



Legislation Details (With Text)

File #: PO-2016-16 **Version:** 2 **Name:** Vehicular Use Area Landscaping
Type: Ordinance **Status:** Passed
File created: 8/15/2016 **In control:** Regular City Commission Meeting
On agenda: 9/21/2016 **Final action:** 9/21/2016
Title: 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. (16-T-48)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance.pdf, 2. Article 9 20K.pdf, 3. Landscape Manual 20K.pdf, 4. TurnerCostIndex2006.pdf, 5. TurnerCostIndex2015.pdf

Date	Ver.	Action By	Action	Result
9/21/2016	2	Regular City Commission Meeting	adopt on second and final reading	
9/21/2016	2	Regular City Commission Meeting	Free Form	Pass
9/21/2016	2	Regular City Commission Meeting	adopt on second and final reading	Pass
8/31/2016	1	Regular City Commission Meeting	adopt	Pass

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. (16-T-48)

Staff Recommends: Approval of the Attached Ordinance.

Explanation:

On July 19, 2016 the Planning and Development Board (Board) forwarded a unanimous recommendation of approval to the City Commission to amend the Zoning and Land Development Regulations to:

- Increase the dollar amount threshold that automatically requires landscape improvements to accompany any permitted improvements to single-family homes from twenty thousand dollars (\$20,000.00) to forty thousand dollars (\$40,000.00) with a 5-year Sunset Clause for re-review.

Although a recommendation of approval was forwarded to the City Commission, during Board

discussion members expressed concern that the sixty thousand dollar (\$60,000.00) threshold proposed by Staff was too high and recommended forty thousand dollars (\$40,000.00) as an alternative threshold. Furthermore, the Board included a condition in their recommendation to Commission to provide for a Sunset Clause that would review the dollar amount threshold every five (5) years for suitability to then-current construction costs, trends and local economic conditions. In further evaluation, Staff feels sufficient evaluation in research of rising construction costs has been determined to support the sixty thousand dollar (\$60,000.00) threshold request and that the 5-year Sunset Clause is not necessary as a condition.

Background: Article 9.4 of the Land Development Regulations enacted by Ordinance O-94-26 on July 6, 1994 and amended by Ordinance O-2004-05 on January 21, 2004, requires any single-family residential property to meet current landscape Code requirements for all new construction or renovations exceeding twenty thousand dollars (\$20,000.00) in value, or any work which results in an increase of 50% or more in floor area. The requirements, as set forth in and crossed referenced by The Landscape Manual, include installation of one (1) tree for every 1,250 square feet (or fraction thereof) of front yard area. Additionally, per Chapter 155.51 and 155.52 of the Code of Ordinances titled Basic Land Improvement Code, any single-family property where improvements are proposed per the threshold above is required to meet the current street tree requirement which is one (1) tree per fifty lineal feet (50 LF) of street frontage. Due to the dates of the regulations requiring these landscape improvements, it has come to the attention of City Staff that this dollar threshold amount for single-family homes may not be in line with current construction costs as they have increased over the years since the Ordinance was enacted.

Request: Text Amendment to the Zoning and Land Development Regulations and Landscape Manual to increase the minimum threshold value of improvement(s) to a single-family residential for which landscape improvements are required from the current twenty thousand dollars (\$20,000) to sixty thousand dollars (\$60,000).

Applicant: City of Hollywood
Address/Location: City-wide

CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed text amendment is inconsistent with the Comprehensive Plan, based upon the following:

Goal: *Promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing land owners to maximize the use of their property.*

Objective 4: *Promote improved architectural and street scape design standards, code enforcement, economic development, neighborhood planning, and public information dissemination to maintain and enhance neighborhoods, businesses and tourist areas.*

Objective 5: *Encourage appropriate infill, redevelopment in blighted areas throughout the City, and economic development in blighted business and tourist areas.*

The proposed text amendment will encourage single family property improvements to follow proper permitting processes by increasing the dollar threshold in which improvements are required in addition to those being requested through permit, thus reducing any associated costs with simple maintenance improvements such as installing new roofs, new wind-resistant windows and doors, interior remodeling, etc.

CONSISTENCY WITH CITY-WIDE MASTER PLAN

The proposed request is inconsistent with the following policies and guiding principles of the City-Wide Master Plan:

Guiding Principle: *Preserve stable single-family neighborhoods while providing alternative housing options that will meet the needs of all residents in the City of Hollywood.*

Policy CW.15: *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

Uses are amended in the Code typically because these they have been determined to no longer be appropriate in the specific zoning district; it is very common for these uses to be undesirable. Overtime and depending on market conditions development trends change creating new types of uses while eliminating and/or reducing other uses. As the City moves toward a common vision of increasing citywide property values, occasionally the continuous return of these inappropriate uses can impede the City's vision. The proposed Text is consistent with the City-Wide Master Plan by encouraging the ability to increase economic opportunities and promote the highest and best use without compromising goals of the community.

APPLICABLE CRITERIA

Analysis of Criteria and Findings for Text Amendments as stated in the City of Hollywood Zoning and Land Development Regulations Article 9 and the Landscape Manual.

CRITERIA 1: The proposed change is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan as amended from time to time.

ANALYSIS: One of the Objectives of the Comprehensive Plan is to *Encourage appropriate infill, redevelopment in blighted areas throughout the City, and economic development in blighted business and tourist areas.* The proposed text amendment is intended to encourage single-family properties to perform relatively minor permitted improvements by raising the threshold in which additional requirements, in addition to those that are being applied and planned for, are imposed, particularly in blighted areas where property improvements are much needed but sometimes available incomes may not support additional improvements beyond basic maintenance or restorative improvements.

FINDING: Consistent

CRITERIA 2: That materials and construction costs have substantially changed from the date the present zoning regulations were established.

ANALYSIS: After reviewing the Turner Building Cost Index summary analysis based on construction labor rates and productivity, material prices, and competitive conditions of the construction marketplace from 1996 to 2015, there has been an average rise in building costs of 3.35% annually including development surges and retractions for the last twenty-two years. Cumulatively, this renders the current threshold obsolete by more than double the original threshold amount approved in 1994.

FINDING: Consistent

ATTACHMENTS:

ATTACHMENT A: Current Zoning and Land Development Regulations (Article 9) and the Landscape Manual section for single family residences.

ATTACHMENT B: Turner Building Cost Index 2006 and 2015 4th quarter forecasts including previous year averages from 1996 through 2015.

Recommended for inclusion on the agenda by:

Dr. Wazir Ishmael, City Manager

Gus Zambrano, Assistant City Manager/Sustainable Development

Thomas Barnett, Director, Department of Development Services

Terrence Comiskey, Engineering Support Services Manager