

Sec. 47-18.9. - Cluster development.

- A. For the purposes of this section, a cluster development is defined as one (1) or more cluster buildings and ~~their required~~ associated amenities located on the same development site occurring on abutting lots.
- B. A cluster building is defined as a single residential structure containing two (2), three (3), or four (4) dwelling units, ~~which building is required to have at least one (1) shared amenity for use solely by the inhabitants of that building. Amenities may include, but are not limited to, a pool, spa, gazebo, outdoor grill, or covered terrace. Required amenities may be combined in one (1) location for use by the inhabitants of a maximum two (2) cluster buildings only when those two (2) buildings are located back-to-back.~~
- C. *Design criteria for cluster buildings.* A cluster building shall meet the following design criteria:
1. *Lot requirements.* The minimum lot size for a cluster building shall be as required by the zoning district where it is located.
 2. *Density.* ~~As regulated~~ The density is determined by the regulations governing the zoning district where the cluster development is located.
 3. *Access to cluster developments shall meet the following requirements:* ~~All units in a cluster building shall have vehicular access to a public street in the form of a private driveway. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveways for all public utilities and for use by owners within the group.~~
 - a. Dwelling units within cluster buildings shall have access from a shared driveway or from individual driveways fronting an alley.
 - b. Parking facilities and garages for cluster buildings with a facade facing a right-of-way, other than an alley, shall be provided in the side or rear of the cluster building.
 - c. Each dwelling unit shall have vehicular access to an alley, paved driveway or parking area serving the group. Private driveways shall be provided in accordance with Section 47-20.5.D. Provisions satisfactory to the city attorney shall be made for a recordable easement over the driveway for all public utilities and for use by owners within the group.
 - d. Those cluster developments located on a corner lot may have one (1) garage with an opening facing toward the right-of-way abutting each corner side yard. The garage facing the right-of-way shall be subject to the following requirements:

- i. The garage shall be limited to a width equivalent to a maximum of fifty (50) percent of the width of the dwelling unit. The width shall be measured as the linear dimension of the garage that is visible from the street, such as the garage door; and,
 - ii. The garage shall be set back an additional two (2) feet from the principal facade of the building or eighteen (18) feet from the property line, whichever is greater.
4. *Yard requirements.* Yard requirements shall be measured from the property lines of the development site, as established in Section 47-2.2S, unless otherwise noted.
- a. *Front yard.* The front yard of a cluster building abutting a public right-of-way shall be a minimum of fifteen (15) feet front yard shall be the same as for the district where the cluster building is located. A five-foot easement along the front property line of the cluster building shall be is required when a fee simple lot within the cluster development does not directly abut the public right-of way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the front property line of the cluster building for use by the owners of the units.
 - b. *Corner yards.* A cluster building abutting two (2) or more public rights-of-way shall provide a minimum corner yard of fifteen (15) feet. A five (5) foot easement shall be required along the corner property line of the cluster development when a fee simple lot within the cluster development does not directly abut the public right-of-way. Provisions satisfactory to the city attorney shall be made for a recordable easement along the corner property line of the cluster building for use by the owners of the units.
 - bc. *Side yards.* The minimum side yard shall be the same as required by the zoning district where the cluster building is located. The shared side yard of a cluster building shall be five (5) feet for the principal structure only. A five-foot easement shall be granted along the side property line of the cluster development, which extends from front to rear lot lines along a side lot line of the cluster building not abutting a public street shall be required for use by owners within the group.
 - ed. *Rear yard.* The minimum rear yard shall be as required by the zoning district where the cluster building is located. A five-foot easement is required to be granted along the rear property line of the cluster development. The rear yard of a single cluster building shall be fifteen (15) feet for the principal structure. Provisions satisfactory to the city attorney shall be made for a five-foot recordable easement along the rear property

line of the cluster building for use by the owners of the dwelling units in that building.

e. Interior separations. Buildings within the development shall be separated by a minimum of ten (10) feet from each other.

ef. Additional setbacks.

i. A minimum of twenty-five percent (25%) of the front façade shall be set back a minimum of an additional five (5) feet from the rest of the front façade. ~~This setback shall be centered on the building and shall have a roof line a minimum of five (5) feet lower than the highest adjacent roof line.~~

ii. A minimum of twenty-five percent (25%) of the rear façade shall be set back a minimum of an additional ~~ten (10)~~ five (5) feet from the rest of the rear façade. ~~This setback shall be centered on the building and shall have a roof line a minimum of five (5) feet lower than the highest adjacent roof.~~

iii. ~~Where two (2) cluster buildings share a rear property line, the minimum rear setback may be reduced to five (5) feet on each side of that rear property line if this additional portion of the building is set back an additional five (5) feet from the nearest side property line and has a roof line that is a minimum of five (5) feet lower than the highest adjacent roof line.~~ A minimum of twenty-five percent (25%) of any portion of the façade area abutting a waterway shall be set back a minimum of an additional five (5) feet from the rest of the façade facing the waterway.

iv. A minimum of twenty-five percent (25%) of an interior façade must be recessed at least two (2) feet.

iv. When any portion of a cluster building abutting the side yard for the development site exceeds twenty-two (22) feet in height, that portion of the structure shall be set back an additional one (1) foot for each foot of height above twenty-two (22) feet.

5. Architectural style elements. ~~A cluster building shall be designed of an architectural style compatible with and complementary to adjacent structures.~~

a. A cluster building shall be designed to provide a minimum of twenty-five percent (25%) of the area of the front façade in the form of transparent glass.

- b. When abutting a waterway, the façade of the cluster building facing the waterway shall provide additional architectural elements such as, but not limited to, unenclosed balconies, variation of rooflines between each unit.
6. ~~Entrance requirements. Any building façade facing a public right-of-way shall be considered the front façade for those units. Each dwelling unit facing a public right-of-way, other than an alley, must have, on a front façade, its own principal entrance visible from and facing the right-of-way and shall include the following: The principal entrance of each unit shall be a roofed concrete landing a minimum of three (3) feet by five (5) feet and shall be of architectural design and material similar to and integral with the principal structure. No two principal entrances shall share a roofed concrete landing. A minimum of eight (8) linear feet shall be provided between entrances which are located within the same plane of the façade.~~
- a. A roofed concrete landing, and;
- b. An architectural design and material similar to and integral with the principal structure, and;
- c. A minimum of four (4) linear feet shall be provided between principal entrances, and;
- d. The roofed landing may encroach into the front yard an additional three (3) feet, and;
- e. For individual dwelling units facing more than one right-of-way, only one (1) entrance will be required.
7. *Minimum floor area.* Each individual dwelling unit shall have a minimum floor area of seven hundred fifty (750) square feet.
8. *Height.* The maximum height shall not exceed thirty-five (35) feet. See Section 47-2, Measurements.
9. ~~*Fence and wall requirements.* Seventy-five percent (75%) of all fences within twenty-five (25) feet of a public right-of-way must be of non-opaque materials such as vertical bars or picket fence.~~
- a. Seventy-five percent (75%) of all fences or walls within the front yard setback must be of non-opaque materials such as, but not limited to, vertical bars or picket fence.
- b. A wall or fence shall be installed between the development site and any neighboring residential property abutting the development site subject to the requirements of Section 47-19.5 unless this requirement is waived by

approval of the Planning and Zoning Board as part of the Site Plan Review process.

10. *Maintenance agreement.* A cluster development shall have a recorded maintenance agreement for ~~the~~ all common areas and any required guest parking spaces.
11. *Sidewalk~~street tree~~ requirements.* A cluster development shall provide the following:
 - a. A minimum ~~five-foot~~ five (5) foot wide sidewalk along each public street abutting the property along the full length of the front property line.
 - b. A minimum three (3) foot wide sidewalk shall connect the front entrances with the sidewalk along the right-of-way unless an alternative pedestrian access to the public sidewalk is approved by the Department.
 - ~~b. Street trees shall be planted and maintained along the public street abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on height, bulk, shadow, mass and design of the structures on the site and the proposed plan's compatibility to surrounding properties.~~
12. *Street tree requirements.* Street trees shall be planted and maintained along the public right-of-way abutting the property to provide a canopy effect. The type of street trees may include shade, flowering and palm trees and shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The location and number of trees shall be determined by the department based on building and site design, separation distance, utility infrastructure and the proposed plan's compatibility to surrounding properties.
- 42.13 *Landscape requirements.* As required by the zoning district where located, pursuant to Section 47-21.10, ~~Landscaping and Tree Preservation Requirements~~ 47-21-13, Landscape requirements for all zoned districts.
14. *Solid waste, yard waste, and recycling requirements.* Each cluster unit shall have incorporated into the design a designated area to locate containers that meet the requirements of Chapter 24 of the City's Code of Ordinances. The size of the containers and alternatives to these requirements may be permitted subject to approval of the Public Works Department, Sanitation Division.

Sec. 47-20.2 – Parking and Landing Zone Requirements

TABLE 1. PARKING AND LOADING ZONE REQUIREMENTS

...

Duplex / <u>Townhouse</u> /cluster ; / <u>coach homes with four units or less without garage, attached housing</u>	2/ <u>per dwelling unit</u> + 0.25/dwelling unit <u>guest parking</u>	<u>NA</u>
<u>Townhouse</u> /cluster ; / <u>coach homes with five or more units</u>	2 <u>per dwelling unit</u> + 0.25/dwelling unit <u>designated for guest parking.</u>	<u>NA</u>

Sec. 47-21.14 – Additional landscape requirements for special uses and districts.

A. In addition to the requirements for land zoned in certain districts, additional landscaping shall be required for certain special districts and uses as follows:

...

3. ~~Townhouse developments/zero-lot-line homes/cluster dwellings shall be subject to the same open space and planting requirements as the district in which it is located subject to the following: Land which is common area for a townhouse complex or cluster complex shall have the same open space and planting requirements as the district in which it is located. Individual lots owned in fee simple by individual owners in a townhouse development, zero-lot-line development or cluster development shall have the same planting requirements as in the RS-4.4 district.~~

a. The development area of the calculated in the lot coverage measurement shall be exempt from the calculation of the required landscape area.

b. Individual lots owned in fee simple within a townhouse development, zero-lot-line development or cluster development are exempt from the requirements to provide landscaping in the rear yards except for those areas subject to common easements.