



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

DATE: June 28, 2016

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director

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

SUBJECT: **TX-54-16:** The applicant, City of Dania Beach, is requesting several zoning text amendments to the City's Unified Land Development Code, known as OneCode (FIRST READING).

REQUEST

TEXT AMENDMENT

1. To eliminate single family residence as a permitted use in the Residential Office zoning district; Section 110-20.
2. To add indoor boat storage as a Special Exception use in Commercial (C-3 & C-4) zoning districts, Section 110-20.
3. To allow certain additional heights in the City Center zoning district to be granted as a design variation; Section 301-50.
4. To amend the multiple-family building type allowed in the Neighborhood Residential zoning district; Section 302-20.
5. To amend the City Center zoning district Maximum Permitted Height Map adjusting some building heights and establishing others, Figure 303-10.
6. To amend the code to allow a decorative fence four (4) feet in height in the front yards; Section 309-40.
7. To reduce site plan extension periods to six (6) months, Section 635-100.
8. To amend the cost recovery provision, Section 685-10.
9. To allow nonconforming single family homes in Residential Office zoning to be reconstructed with conditions; Article 710-60.
10. To edit the definition for height, Section 725-30.
11. To correctly identify zoning districts listed in Telecommunication Regulations, Section 835-50.

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 continues 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. Residential Office

This proposed amendment will eliminate single family residence as a permitted use in the Residential Office (RO) zoning district. The RO zoning is located in areas between existing neighborhoods and busy state roads, such as Sheridan Street, Stirling Road and Griffin Road. While these areas are not optimal for single family homes, multifamily homes may serve as a more appropriate transitional use in these locations. This is a staff initiated change.

2. Boat Storage

This amendment will add indoor boat storage for properties located on navigable waterways and in the Commercial (C-3 & C-4) zoning districts as a Special Exception use. This request is being made by a member of the public.

3. City Center Building Height

This change will allow a small height increase in the City Center zoning district limited to no more than ten (10) percent above the maximum building height or an additional ten (10) feet, whichever is less, provided no additional stories are granted. This is a staff initiated change.

4. Multiple-Family Building

This code amendment will allow apartment buildings as a permitted building type for multi-family uses in the Neighborhood-Residential district when the lot width is 160 feet or more, which makes a property no longer conducive for mansion or row house building design. This request is being made by a member of the Housing Authority.

5. City Center Height

The proposed change to the City Center zoning district Maximum Permitted Height Map would increase height for properties in the purple "C" area by one (1) story by right and an additional one (1) story with incentives for a total of four (4) stories by right and four (4) stories with incentives. A height limitation is proposed for properties west of NW/SW 4 Avenue of two (2) to four (4) stories, where none existed previously. This change has been requested, in part, by members of the public.

6. Fence Height

The proposed amendment will allow a decorative fence four (4) feet in height in the front yards. Currently the code limits fence height to three (3) feet in front yards in the City Center, Neighborhood – Mixed Use, East Dania Beach Boulevard – Mixed Use, Gateway - Mixed Use, South Federal Highway – Mixed Use, and Neighborhood – Residential districts. This request is being made in response to multiple public requests.

7. Extensions

This change will reduce site plan extension periods to two (2) six (6) month extension periods. Both extension requests will require the applicant to demonstrate good cause for the delay, the second six (6) month extension would also require the applicant to show that the site plan has fully complied with the City Code. Currently the Land Development Code (LDC) allows a twelve (12) month extension. This change is in response to a request by the City Commission.

8. Cost Recovery

This code amendment will change the cost recovery provision to have the city waive the first one thousand dollars (\$1,000) in cost associated with outside legal review. This change is in response to a request by the City Attorney's Office.

9. Nonconforming Single Family.

This change will allow nonconforming single family homes in Residential Office zoning district to be reconstructed with conditions, consistent with single family homes in other zoning districts. This is a staff initiated amendment.

10. Height Definition

This change will simplify the "height" definition, measuring from the building slab instead of from the 'plus eight (8) feet NVGD datum'. This change will result in a more simple and clear definition. This is a staff initiated change.

11. Telecommunications

This request is to correct a scrivener's error by correctly identifying zoning districts listed in Telecommunication Regulations. This is a staff initiated correction.

This application will require two (2) public hearings by the City Commission.

PLANNING AND ZONING BOARD RECOMMENDATION

On June 15, 2016 the Planning and Zoning Board will hear this item. The Board's recommendation will be presented at the City Commission meeting.

STAFF RECOMMENDATION

Approve the proposed amendments.