

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE GARDEN PARK DISTRICTS; AMENDING
3 VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF
4 ORDINANCES ("CODE"), PROVIDING FOR REVISED DEVELOPMENT STANDARDS,
5 PARKING, ACCESS, AND LANDSCAPING REQUIREMENTS WITHIN THE GARDEN
6 PARK DISTRICTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE,
7 AND AN EFFECTIVE DATE.

8 (Sponsored by the Board of County Commissioners)
9

10 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
11 BROWARD COUNTY, FLORIDA:

12 Section 1. Section 39-656 of the Broward County Code of Ordinances is hereby
13 amended to read as follows:

14 **Sec. 39-656. Development standards.**

15 (a) *Area requirements:*

16 (1) Lot size.

17 GP-1: Four thousand ~~eight hundred~~ (4,800 4,000) square feet (40'x120')
18 minimum

19 GP-2: No minimum

20 . . .

21 (d) *Maximum permitted height/stories.*

- 22 ...
- 23 (2) GP-2:
- 24 a. Buildings shall be at least two (2) stories and no more than
- 25 ~~five~~ six (~~5~~ 6) stories.
- 26 b. Heights:
- 27 ...
- 28 2. Thirty-five foot (35') maximum height for any portion of a
- 29 buildings and structures within fifty feet (50') of a property
- 30 zoned RS-1 to RS-~~5~~ 6.
- 31 3. Buildings greater than thirty-five feet (35') in height or
- 32 three (3) stories that are contiguous to a property zoned RS-1
- 33 to RS-~~5~~ 6 shall have a step-back beginning on the third (~~3rd~~)
- 34 (3rd) story of at least eight feet (8').
- 35 ...
- 36 (e) *Setbacks and build-to line.*
- 37 ...
- 38 (3) Interior side yard setback:
- 39 ...
- 40 b. GP-2:
- 41 ...
- 42 2. If contiguous to GP-1 or RS-1 to RS-~~5~~ 6, then shall be a
- 43 minimum of ten feet (10')₂.
- 44 (4) Allowable encroachments.

45 a. In GP-1, unenclosed covered front porches may encroach
46 eight feet (8') into the build-to line; steps shall not be counted for the
47 purposes of calculating the eight feet (8'). Balconies may encroach
48 five feet (5') into any required setbacks or build-to lines. Balconies
49 shall be prohibited along façades that are contiguous to, and face, a
50 property being used or zoned for use as a single family detached
51 residential property.

52 . . .

53 (g) *Building frontage.* Building frontages along arterial and collector roads shall
54 be a minimum of ~~sixty~~ fifty percent (~~60~~ 50%) of the width of the lot frontage, except as
55 required to provide for minimum requirements related to vehicular and pedestrian access
56 to and from the property; provided, however, that all buildings shall have at least
57 ~~fifty~~ forty percent (~~50~~ 40%) of the frontage along the build-to line.

58 (h) *Building size and mass.* Buildings shall be constructed as variable masses
59 with applied horizontal and vertical extrusions to create the desired building form.

60 (1) The continuous unarticulated façade of a building shall not occupy more
61 than one hundred fifty feet (150') of continuous frontage along any street.

62 . . .

63 (m) *Fencing.* Where permitted within a District, fencing and walls shall be
64 designed and sited to ensure visibility ~~from~~ between the building and street frontages,
65 while still providing the opportunity to secure property as further provided below.

66 . . .

67 (3) No portion of this section shall be construed to prohibit railing/fencing
68 ~~associated with~~ constructed as part of a front patio, stoop, or landing of a
69 residential unit. Such construction shall be consistent with permitted
70 materials.

71 . . .

72 Section 2. Section 39-657 of the Broward County Code of Ordinances is hereby
73 amended to read as follows:

74 **Sec. 39-657. Parking.**

75 Except as set forth herein, offstreet parking and loading shall be provided in
76 accordance with the standards set forth in Article XII of Chapter 39 of the Code.

77 (a) *Amount of parking.* The minimum parking shall be calculated according to
78 Section 39-228 of the Code, except as provided below:

79 . . .

80 It is the responsibility of the applicant to demonstrate the parking plan is in
81 compliance with the requirements of the Americans with Disabilities Act and this Code
82 including, but not limited to, the provision of sufficient offstreet parking for the business
83 operations, safe and efficient ingress and egress to the site, and adequate internal traffic
84 circulation. ~~At no point shall the number of offstreet parking spaces be fewer than one (1)~~
85 ~~space per residential unit, exclusive of any space(s) dedicated for nonresidential parking.~~

86 . . .

87 (e) *Parking dimensions.* Parking dimensions shall comply with Section 39-217
88 of the Code, except as provided herein:

89 . . .

90 (2) Parallel parking spaces (onsite or on-street) shall be a minimum of
91 seven feet (7') by twenty-two feet (22'), exclusive of the curb or drainage
92 valley, and drive aisles shall be a minimum of fifteen feet (15') wide. Parallel
93 parking shall include a minimum of one (1) landscape island for every
94 three (3) contiguous parking spaces.

95 . . .

96 (g) *Ground level parking, understory parking, and parking structures.* Ground
97 level parking or parking structures may constitute no more than
98 thirty-five percent (~~30~~ 35%) of a development's roadway frontage on an arterial or
99 collector road. Ground level parking and parking structures may front rights-of-way that
100 are less than forty feet (40') in width. All other parking structures and understory parking
101 shall only be permitted behind an active building liner with a minimum depth of
102 twenty feet (20') of habitable building space. Notwithstanding the foregoing, detached
103 single family homes shall be permitted to have a carport or enclosed garage that faces a
104 street.

105 Section 3. Section 39-658 of the Broward County Code of Ordinances is hereby
106 amended to read as follows:

107 **Sec. 39-658. Access.**

108 Except as provided herein, offstreet parking and loading shall be provided in
109 accordance with the standards set forth in Article XII of Chapter 39 of the Code.

110 (a) *Vehicular access.* Where the entire frontage between two (2) avenues along
111 NW 1st Street, inclusive of lots to the north and south, is being redeveloped, traffic flow
112 along NW 1st Street shall be limited to eastbound only, except for that portion between

113 NW 27th Avenue and 27th Terrace, which may be westbound only. All other areas within
114 the Districts shall have two-way traffic. Each development shall be permitted curb cuts as
115 provided below.

116 . . .

117 Section 4. Section 39-659 of the Broward County Code of Ordinances is hereby
118 amended to read as follows:

119 **Sec. 39-659. Landscaping.**

120 (a) *Required landscaping.* Except as provided in this section and where limited
121 by the regulations of this article, development shall comply with the requirements of
122 Article VIII of Chapter 39 of the Code to the greatest extent possible.

123 . . .

124 (3) All landscaped areas, including those within the rights-of-way, shall include
125 an irrigation system with a rain sensor.

126 . . .

127 (c) *Street trees.* Street trees (i.e., trees placed within a right-of-way) shall have
128 a minimum trunk caliper of five inches (5") and shall be spaced at a maximum of
129 twenty-five feet (25') average on center, unless integrated with parking or silva cells, or
130 similar technology is utilized. All required street trees shall be hardwood.

131 (1) Street trees shall be planted in one (1) or more of the following methods:

132 a. ~~Tree grates Sidewalk cutouts.~~ Sidewalk cutouts shall
133 mean areas where trees are planted within openings of the sidewalk.
134 Openings shall be covered by ~~permanently installed grates~~
135 permeable surfaces that may include, but are not limited to, brick

136 pavers, smoothed rock, or various resin bond surfaces, which are
137 flush with the sidewalk and perforated to permit natural irrigation or
138 similar technology. Tree grates shall be prohibited.

139 . . .

140 (3) Local roads. Where possible, developments adjacent to local roads shall
141 provide an eight-foot (8') to ten-foot (10') sidewalk along the frontage. An
142 easement may be required to achieve the desired sidewalk width in order
143 to accommodate landscaping within the rights-of-way.

144 Section 5. Severability.

145 If any portion of this Ordinance is determined by any court to be invalid, the invalid
146 portion will be stricken, and such striking will not affect the validity of the remainder of this
147 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
148 legally applied to any individual, group, entity, property, or circumstance, such
149 determination will not affect the applicability of this Ordinance to any other individual,
150 group, entity, property, or circumstance.

151 Section 6. Inclusion in the Broward County Code of Ordinances.

152 It is the intention of the Board of County Commissioners that the provisions of this
153 Ordinance become part of the Broward County Code of Ordinances as of the effective
154 date. The sections of this Ordinance may be renumbered or relettered and the word
155 "ordinance" may be changed to "section," "article," or such other appropriate word or
156 phrase to the extent necessary to accomplish such intention.

157 Section 7. Effective Date.

158 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 05/02/2024
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 05/02/2024
Maite Azcoitia (date)
Deputy County Attorney

AIK/gmb
Garden Park Districts Amendment Ordinance
05/02/2024
#60049-0229

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.