

ORDINANCE NO. 2022-38

AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING SECTION 2-17, R-4, SINGLE-FAMILY CLUSTER AND TOWNHOUSE ZONING DISTRICT; SECTION 2-18, R-5, MULTIFAMILY MEDIUM DENSITY ZONING DISTRICT; AND SECTION 2-19, R-6, MULTIFAMILY MEDIUM-HIGH DENSITY ZONING DISTRICT, OF ARTICLE II, DISTRICT REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND BY AMENDING SUBSECTION (84), OF SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, TO AMEND THE DIMENSIONAL STANDARDS AND CONDITIONAL USE CRITERIA FOR TOWNHOUSES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, this is a request to amend Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-17, R-4, Single-Family Cluster and Townhouse Zoning District; Section 2-18, R-5, Multifamily Medium Density Zoning District, and Section 2-19, R-6, Multifamily Medium-High Density Zoning District; and Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for review of specific conditional and special exception, subsection (84), of the City of Ormond Beach *Land Development Code*, to amend the dimensional standards and conditional use criteria for townhouses.

WHEREAS, the local planning agency, being the Planning Board of the City of Ormond Beach, has conducted a public hearing on October 13, 2022, on the requested amendments and has made recommendations thereon to the City Commission, and

WHEREAS, all applicable notice requirements of Section 166.041(3)(a), *Florida Statutes*, have been complied with, and

WHEREAS, the City Commission finds the amendments to be consistent with the provisions of the *Comprehensive Plan* of the City of Ormond Beach, and in the overall best interest of the public health, safety and welfare, now therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 2-17, R-4, Single-Family Cluster and Townhouse Zoning District, of Article II, District Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code*, is hereby amended as follows:

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Sec. 2-17. - R-4: Single-Family Cluster and Townhouse Zoning District.

A. PURPOSE: The purpose of the Single-Family Cluster and Townhouse (R-4) zoning district is to provide for a variety of dwelling units in a highly aesthetic setting. The zoning district attempts to establish an optimum living environment between indoor and outdoor living, to encourage the establishment of on-site recreation areas and open space, and cluster developments on small lots, while maintaining the maximum possible privacy for each unit through quality of design.

B. DIMENSIONAL STANDARDS

1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Building Coverage	5. Maximum Impervious Lot Coverage	6. Minimum Lot Size	7. Minimum Lot Width	8. Minimum Lot Depth	9. Setbacks				
								a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
Single-Family	5.05	30'	35%	75%	8,625	75'	115'	25'	25'	8' total 20'	20'	30'
Cluster	6.7	30'	35%	75%	6,500	65'	-	25'	25'	8' total 20'	20'	30'
Patio	6.89	30'	35%	75%	6,325	55'	115'	25'	25'	8' total 20'	20'	30'
Zero-Lot-Line	8.71	30'	35%	75%	5,000	50'	-	25'	25'	0', 20'	20'	30'
Multi-Family	8	30'	35%	75%	43,560	125'	-	25'	25'	10'	20'	30'
Duplex	8.71	30'	35%	75%	10,000	100'	-	30'	25'	20'	20'	30'
Triplex	8.7	30'	35%	75%	15,000	150'	-	30'	25'	20'	20'	30'
Townhouse	6.31	30'	35%	75%	6,900	60'	115'	25'	25'	15'	20'	30'

1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Parcel Building Coverage	5. Maximum Lot Building Coverage	6. Maximum Parcel Impervious Coverage	7. Maximum Lot Impervious Coverage	8. Minimum Parcel Size in SF	9. Minimum Lot Size in SF	10. Minimum Lot Width	11. Minimum Lot Depth	12. Setbacks				
											a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
<u>Single-Family</u>	<u>5.05</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>8,625</u>	<u>8,625</u>	<u>75'</u>	<u>115'</u>	<u>25'</u>	<u>25'</u>	<u>8' total 20'</u>	<u>20'</u>	<u>30'</u>
<u>Cluster</u>	<u>6.70</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>6,500</u>	<u>6,500</u>	<u>65'</u>	<u>=</u>	<u>25'</u>	<u>25'</u>	<u>8' total 20'</u>	<u>20'</u>	<u>30'</u>
<u>Patio</u>	<u>6.89</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>6,325</u>	<u>6,325</u>	<u>55'</u>	<u>115'</u>	<u>25'</u>	<u>25'</u>	<u>8' total 20'</u>	<u>20'</u>	<u>30'</u>
<u>Zero-Lot-Line</u>	<u>8.71</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>5,000</u>	<u>5,000</u>	<u>50'</u>	<u>=</u>	<u>25'</u>	<u>25'</u>	<u>0', 20'</u>	<u>20'</u>	<u>30'</u>
<u>Multi-Family</u>	<u>8</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>43,560</u>	<u>43,560</u>	<u>125'</u>	<u>=</u>	<u>25'</u>	<u>25'</u>	<u>10'</u>	<u>20'</u>	<u>30'</u>
<u>Duplex</u>	<u>8.71</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>10,000</u>	<u>10,000</u>	<u>100'</u>	<u>=</u>	<u>30'</u>	<u>25'</u>	<u>20'</u>	<u>20'</u>	<u>30'</u>
<u>Triplex</u>	<u>8.7</u>	<u>30'</u>	<u>35%</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>15,000</u>	<u>15,000</u>	<u>150'</u>	<u>=</u>	<u>30'</u>	<u>25'</u>	<u>20'</u>	<u>20'</u>	<u>30'</u>
<u>Townhouse</u>	<u>8</u>	<u>30'</u>	<u>35%</u>	<u>75%</u>	<u>75%</u>	<u>90%</u>	<u>43,560</u>	<u>2,280</u>	<u>24'</u>	<u>95'</u>	<u>25'</u>	<u>10'</u>	<u>0'</u>	<u>0' (entire building 15')</u>	<u>30'</u>

C. PERMITTED USES ***no change in existing text***

D. CONDITIONAL USES ***no change in existing text***

E. SPECIAL EXCEPTION USES ***no change in existing text***

F. OTHER STANDARDS ***no change in existing text***

G. PERMITTED ACCESSORY USES: ***no change in existing text***

H. SPECIAL STANDARDS: ***no change in existing text***

SECTION TWO. Section 2-18, R-5, Multifamily Medium Density Zoning District, of Article II, District Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code*, is hereby amended as follows:

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Sec. 2-18. - R-5, Multifamily Medium Density Zoning District

A. PURPOSE: The purpose of the Multifamily Medium Density (R-5) Zoning District is to provide for a mixture of various residential types ranging from single-family detached homes, to low density multifamily developments designed in such manner as to be highly compatible within the site and the neighborhood through the use of open space, buffering and architectural design.

B. DIMENSIONAL STANDARDS

1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Building Coverage	5. Maximum Impervious Lot Coverage	6. Minimum Lot Size	7. Minimum Lot Width	8. Minimum Lot Depth	9. Setbacks				
								a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
Single-Family	5.05	30'	35%	75%	8,625 SF	75'	115'	25'	20'	8' total 20'	20'	30'
Cluster	6.7	30'	35%	75%	6,500 SF	65'	—	25'	20'	8' total 20'	20'	30'
Patio	6.89	30'	35%	75%	6,325 SF	55'	115'	25'	20'	8' total 20'	20'	30' Zero Lot
Zero-Lot- Line	8.71	30'	35%	75%	5,000 SF	50'	—	25'	20'	0', 20'	20'	30'
Multi-Family	12	30'	35%	75%	43,560 SF	125'	—	25'	20'	10'	20'	30'
Duplex	8.71	30'	35%	75%	10,000 SF	100'	—	30'	20'	20'	20'	30'
Townhouse	6.31	30'	35%	75%	6,900 SF	30'	115'	25'	20'	15'	20'	30'

1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Parcel Building Coverage	5. Maximum Lot Building Coverage	6. Maximum Parcel Impervious Coverage	7. Maximum Lot Impervious Coverage	8. Minimum Parcel Size in SF	9. Minimum Lot Size in SF	10. Minimum Lot Width	11. Minimum Lot Depth	12. Setbacks				
											a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
Single-Family	5.05	30'	35%	35%	75%	75%	8,625	8,625	75'	115'	25'	25'	8' total 20'	20'	30'
Cluster	6.70	30'	35%	35%	75%	75%	6,500	6,500	65'	=	25'	25'	8' total 20'	20'	30'
Patio	6.89	30'	35%	35%	75%	75%	6,325	6,325	55'	115'	25'	25'	8' total 20'	20'	30'
Zero-Lot- Line	8.71	30'	35%	35%	75%	75%	5,000	5,000	50'	=	25'	25'	0', 20'	20'	30'
Multi-Family	12	30'	35%	35%	75%	75%	43,560	43,560	125'	=	25'	25'	10'	20'	30'
Duplex	8.71	30'	35%	35%	75%	75%	10,000	10,000	100'	=	30'	25'	20'	20'	30'
Townhouse	12	30'	35%	75%	75%	90%	43,560	2,280	24'	95'	25'	10'	0'	0' (entire building 15')	30'

C. PERMITTED USES ***no change in existing text***

D. CONDITIONAL USES ***no change in existing text***

E. SPECIAL EXCEPTION USES ***no change in existing text***

F. OTHER STANDARDS ***no change in existing text***

G. PERMITTED ACCESSORY USES: ***no change in existing text***

H. SPECIAL STANDARDS: ***no change in existing text***

SECTION THREE. Section 2-19, R-6, Multifamily Medium-High Density Zoning District, of Article II, District Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code*, is hereby amended as follows:

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Sec. 2-19. - R-6, Multifamily Medium-High Density Zoning District

A. PURPOSE: The purpose of the Multifamily Medium-High (R-6) Zoning District is to provide for the development of multiple-family residential developments at medium to high densities.												
B. DIMENSIONAL STANDARDS												
1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Building Coverage	5. Maximum Impervious Lot Coverage	6. Minimum Lot Size	7. Minimum Lot Width	8. Minimum Lot Depth	9. Setbacks				
								a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
Single-Family	5.05	30'	35%	75%	8,625 SF	75'	115'	25'	20'	8' total 20'	20'	30' (See Additional Waterbody Setbacks listed below)
Cluster	6.70	30'	35%	75%	6,500 SF	65'	—	25'	20'	8' total 20'	20'	
Patio	6.89	30'	35%	75%	6,325 SF	55'	115'	25'	20'	8' total 20'	20'	
Zero-Lot-Line	8.71	30'	35%	75%	5,000 SF	50'	—	25'	20'	0', 20'	20'	
Multi-Family	32	75'	35%	75%	43,560 SF	125'	—	25'	20'	10'	20'	
Duplex	8.71	30'	35%	75%	10,000 SF	100'	—	30'	20'	20'	20'	
Townhouse	6.31	30'	35%	75%	6,900 SF	60'	115'	25'	20'	15'	20'	

1. Type	2. Density (units per acre)	3. Maximum Building Height	4. Maximum Parcel Building Coverage	5. Maximum Lot Building Coverage	6. Maximum Parcel Impervious Coverage	7. Maximum Lot Impervious Coverage	8. Minimum Parcel Size in SF	9. Minimum Lot Size in SF	10. Minimum Lot Width	11. Minimum Lot Depth	12. Setbacks				
											a. Front	b. Rear	c. Side	d. Street Corner/Corner	e. Waterbody
Single-Family	5.05	30'	35%	35%	75%	75%	8,625	8,625	75'	115'	25'	25'	8' total 20'	20'	30' (See Additional Waterbody Setbacks listed below)
Cluster	6.70	30'	35%	35%	75%	75%	6,500	6,500	65'	=	25'	25'	8' total 20'	20'	
Patio	6.89	30'	35%	35%	75%	75%	6,325	6,325	55'	115'	25'	25'	8' total 20'	20'	
Zero-Lot-Line	8.71	30'	35%	35%	75%	75%	5,000	5,000	50'	=	25'	25'	0', 20'	20'	
Multi-Family	32	75'	35%	35%	75%	75%	43,560	43,560	125'	=	25'	25'	10'	20'	
Duplex	8.71	30'	35%	35%	75%	75%	10,000	10,000	100'	=	30'	25'	20'	20'	
Townhouse	12	30'	35%	75%	75%	90%	43,560	2,280	24'	95'	25'	10'	0'	0' (entire building 15')	

9.e. Additional Waterbody Setbacks: ***no change in existing text***

C. PERMITTED USES ***no change in existing text***

D. CONDITIONAL USES ***no change in existing text***

E. SPECIAL EXCEPTION USES ***no change in existing text***

F. OTHER STANDARDS ***no change in existing text***

G. PERMITTED ACCESSORY USES: ***no change in existing text***

H. SPECIAL STANDARDS: ***no change in existing text***

SECTION FOUR. Subsection (84) Townhouses, of Section 2-57, Criteria for review of specific conditional and special exception, of Article IV, Conditional and Special Exception Regulations, of Chapter 2, District and General Regulations, of the City of Ormond Beach *Land Development Code*, is hereby amended as follows:

(84) *Townhouses.*

- a. All townhouses shall provide a garage with a minimum area of eighteen feet (18') by twenty feet (20') to provide parking for two (2) vehicles.
- b. A maximum driveway width of eighteen feet (18') is allowed. No townhome building shall be located within fifty feet (50') of the property line of a conforming single-family home or a residential district which allows a single-family use.
- c. ~~Townhouse lots abutting single family detached residential shall have a twenty foot (20') wide buffer (design type 3) as specified in section 3-06(d).~~
- d. ~~New townhouse projects require a minimum of twenty percent (20%) dedicated as common area, exclusive of stormwater ponds and roads.~~
- e. ~~Patios and screen enclosures on townhouse lots shall maintain a minimum ten foot (10') rear yard setback.~~
- c. New townhouse developments shall have a perimeter setback of thirty feet (30') which shall not allow any lots or building improvements.
- d. Townhouse developments shall have a twenty foot (20') wide landscape buffer (design type 3) along all property boundaries as specified in section 3-06(d). Where townhouse developments abut a conforming single-family home or a residential district which allows a single-family use, a thirty foot (30') wide landscape buffer (design type 4) as specified in section 3-06(d).
- e. New townhouse developments shall require a minimum of twenty-five percent (25%) of the total project area dedicated as common area, such as natural preservation areas, recreational areas, dry stormwater areas, exclusive of wet stormwater ponds and roads.
- f. Where a townhome development abuts a single-family home, a residential district which allows a single-family use, or a commercially zoned area, a PVC vinyl or similar fence material acceptable to the SPRC is required.
- g. There shall be a minimum of twenty (20') feet separation between townhome buildings within the development.

- h. Townhome buildings shall not contain less than three (3) units or more than eight (8) units in any one building.
- i. All townhouse lots shall maintain a minimum ten-foot (10') rear yard setback for accessory and principal uses.
- j. Architectural standards of Article VI, Architectural Design Standards, shall apply to townhome buildings.

SECTION FIVE. In the event any word, phrase, clause, sentence, paragraph, term, or provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, such judicial determination shall not affect any other word, clause, phrase, sentence, paragraph, term or provision, of this Ordinance, and the remainder of this Ordinance shall remain in full force and effect.

SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 6th day of December, 2022.

PASSED UPON at the second and final reading of the City Commission, this 10th day of January, 2023.

BILL PARTINGTON
Mayor

ATTEST:

SUSAN CARROLL DAUDERIS
City Clerk