

ORDINANCE NO. _____

(20-T-43)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE 9 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ENTITLED "VEHICULAR USE AREA LANDSCAPING" BY AMENDING SECTION 9.4 ENTITLED "MINIMUM LANDSCAPE REQUIREMENTS FOR SINGLE FAMILY RESIDENCES" TO ELIMINATE THE VALUE THRESHOLD REQUIREMENT FOR CONSTRUCTION OR RENOVATIONS.

WHEREAS, Article 9 of the Zoning and Land Development Regulations sets forth the guidelines and parameters for vehicular use area landscaping; and

WHEREAS, Section 9.4 of the Zoning and Land Development Regulations currently has in place a minimum threshold dollar amount of \$60,000.00 for any construction or renovations to single family residences to meet landscaping requirements; and

WHEREAS, although the intent of this requirement benefits both the City and its residents, it has created difficult and undue burdens, poses hardships or penalties on simple home maintenance, rehabilitation and upgrade projects that have little or no relevancy to landscape improvements; and

WHEREAS, due these impediments, City staff has determined that the threshold value should be eliminated; 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, the staff of the Planning and Urban Design Division analyzed the proposed text amendment and submitted same to the Planning and Development Board; and

WHEREAS, the Planning and Development Board, acting as the Local Planning Agency, reviewed the proposed text amendment to Article 9 based upon the criteria set forth in Section 5.3 J. 3. and have forwarded a recommendation of denial to the City Commission; **however the Board recommends that the City Commission consider the alternative text amendment as follows:** For all new construction, additions and renovations to existing single family residences exceeding \$100,000.00 ~~\$60,000~~ in value, or any work which results in an increase of 50% or more in floor area; and

Coding: Underlined text reflects additions to existing text; ~~stricken through~~ text reflects text that has been removed from existing text, and shaded and double underlined text reflects changes between first and second readings.

WHEREAS, the City Commission, following review of the proposed text amendments at a public hearing, accepts the recommendations 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 the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That Article 9, Section 9.4 of the Zoning and Land Development Regulations entitled "Minimum Landscape Requirements for Single Family Residences" is hereby amended as follows:

ARTICLE 9: VEHICULAR

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§9.4. Minimum Landscape Requirements for Single Family Residences.

A. For all new construction; or additions ~~renovations~~ to existing single family residences ~~exceeding \$60,000 in value, or any work which results in an increase of 50% or more in floor area or, 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; that impact existing trees; and site improvements;~~

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Section 3: That it is the intention of the City Commission and it is 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 4: 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.

Section 5: 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.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE 9 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ENTITLED "VEHICULAR USE AREA LANDSCAPING" BY AMENDING SECTION 9.4. ENTITLED "MINIMUM LANDSCAPE REQUIREMENTS FOR SINGLE FAMILY RESIDENCES".

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