





CITY OF DANIA BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT

**DATE:** June 24, 2012

**TO:** Robert Baldwin, City Manager

**VIA:** Marc LaFerrier, AICP, Director 

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

**SUBJECT:** TX-26-12: The applicant, City of Dania Beach is requesting to amend the city's Unified Land Development Code, known as OneCode, by added language so that web based applications for rooftop photovoltaic (PV) installations that utilize the Go SOLAR permitting process shall be consistent with the other participating entities (FIRST READING).

**TEXT AMENDMENT**

To allow web based applications for rooftop photovoltaic (PV) installations that utilize the Go SOLAR permitting process, consistent with the other participating entities.

On July 27, 2011, the City of Dania Beach provided a letter of commitment to Broward County for participation in the SunShot Initiative: Rooftop Solar Challenge Grant Program. Since that time, the County was awarded the grant in the approximately amount of \$650,000 from the Department of Energy and renamed the program Go SOLAR. The goal of this grant is to reduce the installation cost of solar energy systems. Currently, Dania Beach is one of only fourteen municipalities participating in the grant.

The grant was awarded with the primary goal of creating a standardized, web based permitting solution for rooftop PV installations, whereby applicants can apply online for a permit to install a PV system and immediately be issued a permit application complete with pre-approved design plans.

One of the components of this system includes zoning regulations. Each of the participating municipalities has been asked to adopt standardized zoning regulations ensuring consistency with the pre-approved design plans as part of the web based permitting. The recommended amendments to the Dania Beach zoning code would modify our existing regulations for PV installations to enable the City's participation in the Go SOLAR program.

**PLANNING AND ZONING BOARD**

On June 20, 2012 the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of the text amendment.

**STAFF RECOMMENDATION**

Approve.

## Sec. 220-65 Rooftop Photovoltaic Solar Systems.

(A) Intent. The provisions contained herein are intended to promote the health, safety, and general welfare of the citizens by removing barriers to the installation of alternative energy systems and encourage the installation of rooftop photovoltaic solar systems [pursuant to the U.S. Department of Energy Rooftop Solar Challenge Agreement Number DE-EE0005701 ("Go SOLAR- Broward Rooftop Solar Challenge") on buildings and structures within municipal limits. The provisions and exceptions contained herein are limited to web based applications for pre-approved rooftop photovoltaic solar system installations that utilize the Go SOLAR-Broward Rooftop Solar Challenge permitting process.]

(2) Definitions. For purposes of this section, the following terms shall have the meaning prescribed herein:

(a) Roof Line: The top edge of the roof which forms the top line of the building silhouette or, for flat roofs with or without a parapet, the top of the roof.

(b) Rooftop photovoltaic solar system: A system which uses one (1) or more photovoltaic panels installed on the surface of a roof, parallel to a sloped roof or surface- or rack-mounted on a flat roof, to convert sunlight into electricity.

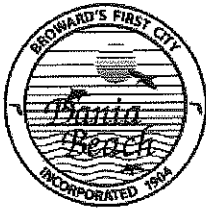
(3) Permitted accessory equipment. Rooftop photovoltaic solar systems shall be deemed permitted accessory equipment to [residential and commercial] conforming and nonconforming buildings and structures in all zoning categories. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

(4) Height. In order to be deemed permitted accessory equipment, the height of rooftop photovoltaic solar systems shall not exceed the Roof Line, as defined herein. For flat roofs with or without a parapet, in order to be deemed accessory equipment, the rooftop photovoltaic solar system shall not be greater than five (5) feet above the roof.

(5) Permits. Prior to the issuance of a permit, the property owner(s) must acknowledge, as part of the permit application, that: (a) if the property is located in a homeowners' association, condominium association, or otherwise subject to restrictive covenants, the property may be subject to additional regulations or requirements despite the issuance of a permit by the City; and (b) the issuing of said permit for a rooftop photovoltaic solar system does not create in the property owner(s), its, his, her, or their successors and assigns in title, or create in the property itself a right to remain free of shadows and/or obstructions to solar energy caused by development adjoining on other property or the growth of any trees or vegetation on other property or the right to prohibit the development on or growth of any trees or vegetation on another property.

(6) Tree Maintenance and removal. To the extent that the City has discretion regarding the removal or relocation of trees, solar access shall be a factor taken into consideration when determining whether and where trees may be removed or relocated.

(7) Maintenance. The rooftop photovoltaic solar system shall be properly maintained and be kept free from hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety, or general welfare.



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: Zoning Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: 5/22/12

Petition No.: TX-26-12

**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) City of Dania Beach

Address of Applicant: 100 W. Dania Beach Blvd

Business Telephone: 954-6805 Home: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Name of Property Owner: N/A

Address of Property Owner: \_\_\_\_\_

Business Telephone: \_\_\_\_\_ Home: \_\_\_\_\_ Fax: \_\_\_\_\_

**Explanation of Request:** Text Amendment to Add standard language for the GO Solar  
 For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per **Program, 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: Cal Donoff, Asst. City Manager  
(Owner / Agent signature\*)

BEFORE ME THIS 23 DAY OF May, 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.***



Environmental Protection and Growth Management Department  
115 S. Andrews Avenue, Room 329B, Fort Lauderdale, Florida 33301  
954-357-6612 • FAX 954-357-8655

May 11, 2012

Mr. Robert Baldwin  
City of Dania Beach  
100 West Dania Beach Boulevard  
Dania Beach, Florida 33064

RE: Go SOLAR! Broward Rooftop Solar Challenge

Dear Mr. Baldwin:

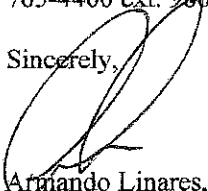
As you know, last November, the U.S. Department of Energy awarded the Go SOLAR! Broward Rooftop Solar Challenge Grant to the County and 14 participating cities. The purpose of this grant is to develop one web-based application for customers in the 14 cities and the unincorporated area that will streamline the plan review, permitting and inspections of rooftop solar systems. A team of city, county and solar industry representatives has been participating on one of four committees with the goal to develop consensus on a number of issues so that the project can "go live" in August 2012.

Since March 7, 2012, Planning and Zoning Committee members have been reviewing various city zoning codes to develop a model ordinance providing for rooftop photovoltaic solar systems as accessory equipment in all zoning categories. A draft model ordinance was emailed to city planning/zoning staff on May 1<sup>st</sup>. A second draft, incorporating changes suggested by city staff, is attached for your reference. For the Go SOLAR! Broward Rooftop Solar Challenge to be successful, all 14 city partners need to adopt this model ordinance into their respective zoning codes before the web-based permitting solution goes live in August. The Board of County Commissioners directed the County Attorney to draft an ordinance amending its Zoning Code to incorporate the model ordinance on May 8, 2012.

Attached is an electronic version of the Go Solar pamphlet explaining this initiative. If you or your staff have any additional concerns regarding adoption of this model ordinance, please contact me as soon as possible, so that we can discuss. If you are comfortable with the ordinance as proposed, please let me know when you plan to schedule for Board consideration and if you would like someone from County staff to attend the meeting.

Thank you for participating with Broward County in this exciting opportunity. If you have any questions or concerns, please call me at (954) 357-6612. Staff may also call Jeff Day, Zoning Official, at (954) 765-4400 ext. 9868 or email to [gday@broward.org](mailto:gday@broward.org).

Sincerely,

  
Armando Linares, Deputy Director

Attachments (2)

ec: Planning/Zoning Official