

CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE February 22 2011

TO Robert Baldwin, City Manager *Robert Baldwin*

VIA: Robert Daniels, Director

FROM: Corinne Lajoie, AICP, Principal Planner *CA Lajoie*

SUBJECT **TX-50-10** - The applicant, the City of Dania Beach, is requesting to amend the OneCode, Land Development Regulations by creating a new zoning district entitled Marine for use within the CRA, as well as other text amendments to the Land Development Code (SECOND READING).

TEXT AMENDMENTS

1. To provide for the creation of a new zoning district entitled Marine; Section 110-20, Article 303, Section 303-100.
2. To include airport related language as requested by the Broward County Aviation Department; Section 220-20 & Article 260, Section 260-10.
3. To insert language erroneously omitted related to the Residential Office (RO) zoning district; Section 110-180 & Article 205.
4. To correct scrivener's errors regarding marine structures including docks and moorings; Article 240, Section 240-20.
5. To correct scrivener's errors by providing dates where dates were missing; Section 105-20 & 105-220, 215-50, 705-10, 705-20.
6. To permit assembly, repair and fabrication of furniture, home furnishings, art objects, clothing, leather goods and jewelry in the IROM and IROM-AA zoning districts; Section 115-40.
7. To identify setback requirements for IROM-AA properties; Section 205-10.
8. To clarify an irregular density on some Neighborhood Residentially zoned properties; Section 302-20.

On September 14, 2010 the City Commission approved the City's new Land Development Code, referred to as OneCode. As staff continues to use the new regulations scrivener's errors, inaccuracies and vague, imprecise or ambiguous language begins to emerge, some of which staff is proposing to address at this time.

TEXT AMENDMENT

1. CREATION OF A MARINE ZONING DISTRICT

At the request of the CRA Executive Director, staff created a Marine zoning district for use within the CRA, which further the goals of the CRA Redevelopment plan. The proposed district is envisioned to be located along the Dania Canal where Old Griffin Road is located today. The CRA Redevelopment Plan calls for re-routing Old Griffin Road to the south, creating waterfront property and allowing for the expansion of the marine industry in the city. The zoning map amendment, identifying the location of the new zoning district, will follow at a later time.

The new Marine zoning district will permit marine related activities, and require special exception approvals for many of the outdoor marine uses to ensure compatibility with adjacent properties.

2. AIRPORT RELATED LANGUAGE

As part of the public outreach related to the OneCode, the Broward County Aviation Department provided comments and suggested language regarding height regulations and airspace restriction. Much of this language is required by state and federal regulations.

At the request of the City Commission, staff amended ordinance in section 220-20 of the propose regulations by allowing property owners with previous agreements with the Broward County Aviation Department to be except from the height restrictions.

3. RESIDENTIAL OFFICE (RO) ZONING DISTRICT

The Residential Office zoning district was established on June 28, 2005. Several sections of the original RO zoning regulations were erroneously omitted from the new OneCode document. The proposed amendment reinstates the omitted sections.

4. DOCKS AND MOORINGS

The amendments to this section were to correct the title of the responsible party for action (i.e. ~~building official~~ community development department) for ease of enforcement.

5. CORRECTION OF SCRIVENER'S ERRORS

The corrections of multiple scriveners' errors are included in this amendment by providing dates and ordinance numbers where they were missing. Corrections to section numbers that are referenced are also included. Finally, corrected title of responsible party for action (i.e. ~~city attorney~~) is included for ease of enforcement.

6. ASSEMBLY, REPAIR AND FABRICATION

The amendment is to permit assembly, repair and fabrication of furniture, home furnishings, art objects, clothing, leather goods and jewelry in the IROM and IROM-AA zoning districts, where it is currently prohibited. The old zoning code was silent regarding the use.

7. IROM-AA

When the IROM-AA zoning district was created on November 23, 2010 the setback requirements were erroneously omitted from the amendments. At this time we are identifying setback requirements for IROM-AA properties.

8. NEIGHBORHOOD RESIDENTIAL

The new zoning map identifies some Neighborhood Residential (NBHD-RES) zoned properties with a higher density to reflect the form of development that exists on the ground today. The proposed language clarifies this notation on the zoning map.

CITY COMMISSION PREVIOUS ACTION

On February 8, 2011 the City Commission approved the proposed amendments with the changes discussed above.

LOCAL PLANNING AGENCY RECOMMENDATION

On January 19, 2011 the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of the property text amendments.

STAFF RECOMMENDATION

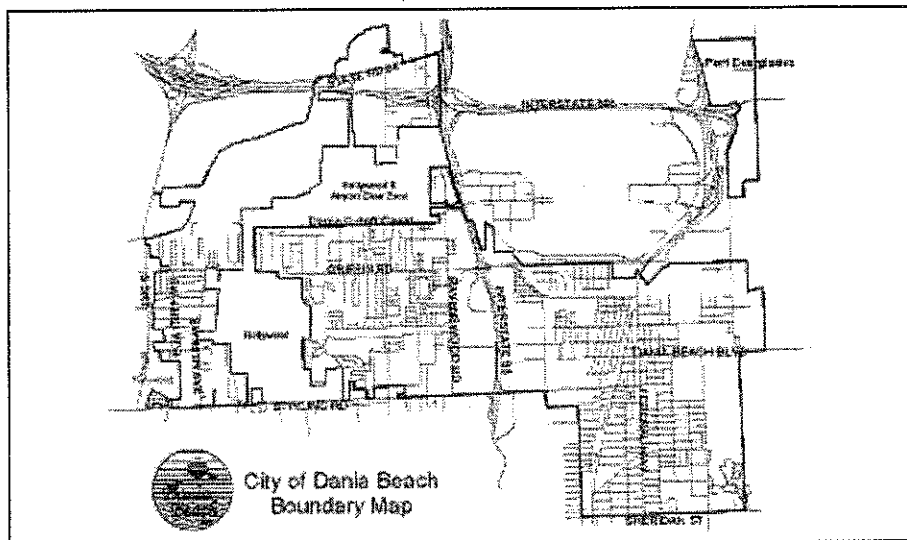
Approve.

TX-50-10 - TEXT AMENDMENT NOTICE OF PUBLIC HEARING CITY OF DANIA BEACH

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Commission, on Tuesday, February 22, 2011 at 7:00 p.m., or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following text amendment:

TX-50-10 - The City of Dania Beach is proposing to amend the city's Land Development Regulations by creating a new zoning district entitled "Marine" for use within the Community Redevelopment Area (CRA), as well as other text amendments to the Land Development Code. The ordinance heading reads as follows:

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 100 "GENERAL USE REGULATIONS APPLYING TO ALL ZONING DISTRICTS" TO ESTABLISH THE MARINE ZONING DISTRICT WITHIN THE COMMUNITY REDEVELOPMENT AREA; AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING REGULATIONS OF THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" TO ESTABLISH THE MARINE ZONING DISTRICT WITHIN THE COMMUNITY REDEVELOPMENT AREA, AND TO PROVIDE SUPPLEMENTAL REGULATIONS FOR THE RESIDENTIAL OFFICE (RO) DISTRICT; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" TO AMEND PERMITTED LIGHT INDUSTRIAL USES; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO PROVIDE SUPPLEMENTAL REGULATIONS FOR THE RESIDENTIAL OFFICE (RO) DISTRICT AND THE IROM-AA DISTRICT; AMENDING ARTICLE 215 "SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND OPEN SPACE" TO AMEND PROVISIONS CONCERNING YARD ENCROACHMENTS; AMENDING ARTICLE 220 "SUPPLEMENTAL BUILDING AND STRUCTURE HEIGHT REGULATIONS (INCLUDING LOWEST FINISHED FLOOR); ROOFTOP REGULATIONS" TO AMEND REGULATIONS CONCERNING HEIGHT HAZARDS LOCATED IN PROXIMITY TO AN AIRPORT; AMENDING ARTICLE 240 "DOCKS AND MOORING STRUCTURES" TO PROVIDE FOR INSPECTION AND REGULATION OF DOCKS AND MOORING STRUCTURES; AMENDING ARTICLE 260 "AIRPORT PROXIMITY AND NAVIGATIONAL HAZARD REGULATIONS" TO AMEND DEVELOPMENT STANDARDS RELATED TO AIRPORT NAVIGATIONAL HAZARDS; AMENDING ARTICLE 302 "DETAILED USE REGULATIONS" TO PROVIDE FOR ADDITIONAL DEVELOPMENT REGULATIONS FOR THE DISTRICTS WITHIN THE COMMUNITY REDEVELOPMENT AREA; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO PROVIDE FOR DEVELOPMENT REGULATIONS FOR THE MARINE ZONING DISTRICT WITHIN THE COMMUNITY REDEVELOPMENT AREA; AMENDING ARTICLE 705 "VIOLATIONS AND PENALTIES" TO AMEND CODE ENFORCEMENT PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND AND FINAL READING)



Copies of the proposed text change are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday - Friday please call (954) 924-6805 x3645 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such record pursuant to F.S. 286.0105.

Lou Ann Patellaro
Building and Planning Operations Mgr.

Publish Friday, February 11, 2011