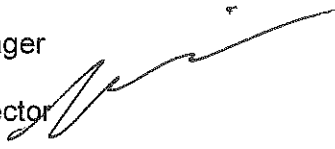





**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: August 14, 2012

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

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

SUBJECT: **TX-27-12:** The applicant, City of Dania Beach is requesting to amend the city's Unified Land Development Code, known as OneCode, by allowing community gardens/urban farms in residential zoning district, permitting farmers markets in the Neighborhood-Mixed Use and City Center zoning districts, to allow properties within the Gateway-Mixed Use zoning district to participate in the public parking incentive and reduce the required public parking to be provided (SECOND READING).

TEXT AMENDMENT

1. To permit a community garden/urban farm in the residential zoning districts; Section 105-20, 105-230 & 302-10.
2. To permit a farmers market in the Neighborhood-Mixed Use and City Center zoning districts; Sec. 105-20, 105-240, 110-20, & 302-10.
3. To allow properties within the Gateway-Mixed Use zoning district to participate in the public parking incentive and reduce the required public parking to be provide; Section 305-20 & 305-60.

COMMUNITY GARDEN/URBAN FARM

Staff is requesting a zoning text amendment to allow a community garden or urban farm in residential zoning districts throughout the city, with conditions. The conditions include:

- (A) The activity must be city operated or administered through a management agreement approved by the city.
- (B) Hours of use are from sunup to sundown.
- (C) One storage shed is permitted with a 400 square foot maximum.
- (D) Animals of any kind are prohibited, except bees, with restrictions.

This amendment is at the request of the Community Redevelopment Agency and will meet the Concept and Implementation Strategy #1.b.5 identified in the CRA Redevelopment Plan that states:

Work with the residents, property owners and local not-for-profit organizations to identify vacant sites for neighborhood gardens.

FARMERS MARKET

The proposed text amendment is to allow farmers markets, with conditions, in the Neighborhood-Residential (NBHD-Res) and City Center (CC) zoning districts will allow the

City to host community focused retail sales of produce and other related goods to the residents. The produce sold at the farmers market may be grown in community gardens and urban farms located in Dania Beach and the surrounding community.

This amendment is at the request of the Community Redevelopment Agency.

GATEWAY-MIXED USE

The Gateway-Mixed Use (GTWY-MU) zoning district permits 35 units per acre and allows additional density to be achieved through participation in an incentive program. Section 303-70(B) of the code identifies the maximum density that can be achieved through the use of incentives is 75 units per acre. However, only one incentive for this zoning district is identified which grants 28 additional units. The 35 units permitted in the district plus the addition of 28 granted through the sustainable building practices incentive equals a total of 63 units per acre, 12 units less than the 75 identified in Section 303-70(B).

In order to allow property owners in the GTWY-MU to achieve the 75 units per acre through the use of incentives, staff is proposing to amend the schedule of incentives provided in Section 305-20 to allow properties within the GTWY-MU district to participate in the public parking incentive. To do so, minor changes to code Section 305-60, entitled Provide Public Parking, is needed. The changes proposed will allow an applicant providing ten (10) public parking spaces, either by constructing the spaces or participating in the Payment In Lieu of Parking program, to gain one (1) additional story, five (5) dwelling units per acre and a two and a half (2.5) percent impervious area reduction. The intensity bonus shall not exceed the maximum height, density and minimum impervious area limitations of the applicable zoning district.

As part of this amendment, staff is recommending reducing the required public parking to be provided from twenty (20) parking spaces to ten (10) as a way to encourage participation. The incentives received will be reduced proportionally. At the time that the original payment-in-lieu program was created it was estimated that each parking space cost between \$8,314.19 and \$16,915.07 per parking space to build. As such, the current code requires a developer to provide 20 parking spaces (\$166,283.80 – \$338,301.40) in exchange for the addition of ten (10) dwelling units or seven (7) dwelling units per acre.

The changes proposed will require construction of ten (10) public parking spaces on site, or participation in the payment in lieu of parking program which requires payment of \$6,500 per parking space (\$65,000 payment for 10 spaces), for the addition of five (5) dwelling units per acre. Staff anticipates the lower price tag will encourage more development to participate, allowing the city to build funds more quickly and ultimately provide additional public parking in the downtown.

CITY COMMISSION PREVIOUS ACTION

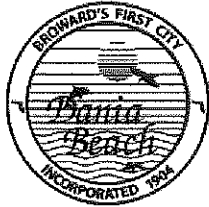
On July 24, 2012 the City Commission approved this item on first reading.

PLANNING AND ZONING BOARD RECOMMENDATION

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

STAFF RECOMMENDATION

Approve.



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

Date Rec'd: 5/22/12

Petition No.: TX-27-12

Other: Zoning Text Amend. (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

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: Gate Way - Mixed Use Zoning

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 affecting the GTWY-MU zoning
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? N/A

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: Col Donnelly
(Owner / Agent signature*)
Colin Donnelly, Asst. City Manager

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.