 psi @ 28 days and #4 reinforcement.

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§155.52 NEW CONSTRUCTION OR IMPROVEMENTS; REQUIRED PLANTING OF NEW TREES; TREES ADJACENT TO UTILITIES.

(A) No building permit shall be issued for new construction, additions to existing single family residences which result in an increase of 50 percent or more in floor area or that impact existing trees and site improvements ~~site improvements that impact existing trees or site improvements that impact 50% or more of the site area outside the foot print of the building or the improvement or expansion of existing buildings, or other improvements to the property, in excess of \$20,000 in value upon any parcel of land in the City~~ city abutting a public right-of-way, unless the proposed plans for said new construction or improvements provide for the installation of at least one tree, as defined in Section 106.26 of the Code of Ordinances ~~within this section~~, for each 50-foot section or portion thereof, of the street frontage of the parcel of property wherein said improvements are proposed to be constructed. For all corner properties, no trees shall be installed within the first 25 feet measured from the point of intersecting right-of-way lines of such street. No certificate of approval or occupancy shall be granted until such required trees are installed in compliance with the terms and conditions contained in this subchapter.

~~(B) *Definition.* TREE shall be defined as a self-supporting, woody, or fibrous perennial plant which normally grows to a minimum height of 20 feet with a mature crown spread of 15 feet or greater in Broward County and having a trunk which can be maintained with over eight feet of clear wood. All required trees shall have a diameter at breast height (four and one-half feet above grade) of two inches at planting time and be a minimum of 12 feet in height.~~

~~(B)(C) *Species type: common and botanical name.*~~

(1) All required trees shall be of a species as specified on a list found in the City's ~~city's~~ Landscape Manual as maintained by, ~~and revised from time to time, the~~ Department of Development Services ~~Office of Planning~~. Provided, however, that under all utility/power lines the approved tree list will be obtained from Florida Power & Light Company's publication "Plant the Right Tree in the Right Place," latest edition, as may be edited by the Department of Development Services ~~the Office of Planning~~ following a written request setting forth unique and unusual circumstances justifying such requested substitution.

(2) The trees approved for highly saline areas are the only trees to be utilized in those areas east of the Intracoastal Waterway and may be obtained from a list as maintained ~~and revised by the~~ Department of

Development Services ~~Office of Planning~~ and can be found in the City's ~~city's~~ Landscape Manual.

(3) The City Engineer ~~Director of the Office of Planning~~ is authorized to grant a waiver of this requirement upon a showing by the property owner that the installation of at least one tree on the subject property is impossible due to the size or configuration of the street frontage, or would create an urgent safety hazard, or because existing trees located on the subject property are sufficient to satisfy the intent and purpose of the subchapter.

(4) (a) Any property owner aggrieved by a decision of the City Engineer ~~Director of the Office of Planning~~ in connection with administration of this subchapter has the right to have a written appeal setting forth, with reasonable particularity, the reason for such appeal heard by a Review Committee composed of the following City ~~city~~ staff or their designees: Director of Development Services, Director of Public Works; ~~City Engineer~~; Assistant City Manager.

(b) Any appeal filed pursuant to this section must be received in writing by the Department of Development Services, Engineering, Transportation & Mobility Division ~~Office of Planning~~ within ten working days following the date upon which the appealed decision was rendered. The Review Committee shall consider any valid written appeal and acknowledge its decision within ten working days of its receipt of an appeal. The Review Committee's decision shall be final, subject to the right of any aggrieved party to appeal such final decision of the Review Committee to the circuit court of the Seventeenth Judicial Circuit of Florida in and for Broward County, Florida. An appeal shall be filed within 30 days of the receipt of a notice of such decision.

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Section 3: That it is the intention of the City Commission and it is ordained that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Hollywood, Florida, and the sections of the Code may be renumbered to accomplish such intention.

Section 4: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict are repealed to the extent of such conflict.

Section 5: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

AN ORDINANCE OF THE CITY HOLLYWOOD, FLORIDA, AMENDING CHAPTER 155 OF THE CODE OF ORDINANCES ENTITLED "BASIC LAND IMPROVEMENT CODE" TO UPDATE THE REQUIREMENTS UNDER DRIVEWAYS AND APRONS AND UPDATE CERTAIN PROVISIONS FOR OPERATIONAL PURPOSES.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised on _____, 2022.

PASSED on first reading this _____ day of _____, 2022.

PASSED AND ADOPTED on second reading this _____ day of _____, 2022.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY