



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

DATE: February 9, 2016

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director

FROM: Corinne Lajoie, AICP, LEED G.A., Planning and Zoning Manager *CL Lajoie*

SUBJECT: **TX-117-15:** The applicant, City of Dania Beach, is requesting several zoning text amendments to the City's Unified Land Development Code, known as OneCode (SECOND READING)

REQUEST

TEXT AMENDMENT

1. To remove the Neighborhood Residential zoning district from the list of districts permitting community residential homes, type 2, eliminating conflicts; Section 105-170 and Section 302-10.
2. To add bail bond use as a conditional use in the City Center and East Dania Beach Boulevard-Mixed Use, Commercial (C-3 and C-4), and Industrial (IROM, IROM-AA, IROC, IRO, IR and MA-1) zoning districts with conditions; Section 110-20, 110-310 and 302-10.
3. To add pawn shop use as a Special Exception and conditional use in the City Center and East Dania Beach Boulevard-Mixed Use and Commercial (C-3 and C-4) zoning districts with conditions, Section 110-20 and 302-10.
4. To add wine to the distance separation requirement exceptions; Section 110-50.
5. To add an exception to the intersection vision regulations requiring the City Engineer approval; Section 225-10.
6. To allow residential driveways for single family and duplex homes to be gravel, Section 265-100.
7. To allow office use on the ground floor in the City Center core; Section 303-40.
8. To allow three-stories by right and up to an additional three-stories with incentives at the north end of the City Center zoning district; Figure 303-10.
9. To require minimum glass on all facades of buildings in the Industrial Design Standards; Section 511-30.
10. To require a traffic study for developments that would generate in excess of fifty (50) gross peak hour trips; Section 605-30.

11. To require payment of recreation and open space impact fee, when payment is determined not to be feasible or appropriate, the developer shall dedicate land; Section 805-110.
12. To allow plats to be approved by resolution, Article 640.
13. To reorganize the public park incentive regulations, Section 305-20.

On September 14, 2010, the City Commission approved the City's new Land Development Code (LDC) 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. In addition, over time any set of regulations becomes antiquated unless periodically updated.

The following amendments to the Unified LDC are proposed:

1. **COMMUNITY RESIDENTIAL HOME, TYPE 2**
To remove the Neighborhood Residential zoning district from the list of districts permitting community residential home, type 2, eliminating conflicts with other provisions of the LDC.
2. **BAIL BONDS**
To add bail bond use as a conditional use in the following zoning districts:
 - City Center (not on Federal Highway);
 - East Dania Beach Boulevard-Mixed Use; and
 - Industrial (IR, IRO, IROM, IROM-AA, IROC, MA-1).

The proposed conditions of use are as follows:

- (A) Be separated from any other bail bonds use, existing or approved, by two thousand five hundred (2,500) feet, measured from the proposed establishment to the existing establishment;
- (B) Not be located on property fronting Federal Highway; and
- (C) Be located a minimum of five hundred (500) feet from any property used or zoned for single family residential use, measured from the proposed establishment to the property line of the residential use or zoning district boundary.

All distance separations shall be measured from business location.

This request is being made at the request of a member of the public.

3. **PAWN SHOP**
To add pawn shop use as a Special Exception and conditional use in the following zoning districts:
 - City Center (not on Federal Highway)
 - East Dania Beach Boulevard-Mixed Use; and
 - Commercial (C-3 & C-4) (existing regulation).

The proposed conditions of use are as follows:

- (A) Be separated from any other pawn shop use, existing or approved, by two thousand five hundred (2,500) feet, measured from the proposed establishment to the existing establishment;

- (B) Not be located on property fronting Federal Highway; and
- (C) Be located a minimum of five hundred (500) feet from any property used or zoned for single family residential use, measured from the proposed establishment to the property line of the residential use or zoning district boundary.

All distance separations shall be measured from business location.

This request is being made at the request of a member of the public.

4. DISTANCE SEPARATION REQUIREMENT

This text change will add wine to the distance separation requirement exceptions. Currently only beer is listed as an exception.

5. INTERSECTION VISION REGULATIONS

This amendment will add a third exception to allow other obstructive materials within the intersection visions subject to maintaining the required sign visibility as approved by the City Engineer.

6. DRIVEWAYS

To allow residential driveways for single family and duplex homes to be gravel. There are many gravel driveways in existence today, that are considered non-conforming. It is also the hope that gravel driveways will discourage the use of the swales as parking.

7. CITY CENTER CORE

This amendment will allow office use on the ground floor in the City Center core. Today office use on the ground floor is prohibited.

8. CITY CENTER HEIGHT MAP

This amendment would change the permitted heights at the north end of the City Center zoning district from two (2) stories by right and two (2) additional stories with incentives, to three (3) stories by right and three (3) additional stories with incentives. This request is being made at the request of a member of the public.

9. INDUSTRIAL DESIGN STANDARDS

The LDC currently requires minimum glass on the front and side facades for corner properties. This amendment will require the same minimum standards to apply to all properties.

10. TRAFFIC STUDY

The amendment proposes to increase the threshold requiring a traffic study on projects from twenty-five gross peak hour trips to fifty (50) gross peak hour trips. This request is being made at the request of a member of the public.

11. RECREATION AND OPEN SPACE IMPACT FEE

This amendment will require payment of a recreation and open space impact fee instead of requiring land. When payment is determined by the city to be unfeasible or appropriate, the developer shall, in lieu of payment, dedicate land. The amendment will also eliminate the private recreation credits that developers were previously able to claim, thereby reducing the dedication required from them. This was the intent of the 2014 Recreation and Open Space Impact Fee Study and subsequent amendments.

12. PLATS

This amendment will allow plats to be approved by resolution. Today plats are approved by ordinance.

13. PUBLIC PARK INCENTIVE

This amendment will reorganize the public park incentive regulations to create a new section as currently referenced in the incentive table in Section 305-20. This amendment was not previously discussed.

CITY COMMISSION PREVIOUS ACTION

On January 26, 2016 the City Commission heard this item on first reading.

PLANNING AND ZONING BOARD PREVIOUS ACTION

On December 16, 2015 the Planning and Zoning Board recommended approval of the proposed amendments.

STAFF RECOMMENDATION

Approve.