

CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE: March 13, 2012

TO: Robert Baldwin, City Manager

VIA: Robert Daniels, Director *Robert Daniels*

FROM: Corinne Lajoie, AICP, Principal Planner, LEED Green Associate *CL*

SUBJECT: **TX-05-12:** The applicant, City of Dania Beach is requesting to amend the OneCode by creating industrial design standard and vacant lot standards, making changes to the temporary uses as well as other text amendments to the Unified Land Development Code.

TEXT AMENDMENTS

1. To permit garage sales on commercial property outside of the CRA and on industrial properties; Article III, Section 21.
2. To amend outdoor storage container regulations; Chapter 28; Section 105-90.
3. To clarify where residential care facilities are permitted; Chapter 28, Section 105-170.
4. Clarifying and adding uses to the list of permitted, special exception and prohibited uses table; Chapter 28, Section 110-20.
5. To add a condition of use for pain management clinics; Chapter 28, Section 110-40.
6. To add cabinet, furniture, sign fabrication, printing, storage and contractor shops as conditional uses; Chapter 28, Section 110-250, 110-260 & 110-270.
7. To add uses to the schedule of permitted uses for industrially zoned properties; Chapter 28, Section 115-40.
8. To amend conditions of use for industrially zoned properties. Chapter 28, Section 115-50.
9. To create lot, yard and bulk regulations for the Open Space zoning district, Chapter 28, Section 205-10.
10. To clarify definition of off street parking; Chapter 28, Section 265-20.
11. To define use of municipal public parking garage for existing developed sites, Chapter 28, Article 265-75.
12. To amend the payment in-lieu of providing public off-street parking to allow contributions to equal 50% and amending payment schedule; Chapter 28, Section 265-92.

13. Clarifying and adding uses to the list of permitted, special exception and prohibited uses table for the CRA; Chapter 28, Section 302-10.
14. To allow building height to exceed 14 stories in the City Center zoning district with approval of a special exception; Chapter 28, Section 303-40.
15. To create treatment of vacant lot regulations; Chapter 28, Section 307-40.
16. To create industrial design standards; Chapter 28, Section 511-10.
17. To amend the public hearing notice requirements to meet state requirements; Chapter 28, Article 610.
18. To amend administrative variance requirements to add finished side of fence to list of variances that may be approved administratively; Chapter 28, Section 620-40.
19. To amend the temporary use regulations; Chapter 28, Section 675-20.
20. To amend defined terms by added new definitions, Chapter 28, Section 725-30.
21. To amend public schools concurrency regulations to reflect changes made to the interlocal agreement; Chapter 28, Section 805-100.

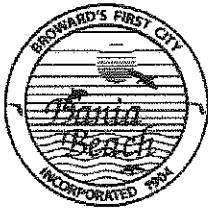
Staff is requesting a continuance of this item to the March 27, 2012 City Commission meeting to allow staff and the consultant to make minor changes to the proposed text.

LOCAL PLANNING AGENCY PREVIOUS ACTION

On February 15, 2012, the Planning and Zoning Board sitting as the Local Planning Agency, recommended approval of the proposed text amendments.

STAFF RECOMMENDATION

Continue to March 27, 2012.



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643
 (954) 922-2687 Fax

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

RECEIVED
 JAN 23 2012
 Planning
 Department

Date Rec'd: 1/23/2012
 Petition No.: TX-05-12

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: City Wide

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) Com. Dev. Dept

Address of Applicant: 100 W. Dania Beach Boulevard

Business Telephone: 924-6805 Home: _____ Fax: 922-2687

E-mail address: _____

Name of Property Owner: City of Dania Beach

Address of Property Owner: 100 W. Dania Beach Boulevard

Business Telephone: 924-6800 Home: _____ Fax: _____

Explanation of Request: Various zoning Text Amendments

For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture? _____

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

BEFORE ME THIS 30th DAY OF January, 2012

By:

Donna H. Kirby
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Donna H. Kirby
(Signature of Notary Public – State of Florida)



Personally known or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.

**NOTICE OF PUBLIC HEARINGS
ON LAND DEVELOPMENT CODE AMENDMENTS
CITY OF DANIA BEACH, FLORIDA**

Public Hearings will be conducted by the City of Dania Beach on the following ordinances to amend the text of the Dania Beach Land Development Code on the following dates:

PLANNING AND ZONING BOARD SITTING AS THE LOCAL PLANNING AGENCY

DATE: Wednesday, February 15, 2012
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
Dania Beach Administrative Center
100 West Dania Beach Blvd.
Dania Beach, FL 33004

CITY COMMISSION MEETING

DATE: Tuesday, March 13, 2012
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
Dania Beach Administrative Center
100 West Dania Beach Blvd.
Dania Beach, FL 33004

The following ordinances amend various articles of the City's Land Development Code and Sign Code as follows:

- 1) **TX-05-12 – LAND DEVELOPMENT CODE – AMENDMENT #4** - AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE III "GARAGE SALES" OF CHAPTER 21 "SALES AND AUCTIONS" OF THE CODE OF ORDINANCES, CONCERNING REGULATIONS OF GARAGE SALES; AND AMENDING THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING REGULATIONS OF OUTDOOR STORAGE CONTAINERS, COMMUNITY RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" CONCERNING PERMITTED USES IN INDUSTRIAL ZONING DISTRICTS AND CONDITIONS OF USE; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO PROVIDE DEVELOPMENT STANDARDS FOR THE OPEN SPACE (OS) ZONING DISTRICT; AMENDING ARTICLE 265 "OFF-STREET PARKING REQUIREMENTS" TO AMEND OFF-STREET PARKING REGULATIONS, AND REQUIREMENTS OF THE PAYMENT IN LIEU OF PARKING PROGRAM; AMENDING ARTICLE 302 "DETAILED USE REGULATIONS" CONCERNING PERMITTED, PROHIBITED AND SPECIAL EXCEPTION USES WITHIN THE COMMUNITY REDEVELOPMENT AREA FORM-BASED ZONING DISTRICTS; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO PROVIDE FOR AMENDED DEVELOPMENT STANDARDS WITHIN THE CITY CENTER FORM-BASED ZONING DISTRICT; CREATING ARTICLE 307 "LANDSCAPING REGULATIONS" CONCERNING LANDSCAPING REQUIREMENTS WITHIN THE COMMUNITY REDEVELOPMENT AREA

FORM-BASED ZONING DISTRICTS; CREATING ARTICLE 511 "INDUSTRIAL DESIGN STANDARDS" TO ESTABLISHMENT DESIGN REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING ARTICLE 620 "ADMINISTRATIVE VARIANCES", CONCERNING AUTHORIZED ADMINISTRATIVE VARIANCES; AMENDING ARTICLE 675 "TEMPORARY USE AND SPECIAL EVENT PERMITS" TO AMEND THE PROCEDURES AND REQUIREMENTS FOR REVIEW AND APPROVAL OF TEMPORARY USES AND SPECIAL EVENTS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND THE DEFINITIONS USED IN THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 805 "CONCURRENCY DETERMINATIONS" TO AMEND STANDARDS REGARDING PUBLIC SCHOOL CONCURRENCY TO PROVIDE FOR CONSISTENCY WITH THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN BROWARD COUNTY; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

- 2) **TX-06-12 - LAND DEVELOPMENT CODE - SIGN CODE AMENDMENT** - AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 505 "SIGN REGULATIONS" TO PROVIDE FOR AMENDMENTS TO REGULATIONS OF SIGNS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

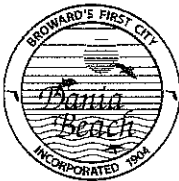
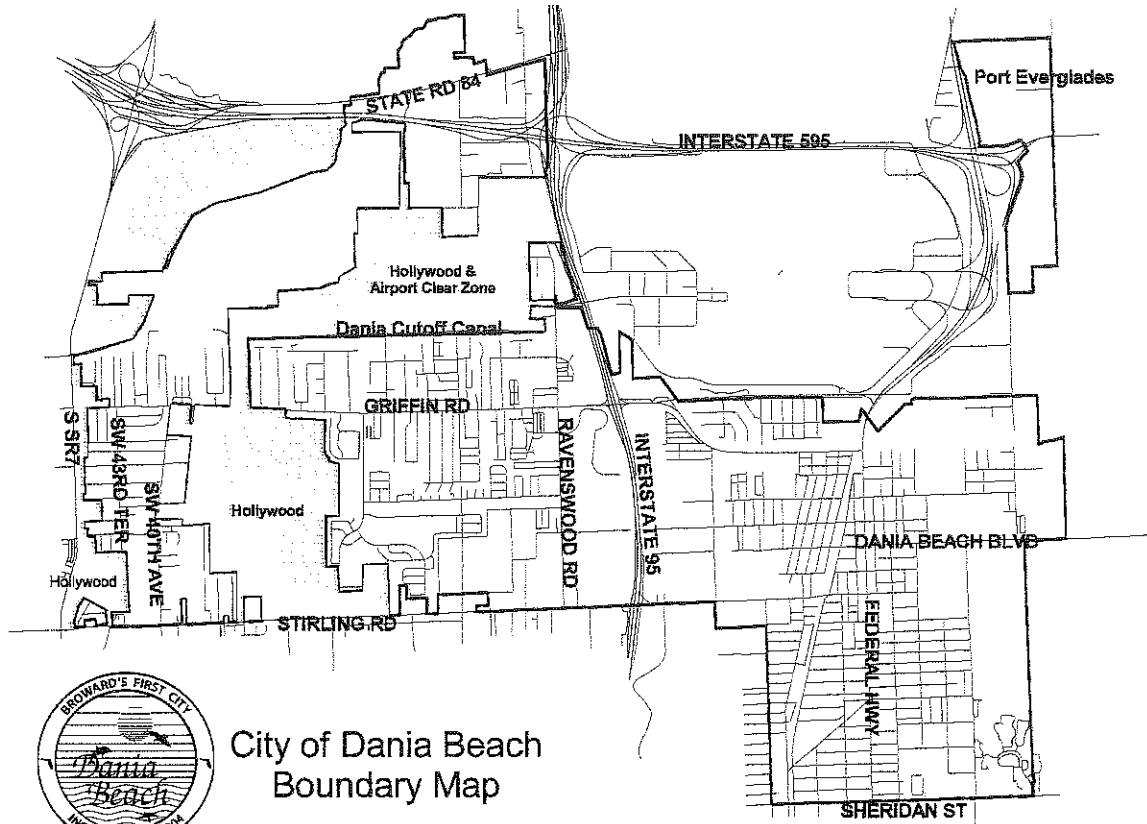
Copies of the proposed ordinances and proposed updates are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

Community Development Department / Planning Division
Mailed: February 3, 2012

CITY BOUNDARY




City of Dania Beach
Boundary Map

SUN SENTINEL
Published Daily
Fort Lauderdale, Broward County
Boca Raton, Palm Beach County,
Miami, Miami-Dade County,

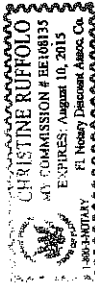
STATE OF FLORIDA
COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE


Before the undersigned authority personally appeared Lana L. Reed that he/she is a duly authorized representative of the City of Boca Raton, Florida, published in Broward/Palm Beach County, daily newspaper published in Broward/Palm Beach County, Miami, Miami-Dade County, and that the said newspaper is published in said Broward/Palm Beach County and has entered as second class matter at the post office at Boca Raton, Florida, for a period of one year next preceding the date of this advertisement; and affiant says that attached copy of advertisement; and affiant says that he/she promised, any person, firm or corporation any discount, or the purpose of securing this advertisement for publication

of THE CITY OF DANIA BEACH - LAND DEVELOPMENT AND ZONING BOARD SITTING AS THE LOCAL PLANNING AGENCY AMENDMENTS appeared in the paper on FEBRUARY 3, 2012 further says that the said Sun-Sentinel is a newspaper published in said Broward/Palm Beach County, Florida, and that the said newspaper is published in said Broward/Palm Beach County and has entered as second class matter at the post office at Boca Raton, Florida, for a period of one year next preceding the date of this advertisement; and affiant says that attached copy of advertisement; and affiant says that he/she promised, any person, firm or corporation any discount, or the purpose of securing this advertisement for publication


Lana L. Reed, Affiant

Sworn to and subscribed before me on 3 February, 2012




(Signature)

Personally Known or Produced Hereby

NOTICE OF PUBLIC HEARINGS ON LAND DEVELOPMENT CODE AMENDMENTS CITY OF DANIA BEACH, FLORIDA

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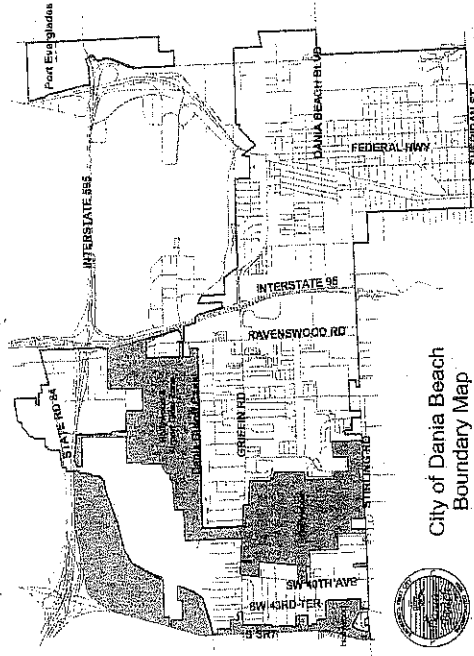
PLANNING AND ZONING BOARD SITTING AS THE LOCAL PLANNING AGENCY

Wednesday, February 15, 2012
7:00 p.m. or as soon thereafter as the same may be heard
City Commission Chambers
Dania Beach Administrative Center
100 West Dania Beach Blvd.
Dania Beach, FL 33004

CITY COMMISSION MEETING

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City Commission Chambers
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Dania Beach, FL 33004

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1) **TX-09-12 - LAND DEVELOPMENT CODE - AMENDMENT 14** - AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE III "GARAGE SALES" OF CHAPTER 21 "SALES AND AUCTIONS" OF THE CODE OF ORDINANCES, CONCERNING REGULATIONS OF GARAGE SALES; AND AMENDING THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING REGULATIONS OF OUTDOOR STORAGE CONTAINERS, COMMUNITY-RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS" PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE; CONCERNING PERMITTED USES IN INDUSTRIAL ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" AND CONDITIONS OF USE; AMENDING ARTICLE 206 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR OFF-STREET PARKING INCLUDING ARTICLE 302 "TABULAR USE REGULATIONS" CONCERNING PERMITTED PROHIBITED AND SPECIAL EXCEPTION USES WITHIN THE COMMUNITY REDEVELOPMENT AREA FORM-BASED ZONING DISTRICTS; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO PROVIDE FOR AMENDED DEVELOPMENT STANDARDS WITHIN THE CITY CENTER FORM-BASED ZONING DISTRICT; CREATING ARTICLE 307 "LANDSCAPING REGULATIONS" CONCERNING LANDSCAPING REQUIREMENTS WITHIN THE COMMUNITY REDEVELOPMENT AREA FORM-BASED ZONING DISTRICTS; CREATING ARTICLE 511 "INDUSTRIAL DESIGN STANDARDS" TO ESTABLISH DESIGN REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING ARTICLE 620 "ADMINISTRATIVE VARIANCES" CONCERNING AUTHORIZED ADMINISTRATIVE VARIANCES AMENDING ARTICLE 675 "TEMPORARY USES" CONCERNING TEMPORARY USES; AMENDING ARTICLE 700 "PERMITS" TO AMEND AND REQUIREMENTS FOR REVIEW AND APPROVAL OF PERMITS; AMENDING ARTICLE 805 "CONCURRENCY DETERMINATIONS" TO AMEND STANDARDS REGARDING PUBLIC SCHOOL CONJUNCTION TO PROVIDE FOR CONSISTENCY WITH THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN BROWARD COUNTY; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIBENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
2) **TX-09-12 - LAND DEVELOPMENT CODE - SIGN CODE AMENDMENT** - AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 516 "SIGN REGULATIONS" TO PROVIDE FOR AMENDMENTS TO REGULATIONS OF SIGNS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.



Copies of the proposed ordinances and proposed updates are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 954-6805 x3643. 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) 954-6800 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. This city does not provide or prepare such record pursuant to s. 286.0105.

Community Development Department
Planning Division