

ORDINANCE NO. _____

(16-T-48)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE 9 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ENTITLED "VEHICULAR USE AREA LANDSCAPING" TO INCREASE THE MINIMUM THRESHOLD VALUE OF IMPROVEMENT(S) TO A SINGLE FAMILY RESIDENCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article 9 of the Zoning and Land Development Regulations sets forth the regulations and guidelines for landscape requirements; and

WHEREAS, Article 9 currently sets forth a \$20,000.00 minimum threshold dollar amount for any construction or renovations to any single family residence that requires that the property meet current landscape requirements set forth in Article 9 and the City's Landscape Manual; and

WHEREAS, the purpose of this requirement is to promote maintenance and upkeep of landscapes for single family homes including standards for shrubs and groundcover, yard trees, street trees, and the general appearance of the residence; and

WHEREAS, the current \$20,000.00 threshold has not be updated to coincide with the rise of costs of improvements over the years and, at its current threshold may pose hardships and penalties on simple maintenance or upgrades to single family homes such as window or door replacement, new roofing, septic system replacement, or swimming pools; and

WHEREAS, the Zoning and Land Development Regulations provide that an application for a zoning text change of regulatory controls may be filed; and

WHEREAS, City staff reviewed the current minimum threshold value of Building Permit improvements to single family residences for which landscape improvements are required, and submitted a text amendment to the Planning and Development Board recommending that the minimum threshold value requirement be increased from \$20,000.00 to \$60,000.00; and

(Coding: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

WHEREAS, on July 19, 2016, the Planning and Development Board reviewed the proposed text amendment at a duly noticed public hearing and have forwarded its recommendation of approval to the City Commission with the following conditions: (1) that the minimum threshold value requirement for Building Permit improvements be increased to \$40,000.00; and (2) that the minimum threshold value be reviewed and adjusted, as necessary in five years from the adoption of the text amendment; and

WHEREAS, the City Commission following review and public hearing, accepts such recommendations as set forth herein and finds them to be in the best interest of the citizens of Hollywood;

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

Section 1: That Article 9 entitled "Vehicular Use Area Landscaping" of the Zoning and Land Development Regulations is hereby amended as follows:

ARTICLE 9. VEHICULAR USE AREA LANDSCAPING

* * *

§ 9.4 Minimum Landscape Requirements for Single Family Residential

- A. For all new construction or renovations to existing single residences exceeding ~~\$20,000~~ \$60,000.00 in value, or any work which results in an increase of 50% or more in floor area:

* * *

Section 2: That it is the intention of the City Commission and it is hereby ordained that the provisions of this section shall be made a part of the Zoning and Land Development Regulations, and the sections of the Regulations may be renumbered to accomplish such intention.

Section 3: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 4: That all sections or parts of sections of the Zoning and Land Development Regulations, all regulations or parts of regulations, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

ORDINANCE AMENDING ARTICLE 9 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS, SPECIFICALLY SECTION 9.4 RELATING TO MINIMUM LANDSCAPE REQUIREMENTS FOR SINGLE FAMILY RESIDENTIAL

Section 5: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

Advertised _____, 2016.

PASSED on first reading this _____ day of _____, 2016.

PASSED AND ADOPTED on second reading this _____ day of _____, 2016.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY