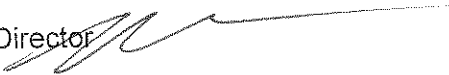





CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE: October 9, 2012

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

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

SUBJECT: TX-39-12: The applicant, City of Dania Beach is requesting to several zoning text amends the city's Unified Land Development Code, known as OneCode (SECOND READING).

TEXT AMENDMENT

1. To permit a concession use in the Open Space zoning districts; Section 105-20 & 105-150.
2. To permit existing docks to be rebuilt; Section 240-20.
3. To remove reference to outside study in the alternative parking standards; Section 265.
4. Amend the payment regulations related to payment in lieu of construction for street improvements; Section 309-10.
5. To amend the public hearing notice requirements consistent with the changed proposed for plat amendments; Section 610.
6. To allow plat amendments to be approved by the city commission alone; Section 640-70.
7. To define temporary use as no more than four (4) times annually; Section 675-20.
8. To allow façade improvements for non-conforming structures; Section 710-20 & 710-60.
9. To add a definition for 'concession'; Section 725.
10. To allow fair market value to be mutually agreed upon by city staff and developer when required park land dedication is less than one (1) acres; Section 805-110.
11. To allow tree removal with no replacement if the minimum landscaping for single family or duplex properties is installed; Section 825-100.

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.

1. CONCESSION USE

The proposed amendment will add concession use to the list of permitted uses in the Open Space zoning districts. The use will be allowed as a conditional use. The proposed conditions are as follows:

- Must be on city owned land.
- Must be in accordance with a city lease agreement.

2. EXISTING DOCKS

This amendment would allow docks to be rebuilt provided outside permitting agency approvals can be obtained.

3. ALTERNATIVE PARKING STANDARDS

The proposed amendment will also remove reference to and outside study in the alternative parking standards.

4. PAYMENT IN LIEU

Amend the payment regulations related to payment in lieu of construction for street improvements.

5. PUBLIC HEARING NOTICE

To amend the public hearing notice requirements consistent with the changed proposed for plat amendments.

6. PLAT AMENDMENTS

To allow plat amendments to be approved by the city commission alone via a resolution. Changes to the City's Charter allow this change to occur. Previously plat amendments were required to be approved by ordinance.

7. TEMPORARY USE REOCCURANCE

The proposed change will clarify the maximum frequency of a temporary use (a.k.a. special event). This amendment established a maximum of no more than four (4) times annually. The Parks and Recreation staff supports this change.

8. NON-CONFORMING STRUCTURES

To allow façade improvements for non-conforming structures with the following restrictions:

- the improvement must comply with all code requirements; and
- the improvement must enhance the aesthetics of the exterior façade.

9. DEFINE CONCESSION

To add a definition for 'concession', as the use is being added to the permitted use table.

10. PAYMENT IN LIEU OF PARK DEDICATION

Staff is withdrawing this amendment request.

This is a change from first reading.

12. TREE REMOVAL REPLACEMENT

The amendment will allow tree removal with no replacement if the minimum landscaping requirements for a single family dwelling exist or are provided. Removal of a specimen tree will have to follow the replacement requirements identified currently in the code. A maximum of two trees can be removed without replacing the lost canopy.

This is a change from first reading

CITY COMMISSION PREVIOUS ACTION

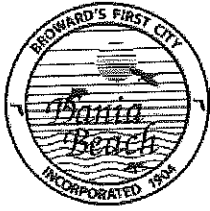
On September 25, 2012 the City Commission approved the amendments on first reading.

PLANNING AND ZONING BOARD RECOMMENDATION

On September 19, 2012 the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of the proposed text 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
- Other: Zoning Text Amnd. (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: 8/31/12
 Petition No.: TX-39-12

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: 924-6805 Home: _____ Fax: _____

E-mail address: cchurch@cidania-beach.fl.us

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: 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? 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 Community Development Div. (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*)

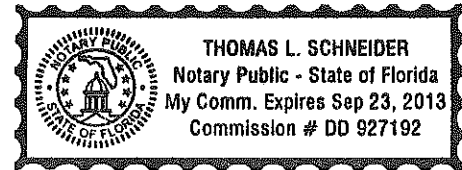
BEFORE ME THIS 30 DAY OF August, 2012

By:

Colin Donnelly
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Thomas L. Schneider
(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.**