



Town Council Agenda Report

SUBJECT: Ordinance

CONTACT PERSON/NUMBER

Name: Mark A. Kutney, AICP
Phone: (954) 797-1101

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)06-01-00, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE III, BY ADDING SECTIONS 12-32.400 THROUGH 12-32.499 TO CREATE THE R-1E PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR DISTRICT INTENT, MASTER PLANS, DISTRICT APPLICABILITY LIMITATIONS, PERMITTED AND CONDITIONAL USES, PROPERTY DEVELOPMENT REGULATIONS, AND EQUESTRIAN PROVISIONS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Petitioner: Debbie Orshefsky, Greenberg Traurig, petitioner/GL Homes of Florida, owner
Item Number: ZB(TXT) 06-01-00

REPORT IN BRIEF: This Ordinance creates the R-1E District and provides regulations to ensure a balance between smaller lot sizes and increased total green area, as approved through a detailed Master Plan. This ordinance sets forth criteria specifying the exact nature and location of open space and perimeter buffers. The Ordinance does not provide for increased density over the existing one unit per acre land use, and does not constitute a rezoning.

PREVIOUS ACTIONS: Application ZB(TXT) 06-01-00, representing the R-1E concept, was approved, on its merits, at the August 2, 2000 Town Council meeting (motion carried 3-2, Councilmembers Cox and Paul dissenting). This item was previously deferred from the July 19, 2000 Town Council meeting.

CONCURRENCES: The Planning and Zoning Board recommended denial of the Ordinance at its September 27, 2000 meeting (motion carried 3-1, Ms. Moore dissenting and Mr. Davenport absent). The Planning and Zoning Board had previously recommended approval of application ZB(TXT) 06-01-00, on its merits, subject to the [staff report and] addendum as prepared by staff. In addition, subject to the Council considering the fact raising the minimum lot size from 20,000 square feet to a number that would be more acceptable to the Council and the public and subject to accessibility to the public of more than 25% of the public area (motion carried 3-2, Mr. Greb and Ms. Moore dissenting, July 26, 2000). The Planning and Zoning Board had previously deferred this item from its July 12, 2000 meeting.

FISCAL IMPACT: Not Applicable.

RECOMMENDATION(S): Motion to approve Ordinance.

Attachment(s): Ordinance and Staff Report.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)06-01-00, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE III, BY ADDING SECTIONS 12-32.400 THROUGH 12-32.499 TO CREATE THE R-1E PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR DISTRICT INTENT, MASTER PLANS, DISTRICT APPLICABILITY LIMITATIONS, DEVELOPMENT AREA LIMITATIONS, PERMITTED AND CONDITIONAL USES, PROPERTY DEVELOPMENT REGULATIONS, AND EQUESTRIAN PROVISIONS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the Land Development Code to provide for land development regulations for R-1E Planned Development District; and

WHEREAS, the Town Council has found it desirable to provide for a new flexible planned residential zoning district to implement the one (1) dwelling unit per acre land use classification.

WHEREAS, the Town Council of the Town of Davie held two (2) advertised public hearings, in accordance with State law, to solicit input from the public on ZB(TXT) 06-01-00.

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

SECTION 1. The Code of Ordinances of the Town of Davie is hereby amended to create the R-1E Planned Development District 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

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

PASSED ON FIRST READING THIS _____ DAY OF _____, 2000

PASSED ON SECOND READING THIS _____ DAY OF _____, 2000

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000

DEVELOPMENT SERVICES DEPARTMENT

Planning & Zoning Division

MEMORANDUM
PZ 09-30-00

TO: Tom Willi, Acting Town Administrator

THRU: Mark Kutney, AICP, Development Services Director

THRU: Jeff Katims, AICP, Planning and Zoning Manager

FROM: Marcie Oppenheimer Nolan, AICP, Planner II

DATE: September 18, 2000

RE: **Ordinance**
Land Development Code Amendment ZB(TXT) 06-01-00
Zoning District - R-1E

BACKGROUND

The Town Council voted on August 2, 2000 for approval, on its merits, the concept of the R-1E, Planned Residential Development, zoning category. The concept, as presented, provided for a transfer of lot size below the current minimum lot size of 35,000 square feet, as required in other one-unit per acre zoning districts, and providing for an increase in open space to benefit both the residents of the development and of the Town. The net density of one-unit per acre remains consistent.

Upon direction from Council, staff has prepared an Ordinance, providing for the previous concept, in code language consistent with the Land Development Code. Also included, per Council's direction to staff, is language geographically limiting this zoning district to an area already surrounded by suburban type developments, in order to retain the rural lifestyle exemplified by areas in the western most section of Town. Further refinement of language providing for equestrian activities within the zoning district, specifically not allowing R-1E zoning districts is also included.

Staff has not made changes to the original concept, as provided by the applicant, and as reviewed by staff and Council, but has incorporated information requested by Council. Staff has also incorporated changes as identified in the addendum to the staff report to include increased landscape buffer provisions and clarify open space and level of service recreation and open space acreage.

ANALYSIS

Staff has added additional language from the previous conceptual draft, as presented by GL Homes, to Council, in the following areas:

Intent.

In order to ensure that the final design of the master plan associated with a rezoning request to R-1E meets the intent of the district, discretion to the location of open space and the overall usable open space is at the direction of Town Council.

Master Plan.

Language has been revised to parallel current language proposed by staff which shall be brought before Council as a Land Development Code revision creating guidelines for master plans throughout the Town.

Language is also included within this section to clarify that minor changes to the approved master plan which do not result in a downgrade from an element as shown on the Master Site Plan, either numerical or physical, may be approved by the Development Service Director. Any change which does represent a downgrade shall be brought before council for review and approval.

Size Limitation.

The parcel size limitation has been increased to a minimum parcel size of 100 gross acres. A map is included which identifies all parcels within the Town which may meet the parcel size limitation either now, or in the future through parcel assemblage and/or redevelopment.

District Applicability Limitation.

Upon the direction of Council, the Ordinance language limits the location of properties able to apply for a rezoning to the R-1E district to those parcels of land east of Flamingo Road. The majority of developed land east of Flamingo Road is comprised of suburban type development, exemplified by walled and gated communities developed by one entity and providing a limited number of house models from which to choose. The majority of remaining vacant land west of Flamingo Road consists of the more 'rural' type homesites on individual parcels utilizing personal architects to design the homes and homesites.

Development Standards.

These standards are elaborated further to clearly define what is public open space level of service and private recreation level of service.

Perimeter Buffer Requirements.

These requirements are further refined to ensure an increase in the amount of landscape material provided over standard zoning districts. This includes requiring canopy street trees throughout the streets within the development and increased perimeter berm and buffer requirements.

Equestrian Provisions.

The language in this section is refined to ensure that communities which rezone to the R-1E district shall not deed restrict all lots to prohibit horses. Language in the Ordinance states that lots adjacent to equestrian trails and over 35,000 square feet in area, shall not be deed restricted to prohibit homeowners from having horses.

The remaining development standards and details of the Ordinance are as previously approved by Council.

CONCLUSION

Staff feels the the minor modifications made to the Ordinance from the previous version work toward enhancing the end product and ensuring all developments that rezoned to the R-1E meet the Town Council intent to provide enhanced open space amenities to the

residents of the Town. Based on the preceding review and the language refined in the Ordinance, staff brings this Ordinance before Town Council for approval.

EXHIBIT "A"

Section 12-32.400, R1-E Planned Development District.

Section 12-32, subdivision 400 shall be known as the "R1-E Planned Development District."

Section 12-32.401, Intent, Applicability and Boundaries.

(A) *Intent.* The intent of the district is to further the existing rural lifestyle of Davie through the creation of scenic corridors adjacent to road rights-of-way and to allow single-family homes to be developed with reduced lot sizes internal to the perimeter corridors, thus providing green spaces (open space) for the benefit of the residents of development and of the Town. This approach allows flexibility of lot size provided the development meets or exceeds open space requirements, set forth herein. The R-1E district is intended to implement the one (1) dwelling unit per acre residential classification of the Town of Davie Future Land Use Plan and the residential classification of the Town of Davie Comprehensive Plan. Specifically, the District is intended to accomplish the following:

- (1) Result in a desirable residential environment with more open spaces and recreational areas than would be possible through the minimum standards of the AG, A-1 and R-1 zoning districts.
- (2) Ensure the provision of substantial and high-quality, well-planned open space areas which benefit the general public;
- (3) Ensure the provision of recreation amenities designed to serve the general public and incorporated into the site plan.
- (4) Ensure the provision of upgraded perimeter landscape buffers along perimeter collector and arterial thoroughfares, and the retention of rural corridor appearance.
- (5) Ensure the retention of the rural lifestyle through the creation and maintenance of equestrian trails, and provisions for horses, within planned developments.
- (6) Ensure that future growth and development occurs in accordance with the Comprehensive Plan.
- (7) Ensure that future growth and development utilizing this district occurs only in areas transitioning from sub-rural to suburban based on the predominate land development pattern in the surrounding developments.
- (8) Protect the integrity of adjacent residential neighborhoods by ensuring compatibility between proposed developments;
- (9) Ensure the provision of on-site recreation amenities are designed to serve the residents of the development;

Section 12-32.402 Master Plans.

(A) *Intent.* Any and all rezonings to the R-IE district shall require the review and approval by the Town Council of a Master Plan in order to: ensure a proposed development will provide sufficient quantity, quality, character and distribution of open space consistent with the intent of this district and ensure consistency between the applicant's represented intent when seeking rezoning approval to the R-IE district and all subsequent site plan approvals request from the Town of Davie,

(B) *Unified Control.* All Master Plans shall be owned or under the control of the applicant, whether the applicant be an individual, partnership or corporation, or a group of individuals, partnerships or corporations. The applicant shall present evidence of unified control over the entire area within the proposed master plan and shall state agreement that, if he proceeds with the proposed development, he will:

- (1) Do so in accordance with the officially approved master plan of the development, and such other conditions or modifications as may be attached to the development;
- (2) Provide agreements, covenants, contracts, deed restrictions or sureties acceptable to the Town Council for completion of the undertaking in accordance with the adopted master plan such as, providing for maintenance and control of common areas, granting easements deemed critical for site circulation, recreation trails and/or other purpose, and dedicating land for public amenities. Restrictive covenants and agreements for construction of public amenities or circulation elements may also be required.
- (3) Bind his/her development successors in title to any commitments made under items 1) and (2) preceding.

(C) *Required Information.* Master Plans shall include the following information, at a scale of one (1) inch equals fifty feet (1"=50') or larger (unless approved by Development Services director or his/her designee), and shall provide dimensions where appropriate:

- (1) Boundary survey.
- (2) Tree survey indicating existing vegetation and any other natural features within the development including natural resources requiring protection or mitigation.
- (3) Proposed parcel divisions and/or phases within the master planned development.
- (4) General schematic representation of the land uses included within the development.
- (5) Entrance feature, if any, and perimeter landscaping schematic design.
- (6) Proposed building locations, maximum heights, floor area and setbacks, as a typical to ensure that bldgs. and future accessory structures will fit on the lot.
- (7) Delineation of internal circulation, including streets and pedestrian access.
- (8) Location of all perimeter landscape areas including width and minimum berm height, if proposed.

- (9) Points of connection of the local streets to the trafficways, including general indication of the necessary improvements to the trafficways to accommodate the local trips generated by the development.
- (10) General location and size of any community facility included within the development such as parks, schools, fire stations, community centers, etc.
- (11) Site Data Table showing proposed uses, acreage, and number of units, average lot size and density in the case of residential uses, and any other information deemed necessary by the Development Services Director or designee.
- (12) Schematic depiction of surface water management elements, including retention facilities, drainage easements and swales.
- (13) Schematic depiction of the water and wastewater treatment facilities and/or source of public water and wastewater disposal facilities; general distribution and collection plans within the development, including easements for utility pipelines.
- (14) Surrounding features natural and manmade within 500 foot radius of the site.
- (15) Traffic study indicating the impact the proposed development may have upon the existing roadway network if required by the Development Services Director or designee to include trip generation, trip distribution and any necessary roadway improvements required to satisfy concurrency.
- (16) Master signage plan indicating all monument, wall, directional prototype signs including color, height, material, letter style, and method of illumination.
- (17) Irrigation plan indicating that all irrigation shall be commonly controlled as set forth in the restrictive covenant.
- (18) The proposed name or title of the development, and the name of the engineer, architect, landscape architect and developer;
- (19) The legal description of the proposed development;
- (20) The general location, minimum acreage and proposed site improvements for recreation areas, inclusive of recreational trail systems and pedestrian circulation system;
- (21) The minimum open space ratio and minimum open space acreage to be provided by the development, and with breakdown by phase;
- (22) Recreation and open space level of service provided on-site;
- (23) Average lot size of development and each of the phases.
- (24) Open Space breakdown by type(lakes/canals, wetlands, public open space to satisfy the Town's 10 ac/1,000 LOS Standard, trails, perimeter landscape buffers, acreage and percentage located along perimeter rights-of-way) and public and private delineations.
- (25) Location map in a scale large enough to identify the next closest major roadway.

(D) *Required Schedule.* A tentative schedule of completion shall be submitted to indicate anticipated timing of phase construction, as well as timing of Certificates of Occupancy.

(E) *Phasing.* Where a master plan will be developed in phases or incrementally, the Town Council may require construction of all or part of common circulation and/or public amenity elements of a master plan prior to issuance of a building permit or certificate of occupancy for the first structure to be built, as appropriate, or may require bonding or other security to ensure same.

(F) *Procedures For Review.* All Master Plan submittals shall be preceded by a preapplication conference with Planning and Zoning division staff. Master Plans shall be reviewed and approved concurrent with the rezoning process, as set forth in sections 12-306, Processing (inclusive of the public notification requirements specified therein) and 12-307, Review for Rezoning. The master plan shall be adopted as part of the ordinance rezoning the property to the R-1E District.

(G) The Town Council may deny a Master Plan based on the distribution and size of open space parcels inconsistent with the intent of the district to provide open space as a public amenity.

(H) After rezoning to the R-1E district, no permits shall be issued by the Town and no development shall commence unless in conformance with the approved Master Plan and subsequent site plan approval(s). Site plan approval shall be reviewed and approved by the Town Council provided it adheres to the Master Plan as approved by Council, as detailed in Land Development Code Section 12-371, Site Plan Review. The applicant may develop the project in phases provided each site plan (phase) is consistent with the Master Plan. Compliance with the required Open Space Ratio and Average Lot Area shall be based on the overall project. Each phase shall contain the open space and landscape buffers as indicated on the approved Master Plan. Minor deviations resulting in no net loss of open space or any other downgrade may be approved by the Town Council as part of site plan approval process provided that such deviations meet the following criteria:

- (1) The deviations represent minor changes to residential parcel boundaries to account for field design issues;
- (2) The deviations represent minor changes to non-residential parcel boundaries (retention/lake areas, landscape buffers, recreation parcels, etc.) to account for field design issues.
- (3) Minor deviations determined by the Development Services Director to be of such insignificance that re-approval of the Master Plan through the rezoning process is not warranted; and,
- (4) Any other deviations or modifications to the Master Plan shall be reviewed by the Development Services Director and processed as an amendment to the Master Plan.

Section 12-32.403. Size Limitation.

In order to successfully achieve the standards enumerated in the R1-E district and as stated in the Intent section, the rezoning of land to the R1-E district requires a minimum development area of 100 contiguous acres and a minimum frontage of 200 feet (200') along an existing collector or arterial roadway.

Section 12-32.404 District Applicability Limitation.

To ensure the utilization of this district in areas compatible with existing development and to further protect the areas predominantly characterized by rural development patterns pre-existing within the Town, this district shall only apply to the following geographic areas:

North:	1-595 (Davie Town Limits)
South:	Davie Town Limits
East:	Davie Town Limits
West:	Flamingo Road

Section 12-32.405 Permitted and Conditional Uses.

The following table identifies the permitted uses and conditional uses within the R-1E Planned Development District.

Permitted Uses:

Dwellings, single family detached
Recreational Facilities
Agriculture as a transitional use before site development.

Accessory Uses:

Equestrian Facilities (per Section 12-34(I))
Guest Cottage (per Section 12-33(A))
Home Occupation (per Section 12-34N)

Conditional Uses:

Special Residential Facility and Group Home (per Section 12-34(Z)).
Family Day Care (per Section 12-34(J)).
Residential Agriculture (Section 12-34 (B), provisions retaining to R-1 District)

Section 12-32.406 Development Standards.

All development within the R1-E district shall be required, at a minimum, to meet the following standards:

(A) *Compatibility:* All residential lots within the proposed development abutting an existing single family residential community wherein all lots are equal to or greater than 35,000 sq.ft., shall maintain a minimum of 35,000 sq.ft. (net dry) lot area.

(B) *Minimum Average Lot Area* (entire development): 25,000 sq.ft. (net dry land area). The Average Lot Area is calculated by dividing the total land area included within each of the residential lots, less and except easements or rights-of-way for public or private roads, primary utility transmission lines, and water management or drainage district canals, divided by the total number of residential lots. No phase of the development shall fall below the minimum average lot size of 25,000 square feet.

(C) *Minimum Lot Size:* In no event shall any lot be less than 20,000 sq.ft. (net dry land area).

(D) *Minimum Public Recreation Area:*

(1) Public: the Level of Service (LOS) shall be based on 10 acres required per 1,000 population derived from 3.3 persons per household as stated in the Comprehensive Plan.

(a) 25% of this requirement shall be required to be located on-site, at the perimeter of said development, adjacent to road rights-of-way and a minimum parcel size of 2 acres, thereby creating a neighborhood size park. In addition to the 2 acre park, such public recreation may be located along the pedestrian/horse trail system, accessible to the general public. Such lands are to be dedicated to the Town of Davie for use by the public.

(b) 75% of the remaining LOS required may be dedicated on-site or be paid to the Town of Davie in lieu of on-site dedication.

(E) *Minimum Private Recreation Area:*

Private: The minimum private recreation area required shall be based on 7.5 acres per 1000 population for on-site private recreation. Private recreation and open space level of service may be utilized in meeting the minimum open space requirements as stated in subsection (F) below. Such private recreation areas shall be designed to serve the residents of the development.

(F) *Minimum Open Space Standards.*

(1) The minimum open space ratio required for the project shall be based on the projects average lot size as specified below.

Open Space Ratio (Project):	Maximum Gross Density:	Average Lot Area (Project): NET DRY
.3167	1 du/ac.	25,000 to 26,562 sf
.2907	1 du/ac.	26,563 to 27,499 sf
.2750	1 du/ac.	27,500 to 28,437 sf
.2594	1 du/ac.	28,438 to 29,374 sf
.2437	1 du/ac.	29,375 to 30,312 sf
.2282	1 du/ac.	30,313 to 31,249 sf
.2125	1 du/ac.	31,250 to 32,187 sf
.1969	1 du/ac.	32,188 to 33,124 sf
.1812	1 du/ac.	33,125 to 34,062 sf
.1657	1 du/ac.	34,063 to 34,999 sf
.1500	1 du/ac.	35,000 and above sf

By way of example, if the Master Development Plan establishes a minimum open space ratio of .2594, prior to final site plan approval of the last residential phase, the applicant shall provide proof that the overall development demonstrated on the master plan meets or exceeds an Average Lot Area of 28,438 square feet (Net Dry).

(2) A minimum of fifty percent (50%) of the open space required by the above table shall be located along the perimeter of the site, adjacent to rights-of-way and visible to the general public. An open space area is construed to be located along the perimeter of the development if the open space area is at least 150' in width and is continuous, except that an internal right-of-way may divide the open space (provided the 150' width is on both sides of the right-of-way). No more than 50% of the open space required along the perimeter shall be water area.

(3) Open Space credited toward satisfying the minimum open space requirements, other than water surfaces, shall be dry land area taking the form of natural resource protection areas such as wetland areas; hammocks and ridges; archeological sites; active recreation areas; passive open spaces; trails and paths which connect open spaces, neighborhoods and community facilities; open areas containing equestrian stables; landscape areas; and preserved agricultural areas. Open space parcels shall strategically located to benefit the residents of the development, and the public where applicable, and should be connected by landscaped paths for pedestrians, bicycles, and equestrian use.

(4) Lake Maintenance easements, canal maintenance easements and utility easements shall not count toward the minimum open space requirements, unless at the Town's discretion, such easements are abutting, and contributing to a substantial open space parcel such as a park, trail or conservation area or other. Additionally, that portion of

landscape buffer required under Subsection 12-107(A)5. Single-family landscape standards, are not credited towards minimum open space requirements, but buffers in excess of the width required therein, shall be credited.

(5) Maximum ratio of water in open space shall be in accordance with Section 12-72, Open Space uses and limitations.

(G) *Residential Setback*: Minimum residential building setback to a public right-of-way: 75 feet.

(H) *Perimeter buffer requirement*: A perimeter landscape buffer shall be provided adjacent to all road rights-of-way greater than fifty feet (50') in width. This buffer may include pedestrian, equestrian, and/or bicycle trails. The following minimum design specifications shall apply to all perimeter berms developed under this requirement:

(1) Minimum buffer width: Fifty feet (50');

(2) Minimum planting requirement:

- (a) One canopy tree planted for every thirty (30) linear feet, or fraction thereof. Deviations from this standard shall only be permitted in accordance with Section 12-102(E), Plant Material, of the code;
- (b) Two (2) accent trees every one hundred (100) linear feet, or fraction thereof;
- (c) Twenty-four inch (24") high shrub or hedge material, spaced no more than twenty-four (24) inches on center at installation, to be maintained at a minimum height of thirty-six inches;

(3) Minimum berm height/slope: A rolling or continuous undulating berm which, when combined with the hedge or shrub material specified in (c) above, maintains an average height of at least four feet (4'), except as noted herein. To the extent the required berm is located adjacent to an area utilized to meet the minimum open space ratio for this district, the berm height shall be reduced so as to provide a viewing corridor to the open space area for the benefit of the general public. The maximum berm slope shall be 3:1.

(4) All perimeter buffers within each phase of development shall be installed and completed prior to issuance of the first Certificate of Occupancy for any unit (other than models) within said phase.

(5) In the event the required fifty (50) foot landscape buffer is separated from the road right-of-way by an intervening improvement (drainage district canal, lake, etc.), or other feature, the buffer width may be reduced by no more than 50%. However, the Town Council may require the full buffer width at their discretion.

(I) *Required Landscape Enhancements*

(1) Upgrades to minimum landscape plantings for all residential lots abutting existing residential development and not abutting a perimeter buffer tract within the development: A minimum of three (3) native canopy trees shall be planted within twenty (20') feet of the rear lot line of any residential lot abutting existing

residential development so as to provide a buffer between the proposed development and existing residential development and shall be in addition to required on lot plantings as stated in Section 12-107(A), single-family landscape standards.

- (2) Street trees shall be required along all road rights-of way internal to the development. Such trees shall meet the minimum size requirements as stated in Section 12-102(f), Plant Material.

Section 12-32-407 Property Development Regulations.

For all lots not required to maintain a minimum 35,000 sq.ft. net dry lot area, the following property development regulations shall apply:

District	Min. Lot Area (sq ft)	Min Lot Frontage (ft)	Front (ft)	Side (ft)	Rear (ft)	Max Height (ft)	Min. DU floor Area	Max. Bldg. Coverage (ratio)
R-1E	20,000'	100	30'	15'	25'	35'	2,400	0.35

For all lots required to maintain a minimum 35,000 sq.ft. net dry lot area, the following property development regulations shall apply:

R-1E	35,000'	125'	35'	25'	40'	35'	2,400	0.30
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- 1 Net Dry Land Area
- 2 For lots on cul-de-sacs or located on streets with curved alignments, the required front setback for any residential structure shall be the mid-point of the arc radius width meeting the required minimum lot frontage of the R-1E District (100') provided that said mid-point is a distance equal to or greater than the required front setback of the R-1E District (30' or 35' as applicable). In the event the midpoint of the arc-radius width is at a point less than the required front setback distance, the residential structure shall be setback at a minimum of the required front setback distance (the 30' or 35' as applicable).

Section 12.32-408 Equestrian Provision.

All lots 35,000 square feet or greater which are located adjacent to an existing, or proposed, equestrian trail shall not be deed restricted so as to prohibit horses.

Section 12.32-409 Perimeter Walls.

The development of perimeter walls which serve to "close in" the community shall be prohibited. This provision does not prohibit the construction and placement of decorative hardscape elements (including limited walls as part of the decorative entry feature) provided an individual segment of said feature in each direction is no greater than one-half the width of the adjacent road right-of way designed to provide an architectural theme to the project. Nothing herein shall preclude any community with the R-1E Planned Development District from being gated, provided that the location of the gate is integrated into the architectural of the development.

Section 12.32-410--12.32.499. Reserved.