

**PLANNING AND ZONING BOARD WORKSHOP  
CITY OF FORT LAUDERDALE  
DEPARTMENT OF SUSTAINABLE DEVELOPMENT  
URBAN DESIGN DIVISION CONFERENCE ROOM  
700 NW 19<sup>TH</sup> AVENUE  
FORT LAUDERDALE, FLORIDA  
WEDNESDAY, MARCH 14, 2012 – 6:00-8:00 P.M.**

<b><u>Board Members</u></b>	<b><u>Attendance</u></b>
Patrick McTigue, Chair	P
Leo Hansen, Vice Chair	P
Stephanie Desir-Jean	P
Michael Ferber	A
James McCulla	P
Michelle Tuggle	A
Tom Welch	P
Peter Witschen	P

**Staff**

Jenni Morejon, Acting Deputy Director  
Ella Parker, Acting Urban Design and Planning Manager  
J. Opperee, Recording Secretary, Prototype, Inc.

The meeting came to order at 6:14 p.m.

**1. ULDR Modifications Plan**

Ms. Morejon explained that the intent of the recent workshops is to vet different aspects of the Neighborhood Development Criteria Revisions (NDCR) so a final package of proposed changes can be taken to the City Commission as a conference item. She noted that much of the discussion has been consistent across the different building types, such as how to deal with landscaping, driveway widths, articulation, and other features.

She observed that the original intent had been to bring the NDCR project before the Board as an Agenda Item, then move into the Ordinance phase. The current process is bringing these two phases together so they happen concurrently.

Ms. Morejon pointed out that the City began reorganizing several of its Departments in late 2011, and there have been several changes within the Department of Sustainable Development. She asserted, however, that this project remains a priority within the Department.

She continued that Staff has reached out to the project's consultant with the input received by the Board thus far, such as how to be more flexible and less prescriptive while still meeting the intent of the project as developed during the public involvement phase. Some recommendations have been revised, and current Code requirements are being analyzed once more to determine whether or not they already address the desired intent.

Ms. Parker recalled that the Board had found the landscaping and driveway regulations to be too prescriptive at a previous workshop meeting. She noted that the intent for these proposals was to create a better pedestrian experience. The existing Code is also prescriptive with regard to tree requirements, requiring a certain number of trees planted on the property in some districts. Ms. Morejon advised that the intent was to place shade trees near the front of a property in order to create a street edge and enhance the pedestrian experience without limiting the rest of the landscaping.

Mr. McCulla commented that shade trees can grow up into the power lines, and added when they are cut back from these lines by Florida Power & Light (FPL), the result can be "really ugly." Ms. Parker agreed that the placement of trees in a front yard must be carefully considered to avoid this; however, many of the neighborhoods that received positive comments had a more shaded environment. Vice Chair Hansen remarked that some older neighborhoods have power lines behind the homes rather than on the street. He pointed out that the City's Urban Forester can be helpful in determining tree location, as well as the kinds of trees it is appropriate to plant beneath power lines.

Ms. Morejon said this issue arose because there was a great deal of development with less green space and very few trees, which was allowed by a previous Code. When this was amended, new development has responded to the change in guidelines, resulting in a more lush environment. She added that another change would discourage the planting of trees in the swale in most neighborhoods.

Vice Chair Hansen said he felt the proposed change may not go far enough. Ms. Morejon pointed out that many homeowners have their own sense of appropriate landscaping; in addition, from an administrative standpoint, the intent is to prevent homeowners from having to get site plan approval if they want to change the landscaped areas in their yards.

Mr. McCulla observed that it did not seem less prescriptive to require a homeowner to plant shade trees in front of the house while limiting the varieties of trees that may be placed near power lines. Ms. Morejon said if a tree is placed in the front to create a street edge, this would be the best option; however, because some utility lines are located in front of a house, this must be considered on a case-by-case basis. She clarified that the requirements are

minimums, so a homeowner could shade his or her home in addition to the front property line.

Ms. Morejon concluded that landscaping regulations would keep what is currently in the Code, which requires three trees in front of a home, one of which must be a shade tree; the change would place the shade tree within a specific dimension of the front property line in order to provide a canopy.

Mr. McCulla said if a canopy is desired, the requirement should be changed from one shade tree to two rather than specifying the location of the trees. This would create a canopy while retaining more of the owner's property rights. Ms. Morejon agreed this could be an option, particularly for larger lots.

Mr. McCulla pointed out that the owner of a small lot might prefer to plant a shade tree close to the house, but would not be allowed to do so due to the requirement to place shade trees near the street. It was noted that two smaller shade trees could be planted in this case. Ms. Parker advised that a street canopy could also help reduce the scale of very large buildings on small lots. Mr. McCulla emphasized that it would be best to allow for greater flexibility by homeowners regarding the choice and placement of trees.

Mr. McCulla commented that landscaping requirements for town homes and multi-family developments had not yet been discussed. Ms. Parker said for townhouses, one tree would be required for every 1000 sq. ft. of lot area, and 20% of these must be shade trees. Ms. Morejon observed that there is no requirement for these shade trees to be placed in the front of the lot, and recommended that this be included. Gus Carbonell, Architect, clarified that the 1000 sq. ft. measurement does not include impervious surfaces, such as driveways.

Ms. Morejon pointed out that there will always be a need for allowances and site-specific conditions. Mr. Witschen noted that individuals would need to apply for variances in these cases. It was also noted that the shade trees must be cared for appropriately, and cannot be removed or cut down without a permit.

The discussion moved on to requirements for driveways and garage doors. Ms. Morejon recalled that the consultant had recommended limited width for front driveways as they crossed the property line; following the presentation of this recommendation to the Board at an earlier workshop, it was determined that this requirement would have a maximum of 18 ft. width at the property line in order to allow for multiple cars. Up to 20 ft. in width would be allowed if the owner used decorative or sustainable paving. For circular driveways, the requirement would be narrowed to 12 ft., and garage door openings would be 18 ft., which is the industry standard for a two-car garage.

Mr. McCulla commented that a garage with an 18 ft. door would require, at the minimum, a 20 ft. wide structure. Mr. Carbonell confirmed this.

Ms. Morejon noted that the requirements should clarify how far onto the property the 18 ft. width of a driveway must be maintained. Vice Chair Hansen recalled that there was a maximum amount of pavement that must be met. Ms. Morejon added that there is a vehicular use area (VUA) landscape requirement, which would be met by the new landscaping requirements for the property, including the placement of trees. It was noted that some lots appear to have very little landscaping and go straight from sidewalk and/or driveway to house, with no trees on the front of the lot. This would not be acceptable under the proposed changes.

Mr. McCulla stated he would prefer the maximum garage width to be increased to 20 ft., which would allow a homeowner to align the driveway with the garage structure. Ms. Parker noted that this would be allowed if a homeowner used a decorative or permeable surface in the driveway, such as pavers or crushed stone. Ms. Desir-Jean said the appearance of 20 ft. of concrete or asphalt would be contrary to the goal of creating more green space. Ms. Morejon said they arrived at the 18 ft. width after hearing public input.

Chair McTigue asked if there was any way to break up the mass of a three-car garage. Ms. Morejon said this was part of the discussion of front façade articulation; if the lot width is sufficiently large and the landscaping meets the intent, a three-car garage would be allowed. She noted that no more than 40% of the front façade can consist of garage doors.

She distributed copies of some of the graphics shown for side wall and front articulations at the previous NDCR workshops, recalling that the discussions had focused on avoiding a “cookie cutter” design appearance. One way to be more flexible while meeting the desired intent is to consider the percentage of wall length, for example, and requiring this percentage to be offset. The intent is still to create an active façade along the street and avoid a massive scale on neighboring property lines.

The graphics show some ways to meet the articulation standards, including allowing front yard encroachments and side wall or height offsets. For example, for a 50 ft. x 100 ft. lot, with a front façade that is 40 ft. in width, half of this width in square footage must be articulated as an offset, and at least 20 ft. of the façade must be set back at least 4 ft. in order to create sufficient variation. On the side property line, an 80 ft. long wall would require an offset of 50%, or 40 linear ft.

Another option would be to continue to use the existing Code, as several stakeholders had made it clear they did not want the current Code to be

removed; however, this Code does not have requirements for articulation, which meant homeowners using the current Code would not be able to take advantage of the incentive to put more square footage in the front yard.

Mr. McCulla observed that the minimum 4 ft. depth would be a large amount. Ms. Morejon explained that the consultants had found a smaller depth change does not meet the intent of the offset, as it is not sufficiently noticeable. A front garage would not be allowed to extend beyond the current front setback line, which is 25 ft. Only living space or porch space can extend into the front yard setback; living space must be 20 ft. from the front property line, while porch space must be at least 10 ft. from this line.

Ms. Morejon noted that a previous suggestion had been that a house could only protrude into the setback if the driveway and parking areas were in the rear or the side of the building; however, it has been determined that this requirement is too strict to encourage homeowners to take advantage of its accompanying incentive. This suggestion has been removed from the proposed menu of options.

She showed some photographic examples of the articulation requirements to the Board members, as well as examples of duplex projects that would no longer be permitted under the proposed Code changes, such as front garages without articulation or front principal entrances. The members discussed some of the specific features shown in the photographs.

She concluded that single-family, duplex, cluster, and townhouses are all limited to 35 ft. in height and are in zoning districts that would be affected by the menu of recommended changes that have been discussed thus far.

Mr. Witschen left the meeting at 7:37 p.m.

Ms. Desir-Jean remarked that the best feature of the proposed options was giving homeowners incentives and choices. She observed that the overall goal seemed to be beautifying the City and enhancing the pedestrian experience, and noted the benefits of creating neighborhoods that appeal to pedestrians.

Vice Chair Hansen returned to the issue of front driveways, stating that he did not feel they had reached a good solution for options for this feature. He suggested in the case of circular driveways on large lots, the driveway could be restricted to a maximum width or a percentage of the lot must be landscaped. He felt this would provide homeowners with additional design options.

Ms. Morejon recalled that the first recommendation was for 40% of a lot to be landscaped; however, this was determined to be too limiting, which led to the development of options for landscaping. She continued that they must still

determine how to best deal with driveway widths in relation to the percentage of the lot, and how to keep the same amount of landscaping in a front yard to create a street edge or canopy. Mr. Carbonell added that he did not feel this would be an issue for single-family homes; however, in more densely populated areas, it could be more difficult to keep a lush appearance in a yard.

Mr. McCulla recalled a comment by Mr. Carbonell in which he had stated a developer could choose to create one less unit, or provide a one-car garage instead of a two-car garage, and meet the proposed requirements. Mr. McCulla asked what the impact of a developer sacrificing a unit would be. He expressed concern that this would increase the cost of housing, and added that other requirements could also have this effect; conversely, they could also decrease the value of land in the City as more space was taken up by landscaping and less space was taken up by density.

Ms. Desir-Jean asserted that the proposed changes would be less restrictive than the current Code. Mr. McCulla said he did not believe homeowners would choose to exercise all the proposed options. Mr. Welch also felt the changes were ultimately not about restricting property rights but about encouraging better design through incentives.

Mr. Carbonell advised that the Codes he sees in other cities already reflect some of the requirements currently being discussed for Fort Lauderdale, including a percentage of frontage, maximum cuts, requirements for driveways, and other restrictions and requirements. Mr. Welch noted that the properties in these cities have retained their value and remain marketable.

Ms. Desir-Jean remarked that her neighborhood has a more urban feel to it, which fits the character of the area, as there is higher density. Ms. Morejon added that as density increases downtown, it is easier to preserve the feel of some of the individual neighborhoods on its periphery. Mr. Welch commented that it is likely there will eventually be design overlays for specific neighborhoods to promote a specific character.

Ms. Desir-Jean asked if the proposed changes would help speed up the City's building and permitting processes. Ms. Morejon said this would come down to how the options are graphically shown and how the language in the Code is written in order to make sure that the City's expectations are clear. She felt if the changes are clearly illustrated and written, the review process would eventually be much more efficient. Ms. Parker added that when the incentives are in place, it may be possible for a development to avoid an extra level of review, such as coming before the Planning and Zoning Board.

Mr. Carbonell pointed out that many of his clients have to go before the Development Review Committee (DRC), the Board, and the final DRC, which

can be a very expensive process, just to make improvements on or convert a property. He did not feel the client would have purchased the property if he had been aware of these processes and their cost.

Ms. Desir-Jean asked what the next step in the process would be. Ms. Morejon replied that there is still work to be done: for example, the graphics must be made clearer, the discussions regarding the proposals must be incorporated, and ultimately the changes must be submitted in a format that is very similar to what would be used in the final Code language. She said she could not provide a clear time frame at present, but estimated that the proposed changes would go before the City Commission in the next one to two months. She added that this would be the last workshop held to discuss the NDCR.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:08 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]