6.7
PUBLIC HEARING

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services Director/ (954) 797-1101

PREPARED BY: Ingrid Allen, Planner II

SUBJECT: ZB(TXT) 10-1-07 RAC

AFFECTED DISTRICT: Townwide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE III, BY ADDING THE FOLLOWING SECTIONS: 12-32.500 "RAC" REGIONAL ACTIVITY CENTER DISTRICTS, 12-32.501 INTRODUCTION, 12-32.502 TERMINOLOGY AND ABBREVIATIONS, 12-32.503 INTENT/PURPOSE, 12-32.504 APPLICABILITY, 12-32.505 TRANSIT-ORIENTED STREETS, 12-32.506 RAC DISTRICTS INTENT AND REQUIREMENTS, 12-32.507 PERMITTED USES, 12-32.508 COMPONENTS OF PLACE STREETS AND BLOCKS, 12-32.509 INTENSITY OF USE STANDARDS, 12-32.510 SITE DEVELOPMENT STANDARDS, 12-32.511 BUILDING FRONTAGE TYPES AND RIGHT-OF-WAY ENCROACHMENTS, 12-32.512 RULES OF TRANSITION, 12-32.513 USE OF PUBLIC RIGHT-OF-WAY, 12-32.514 MASSING AND ARTICULATION, 12-32.515 GENERAL PROVISIONS, 12-32.516 NONCONFORMITIES, 12-32.517 OFF-STREET PARKING REQUIREMENTS, 12-32.518 GENERAL OPEN SPACE PRINCIPLES AND REQUIREMENTS, 12-32.519 TYPES OF OPEN SPACES PRINCIPLES AND MINIMUM STANDARDS, 12-32.520 SIGNAGE REGULATIONS, 12-32.521 LANDSCAPING REQUIREMENTS AND GUIDELINES, 12-32.522 SITE PLAN PROCEDURES, 12-32.523 VARIATIONS IN DESIGN ADMINISTRATIVE RELIEF, 12-32.524 BUILDING DESIGN GUIDELINES, 12-32.525 ADDITIONAL DESIGN GUIDELINES, 12-32.526 GREEN BUILDING, 12-32.527 DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from December 5, 2007)

REPORT IN BRIEF: Over the last year and a half, the Town has been working with the major land owners in the area, the Community Redevelopment Agency (CRA), and Florida Department of Transportation (FDOT) to develop an overall master plan for the

2,200 acre Regional Activity Center (RAC) land use category. The master plan and associated regulations will shape all future development within this area.

The master plan, all three phases, has been brought before the Planning and Zoning Board for discussion in the past. As part of the master planning process, new land development code are proposed for adoption. These regulations have been reviewed by the RAC Steering Committee as well as staff.

The intent of both the master plan and the land development regulations is to provide for redevelopment of a multi-purpose, pedestrian friendly and interconnected mixed use village encouraging significant regional redevelopment. To achieve this goal, the proposed land development regulations are based upon the relatively new development regulations known as "form based codes." Form based code governs how the form relates to the public realm. The focus is not so much on individual uses, but how the buildings work together to create a sense of place.

The proposed regulations will be both adopted into the land development code and administratively applied to all properties within the RAC with the exception of NSU. NSU has the existing RAC- Academical Village zoning district, recently adopted by Town Council and consistent with the proposed regulations.

The code is divided into the following general sections and associated regulations:

There are six (6) new zoning districts proposed. These districts vary in intent and regulations based upon their locations.

The Regional Activity Center – Research and Technology West (RAC-RTW) district, is generally located north of Nova Drive and west of Davie Road. Since this district is located closer to I-595 the heights are allowed to a maximum of 10 stories. In addition, the form recognizes that this area has existing disconnected parcels and may not able to achieve the interconnected street grid that is envisioned in the other areas.

The Regional Activity Center – Research and Technology East (RAC-RTE) district is generally located east of Davie Road and north of the proposed Oakes Road bridge. Since this area is bound by both I-595 and the Turnpike the heights in this area are up to a maximum of 10 stories. Due to the large size of the vacant parcels in this area, larger land development patterns and blocks and fewer streets are anticipated. However, the major street connections are still required

The Regional Activity Center – Education (RAC-ED)district is generally located west of Davie Road, south of Nova Drive and borders the RAC land use category boundary on the south. This area includes all the educational facilities of the South Florida Education Center. The focus of this area to create a distinct campus environment with centrally located parking garages so alternatives mode of transportation become viable. These alternatives include future transit routes connecting to the east-west transit corridor,

campus shuttle buses, enhanced pedestrian amenities and safe bicycle routes and parking facilities. The maximum heights allowed in this district are up to 10 stories.

The Regional Activity Center Town Center (RAC–TC) district, is along Davie road south of SW 39th Street. The regualtions have been revised to be consistent with the language throughout the remainder of the proposed code and also to address any problems that have been identified. The western theme remains, however, the CRA is in the process of updating the western theme design manual. The maximum heights allowed in this district are up to 6 stories with a maximum of 4 stories along Davie Road.

The Regional Activity Center – Neighborhood District 4 (RAC–ND4) is located East of Davie Road, outside the Town Center area, south of the proposed Oakes Road bridge and north of Orange Drive. This area is intended to provide a wide variety of housing options with various price ranges. A mix of townhouses, multi-family, duplex and single family detached houses interspersed with retail and office in identified transition zones. The regulations are intended to build upon the existing fabric of the neighborhood already in place. The maximum heights allowed in this district are up to two (2) stories.

The Regional Activity Center – Neighborhood District 2 (RAC–ND2) is located just west of the Florida Turnpike and Lauderdale Little Ranches First Addition and a portion of SW 61st Avenue to the west. This area is not intended to redevelop or change from its purely single family detached residential neighborhood except along Orange Drive, as is already approved. The maximum heights allowed in this district are up to two (2) stories.

Heights. The maximum height limits listed above are restricted in several important ways. First, the maximum heights are based upon the type of roadway the parcel is fronting. For example, along the transit corridors, the major public roads identified throughout the development have a maximum of four stories. Second, the frontage heights step-back (also called wedding caked) to the maximum allowed height in each district. Third, the regulations ensure that the heights do not cast shadows into exiting residential neighborhoods and provides appropriate buffers from these residential neighborhoods. Fourth, in any development, in order to achieve the maximum height, the developer must provide the town with one of the six (6) incentives the Town Council has identified as priorities.

Incentives. The Town Council has directed staff to encourage developers to meet key goals. These goals include providing affordable housing, providing workforce housing, LEED certification, increased open spaces, and increased trees caliper inches. To achieve this, when a developer attains any combinations of the listed incentives they can receive up to two additional floors of height. These incentives are listed on Table 12-32.509. For example, a project that meets the LEED gold requirements can increase the height up to 35%. A project that exceeds the required urban open space can receive up to a 50% park and recreation impact fee waiver.

Transit Oriented Corridors. The focus of this entire project is to provide great streets for the residents and visitors of Davie. The major public streets are identified in the plan.

These are Davie Road, Nova Drive from Daive Road to College, College Avenue, SW 30th Street and the future Oakes Road. These roadways have preferred street cross-sections indicating the placement of the buildings up to the road, parking facilities located in the rear or behind buildings, sidewalk widths, street tree placement, bicycle lanes, and on-street parking, if any. The regulations clearly specify where the building is placed, at the edge of the public right-of-way, creating the public places for pedestrians.

Permitted Uses. The form based code categorizes uses as types. These categories are broader than typical Euclidian zoning that permits and prohibits specific uses. Instead, the form based code approaches uses on how they interact with the public realm and their impact on the pedestrian environment. For this reason the use categories are different depending upon the district. For example, industrial uses are permitted within the RAC-RTE and RAC-RTW while these types of uses are not permitted within the RAC-TC. Another example is that multi-family housing is permitted in the districts intended for higher densities, such as along transit corridors. The RAC-ND2 does not permit the multi-family residential types since the entire neighborhood in single family.

Design and Architecture. The requirements provide for increased articulation at the pedestrian level. Primary facades are to be articulated in a stronger manner than all other facades. The design guidelines require storefronts having vertical articulation not greater than 8 feet above ground level. Windows are required to be vertical in proportion. Finish materials are to authentic as much as possible. The architectural design guidelines do not affect the western theme overlay district.

Parking. Parking lots are designed to not be visible within the transit corridors. This is accomplished by identified key locations for parking structures, parking located behind the facades of buildings and reduced required off-street parking. The overall master plan calls for on-street parking provided by the Town. In addition bicycle parking racks and other alternative modes of transportation are designed for and integrated into the overall plan. Parking requirements are further reduced when the developer is either located adjacent to a transit stop or provides changing facilities for staff.

Landscaping/ Outdoor Environment. The regulations identify the various types of open space that should be created. It also requires strong connections between these open space areas to increase the ability for alternative modes of transportation. The required open space for each development is to be designed both integrated into the overall site and the overall master plan. There are incentives, as stated above, for increased open space. Landscaping requires the use of more native plant material. Street tree requirements are a major component of the landscape plan, as in urban areas, landscaping is typically at a minimum and urban open spaces function in the alternative. There are landscape requirements for parking lots and required buffers for these areas as well.

Green Building. The Town is encouraging the use of green building principles and is even providing incentives when these are used. The use of green building applies to the following aspects of the site design process:

- Building Requirements,

- Reducing Heat Islands,
- Light Pollution,
- Stormwater Management,
- Potable Water,
- Water Conservation,
- Reducing site disturbances, and
- Alternative Energy.

The Approval Process. The approval process has been discussed with Town Council. The direction of the Council was to provide for a process similar to that currently in place, with all applications being brought before Town Council for approval. The regulations as written have not been revised to reflect that change. They will be revised prior to second reading.

The regulations are intended to begin the redevelopment process of the RAC and allow development consistent with the underlying land use category, the RAC, and the approved RAC Master Plan. Regulations of this scale and magnitude will need to be revised as new situations arise. However, the regulations allow for a waiver process when the intent of the code can be met in an alternative method. Staff fully anticipates using this document and fine tuning it throughout the years as this plan is implemented.

PREVIOUS ACTIONS: At the December 5, 2007 Town Council meeting, Town Council tabled ZB(TXT) 10-1-07 to the December 19, 2007 meeting. **(Motion carried 4-0. Councilmember Crowley was absent).**

CONCURRENCES: At the November 14, 2007 Planning and Zoning Board meeting, Mr. Stevens made a motion seconded by Ms. Turin to approve (Motion carried 4-0 with Chair Bender and Mr. Busey voting to move the item forward only, as they are not in support of the item until the concern of the existing industrial property owner uses are addressed. Mr. Pignato was absent).

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Staff recommends approval subject to the following revisions prior to second reading:

1. Site Plan procedures to be modified consistent with Town Council direction
2. Non-conforming industrial uses to be modified consistent with consultant's presentation.

Attachment(s): Ordinance, Letter from the Broward County School Board, email from FDOT, response memo from EDSA regarding comments from the LPA meeting, Proposed Land Development Regulations will be provided in hard copy.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, ARTICLE III, BY ADDING THE FOLLOWING SECTIONS: 12-32.500 "RAC" REGIONAL ACTIVITY CENTER DISTRICTS, 12-32.501 INTRODUCTION, 12-32.502 TERMINOLOGY AND ABBREVIATIONS, 12-32.503 INTENT/PURPOSE, 12-32.504 APPLICABILITY, 12-32.505 TRANSIT-ORIENTED STREETS, 12-32.506 RAC DISTRICTS INTENT AND REQUIREMENTS, 12-32.507 PERMITTED USES, 12-32.508 COMPONENTS OF PLACE STREETS AND BLOCKS, 12-32.509 INTENSITY OF USE STANDARDS, 12-32.510 SITE DEVELOPMENT STANDARDS, 12-32.511 BUILDING FRONTAGE TYPES AND RIGHT-OF-WAY ENCROACHMENTS, 12-32.512 RULES OF TRANSITION, 12-32.513 USE OF PUBLIC RIGHT-OF-WAY, 12-32.514 MASSING AND ARTICULATION, 12-32.515 GENERAL PROVISIONS, 12-32.516 NONCONFORMITIES, 12-32.517 OFF-STREET PARKING REQUIREMENTS, 12-32.518 GENERAL OPEN SPACE PRINCIPLES AND REQUIREMENTS, 12-32.519 TYPES OF OPEN SPACES PRINCIPLES AND MINIMUM STANDARDS, 12-32.520 SIGNAGE REGULATIONS, 12-32.521 LANDSCAPING REQUIREMENTS AND GUIDELINES, 12-32.522 SITE PLAN PROCEDURES, 12-32.523 VARIATIONS IN DESIGN ADMINISTRATIVE RELIEF, 12-32.524 BUILDING DESIGN GUIDELINES, 12-32.525 ADDITIONAL DESIGN GUIDELINES, 12-32.526 GREEN BUILDING, 12-32.527 DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie has designated a portion of the Town as a Regional Activity Center (RAC) land use category; and

WHEREAS, the Town wishes to implement the vision of the RAC land use category through the creation of a RAC master plan; and

WHEREAS, the Town has partnered with property owners within the RAC to coordinate the RAC master plan; and

WHEREAS, this amendment to the Town Land Development Code will incorporate land development regulations and design standards that are intended to implement the adopted master plan; and

WHEREAS, a public workshop was held on October 24, 2007 and the Local Planning Agency of the Town of Davie held a public hearing on November 14, 2007; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statutes, and on the date of adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. Article III, Use Regulations, Division 1. Permitted Uses of the Land Development Code of the Town of Davie, Florida (the "Town"), is hereby amended to create the Regional Activity Center Districts as set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS_____DAY OF_____, 2007

PASSED ON SECOND READING THIS_____DAY OF_____, 2007

_____

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MAYOR/COUNCILMEMBER

ATTEST:

_____

TOWN CLERK

APPROVED THIS _____ DAY OF _____ , 2007

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Sawgrass Technology Park, 1643 N. Harrison Parkway, Building H, Sunrise, Florida 33323 • TEL 754-321-8350 • FAX 754-321-8182

Chris O. Akagbosu, *Director*
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James F. Notter
Superintendent of Schools

November 8, 2007

Ms. Marcie Oppenheimer Nolan
Acting Development Services Director
Town of Davie
6591 Orange Drive
Davie, Florida 33314

RE: **PROPOSED TOWN OF DAVIE LAND DEVELOPMENT REGULATIONS**

Dear Ms. Nolan:

This correspondence is a follow-up to the October 26, 2007 meeting between you and District staff regarding staff's concerns about the Land Development Regulations (LDR) proposed for the Town of Davie Regional Activity Center (RAC) land use designation. Depicted below are the concerns and the conclusions reached at the meeting:

Concern #1: ***Intent and Character*** – This section of the LDR indicates that the reduction of vehicular traffic is the number one priority on College Drive and Davie Road through the utilization of transit. Dwight Eisenhower Elementary, Nova Blanche Forman Elementary, Nova Middle, Nova High Schools, and McFatter Technical Center have at least one or more entrances/exists on Davie Road. Given the goals for the corridors, the concern is that implementation of the mechanisms to ensure that the corridors are oriented towards transit use may negatively impact parent student pickup and drop-off at the cited schools.

Meeting Conclusions: The Town assures District staff that the subject LDR would not apply to District schools. However, the Town would welcome voluntary cooperation from the District, as feasible, to assist in achieving the intended goals on the corridors.

Concern #2: ***Development Pattern*** – This section of the LDR regards the park-once philosophy which would require the construction of parking structures to enable commuters to park their vehicles at the structures and utilize transit to destinations within the RAC. The concern is that this proposal would conflict with the State minimum parking requirements for District elementary, middle, and high schools. As such, the State minimum parking requirements for such schools should be taken into account. Additionally, construction and utilization of parking structures for

elementary, middle, and high school students would create security and maintenance issues for the District.

Meeting Conclusions: If feasible, the District could work cooperatively with the Town to construct parking structures at District schools for use by staff only. Furthermore, to maintain security measures at the schools and enable access and use of the structures by the general public during after school hours and non-school days, such facilities would be constructed at the edge of the school facilities.

Concern #3 ***Principals and Objectives*** – This section proposes mixed use development with ground floor retail and service uses oriented towards College Avenue and Nova Drive. The concern is that as intended, the uses would not be compatible with surrounding District elementary, middle, and high school uses.

Meeting Conclusions: The Town will further investigate the location of incompatible uses within the RAC boundaries, and ensure that such uses are not located in close proximity to District schools through enforcement of the Town's distance requirements and other feasible mechanisms.

Concern #4 ***Principals and Objectives*** - This section proposes to eliminate the existing surface parking along College Avenue and replace it with structured parking facilities. The concern is that this proposal may have a negative impact on the number of required surface parking spaces at Nova Middle and Nova High schools which are located along College Avenue.

Meeting Conclusions: If feasible, the District could work cooperatively with the Town to construct parking structures at District schools for use by staff only. Furthermore, to maintain security measures at the schools and enable access and use of the structures by the general public during after school hours and non-school days, such facilities would be constructed at the edge of the school facilities.

Concern #5 ***Permitted Uses Table -12-32.507(C)*** - Most of the uses allowed under Lodging, Food and Entertainment, Retail, and Services are not compatible with the K-12 educational setting.

Meeting Conclusions: The Town will further investigate the location of incompatible uses within the RAC boundaries, and ensure that such uses are not located in close proximity to District schools through enforcement of the Town's distance requirements and other feasible mechanisms.

Concern #6 ***Intensity of Use Standards Table -12-32.509(E)*** – This section of the LDR proposes six to ten story buildings. The concern is that areas depicted in the LDR for these types of stories are located adjacent to District elementary, middle and high schools or within close proximity of the schools. As such, the proposed heights

are not compatible with the schools setting and would negatively impact the school facilities.

Meeting Conclusions: The Town will further investigate the issue and as necessary ensure buffers around District school facilities.

Concern #7 The LDR requires that the parking requirements for educational facilities located within the RAC boundaries shall be 3 spaces per 1,000 square foot, plus 1.5 per classroom. The concern is that in the event zoning changes are required to expand District school facilities, such parking requirements could affect the District's ability to expand the facilities.

Meeting Conclusions: The Town will insert additional language in the LDR indicating that the parking requirements as stated for educational facilities would not apply to District schools located within the boundaries of the RAC.

Concern #8 ***Nonconforming Uses*** – The District is requesting additional information regarding how the proposed LDR will affect existing nonconforming uses such as District schools.

Meeting Conclusions: The Town assures District staff that the proposed LDR would not apply to District schools.

The District appreciates your taking the time to discuss and clarify these concerns and requests that the conclusions reached at the meeting be incorporated into the final LDR, as appropriate. Additionally, please call me at (754) 321-8352 or email me at chris.akagbosu@browardschools.com if you have additional questions regarding this matter.

Sincerely,

Chris O. Akagbosu, Director
Growth Management Division
Facility Management, Planning & Site
Acquisition Department

COA:coa

cc: Michael C. Garretson, Deputy Superintendent, Facilities and Construction Management
Thomas J. Coates, Executive Director, Facility Management, Planning & Site Acquisition
Claudia Munroe, Executive Director, Design Services
Thomas Getz, Director, Capital Planning and Programming
Shelley N. Meloni, Director, Project Management
Mohammed Rasheduzzaman, AICP, Planner, Growth Management Monitoring, Growth Management Division

<jeff.weidner@dot.state.fl.us>

11/21/2007 09:12 AM

To Pete Witschen <witschen@nova.edu>

cc <Will_Allen@davie-fl.gov>, <marcie_nolan@davie-fl.gov>

bcc

Subject Re: LDR's for the RAC

Peter, FDOT will not be there but City Staff can indicate we believe this effort 50/50 State/Local effort has been successful and will result in a better transportation system and a higher quality of life for Broward County as a whole. In particular we are supportive of the master plan and code proposals that encourage Transit Oriented Development in the area of College Ave/SR 84 with an exclusive transit link to the schools and the proposed transit/ped links to premium transit service on University Dr.

Also, note that premium transit on 595 is not far away. The 595 PPP will include an extensive BRT/Express Bus element that will serve the schools [personally I would like to start using College Ave/SR 84 as a transfer point from Express buses to school/TMA shuttles]. Let's plan a discussion with the TMA in the beginning of the year. We have been discussing 2014 startup but recent discussions have mentioned startup during construction in 2010!!!

Jeff Weidner, Mobility Manager
Office of Modal Development
Florida Department of Transportation
3400 W. Commercial Blvd
Ft Lauderdale, FL 33309
(954) 777-4670, Suncom 436-4670, fax (954) 677-7892

Pete Witschen <witschen@nova.edu>

11/21/2007 08:34 AM

To Kona Gray <kgray@edsaplan.com>, Austin Forman <af01@ammi.net>, <FLIJTL@aol.com>, Joyanne Stephens <JSTEPH@fau.edu>, Lois Bolton <lbolton@broward.edu>, "Ellen J. Albano" <ellen.albano@browardschools.com>, <Will_Allen@davie-fl.gov>, <mark@engelaia.com>, <jtl@firstlauderdale.com>

cc <Daphne.Spanos@dot.state.fl.us>, <jeff.weidner@dot.state.fl.us>, Shirley Naidoo <Naidoos@nova.edu>, George Hanbury <Hanbury@nsu.nova.edu>

Subject LDR's for the RAC

Is on Town Councils agenda for the 5th of December ...This will be a long meeting as the agenda is extensive that night

Pete Witschen

Happy Thanksgiving to all

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EDSA

MEMORANDUM

TO: P&Z Board and Davie RAC Steering Committee

FROM: EDSA Team

DATE: November 9, 2007

RE: Response to 10/24/07 P&Z Board Meeting concerns/comments

Comments from 10/24 workshop, listed in general order of concurrence. Bold print means board member comment.

1. **No displacement of mobile home dwellers (Stephens) (Busey)**
   - *Response: the proposed RAC regulations do not cause the mobile home park owner to cease the use of the property for mobile homes, which can continue. The regulations do not displace mobile home dwellers. The treatment of mobile home dwellers that may at some future time be displaced is a Town-wide issue that is not restricted to the RAC, and further, is not an appropriate purview of the proposed zoning regulations. There is a separate Town initiative to address this issue, which has already resulted in a moratorium on mobile home park redevelopment.*

2. **Require substantial affordable housing in exchange for generous building intensity; incentives are insufficient (Stephens) (Busey)**
   - *Response: the nation's experience with mandatory affordable housing has made clear that it is not a standalone solution to housing affordability, but can be part of a larger solution. The Town is evaluating approaches to increase the supply of attainable housing as a separate initiative. The results of this evaluation will apply to development within the RAC. Importantly, the proposed RAC regulations increase the economic feasibility of providing attainable housing via increased height and lot coverage.*

3. **How much lot coverage is permitted? (Busey)**
   - *Response: required greenspace varies with urban context/zoning district. Transit-oriented streets are among the most urban contexts within the RAC, which is why they have the lowest greenspace requirement of 15% . In recognition of the typically small size of parcels lining such streets, greenspace can be reduced below 15% if incentives are earned. The RAC-RTW District has similar greenspace standards, because it is adjacent to the proposed east-west light rail station, and is designated to have the highest intensity of development within the RAC for that reason. All other areas of the RAC must have between 25% and 30% greenspace, which is typical for residential and suburban commercial environments. For more urban projects within some of these areas, greenspace can be reduced to between 10% and 15% through incentives.*
   - *Drainage requirements will likely require higher levels of open space in many situations.*

4. **Consider requiring additional greenspace in exchange for high buildings (Busey).**
   - *Response: tall buildings(over 6 floors) are not permitted anywhere within the RAC except in exchange for desired amenities such as affordable housing, energy-conserving*

design, higher quality open space, and contributions to an open space trust fund. only in the RAC-ED, RTE and RTW districts. These districts also have the highest greenspace requirements (except as noted above for RTW, due to its proximity to the proposed east-west rail transit station).

- *Bonus height for 4th and 5th floors within the downtown (RAC-TC) and along transit streets are necessary to facilitate workforce housing. Reasonable greenspace requirements are also necessary to make the economics of attainable housing work.*

5. **Infrastructure for potable water and schools must be in place before entitling land with additional intensity (all)**
   - *Response. The proposed RAC zoning regulations do not increase the number of residential units that can be built, nor the amount of commercial development. Please see attachment for full response.*

6. **Oppose creation of nonconforming uses that would reduce property values (Bender); questioned its legality (Turin)**
   - *Response: The Town Staff, Steering Committee and consultant team believe that the RAC regulations will increase property values given the variety and intensity of uses that will be permitted, and the infrastructure that will be in place to support these uses. In any case, a review of both the current regulations governing use of industrial properties as well as the proposed RAC zoning regulations has determined that the RAC zoning would not substantially affect the rights of industrial businesses to continue their businesses or market the properties for other industrial uses, as most of them have limited rights under the current code. Please see attached memorandum for explanation.*

7. **Make nonconforming buildings/uses comply with building elevation requirements but allow them to keep their uses intact (Busey)**
   - *Response: Please see Number 5, above.*

8. **Creating nonconforming [industrial] uses eliminates incentives for renovation of property.**
   - *Response: The industrial uses that would be made nonconforming currently do not have the right to expand, change use type, relocate or continue operation if they are badly damaged or destroyed (see number 5, above). Therefore, the proposed RAC zoning would not create disincentives for renovation.*

9. Concern that eminent domain will be used to implement master plan (parking in rear of buildings = condemnation of SFRs, Oakes road might require condemnation of homes)
   - *Response: the LPA is tasked with reviewing the proposed zoning regulations, not the master plan. Council has already considered and endorsed the master plan. The Town can only use eminent domain to build such things as roads and parks, and adoption of the zoning regulations has no bearing on whether the Town will use eminent domain anywhere within the RAC, as zoning is limited to regulating the use and development of private property.*

10. Concern about 10-story buildings near SFRs.
    - *Response: The highest building that would be permitted adjacent to single-family detached residences is 3 stories. A fourth story could be permitted by the Town Council if incentives are earned.*

11. Concerned about four story buildings next to SFRs.
    - *Response: Four stories are not permitted within areas designated for future single-family detached homes. Existing single-family detached homes within areas designed for higher-density will experience a relative increase in property value when economic conditions support higher-density housing. This is ultimately how the area just east of Davie Road will transition and support more workforces housing and provide the residential population needed to support downtown businesses and transit service.*

12. **Need more incentives or requirements for native landscaping and xeriscaping** (Busey)
    - *Response: 25% of overall planting will be required native, Canopy trees should strive to be mostly native and under story planting can be less stringent on non native selection.*

13. **Too many "trash trees" allowed** (Busey)
    - *Response: Planting list will be revised and amended by Town Staff based on the Town's preferred plants.*

14. Impact fees generated within the RAC districts should be spent within the RAC districts.
    - *Response: Yes*

15. Concern about increased traffic on University Drive
    - *Response: The ultimate goal of this study is to create redevelopment in the RAC that is multi-modal. The car is no longer the sole beneficiary of planning development. By focusing transit routes for all types of uses, Pedestrians, Bicycles, Shuttle, Automobile and possibly Rail the community will see a decrease in the road traffic as far as the automobile goes. Roadway improvements such as connecting certain street grids to increase mobility will relieve the over stressed corridors along Davie Road and University Drive. Redevelopment of buildings and their parking design will now reflect design principles that encourage parking once and walking. The university's within the SFEC's commitment to capturing students on the perimeter of the RAC and using mass transit to bring them into campus is another relief mechanism that the roadways will see. The entire plan is envisioned over time to provide for the development of parking structures/capture points, transit system development, bicycle and pedestrian condition improvements, roadway infrastructure improvements, and an expanded transportation management association that will oversee the growth within the RAC and ensure that multi-modal transit systems are always addressed.*

16. People don't ride busses
    - *It is the purpose of the new transit system to encourage better ridership numbers due to improved routes and more frequent/convenient transit stops.*

17. Residential density will be under flight path for FLL
    - *Response: Follow Broward County's lead and FAA on building allowances and standards*

18. New fire equipment will be needed for high-rise buildings
    - *Response: Life, Safety and Fire considerations will be reviewed on all new developments*

19. Parts of Lauderdale Little Ranches don't seem to be excluded from RAC regulations

- *Response: District map shows exclusion of Little Ranches from LDR regulations; overall RAC map shows that it is still part of the RAC.*

cc:

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