

ARTICLE 1

PURPOSE

ARTICLE 1 PURPOSE

155.100 TITLE

This Code shall be officially entitled the “Land Development Code of the City of Pembroke Pines, Florida”, and may be referred to as the “Pembroke Pines Land Development Code,” the “Land Development Code,” the “LDC,” or “this Code”.

155.101 AUTHORITY

This Code is enacted pursuant to the requirements and authority of F.S. ch. 163, pt. II (the “Local Government Comprehensive Planning and Land Development Regulation Act”), the general powers confirmed in Florida Statutes Chapter 166 (“Home Rules Powers Act”) and the Constitution of the State.

155.102 GENERAL APPLICABILITY, ANNEXATION AND VESTED RIGHTS

(A) General Applicability.

Unless otherwise permitted as an exception under subsection (b) below or allowed to continue as a nonconforming use, all existing, proposed and new development and uses of land in the City shall conform strictly to the provisions of this Code. Except as expressly provided in this Code, no development or use of land shall be undertaken without prior approval and issuance of a development order pursuant to the provisions of these LDCs. The fact that a development order, permit or decision has been issued by an officer or employee with ostensible authority over the interpretation or enforcement of this Code shall not estop or otherwise prevent the City from strict enforcement of the provisions of this Code. If provisions of these LDCs are inconsistent with one another, or with provisions of other adopted codes or ordinances of the City, or with provisions of applicable county, state, and federal laws, the more restrictive provision shall govern to the extent permitted by law unless the terms of the more restrictive provision specify otherwise. The more restrictive provision is the one that imposes greater restrictions, or more stringent controls.

(B) Annexation Agreements.

Nothing in this LDC is intended to supersede, annul, or interfere with any rights, covenant, or other agreements provided for in any currently effective annexation agreement between the City and any private parties, but such annexation agreements shall not excuse any failure to comply with any applicable provisions this LDC.

(B) Exceptions.

1. The provisions of this LDC and any amendments hereto, shall not affect existing development which has been previously approved and is otherwise exempted in

accordance with the provisions of this subsection, or the nonconformity section of this Code.

2. The provisions of this LDC shall not affect development, or portions thereof, which has gained a vested right to complete development pursuant to Florida law, prior to the effective date of this Code. Upon completion of such vested development, or portions thereof, each non-vested and vested development project with regard to future development expansion or redevelopment will be subject to the then currently effective provisions of this Code. If a vested right expires, is revoked, or otherwise becomes invalid, any subsequent development of the site shall be subject to the procedures and standards of this Code.
3. Notwithstanding anything to the contrary in this Code, properties zoned _____ prior to the effective date of this Code shall be permitted to complete development of the portion(s) of the project having a valid and current master site plan that includes specific land development standards adopted by the City Commission. If no such master site plan exists, or such plan has expired, such development shall conform to the provisions of this Code.
4. A development application accepted as complete under the prior regulations, but still pending a final decision as of the Effective Date of this Code, shall be reviewed and decided, at the applicant's option as stated in writing, wholly under the development regulations in effect when the application was accepted, or wholly under this Code (but not under a mix of provisions from both sets of regulations).

155.103 CONSISTENCY WITH COMPREHENSIVE PLAN

Nothing in this section shall be construed to authorize development that is inconsistent with the City's comprehensive plan, as may be amended from time to time.

155.104 PURPOSE

The purpose and intent of the LDC is to promote the public health, safety, and general welfare, and to implement the goals, objectives, and policies in the City of Pembroke Pines Comprehensive Plan. More specifically, the LDC is intended to do the following:

- (A) Establish comprehensive, consistent, effective, and equitable standards, processes and procedures for the review and approval of development which implement the comprehensive plan and other adopted plans, respect the right of landowners, and consider the interest of the City's citizens.
- (B) Enhance the quality of life of all residents and property owners of the City.
- (C) Establish rules of procedure for land development approvals.

- (D) Promote the orderly development of land within the City.
- (E) Strengthen the value of land, buildings and resources, by protecting landowners from adverse impacts of adjoining developments.
- (F) Support economic development that is consistent with the City's mission.
- (G) Provide diverse housing opportunities.
- (H) Support and encourage green building practices.
- (I) Provide for efficient traffic and circulation of people and goods, for convenient distribution of population, for adequate public utilities and facilities, and for safe pedestrian traffic.
- (J) Establish an overall sense of place for the City.

155.105 INTERPRETATION

The interpretation and application of the provisions of this Code will be construed broadly to promote the public health, safety, and general welfare of the City, its residents, and businesses.

Responsibility for interpretation.

In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any other provision of this Code, the Director of the Planning and Economic Development Department shall be responsible for interpretation and shall look to the city comprehensive plan for guidance. Responsibility for interpretation by the Director shall be limited to standards, regulations, and requirements of this Code, but shall not be construed to include interpretation of any technical codes adopted by reference in this Code, not be construed as overriding the responsibilities given to any commission, board or official named in other sections or articles of this Code.

155.106 SEVERABILITY

- (A) If any court of competent jurisdiction invalidates any provision of this Code, such judgment shall not affect the validity of any other provision of this Code.
- (B) If any court of competent jurisdiction invalidates the application of any provision of this Code to a development, such judgment shall not affect the application of that provision to any other development not specifically included in the judgment.

- (C) If any court of competent jurisdiction invalidates any condition attached to a development approval granted under this Code, such judgment shall not affect the validity of any other condition attached to the approval that is not specifically included in the judgment.

155.107 USE OF PROPERTY IN GOVERNMENT CAPACITY

The provisions of this chapter are not intended, and shall not be construed, to preclude the use of any property by the City in any city government capacity, function, or purpose.

155.108 EFFECTIVE DATE

The effective date of The Land Development Code of the City of Pembroke Pines, Florida is January 01, 2021.

ARTICLE 2 DEFINITIONS

Pending Approval

ARTICLE 2 DEFINITIONS

Article 2 establishes the definitions for the Land Development Code. The definitions are currently spread throughout the zoning code (chapter 155), as well as other chapters that fall under the scope of the land development regulations. In efforts to provide a more organized and clear code for the user, Article 2 consolidates all of the definitions into one concise section. Additionally, staff is proposing to update the existing definitions and add new terms to reflect current terminology and application. Changes are also a result of the modifications made in later articles.

The definitions currently found within the following chapters or subsections found within will make up Article 2:

- Chapter 37: Quasi-Judicial proceedings
- Chapter 111: Amusements; Special Events
- Chapter 114: Food Sales
- Chapter 116: Lighting Standards
- Chapter 118: Use of City Facilities by Day-Care Centers; Child Care Centers
- Chapter 153: Landscape
- Chapter 155: Zoning Code
- Chapter 159: Green Building Certifications Requirements.

Article 2, will be the last article brought forward due to the modifications in other articles effecting the contents of Article 2.

ARTICLE 2 ANTICIPATED TIMELINE

- October, 2020: Review and Recommendation by the Planning and Zoning Board
- November, 2020: City Commission Review of Article 2

ARTICLE 3

ADMINISTRATION

ARTICLE 3 ADMINISTRATION

155.300 PURPOSE AND APPLICABILITY

- (A) This article establishes the review and approval procedures for all development applications under this Land Development Code (LDC).
- (B) Review and approval by outside agencies including but not limited to Broward County, Florida Department of Transportation (FDOT) and Florida Power and Light (FPL) may be required. The approval of any application under the provisions of this LDC shall not provide exemption from having to gain outside agency approval.
- (C) The Department Director shall determine what application(s) shall apply to the proposal.
- (D) The types of decisions to which this article applies include:
1. [Legislative decisions](#)
 2. [Quasi-Judicial decisions](#)
 3. [Administrative decisions](#)

155.301 APPLICATION-SPECIFIC PROCEDURES

Table 3.01													
Pembroke Pines Planning and Economic Development Department													
Application Review Processes													
DO = Development Order AM = Approved Minutes				ORD = Ordinance RES = Resolution PER = Permit					LZA = Letter from Zoning Administrator I/A = If Applicable				
Steps	Pre-Application Meeting	Application Submittal	Determination of Completeness	Development Review	Staff Review	Staff-Only Decision Action	Scheduling of Public Hearing	Notice	Planning and Zoning Board	PZB Decision or Recommendation	City Commission Review and Decision	Board of Adjustment	Outcome
Application Type													
Site Plan	✓	✓	✓	✓	✓		✓	✓	✓	✓	I/A		DO
Site Plan Amendment	✓	✓	✓	✓	✓		✓	✓	✓	✓	I/A		DO
Administrative Review (Board Decision)	✓	✓	✓	✓	✓		✓		✓	✓			AM

Administrative Review (Department Decision)	✓	✓	✓		✓	✓ ¹							LZA
Zoning Change (Map)	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓ ²		ORD ²
Zoning Change (Land Development Code or Planned District)	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓ ²		ORD ²
Comprehensive Plan Text or Map Amendment	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓ ²		ORD ²
Plat	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		RES
Delegation Request	✓	✓	✓	✓	✓		✓	✓			✓		RES
Flexibility Allocation³	✓	✓	✓	✓	✓		✓	✓			✓		RES/ ORD ²
Developments of Regional Impact (DRI) Amendment	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		ORD ²
Special Exception	✓	✓	✓		✓		✓	✓	✓	✓	✓ ⁴		
Interpretation	✓	✓	✓		✓		✓	✓	✓	✓			DO
Zoning Verification Letter		✓	✓		✓	✓							LZA
Variance (Homeowner Residential)	✓	✓	✓		✓		✓	✓				✓	DO

Variance (Multifamily, Non- residential)	✓	✓	✓		✓				✓	✓			DO
Landscape Permit		✓	✓		✓	✓							PER
Tree Removal or Relocation Permit		✓	✓		✓	✓							PER
Appeal of Departmental LDC Interpretation		✓	✓		✓		✓	✓	✓ ⁵			✓ ⁵	DO
Appeal of Planning and Zoning or Board of Adjustment Decisions		✓	✓		✓		✓	✓			✓		DO

¹ A written decision shall be provided to the within the timeframes as set forth in F.S. § 166.033,...

² Applications that result in an Ordinance require two (2) readings at City Commission.

³ Flexibility Allocation must be processed concurrently with a rezoning, plat or other official application as determined by the Director.

⁴ Special expectations as outlined in section 155.301 (L) shall require City Commission review.

⁵ Residential appeals of departmental LDC interpretations shall have review and action by the Board of Adjustment. Commercial appeals of departmental LDC interpretation shall have review and action by the Planning and Zoning Board

(A) Site Plan

1. Purpose:
To ensure that layout and general design of proposed development comply with all applicable standards in this Code.
2. Applicability:
 - (a) Construction of new structures on vacant land including but not limited to buildings or parking lots.
 - (b) Construction of freestanding building(s) or outparcel building(s).
 - (c) Significant modifications to an approved plan which change the function and/or character of an existing site as determined by the Director.
 - (d) Significant redevelopment of an existing site as determined by the Director.
3. Exemption:
 - (a) Construction of a single-family home (if in accordance with a valid building permit).

- (b) Repairs or renovations to residential or non-residential structures, but only when the improvements are made to the interior of the structure or when the facade, roofline, or exterior dimensions of the structure are not changed.
- (c) Demolition.
- (d) Land clearing activity done in compliance with a valid land clearing permit issued pursuant to this Code and a city engineering permit.
- (e) The deposit and contouring of fill on land.

4. Procedure:

- (a) Refer to Table 3.01 for process steps.
- (b) Site plans that have buildings or structures exceeding 50' in height shall require review and action by the City Commission.
- (c) Site plans located within a planned district as defined in 155.450 – 155.456 shall require review and action by the City Commission.

(B) Site Plan Amendment

1. Purpose:

To provide means for the consideration of proposed modifications to previously approved site plans.

2. Applicability:

- (a) Additions to existing buildings or structures.
- (b) Modifications which may change the function and/or character of an existing site.

3. Procedure:

- (a) Refer to Table 3.01 for process steps.
- (b) Site plan amendments that have additions or modifications to buildings or structures exceeding 50' in height shall require review and action by the City Commission.

(C) Administrative Review

1. Purpose:

To provide means for the consideration of modifications to a existing development plan, which does not significantly alter function and/or character of an existing site.

2. Applicability:

Minor modifications to an existing development plan that follow the provisions and intent of this LDC and which do not depart from the principal concept of the approved plan, as determined by the Planning and Economic Development Department.

3. Procedure:

- (a) The Planning and Economic Development Department shall determine the process for an administrative review and shall be one of the following:
 - i. Staff review resulting in the issuance of a Zoning Letter.
 - ii. Review and action by the Planning and Zoning Board.
- (b) Refer to Table 3.01 for specific process steps, once determined by the Department.

(D) Zoning Change (Zoning Map Amendment)

1. Purpose:
To provide means for the consideration of amendments to the official zoning map whenever public necessity, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so.
2. Applicability:
All land that meets minimum lot size requirements within the City of Pembroke Pines is eligible for a zoning change so long as the proposed change is consistent with the underlying land use and plat.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as an ordinance which requires transmittal to City Commission by the Planning and Zoning Board and two readings at City Commission.
4. Limitations on subsequent applications:
 - (a) If the Planning and Zoning Board or City Commission has acted to deny a petition for the rezoning of property, the Board will not consider any further petition for the same rezoning of any part of the same property for a period of one (1) year from the date of the latest such action by either the Board or the Commission.
 - (b) If the Commission has changed the zoning of property by an amendatory resolution, the Board will not consider any petition for rezoning of any part of the same property for a period of six (6) months from the effective date of the amendatory resolution.
 - (c) The above time limits for Board consideration may be waived by the Commission by the affirmative vote of four (4) Commissioners, if the Commission deems such action necessary to prevent an injustice or to facilitate development consistent with the character and vision of the city.
5. Prohibitions on conditional rezoning:
 - (a) No rezoning of property may contain conditions, limitations, or requirements that are not applicable to all other property in the zoning district to which the particular property is rezoned.
 - (b) However, voluntary conditions proposed by the applicant may be considered by the Planning and Zoning Board.
6. Planning and Zoning Board recommendation required:
No change or amendment relating to the boundaries of the various zoning districts and the regulations applicable thereto, shall be made by the City Commission unless the proposal or request for that change has been considered by the Planning and Zoning Board, and the Commission has received a recommendation thereon from the Board.

(E) Zoning Change (Land Development Code or Planned District Text Amendment)

1. Purpose:
To provide means consideration of amendments to the text of the LDC or planned district whenever public necessity, general welfare, comprehensive plan, or appropriate land use practices justify or require doing so.

2. Applicability:
All text within the LDC is eligible to be amended, unless such a change would conflict with county, state, or federal regulations.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as an ordinance which requires transmittal to City Commission by the Planning and Zoning Board and two readings at City Commission.
4. Limitation on subsequent applications:
 - (a) If the Planning and Zoning Board or City Commission has acted to deny a petition for the rezoning of property, the Board will not consider any further petition for the same rezoning of any part of the same property for a period of one (1) year from the date of the latest such action by either the Board or the Commission.
 - (b) If the Commission has changed the zoning of property by an amendatory resolution, the Board will not consider any petition for rezoning of any part of the same property for a period of six (6) months from the effective date of the amendatory resolution.
 - (c) The above time limits for Board consideration may be waived by the Commission by the affirmative vote of four (4) Commissioners, if the Commission deems such action necessary to prevent an injustice or to facilitate the proper development of the City.

(F) Comprehensive Plan Text or Map Amendment (Land Use Plan Amendment)

1. Purpose:
To provide means for the consideration of amendments to the future land use element of the City of Pembroke Pines.
2. Applicability:
The Comprehensive Plan Text or Map Amendment process applies to the following types of amendments:
 - (a) County Land Use Plan Amendment:
The re-designation of property on the City of Pembroke Pines Land Use Plan which by virtue of its nature also requires an amendment to the Broward County Land Use Plan through application to the Broward County Planning Council. A County land use plan amendment shall become effective only after the City of Pembroke Pines Land Use Plan is recertified by the Broward County Planning Council.
 - (b) Local Land Use Plan Amendment:
The re-designation of property on the City of Pembroke Pines Land Use Plan which does not also require an amendment to the Broward County Land Use Plan. A local land use plan amendment shall become effective only after the City of Pembroke Pines Land Use Plan is recertified by the Broward County Planning Council.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as an ordinance which requires transmittal to City Commission by the Planning and Zoning Board and two readings at City Commission.

(G) Plat

1. Purpose:
To provide a uniform means to approve the division of land, ensuring that such divisions promote the health, safety and welfare of City's inhabitants.
2. Applicability:
Platting is applicable to all land within the City of Pembroke Pines that meet the requirements set forth by Broward County.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as a resolution which requires transmittal to City Commission by the Planning and Zoning Board and one reading at City Commission.
 - (c) Plats shall require transmittal to the County for additional processing.
 - (d) Plats may require an agreement for municipal dedication.

(H) Delegation Request

1. Purpose:
To provide means for the consideration of amendments to a restrictive note or condition on an existing recorded plat.
2. Applicability:
All existing plats are eligible to be amended, if the amendment is consistent with the underlying land use.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as a resolution which requires one reading at City Commission.

(I) Flexibility Allocation and Redevelopment Units

1. Purpose:
To provide means for the assignment of both flexibility and redevelopment units, which are regulated by Broward County but administered by municipalities.
2. Applicability:
 - (a) Flexibility units shall apply to land which can meet the criteria and rules set forth by the Broward County Administrative Rules documents.
3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application will be processed in conjunction with another development application either as an ordinance requiring transmittal to City Commission by the Planning and Zoning Board and two readings at City Commission or as a resolution requiring transmittal to City Commission by the Planning and Zoning Board and one reading at City Commission.

- (c) Flexibility units can only be assigned through a (re)zoning, plat or other official action as determined by the Planning and Economic Development Department Director.

(J) Developments of Regional Impact (DRI) Amendment

- 1. Purpose:
To provide means to update development orders for an existing DRI.
- 2. Applicability:
Existing DRIs may be amended if they are consistent with the underlying land use and do not exceed the intended impacts. Changes to existing DRI's will be reviewed for impacts based on the standards and procedures in the City's Adopted Local Comprehensive Plan and land development regulations.
- 3. Procedure:
 - (a) Refer to Table 3.01 for process steps.
 - (b) This application is processed as an ordinance which requires transmittal to City Commission by the Planning and Zoning Board and two readings at City Commission.

(K) Interpretation

- 1. Purpose:
To provide means for the applicant to request the approval or authorization of a use which is not specifically or implicitly prohibited in a zoning district.
- 2. Applicability:
Interpretations shall be provided upon an applicant's request.
- 3. Procedure:
Refer to Table 3.01 for process steps.

(L) Special Exception

- 1. Purpose:
To provide means for the individualized review of certain uses which, due to their nature, require special consideration of their location, design, and methods of operation, as well as the impositions of conditions to mitigate concerns before they can be deemed appropriate in a zoning district and compatible with their surroundings.
- 2. Applicability:
 - (a) Uses requiring special exception as outlined in Table 5.01 shall require review and action by the Planning and Zoning Board.
 - (b) City Commission review and approval of a special exception will be required for non-residential applications that propose a floor area ratio (FAR) exceeding 0.5 to 1.0.
 - (c) City Commission review and approval of a special exception will be required for all development applications proposing uses as outlined in Table 5.01 that are part of the I-H (Industrial Heavy; formerly part of the M-5 zoning classification) zoning district.
- 3. Standards for Approval:

- (a) The proposed use is compatible with the existing natural environment and community character of the properties within the immediate neighborhood.
- (b) The proposed use is deemed desirable for public convenience, and not injurious or otherwise detrimental to the public health, safety, comfort and welfare.
- (c) The design of the proposed use shall minimize adverse effects, including noise, light, dust or other potential nuisances, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria consistent with the city regulations to the greatest extent possible. Entire site shall be void of any pre-existing code violations.
- (d) There are adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas is convenient and conducive to safe and efficient operation consistent with the city standards to the greatest extent possible.
- (e) There will be adequate provisions for traffic movement, both vehicular and pedestrian internal to the use and adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrian, in a manner that minimizes traffic congestion in the public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right, performed through use of a traffic study.
- (f) The land area must be sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion thereof.

4. Procedure:

- (a) Refer to Table 3.01 for process steps.
- (b) A Special Exception shall be processed concurrent with a site plan or site plan amendment.

(M) Zoning Verification Letter

- 1. Purpose:
Provide means for the applicant to obtain general zoning information related to a specific district.
- 2. Applicability:
Zoning Verification Letters can be requested for any property within the City limits. Zoning Verification letters are for informational purposes and do not serve as due diligence for a property.
- 3. Procedure:
Refer to Table 3.01 for process steps.

(N) Variance

- 1. Purpose:
To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - (a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and the strict application of the

- provisions of the zoning ordinance would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
- (b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the City; or
 - (c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and the circumstances which cause the special conditions are peculiar to the subject property.
2. Applicability:
- (a) All properties are eligible to receive a variance from the regulations under this LDC unless specifically prohibited.
 - (b) Use variances are prohibited.
3. Procedure:
- (a) Refer to Table 3.01 for applicable process steps.
 - (b) The authority to review variances requested by single-family homeowners rests with the Board of Adjustment, whereas variances requested for multi-family or non-residential properties are reviewed by the Planning and Zoning Board.

(O) Landscape Permit

1. Purpose:
To provide a means to ensure the landscape diversity and design meets the provisions of this LDC.
2. Applicability:
A landscape permit shall be required for the following: planting as the result of a new development, significant planting or replanting on an existing site or general landscape maintenance to a property as determined by the landscape division.
3. Procedure:
- (a) Refer to Table 3.01 for applicable process steps.
 - (b) The authority to review, process and grant approval rests with the staff of the Landscape Division of the Planning and Economic Development Department.
 - (c) Inspection of the work is required following completion.

(P) Tree Removal or Relocation Permit

1. Purpose:
Ensure that all trees are properly moved or removed and that all properties provide the proper mitigation, and that maintain tree canopy throughout the city.
2. Applicability:
This process applies whenever trees are removed or relocated on residential or non-residential properties as determined by the staff of the Landscape Division of the Planning and Economic Development Department.
3. Procedure:

- (a) Refer to Table 3.01 for applicable process steps.
- (b) Permits are processed through the Landscape Division of the Planning and Economic Development Department.
- (c) Inspection is required 90 days after issuance of the permit.

(Q) Appeal of Departmental LDC Interpretation

- 1. Purpose:
To provide means for the appeal of interpretations made by the Planning and Economic Development Department.
- 2. Applicability:
If an applicant is not satisfied with a LDC interpretation rendered by the Planning and Economic Development Department. All LDC interpretations are appealable.
- 3. Procedure:
Refer to Table 3.01 and section 155.310 for applicable process steps and criteria.

(R) Appeal of Board of Adjustment or Planning and Zoning Board Decision

- 1. Purpose:
Establish procedures to appeal decisions made by the Board of Adjustment or Planning and Zoning Board.
- 2. Applicability:
All items heard by the Board of Adjustment or the Planning and Zoning Board that receives a decision is eligible for this appeal process.
- 3. Procedure:
Refer to Table 3.01 and section 155.310 for applicable process steps and criteria.

155.302 NOTICE REQUIREMENTS

Table 3.02 Summary of Notice Requirements by Application Type				
I/A = If Applicable				
Requirement	Published Notice	Mailed Notice	Posted Notice	Homeowners Association Notice
Application Type				

Site Plan	✓	✓	✓	✓
Site Plan Amendment	✓	✓	✓	✓
Zoning Change (Map)	✓	✓	✓	✓
Zoning Change (Land Development Code or Planned District)	✓	✓	✓	✓
Comprehensive Plan Map Amendment	✓	✓	✓	✓
Comprehensive Plan Text Amendment	✓			
Plat	✓	✓	✓	
Flexibility Allocation and Redevelopment Units¹	I/A	I/A	I/A	I/A
DRI Amendment	✓	✓	✓	
Special Exception	✓	✓	✓	✓
Interpretation	✓	✓	✓	✓
Variance (Homeowner Residential)	✓	✓	✓	
Variance (Multi-family, Non-residential)	✓	✓	✓	✓
Appeal of Staff Code Interpretation	✓	✓	✓	✓
Appeal of Planning and Zoning or Board of Adjustment Decisions	✓	✓	✓	✓

¹ Flexibility Allocation and Redevelopment Units shall be noticed in accordance with the concurrent development application.

(A) General

1. Unless noted within the provisions of this LDC noticing will not be required for an application.
2. For information regarding specific noticing procedures and formatting, review the Public Notification Guide, which is available at the Planning and Economic Development Department.

(B) Published Notice

1. Proper legal notice shall be provided at least 15 days prior to quasi-judicial proceeding and shall inform any and all affected persons that they can present evidence, bring forth witnesses, cross examine witnesses if the City Clerk's office is notified within 7 days of scheduled proceeding.
2. Published notice shall include: name of petitioner, the current date, time and location of scheduled proceeding.
3. Comprehensive Plan Map Amendments notice shall be provided at least 7 days prior to meeting with the Local Planning Agency and City Commission for first reading. Notice shall be provided at least 5 days prior to second reading at City Commission.

(C) Mailed Notice

1. Adjacent property owner notice:
 - a. Proper notice will be mailed to all property owners within 500 feet of the subject site at least 15 days prior to the quasi-judicial proceeding.
 - b. All mailed notice shall be sent via first class mail.
2. Board of Adjustment
 - a. Mailed notice for Board of Adjustment shall be completed by the Planning and Economic Development Department.
3. Planning and Zoning Board, or the City Commission
 - a. Mailed notice for Planning and Zoning Board or City Commission applications in relation to this LDC shall be completed by the applicant.
 - b. The Planning and Economic Development Department shall produce the notice, however, the applicant shall be responsible for producing copies and mailing the notice to property owners within 500 feet of the site.
 - c. The applicant shall provide the following the Planning and Economic Development Department.
 - i. The list of property owners shall be derived from the most recent official tax roll of Broward County. The applicant shall provide an affidavit attesting to the completeness and accuracy of the property owner's list.
 - ii. An affidavit that notice was sent to all property owners included in the property owner's list.
 - d. The applicant is responsible for all cost associated with the mailed notice.

(D) Homeowners Association Notice

1. Adjacent homeowner associations notice:
 - (a) Proper notice shall be mailed to all homeowner's associations registered with the City Clerk's Office within 500 feet of the subject site at least 30 days prior to the quasi-judicial proceeding with the Board of Adjustment, Planning and Zoning Board, or the City Commission.
 - (b) The master homeowners' association shall notify all applicable sub-associations
 - (c) An affidavit of mailing shall be provided to the Planning and Economic Development Department within 15 days of quasi-judicial proceeding.
 - i. The Affidavit shall:
 1. Confirm the mailed notice was sent to the proper associations.
 2. Advise the association of pending application.

3. Confirm the mailed notice was sent at least 30 days prior to meeting.
4. Provide a copy of the mailed notice.

(E) Posted Notice

1. Board of Adjustment

- (a) Proper posted notice shall be placed on the subject site visible on each adjacent road frontage at least 15 days prior to the quasi-judicial proceeding.
- (b) The City shall provide the applicant or petitioner the appropriate notification sign(s) to post upon receipt of application. An affidavit of posting and a dated photograph of the sign(s) posted shall be submitted to the City by the applicant or petitioner.

2. Planning and Zoning Board and City Commission

- (a) Proper posted notice shall be placed on the subject site visible on each adjacent road frontage at least 30 days prior to the quasi-judicial proceeding.

3. Notice Removal

- (a) Posted notice sign shall be removed within 10 calendar days after the expiration of the final appeal period or the date of which the appeal decision is effective.
- (b) Failure to remove posted notice sign will result in a code violation.
- (c) If severe storm warning is declared by the National Weather Service, the applicant must remove all posted signs from the property. If applicant fails to remove posted signs, the City may remove posted signs if deemed a danger by the Planning and Economic Development Department Director.
- (d) Proof of posted notice removal shall be provided to the project planner. All costs of the quasi-judicial proceedings, including but not limited to notification and advertising, for posted notice signs and mailings shall be paid by the applicant or petitioner.

155.303 REVIEW AND DECISION-MAKING AUTHORITIES

(A) Planning and Economic Development Department Staff

1. Purpose:

- (a) The Planning and Economic Development Department is responsible administering the provisions found in the LDC.

2. Powers and Duties:

- (a) Review development applications.
- (b) Conduct pre-application meetings.
- (c) Maintain the official Zoning Map and associated materials.
- (d) To serve as professional staff to the Board of Adjustment, Planning and Zoning Board and City Commission.
- (e) Provide expertise and technical assistance to the City's review and decision-making bodies on request.
- (f) Recommend action on applications that are reviewed by the Planning and Zoning Board and or City Commission.
- (g) Establish application submittal requirements and review procedures.
- (h) Render decisions on administrative reviews.

(B) Development Review Committee (DRC)

1. Purpose:
 - (a) The Development Review Committee (DRC) is an advisory group of City staff members and outside agencies (as necessary) who meet to review and comment on development applications and discuss other matters related to the City's review and management of development.
2. Membership:
 - (a) The DRC shall include but it not limited to the following disciplines: Planning, Zoning, Fire Prevention, Engineering, Landscaping, Police, Water Management District(s), Broward County Mass Transit, Florida Power and Light, Utilities, Waste/Trash City contract vendor and any other agencies as determined by the staff project managers.
3. Powers and Duties:
 - (a) The committee shall have the following jurisdiction:
 - i. Review and render recommendations on the applications for development.
 - ii. Act as the land development regulation commission pursuant to F.S. §§ 163.3164 et seq., so as to develop and recommend to the City Commission land development code amendments.

(C) Board of Adjustment

1. Purpose:
 - (a) The Board of Adjustment shall be established to hear and decide upon zoning variances, interpretation of the LDC and appeals of departmental LDC interpretations for individual single-family residential properties.
2. Powers and Duties:
 - (a) Make decisions on variances, interpretation of the LDC and appeals of departmental LDC interpretations for individual single-family residential properties.

(D) Planning and Zoning Board

1. Purpose:
 - (a) The Planning and Zoning Board shall serve as the Architecture Review Board, as well as the Local Planning Agency in accordance with F.S. § 163.3174. and render decisions or recommendation for applicable application found under this LDC.
2. Powers and Duties:
 - (a) Serve as an advisory board to the City Commission.
 - (b) Make decisions for the following applications:
 - i. Appeal of staff decision
 - ii. Flexibility allocation
 - iii. Interpretation
 - iv. Miscellaneous
 - v. Site plan* (See 155.301 (A))
 - vi. Site plan amendment* (See 155.301 (B))

- vii. Special Exception* (See 155.301 (L))
- viii. Variance (multi-family, non-residential)
- (c) Make recommendations to the City Commission for the following applications:
 - i. Comprehensive Plan amendment
 - ii. DRI
 - iii. DRI amendment
 - iv. Land use plan amendment
 - v. Plat
 - vi. Site plan* (See 155.301 (A))
 - vii. Site plan amendment* (See 155.301 (B))
 - viii. Special exception* (See 155.301 (L))
 - ix. Zoning change (map or PUD)
 - x. Zoning change text
 - xi. Zoning exception
 - xii. Deed restriction

- 3. For applications in which the Planning and Zoning board makes a decision, the decision shall be either:
 - (a) Approval as submitted
 - (b) Approval subject to condition
 - (c) Denial.
- 4. For applications in which the Planning and Zoning board makes a recommendation, the recommendation shall be a transmittal to City Commission for:
 - (a) Approval
 - (b) Approval subject to condition
 - (c) Denial.

(E) City Commission

- 1. General:
 - (a) In addition to other authority granted to City Commission by the Florida Constitution and State Law, the City Commission has specified powers and duties under the LDC.
- 2. Powers and Duties:
 - (a) Make decisions for the following applications:
 - i. Appeals of Planning and Zoning Board or Board of Adjustment decision
 - ii. Comprehensive Plan amendment
 - iii. Delegation request
 - iv. DRI
 - v. DRI amendment
 - vi. Plat
 - vii. Site plan* (See 155.301 (A))
 - viii. Site plan amendment* (See 155.301 (B))
 - ix. Special exception* (See 155.301 (L))
 - x. Zoning change (map or PUD)
 - xi. Zoning change text
 - xii. Deed restriction
 - (b) Perform any other functions as designated by motion, resolution or ordinance of the City Commission.

3. The City Commission decision shall be either:
 - (a) Approval as submitted
 - (b) Approval subject to conditions
 - (c) Denial
 - (d) Table or Defer to a specified time
 - (e) Transmittal of application back to the recommending body or Board.

155.304 QUASI-JUDICIAL PROCEEDINGS

(A) Purpose

To provide an equitable and efficient manner for the City to hear matters which are considered quasi-judicial in nature. These procedures shall be utilized by the Board of Adjustment, Planning and Zoning Board, and the City Commission in regards to hearings on quasi-judicial matters in which their body is the final authority.

(B) Applicability

For the purposes of this Article, the following matters, regardless of whether the final determination is made by the City Commission or a Board, shall be considered to be quasi-judicial:

1. Site specific rezonings and site plans
2. Site specific land use amendments
3. Conditional use approvals
4. Variances
5. Plat approvals
6. Special exceptions which relate to the use of land and businesses
7. Interpretations
8. Appeal of Departmental LDC Interpretation
9. Appeal of Planning and Zoning or Board of Adjustment Decisions

(C) Ex-parte (oral) communications

1. Ex-parte (oral) communications are not presumed prejudicial provided any disclosure required in divisions (2), (3) or (4) below is made before or during the public meeting at which a vote is taken on the matter.
2. The substance of any ex-parte communication with a local public official that relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group or entity with whom the communication took place is disclosed and made a part of the record.
3. A local public official may read a written communication from any person. However, a written communication that relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action and such written communication shall be made a part of the record before final action on the matter.

4. Local public officials may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activity shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.
5. Notwithstanding the provisions of this section above, in quasi-judicial proceedings on local government land use matters, a person may not be precluded from communicating directly with a member of the decision making body by application of ex-parte communications prohibitions. Disclosure of such communications by a member of the decision making body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decision making body. All decisions of the decision making body must be supported by substantial, competent evidence in the record pertinent to the proceedings, irrespective of such communications.

(D) Presentation of Evidence

1. All persons testifying before a Board or the City Commission must be sworn in. The petitioner, members of a Board or the City Commission and any Affected Person who has provided notice that it intends to appear at the proceeding shall be given the opportunity to present evidence, bring forth witnesses, and cross-examine any witnesses.
2. All evidence relied upon by reasonably prudent persons in the conduct of their business shall be admissible, whether or not such evidence would be admissible in a court of law. However, immaterial or unduly repetitious evidence shall be excluded.
3. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding.
4. Documentary evidence may be presented in the form of a copy or the original, if available. Upon request, parties shall be given an opportunity to compare the copy with the original.
5. A party shall be entitled to conduct cross-examination when testimony is provided or documents are made a part of the record.
6. The office of the City Attorney shall represent the Board or the City Commission. Any questions as to the propriety and admissibility of evidence shall be presented to the City Attorney's office in a timely fashion.

(E) Conduct of Proceedings

1. The proceedings shall be conducted in an informal manner. Each party shall have the right to do the following:
 - (a) To call and examine witnesses
 - (b) To introduce exhibits
 - (c) To cross-examine opposing witnesses on any relevant matter
 - (d) To rebut evidence
2. To the extent possible, the following shall be the order of the proceedings:

- (a) Call the proceeding to order and announce the beginning of the proceeding. A majority of the Board or City Commission members must be continuously present during the proceeding.
- (b) The matter to be heard and the rules concerning the admissibility of evidence should be announced.
- (c) Statements of counsel shall only be considered as argument and not be considered as testimony. Counsel for parties shall not be subject to cross-examination. The Board or the City Commission shall have the authority to refuse to hear any testimony which is irrelevant or repetitive.
- (d) The Chair of the Board or the City Commission shall have the option of determining the order of presentation of the parties in order to expedite the proceeding. During its presentation the city shall present any staff, board or other reports on the matter as well as any comments. These reports shall include, but not be limited to, a description of the request of the petitioner; a description of background related to the petitioner; an analysis which includes the consistency with the City Comprehensive Plan, if applicable, and how the petition does or does not meet the requirements of the City Code; a listing of the exhibits to be presented; a summary of the issues; and, the staff and boards' recommendations. These reports shall include specific findings in support of justifying a recommendation for approval or denial of the petition.
- (e) The petitioner, or a representative, may make a presentation. If the petitioner chooses to make a presentation, it should include a description of the nature of the petition if there is additional information that has not been previously provided to or by the City. In addition, the petitioner shall introduce any exhibits and witnesses.
- (f) Parties who are in support of the petition shall make their presentation. The parties shall introduce any exhibits and witnesses.
- (g) Parties who are in opposition of the petition shall make their presentation. The parties shall introduce any exhibits and witnesses.
- (h) City personnel in attendance shall provide responses to any party to the proceeding.
- (i) After each witness testifies or documents are made a part of the record, a party shall be permitted to question the witness. The questioning party is not permitted to make any statements, only to ask questions which are directly related to the testimony presented.
- (j) Final presentation by petitioner in response to any testimony from other parties.
- (k) Final presentation by the city in response to any testimony from other parties.
- (l) The Board or City Commission shall deliberate on the petition. No further testimony shall be taken and the members of the Board or the City Commission shall not ask further questions of persons presenting testimony. The Board or the City Commission shall discuss the evidence that was presented at the proceeding and vote on the petition.

(F) Consent Process

1. All applications for development approvals that are quasi-judicial matters which are required to be approved by the City Commission may be placed on the quasi-judicial consent agenda. If an application is not removed from the quasi-judicial consent agenda, the City Commission shall vote on the quasi-judicial consent agenda based upon the materials in the agenda report(s). Prior to placement on the quasi-judicial consent agenda, all applicants shall sign a notarized statement that the applicant concurs with the recommendations of the Planning and Zoning Board. If no notarized statement has been

obtained from the applicant, then the development approval shall be heard and processed as set forth above.

2. The applicant, any City Commissioner, or any member of the public may request that an application for a development approval be removed from the quasi-judicial consent agenda and, except as otherwise provided in subsection (3) below, such item shall be continued to the quasi-judicial items portion of the meeting, or such other date and time, or both, as mutually agreed upon by the applicant and City Commission.
3. The applicant may request that the City Commission listen to testimony, receive documentary evidence, and take action on the application at the meeting at which the application is removed from the quasi-judicial consent agenda.
4. All applications for development approval which are placed on a quasi-judicial regular (non-consent) agenda or that have been removed from the quasi-judicial consent agenda shall be heard pursuant to and in accordance with the procedures set forth in (Subsection D and E above).

(G) Hearings in front of Special Magistrate; Final Determination

The City hereby establishes Special Magistrates who may conduct quasi-judicial hearings at the direction of the City Commission. Special Magistrates shall conduct all hearings and render final determinations, all in conformity with the provisions of this chapter.

(H) Hearings in front of Board or City Commission; Final Determination

In reaching a determination as whether to grant or deny the petition, the Board or City Commission shall:

1. Consider whether the petitioner's request is consistent with the City Comprehensive Plan, if applicable.
2. State with specificity the reasons for the approval or denial of the petition. The approval or denial may by reference incorporate the staff, board or other reports.
3. State whether or not the order is to be recorded in the public records of Broward County, and if applicable, that the cost of recording shall be paid by the petitioner.

(I) Preparation of Order

The City Attorney's office shall prepare the final order of the Board or City Commission based upon the determination. The Special Magistrate shall prepare the final order for matters before them. The final order shall include, but not be limited to, the finding of facts, any conditions, requirements or limitations on the approval of the petition, and whether or not the order shall be recorded in the Broward County public records. If an ordinance is required to be adopted upon approval of an action by the City Commission, a final order will not be prepared unless the petition is denied.

(J) Continuances and Deferrals

If, in the opinion of the Board or City Commission, any testimony or documentary evidence or information presented at the proceeding justifies providing additional time to allow additional research or review in order to properly determine the issue presented, the Board or City Commission shall continue the case to a designated time to allow for the additional research or review. After the decision is made to continue, the date to which the proceeding shall be continued shall be announced at the proceeding.

(K) Transcript of Proceedings

The official transcript of a proceeding shall be preserved by tape recording or other device by the City Clerk's office. Nothing precludes any party from providing a court reporter for the proceeding.

(L) Maintenance of Evidence

The Office of the City Clerk shall retain all of the evidence and documents presented at the proceeding, except for large scale exhibits which shall be retained by the City Manager or a designee, all which become part of the public record of the proceeding.

(M) Appeals

The final determination of the City Commission is subject to judicial review in a court of competent jurisdiction.

155.305 ZONING IN PROGRESS

(A) Purpose: The purpose of this subsection is to provide an administrative and legislative procedure whereby the City can place a temporary hold on development permits and approvals if there are pending active efforts underway to amend this Code in a way that would preclude such permits and approvals should the pending amendment be adopted.

(B) Applicability:

1. Zoning in progress shall be in place from the time that the City Manager or designee determines that:
 - i. The City is actively developing and processing a proposal to amend this Code in a way that would preclude permits and approvals of certain uses and development, and
 - ii. Authorization or approval of such uses and development before the proposed amendment is decided would be detrimental to the public interest. The City shall not grant any development permit or approval, or accept any application for a development permit or approval, that authorizes or proposes development that would not be allowed under the proposed amendment to this LDC.

(C) Procedure

1. The City Manager or designee shall issue an administrative order that specifies the area(s) affected by the proposed amendment and that prohibits the issuance of any development permits or granting of development approvals that would be precluded by the proposed amendment;
2. On issuing the administrative order, the City Manager or designee shall schedule consideration of a resolution confirming the administrative order for the next available City Commission meeting.

(D) City Commission Review and Action

1. The City Commission shall review the City Manager's or designee's zoning in progress determination and decide whether to confirm or reject it.
2. If the City Commission decides to confirm the City Manager's or designee's zoning in progress determination, they shall adopt a resolution affirming the administrative order.
3. If a resolution is adopted by the City Commission, the zoning in progress shall remain active for up to 6 months or until the adoption of the amendment to the LDC. The time period may be extended if determined necessary by the City Commission.

155.306 APPLICATION SUBMITTAL PROCEDURES

(A) Pre-application Meeting

1. The pre-application meeting will determine the submittal requirements, review procedures and standards applicable to an anticipated application for a development permit reviewed under this Code.
2. A pre-application meeting is required for all applications prior to submission unless determined otherwise by the Planning and Economic Development Department Director (Department Director).
3. At a minimum, the applicant must bring a conceptual plan to the pre-application meeting showing the location, general layout and main elements of the proposed development.
4. At the pre-application meeting the applicant must provide the Planning and Economic Development Department a letter stating the scope of work for the project. The Department Director shall determine what application(s) and process shall apply to the project.
5. When two or more applications for a development are submitted concurrently, the requirement for a pre-application conference may be met with single conference.
6. The pre-application conference is intended as a means of facilitating the review process. Discussions held in accordance with this section are not binding on the City. Processing times for review of applications for a development permit do not begin until a formal, complete application is submitted and determined to be complete.

(B) Authority to submit applications

1. Unless expressly stated otherwise in this Code, applications for a development permit reviewed under this Code shall be submitted by:
 - (a) The owner, contract purchaser, or any other person having a recognized property interest in the land on which development is proposed; or
 - (b) A person authorized to submit the application on behalf of the owner, contract purchaser, or other person having a recognized property interest in the land, as evidenced by a letter or document signed by such owner, contract purchaser, or other person.
 - (c) If there are multiple owners, contract purchasers, or other persons authorized to submit the application, all such persons shall sign the application or a letter or document consenting to the application.

(C) Application Contents

1. The Department Director establishes the requirements for the content and form of applications for each type of application reviewed under this Code.
2. The Department Director may amend and update these requirements as determined necessary to ensure effective and efficient city review under this Code.
3. The applicant bears the burden of ensuring that an application contains sufficient information to demonstrate compliance of the proposed application for a development permit with applicable standards.

(D) Application Submittal

1. Applications reviewed under this Code shall be submitted to the Planning and Economic Development Department, along with other applicable documents. For site plan submittals, a site plan checklist will be provided and maintained by the Planning and Economic Development Department
2. In addition to the technical documents required, other plans and studies may be required including but not limited to the following:
 - a. Affordable Housing
 - b. Circulation, Parking, Stacking or Traffic
 - c. Civil or Engineering
 - d. Feasibility or Market Analysis
 - e. Landscaping
 - f. Lighting or Photometric
 - g. Sustainability
3. All applications must be submitted on forms available through the Planning and Economic Development Department.

(E) Fees

1. The City Commission establishes application fees and may amend and update those fees as determined necessary.

2. The fees schedules for any development plan are incorporated herein by reference. A fee schedule is available in the City Clerk's and Planning and Economic Development Department offices upon request.
3. A surcharge applies to all development and applications that require Planning and Zoning Board consideration. The surcharge can be found in the fee schedule, which is available in the City Clerk's and Planning and Economic Development Department offices upon request.
4. On October 1 of each year, the fees referred to above shall be increased, in accordance with the Consumer Price Index for Urban Consumers in the United States, published by the Bureau of Labor Statistics for the 12 months ending April of each year, unless otherwise instructed by the City Commission.
5. Advertising fees. The applicant bears the cost of the advertisement for any displayed advertisements or mailings required by state statutes or city ordinances, except as may otherwise be expressly provided herein.
6. Applicants are responsible for all applicable recording costs where applicable.

(F) Application Submittal

4. Applications reviewed under this Code shall be submitted to the Planning and Economic Development Department, along with any associated fees and any other applicable documents, which may include but are not limited to a sustainability plan, studies and/or analysis regarding traffic, stacking, economic impact or market demand.
5. All applications must be submitted on forms available through the Planning and Economic Development Department.

(G) Determination of Application Completeness

1. On receiving an application for a development permit reviewed under this Code, the Department Director will review the application package to determine whether the application is complete or incomplete within the timeframes as set forth in F.S. §166.033, as same may be amended from time to time, unless formally waived by the Applicant. A complete application is one that:
 - (a) Contains all information and materials established by the Department Director as required for submittal of the application;
 - (b) Is in the form established by the Department Director as required for submittal of the application;
 - (c) Includes information in sufficient detail to evaluate the application to determine whether it complies with the appropriate review standards of this Code; and
 - (d) Is accompanied by the fee established for the application, which is intended to offset the administrative costs thereof.
2. Review for application completeness is solely to determine whether preliminary information required for submission with the application is sufficient to allow further processing. It does not constitute a decision as to whether an application complies with the LDC.

3. Incomplete applications:
 - (a) If an application is determined to be incomplete, the Department Director will notify the applicant of the deficiencies within the timeframes as set forth 166.033, FL. Stat., as may be amended from time to time, unless formally waived by the applicant.
 - (b) The applicant may correct the deficiencies and resubmit the application for completeness determination.
 - (c) If the applicant fails to resubmit an application within the timeframes as set forth 166.033, FL. Stat., as same may be amended from time to time, unless waived by the applicant after being first notified of deficiencies, the application shall be considered withdrawn.
 - (d) The Department Director shall not process an application for further review until it is determined to be complete.
4. Application revisions:
 - (a) An applicant may revise the application after receiving initial staff review comments on the application. Revisions must be limited to changes that directly respond to specific requests or suggestions made by the staff or the review or decision-making body, if they constitute only minor additions, deletions, or corrections and do not include significant substantive changes to the plan for development proposed in the application.
 - (b) Any other revisions to the application may be submitted at any time during the review procedure, but the revised application will be submitted and reviewed as if a new application and may be subject to additional application fees to defray the additional costs of processing the revised application.
 - (c) All revised applications must be submitted to the Department Director.
5. Complete applications:
 - (a) If an application is determined to be complete, the Department Director will accept the application for review in accordance with the procedures and standards of this Code.
 - (b) The time frame and cycle for review of the application is based on the date the application is determined to be complete.

155.307 STAFF REVIEW AND ACTION

(A) Application Review

1. When an application is determined to be complete, the application along with the associated documents shall be distributed to the applicable reviewing bodies.
2. If deficiencies are found, the applicant shall be notified and provided an opportunity to address them.
3. The timeframe for review will be determined based on the application type.
4. Additional Documents
 - (a) At any time during the review process of an application staff may request for additional documents that relate to the application, which may include but is not limited to studies and/or analysis regarding traffic, stacking or market demand.

(B) Applications Subject to Board or City Commission Decision

1. Staff Report

- (a) If an application is to be reviewed and decided upon by a Board or City Commission the Planning and Economic Development Department Staff shall prepare a staff report which summarizes the application.

(C) Applications Subject to Staff Decision

If an application is subject to staff decision, the application shall be reviewed and decided upon following the procedures and standards established within this LDC.

(D) Scheduling of Public Hearing

The Department Director shall determine when an Item is scheduled for public hearing. The Department Director shall do so providing enough time for the preparation of the staff report, distribution of applicable documents to Board or City Commission members and for public notification in accordance with the standard established within the LDC.

155.308 POST DECISION ACTIONS AND LIMITATIONS

(A) Notice of Decision

The Planning and Economic Development Department shall provide the applicant with the applicable document as they become available. Refer to Table 3.01 for the document provided.

(B) Effect of Approval

1. Approval of any development application in accordance with this Code authorizes only the particular use, plan, or other specific activity approved, and not any other development requiring separate application.
2. If one development permit or approval is a prerequisite to another permit or approval (e.g., variance approval prior to a site plan approval), development may not take place until all required permits and approvals are obtained. Approval of one application does not necessarily guarantee approval of any subsequent application.

(C) Expiration of Approval

1. Unless otherwise noted an approved application excluding those that result in an ordinance or resolution shall expire following 1 year of inactivity as determined by the Planning and Economic Development Department Director.

2. The Planning and Zoning Board may grant an extension of an approved application where the holder thereof can establish to the satisfaction of the Board that the delay is absolutely beyond their control.
3. An extension may be provided in accordance with F.S 252.363 (Emergency Management - Tolling and extension of permits and other authorizations) as amended from time to time.

(D) Amendments to an approved application

Any modifications of approved plans or conditions of approval shall require a new application that is submitted and reviewed in accordance with the full procedure and fee requirements applicable to the particular type of modification.

(E) Effect of Denial

1. If an application requiring a public hearing is denied, the applicant may appeal the decision following the applicable process set forth in Section 155.310.
2. Denied applications that require a public hearing must be reapplied including noticing (if required) submittal of plans, fees and any other documents as determined by the project manager for in order to heard again.

(F) Building Permits

1. Approval of an application under the provision of this code does not provide exemption from any applicable building permits and related fees.
2. Development applications must be approved prior to issuance of a building permit.
3. No building permit shall be issued for the erection, alteration, or use of any building, structure, or part thereof, or for the use of any land or water, which is not in conformity with all the provisions of this chapter.

(G) Outside Agencies

Approval of an application under the provision of this code does not provide exemption from any applicable applications, review or fees that may be required from outside agencies including but not limited to Broward County or Florida Department of Transportation (FDOT).

155.309 APPLICATION WITHDRAWAL PROCESS

- (A) After an application has been accepted for review, the applicant may withdraw the application at any time by submitting a written letter of withdrawal to the Director of Planning and Economic Development.

155.310 APPLICATION REFUNDS

- (A) No refunds will be provided for incomplete or withdrawn applications unless specifically granted by the City Manager or designee.

155.311 APPLICATION APPEAL PROCESS

(A) Right to Appeal

Any party aggrieved by a decision, interpretation, or order made by the Department Director or other administrative official, Board of Adjustment, Planning and Zoning Board, or the City Commission in administering or enforcing the provisions of the Land Development Code may appeal the decision, interpretation, or order.

(B) Appeal of Planning and Economic Development Department Staff interpretation

1. Procedure

- (a) Code interpretations made by the Planning and Economic Development Department staff are subject to appeal to the Planning and Zoning Board or Board of Adjustment as outlined in this chapter by the petitioner or an affected person based on lack of competent and substantial evidence to support staff's decision.
- (b) In addition to the application and associate fees the person filing the appeal shall submit a written statement to the Director of the Planning and Economic Development Department stating why they believe that the staff's decision was not based on competent and substantial evidence.
- (c) The applicant filing the appeal shall bear the cost of all advertising and notice requirements associated with the appeal.
- (d) The appeal shall be presented to the Planning and Zoning Board as soon as practicable, subject to the notice requirements and procedures set forth herein, for a final determination as to whether or not there was competent and substantial evidence to support staff's interpretation.

(C) Appeal of Board Decisions

1. Procedure

- (a) Decisions of the Board of Adjustment or the Planning and Zoning Board in quasi-judicial proceedings are subject to appeal to the City Commission by either the city, petitioner, or an affected person as defined in § 37.02 based on lack of competent and substantial evidence to support the Board's ruling.
- (b) Any person seeking to appeal must file a written request to appeal with the Director of Planning and Economic Development, or his or her designee, no later than noon on the seventh calendar day following the meeting at which the Planning and Zoning Board has rendered a final decision.

- (c) The applicant filing the appeal shall submit a written statement to the Director of Planning and Economic Development no later than eight days before City Commission meeting at which the appeal shall be heard. This written statement shall state with specificity why the appellant believes that the Planning and Zoning Board's decision was not based on competent and substantial evidence. This written statement shall be included in the agenda for the City Commission meeting at which time the appeal shall be heard
- (d) The person filing the appeal shall bear the cost of all advertising and notice requirements associated with the appeal.
- (e) The appeal shall be presented to the City Commission as soon as practicable, subject to the notice requirements and procedures set forth herein, for a final determination as to whether or not there was competent and substantial evidence to support the Board's ruling.

(D) Appeal of City Commission Decisions

The final determination of the City Commission with regards to the applications specified in this LDC is subject to judicial review in a court of competent jurisdiction.

(E) Hearings

Hearings before the Planning and Zoning Board and City Commission are not trials de novo but rather appellate in nature. Appeals shall be limited to the written record and new additional evidence shall not be presented.

155.312 APPLICATION DEFERRAL PROCESS

- (A) If an application is subject to a public hearing and required notice of the hearing has already been provided, the applicant may request that the hearing be deferred by submitting a written request for deferral to the Director of the Planning and Economic Development Department before the date on which the public hearing is scheduled.
- (B) The Director of the Planning and Economic Development Department shall submit the request to the body scheduled to hold the hearing, which may grant the request for good cause, or if finding no good cause for deferral, may proceed to hold the hearing, then consider and act on the application.
- (C) If the body grants the request for deferral, it shall be either set to a time certain or a time uncertain.
- (D) If the deferral is granted, the application shall bear all cost associated with deferring the application, which may include noticing.

155.313 ENFORCEMENT

(A) General

1. Purpose

This Section establishes procedures and standard to ensure compliance with the provision of this LDC and obtain corrections for violation of the LDC.

2. Compliance Required

Compliance with all the procedures, standard, and other provisions of this LDC are required by all persons owning, developing, managing, using or occupying land or structures in the City.

3. Development or Approval only Authorizes Development Approved

A development order, development approval or permit issued under the provisions of this LDC shall only authorize the specific use, arrangement, location, design, density, or intensity, and development set forth in such approval.

(B) Violations

1. Failure to Comply with the LDC or Term or Condition of Approval:

Any failure to comply with the standards, requirements, prohibition, or limitations imposed by this LDC, or the terms or conditions of any development order or authorization granted in accordance with this LDC shall constitute as a violation of the LDC

2. Specific Violations:

It shall be a violation of this LDC to undertake any activity contrary to the provisions of this LDC, including but not limited to the following:

- (a) Developing land or construct any structure without first obtaining all appropriate approvals and complying with all terms and conditions.
- (b) Occupying land or any structure without first obtaining all appropriate approvals and complying with all terms and conditions.
- (c) Excavating, grading, cutting, clearing, or undertaking any land disturbing activity without first obtaining all appropriate development permits and approvals, and complying with their terms and conditions.
- (d) Removing existing trees from a site or parcel of land without first obtaining appropriate permits and approvals and complying with their terms and conditions.
- (e) Installing, creating, erecting, altering, or maintaining any sign without first obtaining the appropriate building permits and approvals, and complying with their terms and conditions.
- (f) Failing to remove any sign installed, created, erected, or maintained in violation of this Code, or for which the relevant permit or approval has expired.

- (g) Creating, expanding, replacing, or changing any nonconformity except in compliance with this Code.
- (h) Reducing or diminishing the requirements for development, design, or dimensional standards below the minimum required by this Code.
- (i) Increasing the intensity or density of development, except in accordance with the standards of this Code.
- (j) Utilizing or operating a business without obtaining and maintaining a valid Business Tax Receipt.
- (k) Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Code.

(C) Enforcement Responsibilities

The Planning and Economic Development Department, Code Compliance Division and other applicable departments shall be responsible for enforcing the provisions of this LDC. The City Manager or their designee may delegate authority to another City Official to aid in the enforcement of the provision of this LDC.

(D) Code Enforcement Violation and Hearing Procedures

Code Enforcement violation and hearing procedures shall be consistent with procedures set forth within Chapter 32 of the City Code of Ordinances and Chapter 162 of the Florida Statute, as may be amended from time to time.

(E) Notice to Abate

1. When the City Manager or their designee finds that any premises or property within the City may be maintained contrary to one or more of the provisions of this section, shall notify the owner, lessee, occupant, mortgagee, or beneficiary by written notice, served personally or posted on the premises, stating the conditions which constitute the public nuisance and shall order the abatement of the nuisance by a time period consistent with the nature of the violation. Failure to bring about compliance within the time stated shall result in a summons before the Code Enforcement Board, the Special Magistrate, or the County Court. The summons shall be served according to state statutes.
2. Abatement by the City. If the person fails to abate the nuisance within the time set forth, the City may proceed to abate the nuisance.
3. Record of expenses. The City shall keep an itemized account of the expenses involved in abating the nuisance. The City shall post conspicuously on the property and shall also mail to the owner of the property a statement showing the expense of the abatement, together with a notice of the time and place when the statement will be submitted to the Commission for approval and confirmation, and at which time the Commission shall consider objections or protests to the cost of the work.

ARTICLE 4 ZONING DISTRICTS

ARTICLE 4 | ZONING DISTRICTS

155.400 GENERAL PROVISIONS

(A) Compliance with District Standards

No land within the City shall be developed except in accordance with the zoning district regulations of this article and all other regulations of this Code.

(B) Consistency with the Comprehensive Plan

This LDC is intended to be consistent with the goals, objectives, and policies of the City's adopted Comprehensive Plan

155.401 ZONING MAP

(A) The areas assigned to these districts and the boundaries of the districts shown on the maps are made a part of this Chapter as if fully set forth herein are hereby established, the maps being designated as the "Zoning District Map."

(B) The maps and the proper notations, references, and other information shown thereon, shall be as much a part of this Chapter as if the matters and information set forth by the map were fully described herein.

(C) Each district shall be subject to the regulations set forth in this Land Development Code.

155.402 DISTRICT CLASSIFICATIONS

(A) District Boundaries

1. Unless otherwise shown, the district boundaries are street lines, alley lines, or the subdividing or boundary lines of recorded plats, or the extensions thereof. Where the districts designated on maps accompanying and made a part of this Chapter are approximately bounded by street lines, alley lines, or the subdividing or boundary lines of recorded plats, those lines or the extensions thereof shall be considered to be district boundaries.
2. Where, due to the scale or illegibility of the district map or due to the absence of a street, alley, or recorded subdividing of plat lines, there is any uncertainty, contradiction, or conflict as to intended location of any district boundary, the Planning and Economic Development Department Director shall have the power and duty of interpreting the intent of the district maps so as to determine and designate the proper location for the district boundary in accordance with the spirit and purpose of this Chapter.

3. Where a zoning district boundary divides a lot or parcel, the location of such boundary, unless indicated by legal description with distance and bearing or other dimension, shall be determined by the scale of the zoning district map by the Planning and Economic Development Department Director.
4. Where a zoning designation conflict may occur, the Planning and Economic Development Director shall determine the official zoning district classification.
5. The Planning and Economic Development Department Director shall enter changes on the Official Zoning Map as soon as is practical after a rezoning is approved by the City Commission. Where the ordinance enacting a rezoning contains wording explaining or clarifying the location of zoning district boundaries, the Planning and Economic Development Department Director may enter on the Official Zoning Map notations reflecting the ordinance wording.
6. Land that is not indicated on the Official Zoning Map as being in any zoning district shall be considered to be included in the most restrictive adjacent zoning district that complies with the future land use map designation, even when such district is separated from the land in question by a right-of-way.
7. Zoning of Annexed Lands. All lands annexed to the corporate limits of the city shall retain their existing county zoning classifications. For this purpose, all published material establishing the rules, regulations, and limitations governing and restricting the use of property under such zoning classifications shall be adopted in this chapter by reference. Such zoning classifications shall be presumed to be valid classifications of the lands annexed and shall not be subject to change, except upon initiation of a rezoning pursuant to the LDCs, by either the city or the owners of the property annexed.

(B) District Classification

1. Types of Zoning Districts

Land within the City will hereby be classified into the following categories: Residential; Commercial; Industrial; Recreation, Community Facilities and Other; or Planned.

2. Specific Zoning Districts

(a) Agricultural, Community Facilities, and Recreation

- i. Agriculture (A)
- ii. Utility (U)
- iii. Agriculture Excavation (A-E)
- iv. Resource Recovery (R-R)
- v. Community Facility (CF)
- vi. Recreation (REC)

(b) Residential

- i. Residential Estate (R-E)
- ii. Residential Single-Family (R-1A through R-1C)
- iii. Residential Single-Family Zero Lot Line (R-1Z)
- iv. Residential Mobile Home (R-MH)
- v. Residential Two-Family (R-2)
- vi. Residential Townhouse (R-TH)
- vii. Residential Multi-Family (R-MF)

(c) Commercial

- i. Neighborhood Business (B-1)
- ii. Community Business (B-2)
- iii. General Business (B-3)
- iv. Commercial (C-1)
- v. Professional Office (PO)

(d) Industrial

- i. Industrial Light (I-L)
- ii. Industrial Medium (I-M)
- iii. Industrial Heavy (I-H)

(e) Planned

- i. Planned Unit Development (PUD)
- ii. Planned Small Lot Development (PD-SL)
- iii. Mixed Use Development (MXD)
- iv. Planned Commercial Development (PCD)
- v. Planned Industrial Development (PID)
- vi. Hospital District (HD)

155.403 ZONING DISTRICTS COMPARATIVE TABLE

(A) In January 2021, the City revised and consolidated the zoning districts per (ord. no. xxxx). This table shall serve as the official comparison between the previous and the proposed zoning districts.

(B) Comparative Table

Table 403: Zoning Districts Comparative Table	
Prior to date January 01, 2021	Effective January 01, 2021
(A-1) Limited Agricultural	(A) Agricultural
(A-2) General Agricultural	
(A-3) Agricultural Utility	(U) Utility
Agricultural Excavation (A-5)	(A-E) Agricultural Excavation
(A-5) Agricultural Disposal	(R-R) Resource Recovery
(A-4) Agricultural Amusement	(REC) Recreation
(S-1) Recreational	
(CF) Community Facility	(CF) Community Facility
(RR) Rural Ranches Lifestyle	Removed
(E-1) Estate	(R-E) Residential Estate
(R-1A) One- Family Dwelling	(R-1A) Residential Single-Family
(R-1B) One-Family Dwelling	(R-1B) Residential Single-Family
(R-1C) One-Family Dwelling	(R-1C) Residential Single-Family
(R-1P) One- Family Dwelling Parking	Removed
(RS- 7) Single- Family	(R-1Z) Residential Single- Family Zero Lot Line
(R-1T) Mobile Home Dwelling	(R-MH) Residential Mobile Home
(R-2U) Two- Family Dwelling	(R-2) Residential Two- Family Dwelling
(TH-12) Townhouse	(R-TH) Residential Townhouse
(R-3) Low Density Multiple	(R-MF) Residential Multi-Family
(R-4) Apartment	
(R-4A) Planned Apartment	
(R-6) Hotel	
(B-1) Neighborhood Business	(B-1) Neighborhood Business
(B-2) Community Business	(B-2) Community Business
(B-2A) Planned Business Center	Removed
(B-3) General Business	(B-3) General Business
(C-1) Commercial	(C-1) Commercial
(PO-1) Professional Office	(PO) Professional Office
(PO-2) Professional Office	
(M-1) Light Industrial	(I-L) Industrial-Light
(M-2) Medium Industrial	
(M-3) General Industrial	(I-M) Industrial-Medium
(M-4) Limited Heavy Industrial	(I-H) Industrial-Heavy
(M-5) Heavy Industrial	
(PUD) Planned Unit Development	(PUD) Planned Unit Development
(PD-SL) Planned Development Small Lot	(PD-SL) Planned Development Small Lot
(MXD) Mixed Use Development	(MXD) Mixed Use Development
(PCD) Planned Commercial Development	(PCD) Planned Commercial Development
(PID) Planned Industrial Development	(PID) Planned Industrial Development
(HD) Hospital	(HD) Hospital

AGRICULTURE, COMMUNITY FACILITIES AND RECREATION

155.410 AGRICULTURE (A)

(A) Purpose

This district is intended primarily to provide for lands which accommodate agricultural production and agricultural support uses.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 410: Agriculture (A)	
Standard	Non-Residential
Minimum Lot Size	35,000 square feet and street frontage of 125 feet [1]
Maximum Lot Coverage	20% for lots less than 1 acre 25% for lots greater than 1 acre
Maximum Height	60 feet
Front Setback	25 feet
Side Setback	25 feet [2]
Rear Setback	25 feet
Street Side Setback	Equivalent to 25% of lot width not to exceed 25 feet
Minimum Floor Area	Single-Family Dwelling: 900 square feet
Note: [1] A lot having a minimum area of 10,000 square feet and a minimum width of 100 feet and platted as a single lot or acquired by the present owner prior to the effective date of this chapter, may be utilized for a single-family dwelling. [2] A side setback for a single-family dwelling shall not be required to exceed 25 feet. Greater setbacks may be required for various uses (See additional design criteria).	

(D) Additional Criteria

1. Setback modifications. The setback requirements specified in section (C) above shall be subject to the following:
 - (a) Setback requirements shall not apply to portions of land or land used for permissible uses, and which do not contain buildings, and which do not contain structures over 20 feet in height.
 - (b) Where a portion of a tract of land is utilized for a building or buildings as the principal use, the plot of land occupied by those buildings shall be provided with all required setbacks, the measurement of which shall be from the building or buildings.
 - (c) This division shall not supersede limitation of agriculture uses found in Article 5 Use Regulations.

155.411 UTILITY (U)

(A) Purpose

This district is intended to accommodate utility uses which are necessary to provide an adequate level of service to meet the current and future needs of the City.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 411: Utility (U)	
Standard	Non-Residential
Minimum Lot Size	5 acres in area [1]
Maximum Lot Coverage	20%
Maximum Height	500 feet
Front Setback	50 feet in depth or width [2] [3] [4]
Side Setback	50 feet in depth or width. [2] [3] [4]
Rear Setback	50 feet in depth or width. [2] [3] [4]
Street Side Setback	50 feet in depth or width. [2] [3] [4]
Note:	
[1] 1 A lift station for a sewer line may be located on a lot at least 75 feet wide and 7,500 square feet in area.	
[2] Any structure used as part of a sewage treatment plant, water treatment plant, or water pumping plant, including tank, bins, settling basins, reservoirs, and other similar facilities, shall be located at least 100 feet from any lot line.	
[3] Any structure or building exceeding 20 feet in height shall not be located nearer to any property in separate or different ownership than a distance equal to one-half the height of the structure or building.	
[4] On a lot used only for a sewage lift station and having no building over ten feet in height and no structure over 25 feet in height, the required setbacks shall be reduced to 25 feet in depth or width.	

155.412 AGRICULTURE EXCAVATION (A-E)

(A) Purpose

This district is intended primarily to apply to undeveloped areas of the City, wherein there are deposits of natural resources which can be safely extracted without serious damage.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 412: Agriculture Excavation (A-E)	
Standard	Non-Residential
Minimum Lot Size	5 acres
Maximum Lot Coverage	N/A
Maximum Height	100 feet
Front Setback	100 feet
Side Setback	100 feet
Rear Setback	100 feet
Note: [1] No mixing or batching plant, or bin, tank, silo, or structure incidental to such plant, shall be located nearer than 300 feet to any property in separate and different ownership. [2] Every lot shall conform to all of the provisions of 155.340 through 155.349. [3] No excavation shall be allowed within 50 feet of the future right-of-way line for any street or highway, nor within 100 feet of any private property line for lots less than one acre and 30 feet of any property line for lots one acre or greater.	

155.413 RESOURCE RECOVERY (R-R)

(A) Purpose

This district is intended primarily to apply to areas appropriate for the disposal of waste materials wherein that disposal will not adversely affect desirable future development.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 413: Resource Recovery (R-R)	
Standard	Non-Residential
Minimum Lot Size	Disposal of refuse only – Minimum 5 acres. Disposal of refuse including garbage or animal refuse – Minimum 20 acres. An incinerator – Minimum 40 acres.
Maximum Lot Coverage	10% for all main and accessory buildings
Maximum Height	150 feet
Front Setback	75 feet in depth [1]
Side Setback	50 feet in depth [1]
Rear Setback	50 feet in depth [1]
Note: [1] Lots used for disposal of refuse, including garbage or animal refuse, shall have setbacks to all lot lines not less than 100 feet in depth. No part of any incinerator or its appurtenant attached building or structures shall be located within 500 feet of any lot line.	

155.414 COMMUNITY FACILITY (CF)

(A) Purpose

This district is intended primarily to provide for educational institutions, government facilities, civic facilities and other related uses.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 414: Community Facility (CF)	
Standard	Non-Residential
Minimum Lot Size	N/A
Maximum Height	100 feet
Front Setback	25 feet [1]
Side Setback	15 feet [1]
Rear Setback	20 feet [1]
Note: [1] The setbacks shall apply to all one story structures and shall each be increased by five feet for every story thereafter, not to exceed setback of 50 feet. Bufferyards within other provisions of the Code shall also apply.	

(D) Additional Criteria

Community facility zoning shall not be permitted in any private residential community.

155.415 RECREATION (REC)

(A) Purpose

This district is intended primarily for sports and recreational activities in which the participants are actively engaged, but which may also provide entertainment for spectators.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 415: Recreation (REC)	
Standard	Non-Residential
Minimum Lot Size	150 feet wide 1 acre
Maximum Lot Coverage	20%
Maximum Height	100 feet
Front Setback	50 feet
Side Setback	50 feet [1]
Rear Setback	50 feet
Note: [1] Side setback shall increase by one foot for every foot in height of structure exceeding 25 feet.	

RESIDENTIAL DISTRICTS

155.420 RESIDENTIAL ESTATE (R-E)

(A) Purpose

This district is intended to primarily apply to large lot, single-family developments. This district also allows supporting public and recreational facilities.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 420: Residential Estate (R-E)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 125 feet Area: 35,000 square feet [1]	Width: 125 feet Area: 35,000 square feet [1]
Maximum Lot Coverage	20%	20%
Maximum Height	25 feet	60 feet
Front Setback	50 feet	50 feet
Side Setback	25 feet [2]	25 feet [2]
Rear Setback	25 feet	25 feet
Street Side Setback	None	None
Minimum Floor Area	1,500 square feet	N/A
Note: [1] Lots for utility uses can be smaller but must meet minimum setbacks. [2] Side setbacks shall increase by one foot for each foot in height of structure exceeding 40 feet.		

155.421 RESIDENTIAL SINGLE-FAMILY (R-1A, R-1B, R-1C)

(A) Purpose

These districts are intended primarily for detached, single-family residential dwelling neighborhoods. These districts also allow supporting public and recreational facilities.

(B) Permitted Uses

See Permitted Use Table Article 5 (Section 155.501).

(C) Dimensional Standards Tables

Table 421.1: Residential Single-Family (R-1A)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 100 feet Area: 10,000 square feet [1]	Width: 100 feet Area: 10,000 square feet [1]
Maximum Lot Coverage	40%	40%
Maximum Height	35 feet	35 feet
Front Setback	25 feet	30 feet
Side Setback	10 feet [2]	20 feet [3]
Rear Setback	15 feet	25 feet
Street Side Setback	Key Lots: 25 feet Corner Lots: 15 feet	Key Lots: 25 feet Corner Lots: 15 feet
Minimum Floor Area	1,500 square feet	N/A
Note: [1] A smaller lot of record may be utilized for a one-family dwelling if platted prior to Date 1969. [2] An existing legal lot of 60 feet wide or less, side setback shall be at least five feet. [3] Side setback shall increase by one foot for every two feet in height of structure exceeding 20 feet.		

Table 421.2: Residential Single-Family (R-1B)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 75 feet Area: 7,500 square feet [1]	Width: 75 feet Area: 7,500 square feet [1]
Maximum Lot Coverage	40%	40%
Maximum Height	35 feet	35 feet
Front Setback	25 feet	30 feet
Side Setback	7.5 feet [2]	20 feet [3]
Rear Setback	15 feet	25 feet
Street Side Setback	Key Lots: 25 feet Corner Lots: 15 feet	Key Lots: 25 feet Corner Lots: 15 feet
Minimum Floor Area	1,000 square feet	N/A
Note: [1] A smaller lot of record may be utilized for a one-family dwelling if platted prior to March 1969. [2] An existing legal lot of 60 feet wide or less, side setback shall be at least five feet. [3] Side setback shall increase by one foot for every two feet in height of structure exceeding 20 feet.		

Table 421.3: Residential Single-Family (R-1C)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 70 feet Area: 7,000 square feet [1]	Width: 70 feet Area: 7,000 square feet [1]
Maximum Lot Coverage	40%	40%
Maximum Height	35 feet	35 feet
Front Setback	25 feet	30 feet
Side Setback	7.5 feet [2]	20 feet [3]
Rear Setback	15 feet	25 feet
Street Side Setback	Key Lots: 25 feet Corner Lots: 15 feet	Key Lots: 25 feet Corner Lots: 15 feet
Minimum Floor Area	900 square feet	N/A
Note: [1] A smaller lot of record may be utilized for a one-family dwelling if platted prior to March 1969. [2] An existing legal lot of 60 feet wide or less, side setback shall be at least five feet. [3] Side setback shall increase by one foot for every two feet in height of structure exceeding 20 feet.		

155.422 RESIDENTIAL SINGLE-FAMILY ZERO LOT LINE (R-1Z)

(A) Purpose

This district is intended primarily for smaller lot single-family residential neighborhoods which encourage more compact use of land as compared with the typical single-family development.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 422: Residential Single-Family Zero Lot Line (R-1Z)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 30 feet Area: 4,500 square feet	Width: 30 feet Area: 4,500 square feet
Maximum Lot Coverage	45%	45%
Maximum Height	35 feet	35 feet
Front Setback	20 feet	20 feet
Side Setback	0 feet for the side where the home is placed against the lot line;	0 feet for the side where the home is placed against the lot line;
	15 feet on the nonzero side	15 feet on the nonzero side
Rear Setback	15 feet	15 feet
Street Side Setback	15 feet	15 feet
Minimum Floor Area	1,300 square feet	N/A

(D) Additional Criteria.

See Article 7 for additional criteria for Residential Single-Family Zero Lot Line (R-1Z) development.

155.423 RESIDENTIAL MOBILE HOME (R-MH)

(A) Purpose

This district is intended primarily for single-family residential mobile home developments and neighborhoods. This district is intended to apply to areas to be used for the parking or placement of mobile homes for permanent residences.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 423: Residential Mobile Home (R-MH)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 40 feet Depth: 80 feet	Width: 40 feet Depth: 80 feet
Maximum Lot Coverage	N/A	N/A
Maximum Height	15 feet	15 feet
Front Setback	6 feet	6 feet
Side Setback	4 feet [1]	4 feet [1]
Rear Setback	8 feet	8 feet
Street Side Setback	4 feet	4 feet
Minimum Floor Area	N/A	N/A
Note: [1] Open carports and stoops may be located 2 feet from the interior lot line.		

(D) Additional Criteria

1. Limitations and special requirements.

- The mobility of the vehicle used as a mobile home or house trailer shall be maintained. Each unit of a mobile home originally moved onto the site as a separate house trailer, shall be kept currently licensed each year as provided under F.S. § 320.081.
- Plumbing fixtures and electrical connections associated with cooking facilities shall not be permitted in any building or structure other than the mobile home itself.
- Each plot shall abut on a public street at least 50 feet in width.

- (d) Any R-MH District shall be at least five acres in gross area. R-MH zoning shall be applied only to property properly platted under a subdivision plat of record.
 - (e) Each plat shall be supplied with water and sewer facilities meeting the standards of the appropriate health officials and approved by those officials.
2. Fences. A fence may be installed within the front yard setback in accordance with the following regulations:
- (a) Height. The fence shall not exceed 36 inches in height.
 - (b) Such fence must be constructed of decorative aluminum or wood and shall be no more than 50% opaque.
 - (c) The fence shall not obstruct sight distance triangles, fire hydrants, water valves, water meters, sewer clean-outs and or otherwise precludes any utility maintenance to be performed by the City.
3. Driveways. Mobile home communities established pursuant to this section shall include a minimum of two car stacking driveways with the following dimensions:
- (a) Minimum of 9 feet wide and 35 feet long; or
 - (b) Minimum of 16 feet wide and 20 feet long.

155.424 RESIDENTIAL TWO-FAMILY (R-2)

(A) Purpose

This district is intended primarily for attached, two-family residential dwelling neighborhoods with minimum lots per two-family dwelling units. Detached single-family dwelling units are permitted.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 424: Residential Two-Family (R-2)		
Standard	Residential	Non-Residential
Minimum Lot Size	Width: 70 feet Area: 7,000 square feet [1]	Width: 70 feet Area: 7,000 square feet [1]
Maximum Lot Coverage	40%	40%
Maximum Height	2 stories or 30 feet	2 stories or 30 feet
Front Setback	25 feet	30 feet
Side Setback	7.5 feet [2]	20 feet [3]
Rear Setback	15 feet	25 feet
Street Side Setback	15 feet	15 feet
Minimum Floor Area	Single-Family Detached Dwelling: 750 square feet	N/A
	Two-Family Attached Dwelling: 750 square feet	
Note: [1] If each half of a two-family dwelling is on separate adjoining lots then each lot shall not be less than 35 feet in width and 3,500 square feet in area. [2] However, if two-family dwelling is erected on two platted lots, no setback is needed along common wall and lot line. [3] Side setback shall increase by one foot for every two feet in height of structure exceeding 20 feet.		

155.425 RESIDENTIAL TOWNHOUSE (R-TH)

(A) Purpose

This district is intended primarily for multi-family, townhouse residential dwelling neighborhoods.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 425: Residential Townhouse (R-TH)	
Standard	Residential Townhouse
Minimum Lot Size	1.5 acres
Maximum Density	12 Units per gross acre
Maximum Height	35 feet
Front Setbacks	15 feet
Side Setbacks	25 feet
Rear Setbacks	20 feet
Street Side Setbacks	N/A
Minimum Floor Area	800 square feet
	Minimum Width: 16 feet for an individual townhouse
Minimum Separation Between Townhouse Buildings:	(A) 50 feet of which a minimum of 15 feet of open space, not to be used for parking; (B) 20 feet; (C) 20 feet plus 10 feet if driveway between groupings
(A) Front to front and rear to rear;	
(B) Side to or rear;	
(C) Side to side	
Grouping Spacing	20 feet between each group of townhouses; plus 10 feet if driveway between groupings
Grouping Length	A grouping of townhouses shall not exceed 160 feet in length

(D) Additional Criteria

See Article 7 for additional criteria for Residential Townhouse (R-TH) development.

155.426 RESIDENTIAL MULTI-FAMILY (R-MF)

(A) Purpose

This district is intended to primarily accommodate a mixture of housing types including single-family, multi-family, as well as townhouse developments.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table:

Table 426.1: Residential Multi-Family (R-MF)		
Standard	Residential	Non-Residential
Minimum Lot Size	N/A	Width: 100 feet Area: 10,000 square feet
Maximum Height	8 stories or 100 feet whichever is less	8 stories or 100 feet whichever is less
Front Setback	60 feet	30 feet
Side Setback	20 feet	25 feet [1]
Rear Setback	20 feet	20 feet [2]
Street Side Setback	N/A	15 feet
Minimum Unit Size	750 square feet	N/A
Note:		
[1] Side setback shall increase by one foot for every two feet in height of structure exceeding 20 feet.		
[2] Rear setback shall increase by two feet for every ten feet in height of structure exceeding 44 feet.		

(D) Development Standards

Table 426.2: Multi-Family Development Standards	
Standard	Residential
Minimum Lot Size	12-acres or less as a portion of a PUD
Maximum Density	Consistent with FLUM
Maximum Building Coverage	30%
Minimum Open Space	45% [1]
Minimum Between Buildings	15 feet
Vehicle Use Area	30% maximum non-pervious
Note: [1] See additional Criteria in Article 6.	

(E) See Article 7 for additional criteria for Residential Multi-Family (R-MF) development.

COMMERCIAL DISTRICTS

155.430 NEIGHBORHOOD BUSINESS (B-1)

(A) Purpose

This district is intended to primarily meet the local neighborhood shopping and personal service needs a limited, surrounding residential area.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 430: Neighborhood Business (B-1)	
Standard	Non-Residential
Minimum Lot Size	None
Minimum Lot Coverage	None
Maximum Height	Two stories or 30 feet [1]
Front Setback	25 feet
Side Setback	7.5 feet
Rear Setback	14 feet [1]
Minimum Floor Area	1,500 square feet
Note: [1] The first 10 feet must be fully sodded and landscaped.	

155.431 COMMUNITY BUSINESS (B-2)

(A) Purpose

This district is intended to primarily meet the shopping and service needs of surrounding residential neighborhoods and communities.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 431: Community Business (B-2)	
Standard	Non-Residential
Minimum Lot Area	15,000 square feet
Minimum Lot Dimensions	150 feet of frontage on the primary traffic artery and 100 feet in depth
Maximum Height	100 feet [1]
Front or Street Side Setback [5]	30 feet in depth [2,3]
Side Setback [5]	10 feet in width which shall be totally landscaped [4]
Rear Setback [5]	15 feet in depth [7]
Minimum Floor Area	Each structure having a permitted or combination of permitted uses shall have a minimum of 1,500 square feet [6]
Note: [1] No building abutting within 100 feet from a single family zoning districts shall exceed two stories or 35 feet. [2] For buildings exceeding 35 feet in height, front or street side setbacks must be increased one foot for every two feet in height in excess of 35 feet. [3] The first 15 feet of all front and street side setbacks adjacent to the property line shall be fully landscaped with sod, ground shrubbery, and trees, except where crossed by permitted access driveways or walkways. The balance of the required setbacks may be used for parking. [4] For buildings exceeding 35 feet in height, side setbacks must be increased one foot for every five feet in height in excess of 35 feet. [5] All lots abutting a residential district or use shall have setbacks in accordance with §155.056. [6] However, existing outparcels delineated on a plat recorded prior to 2-6-85 for a shopping facility shall be exempt from providing a building of the above minimum square footage. [7] The first 10 feet must be fully sodded and landscaped.	

(D) Additional Criteria

See Article 7 for additional criteria for Community Business (B-2) development.

155.432 GENERAL BUSINESS (B-3)

(A) Purpose

This district is intended to primarily apply to shopping centers that serve a regional scale and offer a diverse range of good and services. This district should have access to arterial roadways to better serve the community.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 432: General Business (B-3)	
Standard	Non-Residential
Minimum Lot Area	15,000 square feet
Minimum Lot Dimensions	150 feet of frontage on the primary traffic artery and 100 feet in depth
Maximum Height	100 feet [1]
Front or Street Side Setback [5]	30 feet in depth [2,3]
Side Setback [5]	10 feet in width which shall be totally landscaped [4]
Rear Setback [5]	15 feet in depth [7]
Minimum Floor Area	325 square feet per dwelling unit; Each structure having a permitted or combination of permitted uses shall have a minimum of 1,500 square feet [6] 150 square feet for a rental sleeping room in a hotel, lodging house, tourist home, or similar use.
Note: [1] No building abutting within 100 feet from a single family zoning districts shall exceed two stories or 35 feet. [2] For buildings exceeding 35 feet in height, front or street side setbacks must be increased one foot for every two feet in height in excess of 35 feet. [3] The first 15 feet of all front and street side setbacks adjacent to the property line shall be fully landscaped with sod, ground shrubbery, and trees, except where crossed by permitted access driveways or walkways. The balance of the required setbacks may be used for parking. [4] For buildings exceeding 35 feet in height, side setbacks must be increased one foot for every five feet in height in excess of 35 feet. [5] All lots abutting a residential district or use shall have setbacks in accordance with §155.056. [6] However, existing outparcels delineated on a plat recorded prior to 2-6-85 for a shopping facility shall be exempt from providing a building of the above minimum square footage. [7] The first 10 feet must be fully sodded and landscaped.	

(D) Additional Criteria

See Article 7 for additional criteria for General Business (B-3) development.

155.433 COMMERCIAL (C-1)

(A) Purpose

This district is intended to accommodate a diverse range of retail, repair services, wholesale, storage, and sales of large or heavy machinery and equipment.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 433: Commercial (C-1)	
Standard	Non-Residential
Minimum Lot Area	1 acre: 43,560 square feet
Minimum Lot Dimensions	N/A
Maximum Height	100 feet
Front or Street Side Setback [3]	30 feet in depth [1]
Side Setback [3]	10 feet in width which shall be totally landscaped [2]
Rear Setback [3]	15 feet in depth [4]
Minimum Floor Area	N/A
Note: [1] The first 15 feet of all front and street side setbacks adjacent to the property line shall be fully landscaped with sod, ground shrubbery, and trees, except where crossed by permitted access driveways or walkways. The balance of the required yards may be used for parking. [2] For buildings exceeding 35 feet in height, side setbacks must be increased one foot for every five feet in height in excess of 35 feet. [3] All lots abutting a residential district or use shall have setbacks in accordance with §155.056. [4] The first 10 feet must be fully sodded and landscaped.	

155.434 PROFESSIONAL OFFICE (PO)

(A) Purpose

This district is intended to primarily provide suitable site for administrative, professional, and financial offices while maintaining and limiting impacts on surrounding residential neighborhoods.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 434: Professional Office (PO)	
Standard	Non-Residential
Minimum Lot Area	6,000 square feet
Minimum Lot Dimensions	60 feet in width by 100 feet in depth
Maximum Height	50 feet [1]
Front or Street Side Setback	30 feet [2]
Side Setback	20 feet
Rear Setback	25 feet
Minimum Floor Area	N/A
Note: [1] Where a building exceeds 25 feet in height, all setbacks shall be increased two feet over the initial setback distance for every one foot in height. [2] Except where the lot is adjacent to a traffic way with 100 feet or more right-of-way, the setback shall be 50 feet.	

INDUSTRIAL DISTRICTS

155.440 INDUSTRIAL-LIGHT (I-L)

(A) Purpose

This district is primarily intended to accommodate a wide range of low intensity manufacturing, assembly, processing, distribution, warehousing, research and development, or other low intensity industrial uses.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 440: Industrial-Light (I-L)	
Standard	Non-Residential
Minimum Lot Area	N/A
Minimum Lot Dimensions	N/A
Maximum Height	100 feet
Front or Street Side Setback [1,2,3]	See Article 6, Bufferyards
Side Setback [1,2,3]	See Article 6, Bufferyards
Rear Setback [1,2,3]	See Article 6, Bufferyards
Minimum Floor Area	1,500 square feet
Note: [1] No building, structure, or part thereof shall be located within 75 feet of the right-of-way and no direct access shall be permitted from Hollywood Boulevard (Pines Boulevard) to abutting properties. No parking shall be located within 50 feet of the right-of-way line from the main arterial's roads. [2] Except on a street which separates an I-L District from a residential district, in which case the setback shall be 25 feet, and that area shall be maintained as a planting strip. No direct access shall be permitted from the dividing street to the abutting properties in an I-L District. [3] Unless a window or other opening is on the side or rear of the building, in which case the building shall be setback at least five feet from the side property line in the event the opening is on the side, and at least five feet on the rear in the event the opening is on the rear and there is no alley or street at the rear.	

155.441 INDUSTRIAL-MEDIUM (I-M)

(A) Purpose

This district is primarily intended for medium intensity manufacturing uses which are compatible with non-residential areas and have limited negative impacts upon contiguous non-residential areas and uses. This district is not typically well suited to be adjacent to residential communities.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 441: Industrial-Medium (I-M)	
Standard	Non-Residential
Minimum Lot Area	10,000 square feet
Minimum Lot Dimensions	100 feet in width
Maximum Height	150 feet
Front or Street Side Setback	See Article 6, Bufferyards
Side Setback	See Article 6, Bufferyards
Rear Setback	See Article 6, Bufferyards
Minimum Floor Area	None

155.442 INDUSTRIAL-HEAVY (I-H)

(A) Purpose

This district is primarily intended to apply to areas surrounded by less intense industrial districts, which because of location, access, transportation, and relation to other industrial areas, can be appropriately utilized for heavier types of industry.

(B) Permitted Uses

See Permitted Use Table within Article 5 (Section 155.501).

(C) Dimensional Standards Table

Table 442.1: Industrial-Heavy (I-H)	
Standard	Non-Residential
Minimum Lot Size	200 feet in width
Minimum Lot Area	40,000 square feet
Maximum Height	200 feet
Front or Street Side Setback [1,2]	See Article 6, Bufferyards
Side Setback [1,2]	See Article 6, Bufferyards
Rear Setback [1,2]	See Article 6, Bufferyards
Minimum Floor Area	N/A
Note: [1] No portion of any land utilized for, or building occupied by, a use first permitted in an I-H District shall be located within 300 feet of any residentially zoned property or any property zoned in an agriculture zoned district. However, this separation requirement shall not apply to accessory uses which are permissible in I-M or more restricted districts as principal uses. [2] Any land, building, or structure utilized for a use first permitted in an I-H District shall be located at least 50 feet from all lot lines. However, this 50 foot setback area may be utilized for accessory uses, building, and structures permitted in an I-M or more restricted district.	

(D) Additional Criteria

1. The following table shall be for uses which require special exception in Industrial Heavy (I-H) districts as shown in Table 501.

Table 442.2: Industrial-Heavy (I-H) Special Exception Standards	
Standard	Non-Residential
Minimum Lot Size	500 feet in width
Minimum Lot Area	5 acres
Maximum Height	200 feet
Front or Street Side Setback [1,2]	See Article 6, Bufferyards
Side Setback [1,2]	See Article 6, Bufferyards
Rear Setback [1,2]	See Article 6, Bufferyards
Minimum Floor Area	N/A
Note: [1] No portion of any land utilized for, or building occupied by, a use first permitted in an I-H District shall be located within 300 feet of any residentially zoned property or any property zoned in an agriculture zoned district. However, this separation requirement shall not apply to accessory uses which are permissible in I-M or more restricted districts as principal uses. [2] Any land, building, or structure utilized for a use first permitted in an I-H District shall be located at least 50 feet from all lot lines. However, this 50 foot setback area may be utilized for accessory uses, building, and structures permitted in an I-M or more restricted district.	

PLANNED DISTRICTS

155.450 DEVELOPMENT PROCEDURES FOR PLANNED DISTRICTS

- (A) All planned districts as defined in this article are subject to site plan approval procedures set forth in 155.301(A) unless otherwise noted herein.
- (B) All planned districts undergoing a site plan amendment shall comply with the procedures set forth in 155.301(B).
- (C) Rezoning to a planned district shall comply with the procedures set forth in 155.301(D) and shall include a site plan and narrative to demonstrate compliance with the requirements for the requested zoning district as outlined in this article.
- (D) All planned districts undergoing an amendment to previously approved planned districts guidelines shall comply with the procedures set forth in 155.301(E).

155.451 PLANNED UNIT DEVELOPMENT (PUD)

(A) Purpose

This district is intended to provide flexible land use and design regulations through the use of performance criteria; so that small-to-large scale areas, or portions thereof, may be developed with a variety of residential types and non-residential uses, and may contain both individual building sites and common property.

A planned unit is to be designed and organized so as to be capable of satisfactory use and operation as a separate entity without necessarily needing the participation of other building sites or other common property in order to function as a neighborhood. This subchapter specifically encourages innovations so that the growing demands of residential and non-residential uses may be met by a greater variety in type, design, and siting of buildings and by the conservation and more efficient use of land.

This subchapter recognizes that the standard zoning functions (use and bulk) and the subdivision function (platting and design) are appropriate for the regulation of land use in areas of neighborhoods that are already substantially developed. This subchapter, further recognizes that a rigid set of space requirements along with bulk and use specifications would frustrate the application of this concept. Therefore, where PUD techniques are deemed appropriate the land may be rezoned to a PUD District. In so doing, conventional use and dimensional specifications are ignored in this subchapter and are herein replaced by an approval process in which an approved plan becomes the basis for continuing land use controls. This provides the means by which City Commission may approve land development plans which meet or exceed the level of development quality required by regular city zoning standards.

It is intended that this district offer development design flexibility to developers, in order to encourage imaginative, functional, high quality development planning. The use of this district shall be limited to those development projects which will result in desirable community environmental qualities and development which is compatible with surrounding lands and activities.

(B) Design Guidelines

Guidelines for the Planned Unit Development shall be determined at the time of application submittal to the Planning and Economic Development Department. Guidelines include but are not limited to: Setbacks, buffers, required yards, lot size, distance between structures, or otherwise established herein.

(C) Active Planned Unit Developments

1. Where a parentheses () comes after a Planned Unit Development, it shall denote the name of an alias of the approved PUD.
2. Where an asterisk * comes after a Planned Unit Development, it shall mean that the PUD has been approved under a Site Plan.
 - - (a) Big Sky (Keystone Lake)
 - (b) Big Sky North (Laguna Isles)
 - (c) Chapel Trail
 - (d) Charleston in the Pines*
 - (e) Meadow Pines (Cobblestone)
 - (f) Grand Palms
 - (g) Nasher (Sarah Park)
 - (h) Pembroke Falls
 - (i) Pembroke Isles (Lakes of Western Pines)
 - (j) Pembroke Shores
 - (k) Pier Point*
 - (l) Silver Lakes
 - (m) The Landings
 - (n) TownGate
 - (o) Country Pines (Walnut Creek)

(D) Standards

1. Minimum Area Required.

Under normal circumstances, the minimum area required to qualify for a PUD District shall be 120 contiguous acres of land. The Planning and Zoning Board may consider projects with less acreage where the applicant can demonstrate that a smaller parcel will meet the objectives and requirements of a PUD District, but in no case shall projects less than 50 acres be qualified as a PUD District.

2. Ownership of Land to be used for the project.

The parcel of land for a project may be owned, leased, or controlled either by a single person, corporation, or by a group of individuals. An application must be filed by the owner or by the authorized agent of all property included in a project. In the case of multiple ownership, the approved plan shall be binding on all owners, heirs, successors, and assigns.

3. Permitted Uses.

All uses within an area designated as a PUD District are determined by the provisions of this section and the approved plan of the project concerned.

(a) Residential uses. Residences may be of any variety of types. (Single family, multi-family, rental, condominium, townhouses, quadplexes, and the like). In developing a balanced community, the uses of a variety of housing types and designs shall be deemed most in keeping with this subchapter.

(b) Accessory, Commercial, Service, and Other Non-Residential Uses:

- i. Because of the primarily residential nature of PUD, only those commercial and industrial uses which are compatible with residential uses may be permitted.
- ii. Customary accessory or associated uses may also be permitted, as appropriate, to the PUD.
- iii. The permitted uses shall conform to the approved PUD Plan.

4. Minimum Area and Land Dedication Requirements.

(a) Planned unit developments shall contain areas at least equal to 35% of the gross area in open space. In addition thereto, planned unit developments shall contain areas dedicated for parks, recreational facilities, or other municipal purposes equivalent to 5% of the gross area.

(b) In the event the land shall not be required for municipal purposes, the City Commission may require the developer to make a cash contribution in lieu of the land dedication. The cash contribution shall be the higher of the appraisals of two qualified, mutually acceptable appraisers.

(c) Where the planned unit development is being constructed on a planned, phased basis, areas to be dedicated to the city shall be shown on the plan for that phase and shall be deeded to the city at the time of the approval of that phase. Likewise, cash contributions in lieu of land dedication shall be payable upon the approval of each phase.

5. Setbacks or Yards.

(a) There shall be a setback or yard of not less than 25 feet in depth, abutting all public road rights- of-way within or abutting a Planned Unit Development District.

6. Access.

(a) Each dwelling unit or other permitted use shall have access to a public street either directly or indirectly via a private approach road, pedestrian way, court, or other area

dedicated to public or private use or by common easement guaranteeing access. Permitted uses are not required to front on a road.

- (b) The city shall be allowed access on privately owned roads, easements, and open space to insure the police- and fire-protection of the area, to meet emergency needs, to conduct city services, and to generally insure the health and safety of the residents of the planned unit development.

7. Compatibility Zone with Adjacent Zoning District.

The Planned Unit Development shall be generally compatible with surrounding uses and communities.

8. Length of Structures.

The length of structures within any given Planned Unit Development District shall be subject to the recommendations of the Planning and Zoning Board and the approval of the City Commission.

9. Off-Street Parking.

Off-street parking shall at least meet all requirements as required by the City. If changes in these requirements are requested by the applicant, a parking study shall be required to deem the changes necessary. Underground Utilities.

- (a) With the planned unit development, all utilities, including telephone, television cable, and electrical systems, shall be installed underground. Primary facilities providing service to the site may be exempted from this requirement.
- (b) Large transformers shall be placed on the ground and contained within pad mounts, enclosures, or vaults.
- (c) The developer shall provide adequate landscaping with shrubs and plants to screen all utility facilities permitted above ground.

10. Open Space Regulations.

Planned unit developments shall exhibit and maintain a total open space requirement at least equal to 35% of the gross area of the PUD. The following areas qualify wholly or partially as open space:

- (a) No more than 50% of lakes and golf courses shall be counted toward the total open space requirement.
- (b) All canals and lakes in excess of 80 feet in width may be counted toward open space requirements subject to (a) above.
- (c) If natural habitats of unique and significant value are determined to exist, the Planning and Zoning Board may recommend the area so defined to be left in an undisturbed state, and adequately protected or incorporated into the design of the PUD as a passive recreation area with a minimum of improvements permitted. In either case, 100% of the area contained therein may be counted as open space.

- (d) The area contained in a continuous, open space pedestrian system; consisting of permanently maintained walks and trails, not less than 12 feet wide; leading to a natural amenity, recreation facility, or commercial use; offering internal pedestrian walkways that are divorced from roads and streets; may be counted as open space.
- (e) The area contained in mini-parks; which may or may not be part of the open space system, but contain at least one acre and have a minimum dimension of 100 feet together with, but not limited to, one of the following: benches, playground apparatus, barbeque pits, and fire rings; may be counted as open space.
- (f) The area occupied by a multiple-use recreation building and its attendant outdoor recreation facilities may be counted as open space.
- (g) Any privately maintained or owned exterior open space adjacent to and for the exclusive use by the residents of an individual dwelling unit; enclosed or partially enclosed by walls, buildings, or structures, including balconies, terraces, porches, decks, patios and atriums may be counted toward the total open space requirement, providing the total area contained therein does not exceed 5% of the gross area of the PUD, nor decreases the amount of ground level open space below 30% of the gross area of the PUD. All previous land areas between the property or lot lines and the building or buildings thereon shall count as open space, except as herein otherwise provided.
- (h) The area contained in public and private streets rights-of-way is not considered as open space and receives no credit toward the open space requirement.
- (i) All open space and all private streets and ways shall conform to its intended use and remain as expressed in the master development plan through the inclusion in all deeds of appropriate covenants.
 - i. The deed restrictions shall run with the land and be for the benefit of present as well as future property owners.
 - ii. All covenants and deed restrictions shall be included in the association documents, which shall specifically provide that the city shall have the power to enforce all the covenants and deed restrictions which affect the health, safety, and welfare of residents.
 - iii. All covenants and deed restrictions shall grant to the city a lien upon all real property benefited by the enforcement, in the event it is necessary for the city to enforce the covenants or restrictions.
- (j) All open space as well as public and recreation facilities shall be specifically included in the development plan schedule, and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.
 - i. If the rate of construction of dwelling units is greater than the rate which open space and recreational facilities have been constructed and provided, no permits shall be issued until the proper ratio has been provided.

11. Procedure for Rezoning Land to PUD District Classification.

The applicant shall submit to the City an application for zoning change, on a form provided by the City.

- (a) In order to allow the Planning and Zoning Board and the developer to reach an understanding on basic design requirements prior to detailed design, the developer shall apply for concept approval, and submit along with the applications:
- i. A copy of the DRI Report and Development Order, if applicable to the PUD.
 - ii. An area map showing the adjacent property owners and existing uses within 200 feet of the parcel.
 - iii. A legal description of the metes and bounds of the parcel.
 - iv. A sketch plan approximately to scale, though it need not be to the precision of a finished engineering drawing; and it shall clearly show the following:
 - a. The existing topographical features of the site.
 - b. The location of the various uses and their areas in acres.
 - c. The general outlines of the interior roadway system and all existing rights-of-way and easements, whether public or private.
 - d. Delineation of the various residential areas indicating for each such area its general extent, size, and composition in terms of total number of dwelling units and approximate percentage allocation by dwelling unit type.
 - e. A calculation of the residential density in dwelling units per gross acre including interior roadways.
 - f. The interior open space system.
 - g. Principal ties to the community at large with respect to water supply, sewage disposal, and storm drainage.
 - h. General description of the availability of other community facilities, such as schools, fire protection services, and cultural facilities, if any, police, and solid waste disposal and how these facilities are affected by this proposal.
 - i. Evidence of how the developer's proposed land uses meet the existing and projected community requirements. Evidence as to requirements may be in the form of specific studies or reports initiated by the developer or in the form of references to existing studies or reports relevant to the project in question.
 - j. Evidence that the proposal is compatible with the goals of the official master plan, if such plan exists.
 - k. General statement as to how open space is to be owned and maintained.
 - l. All pedestrian walkway systems shall be shown. Sidewalks will be required along private streets, except where there is a pedestrian walkway within the common areas.
 - m. Evidence as to traffic movement on both exterior and interior roadways.
 - n. If the development is to be staged, a general indication of how the staging is to proceed. Whether or not the development is to be stages, the sketch plan shall show the intended total project.

12. Failure to Commence or Continue Project.

- (a) If no construction has begun or no use established in the planned unit development within one year from the time of rezoning, or if construction and development activity

shall not thereafter be of a reasonably continuous nature, the site development plan lapses under the provisions of this section.

13. Compliance with Subdivision Regulations.

The City reserves the right to require the landowner to comply with any and all requirements of the subdivision regulations of the city as they now exist or as they may hereafter be amended.

155.452 PLANNED DEVELOPMENT SMALL LOT (PD-SL)

(A) Purpose

This district is intended to promote and facilitate the development and redevelopment of by-passed, underutilized, or abandoned properties. This district provides for the development of these properties in a manner that will contribute to the creation of high quality employment opportunities, provide for diversity of housing stock, and improve the overall economic viability of the area in the City. It is the intent of this district to:

1. Encourage flexibility in the development, redevelopment, investment and reinvestment of by-passed, underutilized and/or abandoned properties;
2. Encourage the use of innovative approaches to development that utilize sustainable development practices, and incorporate environmental performance standards;
3. Encourage a mixture of functionally related uses in close proximity of each other to promote pedestrian activity and reduce vehicle miles traveled;
4. Encourage the construction of new buildings of a compatible architectural scale to its surroundings;
5. Facilitate the development, redevelopment and use of properties in the city in close proximity to mass transit;
6. Discourage "Big Box Retail" and drive-thru facilities within this district unless these developments are specifically designed to meet the purpose and intent of this chapter.

(B) Active Planned Development Small Lot Developments

A list of active PD-SL developments and guidelines shall be maintained in the Planning and Economic Development Department.

(C) Standards

1. Statement of need. The statement of need shall describe the existing conditions of the general area, proposed development and how such proposed development is a benefit to the city, meets the goals and objectives of this chapter, and that the proposed development is compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).
2. Design guidelines. Design guidelines shall be required establishing development standards for the proposed development, including illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plans, and any proposed variation

from the design standards or guidelines contained in this ordinance. The PDSL design guidelines may describe broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development.

- a) Floor area ratio calculations and ground coverage shall be provided to determine scale, density and impact of the project.
- b) The maximum project size shall be 10 acres. The project may contain less than five acres if off-street pedestrian and vehicular access is provide to adjacent uses and the applicant can demonstrate the inter-relationships and benefits of a PDSL District of such size.
- c) Within the PDSL District, pedestrian movement and safety shall be given priority. Internal roadways shall be "pedestrian friendly" including the use of pavers, wide sidewalks, narrow vehicular lanes and parallel parking.
- d) Parking garages, loading docks, and service areas shall be directly accessible from major roadways and appropriately screened to promote a pedestrian scale and safety.
- e) Setbacks within the project shall be determined at the time of project review to encourage an urban pedestrian scale.
- f) Outdoor uses and public places shall be designed to connect various buildings and promote pedestrian activity. Active use of the public spaces is desired to encourage increasing average length of stay within the project area.
- g) Signage shall be at a scale and aesthetic design appropriate to the size and type of project.
- h) Streetscape design shall complement and be consistent with the project's architectural theme as well as the surrounding developed properties.
- i) A maintenance plan for all common areas including but not limited to, parking, sidewalks, public plazas, building facades and programming shall be required as part of the approval of the project.

(D) Additional Criteria

1. Evaluation criteria. The Planning and Zoning Board and the City Commission shall consider at a minimum, the following goals and objectives when evaluating the proposed PD-SL District. The proposed PD-SL guidelines shall:
 - a) Conform to the City's Comprehensive Plan policies and land use map designations.
 - b) Conform to the purpose and intent of the PD-SL District.
 - c) Address the concerns outlined in the statement of need in support of the PD-SL District.
 - d) Provide a land use, or combination of land uses that are arranged and designed in such a manner as to be well integrated with other land uses, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities.
 - e) Adequately, reasonably and conveniently integrate into existing and planned streets, transit systems, and public services, utilities and public facilities.

- f) Promote development that is appropriate to and well integrated with its environmental setting, including existing vegetation, soils, geology, topography and drainage patterns.
- g) Adequately justify any deviations from standard development requirements based upon the overall quality of the plan provided, the need to address specific concerns outlined in the statement of need, and the need to address other conditions that may affect the viability of reasonably developing the property in a manner consistent with stated objectives of the City's Comprehensive Plan.
- h) Provide innovative design in comparison with development reviewed under other base zoning district regulations.
- i) Be compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).

155.453 MIXED USE DEVELOPMENT (MXD)

(A) Purpose

This district is intended to provide flexible design regulations and uses for each project to encourage innovative development and redevelopment. Mixed Use projects must have a consistent architectural theme, promote a pedestrian friendly environment and reduce traffic generation.

(B) Active Planned Small Lot Developments

A list of active Mixed Use Developments and guidelines shall be maintained in the Planning and Economic Development Department.

(C) Standards

1. A Mixed Use Development is to be designed and organized to encourage a combination of at least two uses that complement each other and assist in reducing traffic generation. No single use shall dominate a mixed use project. Single use buildings, especially "Big Box Retail" are discouraged unless the mixture of buildings is designed to encourage interaction among the proposed uses.
2. Floor area ratio calculations and ground coverage shall be provided to determine scale, density and impact of the project.
3. The minimum project size shall be 25 acres. The project may contain less than 25 acres if off-street pedestrian and vehicular access is provided to adjacent uses and the applicant can demonstrate the inter-relationships and benefits of a Mixed Use Development District of such size.
4. Within the Mixed Use project, pedestrian movement and safety shall be given priority. Internal roadways shall be "pedestrian friendly" including the use of pavers, wide sidewalks, narrow vehicular lanes and parallel parking. Major parking areas shall be located to encourage walking and discourage internal vehicle trips among the various buildings and uses.
5. Parking garages, loading docks, and service areas shall be directly accessible from major roadways and appropriately screened to promote a pedestrian scale and safety.
6. Architectural requirements.
 - (a) A consistent architectural theme including, but not limited to, scale, colors, textures and materials shall be required.
 - (b) Setbacks within the project shall be determined at the time of project review to encourage an urban pedestrian scale.
 - (c) Setbacks to adjacent properties shall be the larger of the existing underlying zoning district or the adjacent district, whichever is larger. The design of the project shall be required to be consistent with adjacent uses and structures.

- (d) Outdoor uses and public places shall be designed to connect various buildings and promote pedestrian activity. Active use of the public spaces is desired to encourage increasing average length of stay within the project area.
 - (e) First floor facades shall be "active" to encourage pedestrian traffic throughout the project area.
 - (f) Signage shall be at a scale and aesthetic design appropriate to the size and type of project.
 - (g) Streetscape design shall compliment and be consistent with the project's architectural theme.
7. A maintenance plan for all common areas including but not limited to, parking, sidewalks, public plazas, building facades and programming shall be required as part of the approval of the project.

155.454 PLANNED COMMERCIAL DEVELOPMENT (PCD)

(A) Purpose

This district is intended to provide flexible design regulations and uses for each project to encourage innovative development and redevelopment without imposing arbitrary requirements. Commercial projects must have a consistent architectural theme and promote a pedestrian friendly environment.

A Planned Commercial Development is to be designed and organized to encourage a combination of multiple commercial uses or tenants that complement each other. No single tenant shall dominate a planned commercial project. "Big Box Retail" buildings are discouraged unless the mixture of buildings is designed to encourage interaction among the proposed uses.

(B) Active Planned Commercial Developments

A list of active PCD developments and guidelines shall be maintained in the Planning and Economic Development Department.

(C) Standards

1. Floor area ratio calculations and ground coverage shall be provided to determine scale, density and impact of the project.
2. The minimum project size shall be ten acres. The project may contain less than ten acres if off-street pedestrian and vehicular access is provided to adjacent uses and the applicant can demonstrate the inter-relationships and benefits of a Planned Commercial Development District of such size.
3. Within the Planned Commercial project, pedestrian movement and safety shall be given priority. Internal roadways shall be "pedestrian friendly" including the use of pavers, wide sidewalks, narrow vehicular lanes and parallel or angled parking. Major parking areas shall be located to encourage walking and discourage internal vehicle trips among the various buildings and uses.
4. Parking, loading docks, and service areas shall be directly accessible from major roadways and appropriately screened to promote a pedestrian scale and safety.
5. Architectural requirements.
 - (a) A consistent architectural theme including, but not limited to, scale, colors, textures and materials shall be required.
 - (b) Setbacks within the project shall be determined at the time of project review to encourage an urban pedestrian scale.
 - (c) Setbacks to adjacent properties shall be the larger of the existing underlying zoning district or the adjacent district, whichever is larger.
 - (d) Outdoor uses and public places shall be designed to connect various buildings and promote pedestrian activity. Active use of the public spaces is desired to encourage increasing average length of stay within the project area.

- (e) First floor facades shall be "active" to encourage pedestrian traffic throughout the project area.
 - (f) Signage shall be at a scale and aesthetic design appropriate to the size and type of project.
 - (g) Streetscape design shall complement and be consistent with the project's architectural theme.
6. A maintenance plan for all common areas including but not limited to, parking, sidewalks, public plazas, building facades and programming shall be required as part of the approval of the project.

155.455 PLANNED INDUSTRIAL DEVELOPMENT (PID)

(A) Purpose

This district is intended to provide flexible design regulations and uses for each project to encourage innovative and industrial development and redevelopment without imposing arbitrary requirements.

A PID is to be designed and organized to encourage a combination of multiple industrial uses, compatible uses or tenants that complement each other.

The uses within this district shall be consistent with, but may be more restrictive than, the industrial land use plan category permitted uses. This zoning district may be applied to land designated industrial on the city's land use plan map.

(B) Active Planned Industrial Developments

A list of active PID developments and guidelines shall be maintained in the Planning and Economic Development Department.

(C) Standards

1. A PID is to be designed and organized to encourage a combination of multiple industrial uses, compatible uses or tenants that complement each other.
2. The uses within this district shall be consistent with, but may be more restrictive than, the industrial land use plan category permitted uses. This zoning district may be applied to land designated industrial on the city's land use plan map.
3. Design guidelines shall be required establishing development standards for the proposed development, including illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plans, and any proposed variation from the design standards or guidelines contained in this section.
 - a) Floor area ratio calculations and ground coverage shall be provided to determine scale, density and impact of the project.
 - b) A description of the allowable uses.
 - c) An accessibility plan showing means of ingress and egress to adjacent thoroughfares.
 - d) Setbacks and buffer yards for the project shall be determined at the time of project review to ensure compatibility with and protection of adjacent uses.

- e) A uniform sign plan for the development shall be included in the design guidelines. Signage shall be at a scale and design appropriate to the size and type of project.
 - f) A consistent architectural theme including, but not limited to, scale, colors, textures and materials shall be required. Streetscape design shall complement and be consistent with the project's architectural theme.
 - g) A plan or design for the screening of outdoor uses.
 - h) A maintenance plan for all common areas including but not limited to, parking, sidewalks, public plazas, building facades and programming shall be required as part of the approval of the project.
4. No building or structure, or part thereof, shall be erected or used, in whole or in part, in any manner that is obnoxious, objectionable, a nuisance or a hazard to adjoining properties, as it relates to sound, vibrations, odors, glare, radioactive materials, smoke and particular matters.

155.456 HOSPITAL DISTRICT (HD)

(A) Purpose

This district is intended to promote and facilitate the development and redevelopment of hospitals within the City. This district provides for the continued growth and development of a hospital use an, associated accessory uses and additions necessitated by advances in medical technology and patient treatment as well as expansion to accommodate the healthcare needs of the region's population. It is the intent of this district to:

1. Encourage the use of innovative approaches to development that utilize sustainable development practices, and incorporate environmental performance standards;
2. Encourage a mixture of functionally related uses in close proximity of each other to promote pedestrian activity and reduce vehicle miles traveled;
3. Encourage the construction of new buildings of a compatible architectural scale to its surroundings;
4. Facilitate the development, redevelopment and use of properties in the city in close proximity to mass transit;
5. Encourage the goals and objectives within the city's Green Plan.
6. Provide for development consistent with the underlying land use.

(B) Active Hospital District Developments

A list of active HD developments and guidelines shall be maintained in the Planning and Economic Development Department.

(C) Uses

1. Permitted uses shall include:
 - a) Hospital
 - b) Medical lab
 - c) Medical office
 - d) Nursing home/hospice
 - e) Assisted living facility
 - f) Such other hospital related uses as may be set forth in the HD guidelines governing use of the subject property.
2. Accessory uses.
 - a) Pharmacy
 - b) Ambulatory/outpatient surgery
 - c) Professional offices
 - d) Restaurant/cafes/cafeteria

- e) Auditorium/assembly hall/conference center
- f) Retail commercial
- g) Plant operations
- h) Helipad/heliport
- i) Parking garage
- j) Rehabilitation/fitness center
- k) Educational
- l) Child care/adult day care
- m) Temporary parking areas and temporary parking structures
- n) Telecommunication tower/antennas
- o) Temporary outdoor storage
- p) Hotel/motel
- q) Uses incidental and customarily associated with hospital uses

(D) Standards

1. Design guidelines shall be required establishing development standards for the proposed development, including illustrations of proposed architectural, design, streetscape and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plans, and any proposed variation from the design standards or guidelines contained in this section. The HD design guidelines may describe broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development.
 - (a) Floor area ratio calculations and ground coverage shall be provided to determine scope, density and impact of the project.
 - (b) The minimum project size shall be five acres.
 - (c) Parking garages, loading docks, and service areas shall be directly accessible from major roadways and appropriately screened to promote a pedestrian scale and safety.
 - (d) Internal roadways shall be "pedestrian friendly" and shall be easily accessible to the disabled and injured; including, but not limited to, the use of pavers, wide sidewalks. Major parking areas shall be located to encourage walking and discourage internal vehicle trips among the various buildings and uses.
 - (e) Traffic circulation shall be designed to avoid through-traffic in residential areas.
 - (f) The use of public transportation shall be promoted; Bus and / or shuttle bus stops on campus shall be provided.
 - (g) Protect and minimize any undesirable effects upon contiguous and nearby residential property.
 - (h) Provide sufficient off-street parking and loading facilities, so that the use of streets in the vicinity for this purpose will not be unavoidable.
 - (i) Provide sufficient setbacks and yard spaces adjacent to public streets and to residentially zoned property, with adequate landscaping in those yard and setback areas, in order to protect the appearance and character of the neighborhood.

- (j) Provide sufficient walls, fences, enclosures, or hedges to prevent or minimize effects of noise, glare, odors, smoke, and soot, upon surrounding residential property.
- (k) Reserved parking shall be considered upon review and approval of the Planning and Zoning Board.

2. Site plan requirements.

- (a) Setbacks within the project shall be determined at the time of project review.
- (b) Inventory of existing facilities and services.
- (c) Projected expansion plans for new construction and / or substantial rehabilitation of existing facilities indicating the type, size and location of each facility.
- (d) A master sign plan shall conform to the requirements set forth in Article 7 of the Land Development Code. Signage shall be at a scale and aesthetic design appropriate to the size and type of project.
- (e) A maintenance plan for all common areas including but not limited to, parking, sidewalks, public areas, building facades, landscaped areas and programming shall be required as part of the approval of the project.
- (f) An aesthetically pleasing architectural theme, including but not limited to scale, colors, textures, materials and the use of landscaping.
- (g) Outdoor uses and public places shall be designed to connect various buildings and promote pedestrian activity.
- (h) Landscape design shall complement and be consistent with the project's architectural theme.

3. Parking structures. Parking structures are also subject to the following additional requirements:

- (a) Parking structure height should be less than the principal structure.
- (b) Parking structure shall be designed to have a decorative appearance consistent with the overall architectural composition of the development, by providing unified design elements with the main buildings through the use of similar materials and color, vertical and horizontal elements, and architectural style. Such architectural composition shall incorporate any number of the following: detail and embellishments; louvers or screening; color and material banding; use of decorative metal grates; cornices; planters; or vines.
- (c) Architectural features shall be incorporated into the facade to mitigate the mass and bulk of the building.
- (d) Decorative architectural elements on the ground floor level shall be designed to accommodate the pedestrian scale.
- (e) Parking levels above the ground floor shall maintain the same vertical and horizontal articulation or rhythm and incremental appearance established on the ground floor.
- (f) Ramps shall be visually screened from streets and oriented towards the interior of the lot where possible within the development. Ramp profiles shall be hidden on the exterior elevations.

- (g) Roof top parking shall be visually screened with articulated parapet walls and/or other architectural treatments or landscaping.
 - (h) Exterior lighting fixtures shall provide cut-off shielding in order to eliminate glare and spillage onto adjacent properties and roadways.
 - (i) The openings of the garage shall be designed in a manner that obscures parked vehicles when possible.
 - (j) Parking structures abutting any residential property shall utilize noise abating materials.
 - (k) Compact parking spaces may be provided at a maximum of 20% of the total required parking spaces. All compact parking spaces shall be clearly marked with the word "compact" either on the wheel stop or curb, or on the pavement at the opening of the space. Compact parking spaces shall be reasonably dispersed throughout the parking area.
4. Temporary surface parking lots, provided that the primary purpose of temporary surface parking lots is to serve employees of the Hospital facilities and accessory uses through miscellaneous plan approval by the Planning and Zoning Board.
5. Evaluation criteria. The Planning and Zoning Board and the City Commission shall consider, at a minimum, the following goals and objectives when evaluating the proposed Hospital District. The proposed HD guidelines shall:
- (a) Conform to the purpose and intent of the Hospital District.
 - (b) Provide a land use, or combination of land uses that are arranged and designed in such a manner as to be well integrated with other land uses, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities.
 - (c) Adequately, reasonably and conveniently integrate into existing and planned streets, transit systems, and public services, utilities and public facilities.
 - (d) Provide sustainable design elements in comparison with traditional development reviewed under other base zoning district regulations.
 - (e) Be compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).

ARTICLE 5 USE REGULATIONS

ARTICLE 5 | USE REGULATIONS

155.500 OVERVIEW OF USE REGULATIONS

(A) General Purpose

The purpose of this section is to authorize the establishment and continuation of land uses that are allowed as a primary use of a parcel of land and consistent with the Comprehensive Plan. The article identifies the zoning districts in which the various primary uses are allowed, identifies if any special processes might be required for the use, and establishes any use standards that might be applicable to the various primary uses. Before utilizing this Article to confirm if a use is allowed within a specific zoning district, it must first be determined if the zoning district designation of the subject site is consistent with the site's Future Land Use Designation as depicted on the Future Land Use Map of the City's Comprehensive Plan.

155.501 PERMITTED USE TABLE

(A) Permitted Use Table

1. Organization

(a) Use Classification

Use classifications are very broad and general categories such as Residential, Commercial or Industrial.

(b) Use Categories

Use categories represent major subgroups of the use classifications that have common functional, product, or physical characteristics such as educational facilities, food and beverage service, animal related or manufacturing and production.

(c) Use Types

Use types identify specific primary land uses whose characteristics are considered to fall within the various use categories such as high school or daycare in the educational facilities use category.

2. Designation of Primary Uses in Permitted Use Table

The Permitted Use Table utilizes the following designations and abbreviations:

(a) Permitted "P" – Indicates the use type is allowed in the zoning district.

(b) Permitted / Specific Use Regulations for more information "P/S" – Indicates the use type is allowed but specific use regulations must be followed for the use to be allowed.

(c) Accessory "A" – Indicates the use type is allowed in the zoning district accessory or incidental to a permitted use.

- (d) Accessory / Specific Use Regulations for more information “A/S” – Indicates the use type is allowed as an accessory use but specific use regulations must be followed for the use to be allowed as an accessory use.
- (e) Special Exception “SE” – Indicates the use type is only allowed in the zoning district through the special exception process of Section 155.301(F).
- (f) Not Permitted “blank” – Indicates the use type is not allowed in the zoning district.

3. Uses not listed in the Permitted Use Table

Uses not specifically listed shall abide by the following regulations:

- (a) The Director shall consider the compatibility of the proposed use when determining the designated use category or use type. Upon review, the Director may determine if the use is either permitted or not permitted as well as any specific use regulations. When making such determination, the Director shall consider the character and compatibility of the proposed use as well as the potential impacts including but not limited to how the use will affect the overall health, safety and welfare of surrounding community.
- (b) The applicant may seek an appeal or interpretation of the Director’s determination to the City’s Planning and Board.
 - i. Appeal outlined in 155.301(Q).
 - ii. Interpretation outlined in 1155.301(K).

4. Permitted Use Table

Table 501: City of Pembroke Pines – Permitted Uses Table - All Zoning Districts P = Permitted; P/S = Permitted / Specific Use Regulations; A = Accessory Use; A/S = Accessory / Specific Use Regulations SE = Special Exception; Blank = Not Permitted;																									
Use Category	Use Type	Agricultural, Community, and Recreational Districts						Residential Districts									Business Districts					Industrial Districts			Specific Use
		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H	
Residential																									
Residences	Single-Family Detached	P	P	P	P			P	P	P	P	P	P	P		P									
	Two-Family Attached												P		P										
	Townhouse													P	P										
	Multi-Family														P										
	Accessory Dwelling Units							P																	
Group Living	Special Residential 1, 2, and 3							P	P	P	P	P	P	P	P										
	Rooming and Boarding														P										
Other	Family Daycare Homes	P/S	P/S	P/S	P/S			P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S									118.15
	Home Based Businesses	P/S	P/S	P/S	P/S			P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S									120.02
Community Facilities / Government / Institutional																									
Community or Cultural Facilities	Non-Profit facility Educational / Recreational / Service								P	P	P		P	P											
	Philanthropic Institution	P	P	P	P		P																		
	Public Library / Museum / Gallery	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P		P	P	P	

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	Public Recreation Facilities and Parks	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P	P	P		P	P	P		
Educational Facilities	Adult or Continuing Education Schools					P												P	P	P		P	P	P		
	Child Care (Home Daycare)							P	P	P	P	P	P	P	P	P										
	College or University	P	P	P	P	P												P	P	P		P	P	P		
	Elementary / Middle / High School	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	
	Specialized Education					P												P	P	P		P	P	P		
Government	Library	P	P	P	P	P	P											P	P	P		P	P	P		
	Government Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Park and Recreational Facilities (Public) Both indoor and outdoor facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Public Services Buildings	P	P	P	P	P	P										P	P	P	P	P	P	P	P		
Religious Assembly	Religious Institution, House of Worship	P	P	P	P	P	P	P	P/S	P/S	P/S	P	P	P	P	P	P	P	P	P	P	P	P	P	155. 524	
Commercial																										
Age Restricted	Adult Entertainment																	P/S	P/S	P/S		P/S	P/S	P/S	155.503	
	Electronic nicotine device retail sales																	P/S	P/S	P/S		P/S	P/S	P/S	155.512	
	Pawn Shop																			P/S		P/S	P/S	P/S	155.521	
	Tattoo Parlor																			P/S		P/S	P/S	P/S	155.530	

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Automotive, Boats, Equipment and Vehicle Sales and Service	Automotive and Vehicle Dealership																		P/S	P/S		P/S	P/S	P/S	155.505
	Automotive Parts and Accessories																P	P	P	P		P	P	P	
	Auto Repair, Minor																		P	P		P	P	P	
	Auto Repair , Major																		A	P		P	P	P	
	Boat Sales																		P	P		P	P	P	
	Boat Building, Storage, Service and Repair																			P/S		P/S	P/S	P/S	155.506
	Car Wash, Accessory Automatic																		A/S	A/S		A/S	A/S	A/S	155.508
	Car Wash, Attended Automated																		A/S	A/S		A/S	A/S	A/S	155.508
	Car Wash, Manual																		A/S	A/S		A/S	A/S	A/S	155.508
	Car Wash, Self Service																		A/S	A/S		A/S	A/S	A/S	155.508
	Construction Equipment Sales																		SE	P		P	P	P	
	Motorcycle Sales																		P	P		P	P	P	
	Service Stations																		P/S	P/S		P/S	P/S	P/S	155.527
	Small Engine Service and Repair																	P	P	P		P	P	P	
	Vehicle Rentals																		SE	SE		SE	SE	SE	155.529
Animal Related	Animal Cemetery																					P/S	P/S	P/S	155.514
	Animal Hospital, Veterinary Clinic		P	P	P													P	P	P		P	P	P	
	Kennel, Animal Boarding	P	P																	P		P	P	P	

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	Pet Grooming, Sales, and Supply																	P	P	P		P	P	P	
	Pet Hotels, Dog Daycare																		P/S	P/S		P/S	P/S	P/S	155.522
Office and Professional Services	Business and Professional Offices																	P	P	P	P	P	P	P	
	Call Center																	P	P	P	P	P	P	P	
	Employment Office																	P	P	P	P	P	P	P	
	Government Office, Public Utility Office																	P	P	P	P	P	P	P	
	Parcel, Packaging or Postal Facility																	P	P	P		P	P	P	
	Printing and Copying																	P	P	P		P	P	P	
Daycare	Adult Daycare																	P	P	P	P	P	P	P	
	Child Care Center																P/S	P/S	P/S	P/S		P/S	P/S	P/S	155.509
Financial Services	Banks, Credit Unions																	P	P	P	P	P	P	P	
	Check Cashing																	P	P	P		P	P	P	
	Financial Institutions																	P	P	P	P	P	P	P	
	Investment Firms / Stockbrokers																P	P	P	P	P	P	P	P	
Food and Beverage Service	Bakery																P	P	P	P		P	P	P	
	Banquet Hall																	P	P	P		P	P	P	
	Bar, Tavern																	P	P	P		P	P	P	
	Food Production																	P	P	P		P	P	P	
	Microbreweries, Microwineries, Brewpubs																		SE	SE		SE	SE	SE	155.517
	Mobile Food Vendors																	A/S	A/S	A/S		A/S	A/S	A/S	155.518

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		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H	
	Nightclub																	P	P	P		P	P	P	
	Outdoor Dining																A/S	A/S	A/S	A/S		A/S	A/S	A/S	155.519
	Restaurant																P	P	P	P		P	P	P	
	Restaurant, Take Out																P	P	P	P		P	P	P	
	Restaurant, Drive-Thru																	P	P	P		P	P	P	
	Restaurant, Food Hall																	P	P	P		P	P	P	
Health Care Related; Medical Office	Detoxification, Treatment and Recovery Centers					P													P	P		P	P	P	
	Hospital	P	P	P	P	P	P												SE	SE					
	Medical Office, General																P	P	P	P	P	P	P	P	
	Medical Office, Specialized																P	P	P	P	P	P	P	P	
	Medical and Dental Labs																	P	P	P	P	P	P	P	
	Medical Research																				P	P	P	P	
	Physical Therapy and Rehab Centers																	P	P	P	P	P	P	P	
	Surgical Centers, Outpatient																	P	P	P		P	P	P	
	Urgent Care																	P	P	P		P	P	P	
	Wellness Center																	P	P	P	P	P	P	P	
Lodging, Visitor Accommodations	Hotel, Full Service															SE		P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.513
	Hotel, Limited Service															SE		P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.513
	Hotel, Extended Stay															SE		P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.513
	Motel															SE		P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.513

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		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H		
Personal Services	Body Art Studios																	P/S	P/S	P/S		P/S	P/S	P/S	155.507	
	Barber, Beauty Parlor, Salon																P	P	P	P		P	P	P		
	Day Spa																	P	P	P		P	P	P		
	Dry Cleaners																	P/S	P/S	P/S		P/S	P/S	P/S	155.511	
	Dry Cleaners Pick-Up Only																P	P	P	P		P	P	P		
	Funeral Home, Mortuary																	P	P	P		P	P	P		
	Locksmith																		P	P		P	P	P		
	Massage Services																	P	P	P		P	P	P		
	Nail Salon																	P	P	P	P		P	P	P	
	Self-Service Laundry, Laundromat																	P/S	P/S	P/S	P/S		P/S	P/S	P/S	155.526
	Tailor, Alterations																	P	P	P	P		P	P	P	
Recreation and Entertainment	Amusement Center, Arcades						P											P	P	P		P	P	P		
	Aquarium						P											P	P	P		P	P	P		
	Assembly Hall (Non-Religious)																	P	P	P		P	P	P		
	Billiards or Pool Hall						P											P	P	P		P	P	P		
	Bowling Alley						P											P	P	P		P	P	P		
	Go-Cart Track, No Racing						P/S																		155.523	
	Golf Course	P	P	P	P		P	P	P	P	P	P	P	P	P	P										
	Golf Course, Miniature	P	P	P	P		P												P	P		P	P	P		
	Golf Driving Range						P												P	P		P	P	P		
	Gun Range, Indoor						P												SE	P		P	P	P		
	Gun Range, Outdoor						P															P/S	P/S	P/S	155.514	

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Use Category	Use Type	Agricultural, Community, and Recreational Districts						Residential Districts									Business Districts					Industrial Districts			Specific Use
		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H	
	Gym or Fitness Center																	P	P	P		P	P	P	
	Gym, Specialized																	P	P	P		P	P	P	
	Mechanical Riding Devices						P/S																		155.523
	Movie Theatre, Inline																	P	P	P		P	P	P	
	Movie Theatre, Free Standing																	P	P	P		P	P	P	
	Museum or Art Gallery	P	P	P	P		P											P	P	P		P	P	P	
	Parks, Recreational Facilities (Private)	P	P	P	P		P											P	P	P		P	P	P	
	Racetrack – Auto, Motorcycle, or Horse						P/S															P/S	P/S	P/S	155.514, 155.523
	Skating Rink																		P	P		P	P	P	
	Sports Stadium, Amphitheatre, or Arena						P/S												P	P		P	P	P	155.523
	Theatre or Music Hall																	P	P	P		P	P	P	
Retail	Alcohol Sales																	P/S	P/S	P/S		P/S	P/S	P/S	155.504
	Antiques																P	P	P	P		P	P	P	
	Apparel and Clothing																P	P	P	P		P	P	P	
	Bait and Tackle																	P	P	P		P	P	P	
	Books, Cards, Stationary, Gift																P	P	P	P		P	P	P	
	Convenience Store																P	P	P	P		P	P	P	
	Department Store																	P	P	P		P	P	P	
	Drug Store or Pharmacy																P	P	P	P		P	P	P	

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	Electronics Sales, Supply and Service																P	P	P	P		P	P	P	
	Farmers Market																P	P	P	P		P	P	P	
	Farm Supply and Equipment																		SE	P		P	P	P	
	Florist																P	P	P	P		P	P	P	
	Furniture for Home and Office																P	P	P	P		P	P	P	
	Garden Supply																P	P	P	P		P	P	P	
	Grocery and Food Supply																P	P	P	P		P	P	P	
	Hardware																P	P	P	P		P	P	P	
	Hobby Supply, Craft																P	P	P	P		P	P	P	
	Home Appliance Sales and Service																P	P	P	P		P	P	P	
	Home Improvement Centers																		P	P		P	P	P	
	Jewelry, Shoe and Accessory Repair																P	P	P	P		P	P	P	
	Lumber Yard																			P		P	P	P	
	Machinery Sales																					P	P	P	
	Meat, Poultry, Fish, Seafood Sales																P	P	P	P		P	P	P	
	Optical, Eyeglasses																P	P	P	P		P	P	P	
	Outdoor Display and Sales																A/S	A/S	A/S	A/S					155.520
	Plumbing and Electrical Fixtures																	P	P	P		P	P	P	

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	Regional Shopping Malls																		P/S	P/S		P/S	P/S	P/S	See Article 7
	Restaurant and Hotel Supplies																			P		P	P	P	
	Sporting Goods																P	P	P	P		P	P	P	
	Swimming Pool Supplies and Equipment																	P	P	P		P	P	P	
	Thrift Store or Secondhand or Consignment																	P	P	P		P	P	P	
Other	Auction																		P	P		P	P	P	
	Art and Photography Studios																	P	P	P		P	P	P	
	Business, Commercial Schools																	P	P	P		P	P	P	
	Dance Studio																	P	P	P		P	P	P	
	Martial Arts Studio																	P	P	P		P	P	P	
	Performing Arts Schools																	P	P	P		P	P	P	
	Private Club, Lodge, Nonprofit																	P	P	P		P	P	P	
	Self-Storage																			P		P	P	P	
	Swim School																	P	P	P		P	P	P	
	Trade and Vocational Schools																	P	P	P		P	P	P	
Industrial																									

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Animal Related	Abattoir or Slaughterhouse																							SE	
	Circus Quarters, Animal Refuge																					P/S	P/S	P/S	155.514
	Livery Stable, Riding Academy																					P	P	P	
	Livestock Auction and Sales																							SE	
	Livestock Supply																		SE	P		P	P	P	
	Rendering Plant																							SE	
	Tanning, Curing, or Storage of Raw Hides, except as incidental to taxidermy																							SE	
Communications	Audio, Photography, and Film Production Studio																		P	P					
	Broadcast, Radio and Television Studio																	P	P	P		P	P	P	
	Telecommunication Tower - Guyed																					SE	SE	SE	155.531
	Telecommunication Tower - Lattice																			SE		SE	SE	SE	155.531
	Telecommunication Tower - Monopole	P/S	P/S	P/S	P/S	P/S	P/S									SE	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.531
	Telecommunication Tower - Stealth	P/S	P/S	P/S	P/S	P/S	P/S							P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	155.531
Food and Beverage	Brewery / Distillery																					P/S	P/S	P/S	155.514
	Food Catering																					P	P	P	

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Production and Processing	Food and Bakery Products																					P	P	P		
	Meat and Fish Products, no slaughtering																					P	P	P		
	Nonalcoholic Beverage Production and Bottling																					P	P	P		
	Starch, Glucose, Dextrin																					P	P	P		
	Vegetable Oil Production																						P	P		
Industrial Services	Asphalt paving plant																							P		
	Building Material Sales / Lumber Yard																			P		P	P	P		
	Carpet and Rug Cleaning																			P		P	P	P		
	Cleaning and Dyeing																			P		P	P	P		
	Contracting Service Yards – Building/AC/Plumbing																					P	P	P		
	Dry Cleaning Plant																					P	P	P		
	Extermination/ Pest Control Business																					P	P	P		
	Fuel Oil, Petroleum and Bottled Gas Distribution and Storage																					P	P	P		

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	Linen or Uniform Services																			P		P	P	P	
	Lithography, Engraving																			P		P	P	P	
	Machine Shop																					P	P	P	
	Metalworking, Welding, various pipe fitting																					P	P	P	
	Miscellaneous Repair Shops																			P		P	P	P	
	Oil reclamation																							P	
	Painting and varnishing																					P	P	P	
	Printing, Bookbinding or Copying Facility																			P		P	P	P	
	Stone Cutting																					P/S	P/S	P/S	
	Septic Tank service																						P	P	
	Tire recapping and vulcanizing																			P		P	P	P	
Manufacturing and Production	Abrasive Products																							P	
	Acids, except hydrochloric, nitric, picric, sulphurous, or sulphuric acid																					P	P	P	
	Acids, including hydrochloric, nitric, picric, sulphurous, or sulphuric acid																							SE	
	Alkaline Products																							SE	

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Use Category	Use Type	Agricultural, Community, and Recreational Districts						Residential Districts									Business Districts					Industrial Districts			Specific Use	
		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H		
	Ammonia, Chlorine, or Bleaching Powder																							SE		
	Animal or Fish Oil																							SE		
	Asphalt Manufacturing																							SE		
	Assembly of Electrical Equipment and Appliances																					P	P	P		
	Assembly and treatment of Products including but not limited to Previously Prepared Materials																					P	P	P		
	Auto Accessories, except Tires																					P	P	P		
	Auto Accessories, including Tires																							SE		
	Automatic Screw Machines																					P	P	P		
	Automobile Assembly Plant																						P	P		
	Boat Building and Repair																					P	P	P		
	Box, cardboard, and the like																					P	P	P		
	Building Materials Manufacturing brick, tile, concrete, glass, lumber, rock, stone, sash and doors																					P	P	P		

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		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H		
	Carbon																					P	P	P		
	Carpentry																			P		P	P	P		
	Celluloid Materials																					P	P	P		
	Cement, Lime, Gypsum, or Plaster of Paris																							SE		
	Chemical																							SE		
	Cleaning Products																						P	P		
	Concrete Products, Batching and Mixing Plant			P	P																		P	P		
	Cosmetics, Perfumes, Toiletries, Soap																					P	P	P		
	Cotton																						P	P		
	Die Casting																					P	P	P		
	Disinfectant and Insecticide																					P	P	P		
	Drugs and Pharmaceuticals																					P	P	P		
	Dry Ice																						P	P		
	Fertilizer Compounding																							SE		
	Fertilizer Compounding from nonodorous materials																						P	P		
	Foundry																							P		
	Furniture, Cabinet and Upholstery																						P	P		
	Glue or Gelatin Manufacturing																							SE		

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	Gunpowder, Fireworks, or Explosives																							SE	
	Ice																				P	P	P		
	Mattress																				P	P	P		
	Metal and Can Production; Buffing, Plating, Polishing																					P	P		
	Milling																					P	P		
	Oil Compounding																					P	P		
	Paper																						SE		
	Petroleum																						SE		
	Plastic																				P	P	P		
	Poison																						P		
	Potash																						P		
	Pottery and Ceramic Products																				P	P	P		
	Pyroxylin																						P		
	Rubber																						SE		
	Salt Works																	P	P	P		P	P		
	Sign Printing																	P	P	P		P	P	P	
	Sign Shop / Manufacturing																			P/S		P/S	P/S	P/S	155.528
	Slag Crushing																							P	
	Steel																							SE	
	Stock Yards or Feeding Pens																							SE	
	Sugar Refining																							SE	
	Tobacco																					P	P		

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	Toys, Novelties, and the like																					P	P	P	
	Textile including canvas, cloth, carpet, rope																					P	P	P	
	Wood, Veneer, and the like, except sawmill																						P	P	
	Wood, Veneer, and the like, including sawmill																							P	
	Wool Pulling / Scouring																								P
Research and Development	Data Centers – Processing, Hosting, and Related	P	P	P	P														P	P	P	P	P	P	
	Educational, Scientific or Industrial Research and Development Laboratory		P	P	P																	P	P	P	
Storage and Warehousing	Bulk Outdoor Storage of Materials (as a primary use)																					P	P	P	
	Poisonous Gases																							SE	
	Tank Storage of Oil and Gasoline																					P/S	P/S	P/S	155.514
	Vehicle Towing and Storage																			P		P	P	P	
	Open-Air Storage of Vehicles																			P		P	P	P	

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	Warehouse and Distribution																			P		P	P	P	
Wholesale and Distribution	Agriculture Products / Grain Storage and Processing																			P		P	P	P	
	Cold Storage, Ice																			P		P	P	P	
	Crating, Packing and Shipping Services																			P		P	P	P	
	Parcel Delivery Service																		SE	P		P	P	P	
	Fruit Packing and Shipping																			P		P	P	P	
	Wholesale, Distribution																			P		P	P	P	
	Wholesale Seafood																			P		P	P	P	
	Building and Construction Debris																							P	
Waste and Salvage (Waste Management)	Junkyards																							P/S	155.515
	Materials and Resource Recovery, Recycling and Composting				P/S																			P	155.525
	Solid Waste Transfer Station				P																			P	
	Other																								
Misc.	Airport	P	P	P	P																	P	P	P	
	Auction, Vehicle																						P	P	

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	Blast Furnace																							SE		
	Blooming Mill																							SE		
	Bone Distillation																							SE		
	Carnival, Circus	P	P	P	P		P															P/S	P/S	SE	155.514	
	Cemetery, Mausoleum	P	P	P	P	P	P															P	P	P		
	Coke Oven																							SE		
	Correctional or Penal Institution	P																				P/S	P/S	P/S	155.514	
	Crematory	P	P	P	P		P															P	P	P		
	Crushing, Screening and Processing of Mined or Excavated Materials			P																						
	Distillation of Coal, Tar, Petroleum of Mined or Excavated Materials																							SE		
	Dredging Base																						P	P		
	Drop Forge																							SE		
	Freight Terminal / Depot / Truck Terminal	P	P	P	P		P																P/S	P/S	P/S	155.514
	Incineration, Reduction, or Storage of Garbage, Offal, Dead Animal Refuse, and Rancid Fats																							SE		
	Industrial cleaning of materials																							P		

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	Radium Extraction																							SE	
	Rolling Mill																							SE	
	Sand, Gravel, Rock, Quarry or other natural material extraction			P																					
	Smelting or Refining Ores																							SE	
Utilities	Electric Utility Yard	P	P	P	P		P													P		P	P	P	
	Electrical Substations, Transformer and Switching Station	P	P	P	P		P	P	P	P	P	P	P	P	P	P				P		P	P	P	
	Gas Regulator Station																			P		P	P	P	
	Water and Wastewater Lift and Pumping Stations and Facilities	P	P	P	P		P	P	P	P	P	P	P	P	P	P				P		P	P	P	
Agriculture																									
Accessory Agriculture	Bee Keeping	P	P	P	P		P																		
	Botanical Garden	P	P	P	P		P																		
	Crop Raising	P	P	P	P		P																		
	Domesticated Livestock and Poultry	P/S	P/S	P/S	P/S		P/S																		155.510
	Floriculture	P	P	P	P		P																		
	Forestry	P	P	P	P		P																		
	Greenhouse	P	P	P	P		P																		
	Grove	P	P	P	P		P																		
	Horticultural Farming	P	P	P	P		P																		

Table 501: City of Pembroke Pines – Permitted Uses Table - All Zoning Districts P = Permitted; P/S = Permitted / Specific Use Regulations; A = Accessory Use; A/S = Accessory / Specific Use Regulations SE = Special Exception; Blank = Not Permitted;																									
Use Category	Use Type	Agricultural, Community, and Recreational Districts						Residential Districts									Business Districts					Industrial Districts			Specific Use
		A	U	A-E	R-R	CF	REC	R-E	R-1A	R-1B	R-1C	R-1Z	R-MH	R-2	R-TH	R-MF	B-1	B-2	B-3	C-1	PO	I-L	I-M	I-H	
	Hydroponic Garden	P	P	P	P		P																		
	Nursery	P	P	P	P		P																		
	Produce Farm	P	P	P	P		P																		
	Raising of Fish	P	P	P	P		P																		
	Slat house	P	P	P	P		P																		
	Sod Farm	P	P	P	P		P																		
	Truck Garden	P	P	P	P		P																		
	Wayside Stands for display or sale of farm products produced on the premises	P	P	P	P		P																		
Prohibited Uses																									
Various	Medical Marijuana Dispensing Facility																								155.516

SPECIFIC USE REGULATIONS

155.502 PROVISIONS NOT RETROACTIVE

The provisions for this sub-article shall not be construed to be retroactive, and any existing designated use which conformed to the regulations in effect when that designated use was established shall not be rendered illegal or in violation through the adoption of this LDC or amendments to this LDC, so long as a local business tax receipt previously issued for that use remains in full force and effect and is renewed in a timely manner.

155.503 ADULT ENTERTAINMENT

Adult entertainment establishments shall be subject to the following standards and regulations:

(A) Location near religious institutions, schools, residential districts and establishments where alcoholic beverages are sold or consumed.

1. In the development, enforcement, and amendment of this LDC, it is recognized that there are uses and accessory uses which, because of their very nature, are recognized as having serious objectionable characteristics, particularly when several of them are concentrated in any given location, thereby having a deleterious effect upon adjacent business and residential areas. Specific regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting and downgrading of the surrounding neighborhood.
2. None of the designated uses set forth in this subsection, or added from time to time to this subsection by amendment, shall be located nearer than 1,000 feet to the same or any other designated use, an establishment at which alcoholic beverages are sold or consumed, or to any religious institutions, or public, private, or parochial kindergarten, nursery, elementary, middle, or high school, or day care center. Measurement of 1,000 feet shall be made in accordance with division (4) of this section.
3. It shall be unlawful hereafter to establish any designated use within the corporate limits of the city if the proposed location is within 500 feet of a residentially zoned district. This prohibition shall be waived upon presentment to the Planning and Zoning Board of a written petition requesting the waiver, signed by 51% of all those persons owning real property, residing or operating or managing a business within 500 feet of the proposed location of the designated use.

(a) The circulator of the petition requesting a waiver shall subscribe and swear to an affidavit attached to the petition that the circulator personally witnessed that the signatures were affixed to the petition by the persons whose names appear in the petition. The petition shall bear at the top of each page thereof a typewritten title in substantially the following form:

"The undersigned hereby request a waiver from the Planning and Zoning Board of Pembroke Pines, Florida, that shall permit the establishment and location of a (an) (state specifically which designated use is sought to be established) within 500 feet of my real property, residence, or business."

- (b) The Planning and Zoning Board shall investigate the petition and signatures on the petition to verify that the petitioners do in fact own real property, or reside or do business in a residentially zoned district within 500 feet of the proposed designated use. Measurement of the 500 feet shall be made in accordance with division (d) of this section.
- 4. For the purposes of this subsection, a designated use or proposed designated use shall be deemed to be within 1,000 feet or 500 feet of another designated use or an establishment at which alcoholic beverages are sold or consumed, religious institutions, school, real property, residence, business, or residentially zoned district, respectively, as defined or described herein, if any part of the building in which, or lot of land upon which, a designated use is located, is within 1,000 feet or 500 feet, as measured by an actual or imaginary straight line upon the ground or in the air, of any part of the building in which, or lot of land upon which, another designated use or an establishment at which alcoholic beverages are sold or consumed, a religious institutions, school, real property, residence, business, or residentially zoned district respectively, is located.
- 5. Where a designated use is located in conformity with the provisions of this Article, the subsequent locating of an establishment which sells or permits the consumption of alcoholic beverages on premises, a religious institutions or school within 1,000 feet, or a residentially zoned district within 500 feet of the existing designated use shall not be construed to cause the designated use to be in violation of this Article.

155.504 ALCOHOLIC BEVERAGE ESTABLISHMENTS

(A) Scope of regulations

The following regulations shall apply to the location, design, construction, operation, and maintenance of all places or establishments where alcoholic beverages are sold or dispensed, and shall be in addition to other requirements or limitations of this LDC. Cross-reference: Alcoholic beverages, sale and licensing regulations, see Ch. 110.

(B) Locations near day care, religious institutions, and schools

- 1. Establishments for the sale of alcoholic beverages shall be located not nearer to any day care, religious institutions, public, private, or parochial, elementary, middle, or high school, than 200 feet airline measurement; measurements being between the nearest entrance to the alcoholic beverage establishment and the nearest entrance to the day care, religious institutions, public, private, or parochial, elementary, middle, or high school. However, the aforesaid separation requirement shall not apply to:
 - (a) An establishment incidental to and within a portion of a building used for a restaurant or a restaurant bar.
 - (b) An establishment incidental to and within a portion of a building used as a hotel bar.
 - (c) An establishment incidental to and within a bona fide nonprofit private club where only members and their guests are served.
- 2. Where an establishment for the sale of alcoholic beverages is located in conformity with the provisions of this LDC, the subsequent locating of a day care, religious institutions or

school in the proximity of that existing establishment shall not be construed to cause that establishment to be in violation of this LDC.

(C) Beer and wine package stores

There shall be no separation requirement or limitation applicable to the location of places for the sales of beer or wine for consumption off the premises.

155.505 AUTOMOTIVE AND VEHICLE DEALERSHIPS

Automotive and vehicle dealerships shall be subject to the following standards and regulations:

- (A) New or used automobile lease and/or sales providing the use is located on a minimum lot size of 10 acres.
- (B) All automobile dealerships must include an enclosed showroom.
- (C) No temporary signs, banners, or pennants will be allowed except as expressly approved on the site plan.
- (D) No signs on or within automobiles shall be visible from any public street.
- (E) Customer and employee parking areas shall be shown on the site plan. No vehicles for sale may be located within these areas.
- (F) Accessory automatic car wash.
- (G) Accessory manual car wash/detail.
- (H) All repair facilities and collision centers must be fully enclosed.
- (I) No elevated vehicle display(s) for sales of vehicles.
- (J) Elevated storage of vehicles shall be located to minimize visibility from street frontages and adjacent properties.

155.506 BOAT BUILDING, STORAGE, SERVICE AND REPAIR

Boat building storage, service and repair shall be subject to the following standards and regulations:

Building, storage, service and repair of boats provided the use is located at least 100 feet from any residentially zoned property, except where that property is zoned Agricultural (A).

155.507 BODY ART STUDIOS

- (A) Body art studios which provide tattooing services as defined in F.S. § 381.00771, as amended from time to time, will be subject to the following limitations:
1. Uses permitted. Body art studios are permitted as an accessory use to a personal care service or medical and health care facility subject to the following conditions:
 - (a) Body art studios shall be required to have a separate room for the purpose of tattooing. Each room shall be limited to one customer chair and shall be apart from the waiting room and the public. The room(s) shall not be visible to the general public.
 - (b) Body art studios are limited to operating between 8:00 a.m. and 10:00 p.m.
 - (c) All services shall be by appointment only.
 - (d) No exterior signage specifically for tattooing or related activities.
 2. Licenses, permits and inspections.
 - (a) No person shall operate a body art studio or engage in the practice or business of body art unless the person has first secured the required permits and licenses from the City, Florida Department of Health, Broward County and other applicable governmental or non-governmental entities.
 - (b) The City may conduct on-site inspections of any body art studio for the purpose of determining whether or not said establishment and the person(s) performing the practice of body art therein are in compliance with all applicable health provisions, codes and ordinances.

155.508 CAR WASHES

Car washes shall be subject to the following standards and regulations:

- (A) Car washes. All car washes shall be reviewed by the Planning & Zoning Board through the City's site plan review procedures.
- (B) Self-service car wash. A structure where equipment and/or facilities are provided for the self-service application of cleaner, rinse water, waxes or polishes and other vehicle treatments to automobiles and other motor vehicles.
1. Equipment. No equipment shall be permitted except as necessary to permit self-service car-washing, drying, vacuuming directly and solely by the customer. All equipment shall be within an enclosed portion of the building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property.
 2. Parking.
 - (a) A minimum of three off-street storage (stacking) spaces shall be provided at both the entrance and exit of each wash bay.
 - (b) A minimum of one off-street parking spaces shall be provided per vacuum cleaning unit, not including exiting stacking spaces.

3. General design standards.
 - (a) No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.
- (C) Accessory automatic car wash. An accessory structure containing facilities for washing automobiles, using production line, automated or semi-automated application of cleaner, brushes, rinse water, steam-cleaning and heat for drying, whether or not employing a chain or other type of conveyor.
 1. Equipment. All washing facilities shall be within an enclosed building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property. All washing facilities shall also be equipped with a water recycling system.
 2. Parking.
 - (a) A minimum of one off-street storage spaces shall be provided per vacuum cleaner.
 - (b) A minimum of eight stacking spaces shall be provided on the entrance side of the facility.
 - (c) A minimum of three stacking spaces shall be provided on the exit side of the facility.
 3. General design standards.
 - (a) No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.
 - (b) The car wash facility must demonstrate architectural compatibility with the principal structure.
- (D) Attended automatic car wash. A structure containing facilities for washing automobiles, using production line, automated or semi-automated application of cleaner, brushes, rinse water, steam-cleaning and heat for drying, whether or not employing a chain or other type of conveyor.
 1. Equipment.
 - (a) All washing facilities shall be within an enclosed building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property.
 - (b) No outside loudspeakers or radios are permitted. Radio station promotions and/or other activities utilizing loudspeakers or broadcasting equipment are prohibited.
 - (c) No electrical or air driven hand tools, including but not limited to polishers and buffers, shall be utilized outside of the required building enclosure, unless the subject property is located at least 500 feet from any residentially zoned or used property.
 - (d) All washing facilities shall be equipped with a water recycling system.
 2. Parking.
 - (a) One parking space per employee shall be provided.
 - (b) Five parking spaces shall be provided at the exit side of the facility for final hand drying and interior cleanup and as a customer pickup area.

- (c) A minimum of 18 stacking spaces shall be provided on the entrance side of the facility.
- 3. General design standards.
 - (a) No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.
- (E) Manual car wash/detailing. Permitted only as an accessory use to Service Stations, automobile dealerships, regional malls, and golf courses.
 - 1. General design standards.
 - (a) Manual car wash/ detailing shall be conducted under a permanently installed canopy aesthetically compatible with the primary structure and shall meet all applicable building code regulations.
 - (b) The operation of such manual car wash shall not create any standing water and shall not drain directly into drainage system. Manual car wash/detailing facilities located within a regional mall shall use a waterless cleaning process and products used shall be 100% biodegradable.
 - (c) Engine cleaning and undercarriage cleaning shall be prohibited within regional malls.
 - (d) Required parking and site circulation for existing use(s) shall be maintained.
 - (e) Sign(s) for car washes are restricted to car wash canopies only and are counted as part of the total allowed building signage of 36 square feet.
 - 2. Parking. Two parking spaces are required per work station for storage, stacking, pick-up, or drop-off.

155.509 CHILD CARE CENTERS

Child care centers shall be subject to the following standards and regulations:

- (A) Child care centers, as defined in this LDC, shall be designed in a manner that provides the young child with a sense of place and identity which they can readily transfer when they enter the public school realm. Efforts to depict the classic school hour's image should be exercised. Entries should be clear, inviting, sheltered and warm transition spaces that alert the child to their surroundings resulting in pride in attendance.
- (B) Each freestanding child-care center shall have a minimum lot size of 15,000 square feet.
- (C) Each child care center shall have a minimum of 45 square feet interior floor space per two children excluding support facilities (bathrooms, kitchen, corridors, office, storage and the like).
- (D) Each child care center shall have a minimum of 3,500 square feet or 45 square feet per two children, whichever is greater, of open space enclosed, shaded, pervious area with outdoor drinking fountain. All playground equipment shall be identified on the site plan and shall not be permitted in the required set back areas. Required yards are not to be counted as required open space.

- (E) Each child care center shall have a minimum of one shade tree per 1,000 square feet of pervious open space area.
- (F) Each child care center shall have a pickup and drop zone with space to accommodate four vehicles with a minimum of 30 feet frontage.
- (G) Each child care center shall operate only from the hours of 8:00 a.m. to 6:00 p.m. outside activities only and inside care may be 24-hours.
- (H) Each child care center shall provide a minimum of the following yards and buffers:
 - 1. Rear yards: 25 feet minimum
 - 2. Side yards: 15 feet minimum
 - 3. Front yard: 50 feet minimum
 - 4. Hedged perimeter: 8 feet adjacent to residential property lines.
- (I) Vehicle Impact Protection Devices required. Child care centers shall be required to install and maintain Vehicle Impact Protective Devices for exposed areas to protect the child care center, associated play areas, patrons from vehicle intrusions from out-of-control vehicles. Home based Child care centers, drop-in child care, family day care home, and indoor recreational facility, or a large family day care home, as respectively defined within F.S. § 402.302, shall be exempt from the requirements of this subsection.
 - 1. Applicability. Child care centers shall install Vehicle Impact Protection Devices prior to any of the following:
 - (a) Opening a non-home based child care center after enactment of this section;
 - (b) Expansion, modification, or relocation of an existing non-home based child care center;
 - (c) Expansion, installation, modification, relocation, repair, creation, establishment, development or redevelopment of any qualifying child care center play areas; or
 - (d) Expansion, installation, modification, relocation, repair, creation, establishment, development or redevelopment of any exposed area; or
 - (e) The creation, installation, establishment, development, or redevelopment of head in parking adjacent to a non-home based child care center uses or associated play areas.
 - 2. Elements of Vehicle Impact Protection Devices.
 - (a) Vehicle Impact Protection Devices shall be a minimum of 36 inches in height and, be designed to achieve an impact resistance level of 5,000 pounds traveling at 30 miles per hour. Vehicular Impact Protection Devices shall be required to be installed within the exposed area. Vehicle Impact Protection devices shall be installed parallel or roughly parallel to the edge of the roadway or drive aisle. Plain concrete barriers, such as "K Rails" or "Jersey" barriers, shall be prohibited, except as temporarily allowed for replacement and repairs.
 - (b) Vehicle Impact Protection Devices shall be installed to a height of no less than three feet and not greater than four feet above finished grade.

- (c) When Vehicle Impact Protection Devices are spaced apart, the spacing shall be not less than 48 inches and not more than 56 inches between the outer edge of the barrier and the nearest outer edge of the adjacent barrier and shall comply with the American Disabilities Act, and all applicable state, local, and federal codes and regulations.
 - (d) The color and design of the Vehicle Impact Protection Devices shall be consistent throughout the site. Use of protective and/or decorative sleeves shall be permitted.
 - (e) Vehicle Impact Protection Devices shall be properly maintained, including no visible rust or corrosion, and be kept in uniform alignment.
 - (f) Child Care business owners are encouraged to screen Vehicle Impact Protection Devices with landscape where feasible to reduce visual impact on a site.
- 3. ADA compliant parking spaces. Where a parking space is required to be ADA compliant and is located in an area of a parking lot specified in this section so as to require vehicle impact protection devices adjacent to the parking space, bollards or posts may be substituted for wheel stops and the ADA signage may be mounted on a pole that is mounted or affixed to the post or bollard.
 - 4. Conflicts with other laws. In the event the terms of this subsection or its application to a particular parking lot would cause a parking lot to not comply with a provision of Federal or State law or another provision of the city's Municipal Code, City staff shall apply this subsection in a manner to carry out the provisions of both Federal and State law and the other provisions of this Code and the provisions of this subsection. When there is an irreconcilable conflict between the provisions of this subsection and the provisions of Federal or State law or other provisions of this Code, the provisions of Federal and State law and the other provisions of this Code shall prevail over this subsection and only to the extent necessary to avoid a violation of those other laws or Code provisions.
 - 5. Review. Vehicle Impact Protection Zones shall be considered concurrently with the review of the underlying site plan or development application through the Planning and Zoning Board.
 - 6. Minor adjustments to Vehicular Impact Protection Zones. The City Manager or his/her designee may approve minor modifications to vehicle impact protection standards contained in this section to accommodate for conflicts with existing site conditions, pedestrian accessibility paths and ground mounted light poles, fire protection, mechanical equipment, etc., provided the modifications achieve similar protections as intended by this subsection.
 - 7. Replacement or repair. Within 90 days after a vehicle impact protection device or feature that serves to protect an Exposed Area of a nonresidential building center is destroyed, damaged, or removed, the device or feature shall be replaced with one that satisfies the requirements and standards of this section.

155.510 DOMESTICATED LIVESTOCK AND POULTRY

Domesticated livestock and poultry shall be subject to the following standards and regulations:

- (A) The number of domesticated livestock permitted shall be restricted to four grazing animals per each 35,000 square feet.

- (B) Structures for livestock raising, boarding, or housing, such as barns, feed lofts, and stables, shall not be located within 100 feet of any lot line. A stable with a capacity of not over four horses may be located at least 50 feet from a side or rear lot line.
- (C) Structures for raising of poultry, such as pens, coops, shelters, feeders, and the like, shall not be located within 100 feet of any lot line.
 - 1. Where such structures, existing at the effective date of this chapter, are located less than 100 feet from any lot line, additions to existing structures and new structures may be erected at the same distance, or at a greater distance from that lot line, as the existing structures.
 - 2. This exemption for additions to existing structures and for new structures, shall apply only to building permits issued prior to January 1, 1962, and shall not apply to any structure, the construction of which is not begun prior to that date.
- (D) Structures for raising hogs, such as pens, sties, shelters, feeders, and the like, shall not be located within 200 feet of any lot line.
- (E) Hogs shall not be placed, kept, or permitted within 100 feet of any lot line; within 500 feet of a dwelling under different and separate ownership; nor within 500 feet of any residentially zoned property.

155.511 DRY CLEANERS

Dry cleaning establishment shall be subject to the following standards and regulations:

Service shall be rendered directly to customers who bring in and pick up the articles to be dry cleaned.

- (A) The establishment shall not provide pick-up or delivery service, except to or from residential customers.
- (B) The entire cleaning and drying process shall be carried on within completely enclosed solvent reclaiming units.
- (C) All solvents used in the cleaning process and the vapors therefrom shall not be explosive or flammable.

155.512 ELECTRONIC NICOTINE DEVICE RETAIL SALES

(A) Electronic nicotine dispensing device sales, subject to the following limitations:

- 1. "Accessory use" is a use that (a) is located on the same lot and in the same building as the principal use; (b) contributes to the comfort, convenience, or necessity of the principal use; and, (c) does not exceed 40% of the gross floor area (the area within

- the perimeter of the inside walls of the building/bay with no deduction for corridors, stairs, closets, thickness of wall, columns or other features but excluding utility rooms).
2. Permitted use, electronic nicotine dispensing device sales shall be accessory to a principal commercial use in the B-2 (Community Business) zoning district subject to the following conditions:
- (a) Commercially reasonable efforts will be made to rapidly identify minors (persons under 21 years of age) on the premises, including examining the identification of any person who a reasonably prudent person would believe is 21 years of age or younger, and cause such minors to leave the premises immediately upon identification unless accompanied by a parent or legal guardian.
 - (b) It shall be prohibited from selling, gifting or delivering to a person under 21 years of age, or a person who appears to be under the age of 27 years without first examining identification to confirm that the recipient is at least 21 years of age, any of the following:
 - i. Electronic nicotine dispensing device, including electronic cigarettes (or e-cigarette), personal vaporizers (PV), electronic nicotine delivery systems (ENDS), or any similar product, or any part thereof or accessory thereto; or
 - ii. E-juice, e-liquid, any other product intended for use in an electronic nicotine dispensing device or any similar product.
 - (c) No part of the premises shall be used for the possession, manufacture, display, sale or viewing of paraphernalia, as defined below, including, but not limited to:
 - i. metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls,
 - ii. hash pipes,
 - iii. water pipes,
 - iv. carburetion tubes and devices,
 - v. smoking and carburetion masks,
 - vi. roach clips, meaning objects used to hold burning material, such as marijuana cigarette, that has become too small or too thin to be held in the hand,
 - vii. miniature cocaine spoons, and cocaine vials,
 - viii. chamber pipes,
 - ix. carburetor pipes,
 - x. electronic pipes,
 - xi. air-driven pipes,
 - xii. chillums,
 - xiii. bongs,
 - xiv. ice pipes or chillers,
 - xv. blow tubes,
 - xvi. hookah pipes,
 - xvii. rolling papers, cigarette rollers or other items used to make cigarettes or cigars,

- xviii. other objects or products used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, or other controlled substances into the human body, or
 - xix. other objects or products used, intended for use, or designed for use in the combustive smoking of tobacco, herbs, or any other product;
 - xx. paraphernalia means all equipment, products, and materials of any kind which are intended for use or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body an illegal or controlled substance or herbs.
- (d) No exterior signage specifically for electronic nicotine dispensing sales or related activities.
 - (e) The sale of products with names similar to, or which resemble, illegal substances, such as, by way of example only, but not of limitation, "liqweed," "cocoa e-juice," and "hash oil e-juice," or similar names or descriptions is prohibited.
 - (f) The sale of products that imply, infer or otherwise indicate that they may be used by or provide the user an experience (euphoria, etc.) similar to but not limited to marijuana, hemp, cocaine, LSD, heroin, ecstasy, or angel dust, is prohibited.
 - (g) The sale of products such as vaporizer pens, acetone, vaporizers for waxy oils, alcohol vaporizers, dabs, or other delivery devices not associated with electronic nicotine dispensing devices is prohibited.

155.513 HOTELS

(A) Hotels located in the R-MF district shall be subject to the following provisions:

1. Lot size. Every lot shall be not less than 100 feet in width and 10,000 square feet in area.
2. Height. No building, structure, or part thereof shall be erected or altered to a height exceeding 15 stories or 150 feet. However, where any portion of a building or structure is utilized for a medical or dental office or clinic, that use shall not extend to a greater height than three stories or 35 feet.
3. Coverage. The combined area occupied by all main and accessory buildings and structures shall not exceed the percentage given in the following table for various heights of buildings:

Table 513: Hotel Height Percentage	
One Story	55
Two Story	55
Three Story	50
Four Story	50
Five Story	45

Six Story	45
Seven – Fifteen Stories	40

(B) Hotels located within B-2, B-3, C-1, I-L, I-M and I-H zoning districts shall have a minimum room size of 150 Square Feet.

155.514 INDUSTRIAL USE SEPARATION FROM RESIDENTIALLY ZONED PROPERTY

(A) The following industrial uses shall have a 300 foot separation from residentially zoned property unless otherwise specified within the provisions of this LDC.

1. Animal cemetery
2. Brewery/ Distillery
3. Carnival, circus
4. Circus quarters, animal refuge
5. Correctional or penal institution
6. Racetrack – automobile, motorcycle or horse
7. Gun Range – Outdoor
8. Tank storage of oil and gasoline
9. Freight Terminal / Depot / Truck Terminal.

155.515 JUNKYARDS

Junkyards shall be subject to the following standards and regulations:

The area of land to be so used shall be no more than 100,000 square feet.

(A) No automobile or vehicle not in running condition, nor machinery or other junk or scrap, shall be located either for storage or dismantling within 300 feet of any residential district, within 50 feet of the front street line, nor within 30 feet of any side street line or other property line of the lot to be so used.

(B) The entire area occupied by a junkyard shall be surrounded by a substantial, continuous masonry, wooden or metal fence or wall eight feet in height, without openings except for entrance and exit. Openings shall be equipped with unpierced gates.

155.516 MEDICAL MARIJUANA DISPENSING FACILITIES

Medical marijuana dispensing facilities shall be subject to the following standards and regulations:

- (A) Purpose. It is the purpose of this section to prohibit medical marijuana treatment centers created under Art. X, § 29 of the Florida Constitution from establishing medical marijuana dispensing facilities within the municipal limits of the City.
- (B) Findings. Based on authority granted to municipalities in F.S. § 381.986(11), the City Commission finds that a ban on the establishment of medical marijuana treatment center dispensaries within the city is in the best interest of the City.
- (C) Prohibition. Medical marijuana dispensing facilities are prohibited within the boundaries of the City.

155.517 MICROBREWERIES, MICROWINERIES, AND BREWPUBS

(A) Purpose

1. The purpose of this subsection is to ensure the effective operation and regulation of microbreweries, microwineries and brewpubs. Where any other provisions of the City of Pembroke Pines Code of Ordinances directly conflicts with this LDC, this LDC shall control.
2. All operations of microbreweries, microwineries and brewpubs shall comply with applicable federal, state, local laws, rules and regulations.

(B) Microbreweries, microwineries and brewpubs must meet the requirements set forth in Outdoor dining 155.519, 155.432, and 155.504.

(C) Brewpub as principal use. Brewpub shall be a principal use which shall comply with the following:

1. Brewpub production of beer and malt beverages shall not exceed 5,000 barrels per year.
2. Brewpubs may not sell its product to other retailers or wholesalers.
3. Brewpubs shall include a restaurant that provides full meal service for consumption by patrons.

(D) Microbrewery and microwinery as principal use subject to special exception (§ 155.301(L) and alcoholic beverage establishment regulations (§§ 155.504).

1. Microbrewery and microwinery shall be a principal use which shall include, but is not limited to: small scale production and distribution of beer, ale, or other malt beverages, or wine and on-site consumption and sales of beer, ale, or other malt beverages, or wine.
2. Permitted operations include those establishments engaging in the small scale production of beer, ale, other malt beverages, or wine.
3. This use shall be permitted only in conjunction with in-house food service and shall adhere to the following:
 - (a) No more than 75% of the overall square footage associated with the establishment shall be used for production/distribution including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage,

fermentation tanks, conditioning tanks, serving tanks, and/or the storage of materials and/or product.

- (b) The commercial use shall be oriented towards the street or public space, excluding alleys.

(E) General standards.

1. Hours of operation.
 - (a) Permissible hours of operation shall be determined by the Planning and Zoning Board based on impact upon adjacent, adjoining, and nearby properties and uses. The hours for distribution trucks to visit the microbrewery/ microwinery to receive product(s) for distribution shall be between 8:00 a.m. and 8:00 p.m. Monday through Saturday, and 11:00 a.m. to 7:00 p.m. on Sundays. Local roads shall not be utilized by distributors.
 - (b) However nothing in this subsection shall operate to change the hours of sale designated in § 110.02.
2. Outdoor storage of spent grains. The use of outdoor storage is strictly prohibited except for the temporary storage, limited to 24 consecutive hours, of spent grains.
3. Odors. Microbreweries/microwineries/ brewpubs must ensure that the production process and associated odors are not detrimental to the public health, safety, comfort and welfare.
4. Production reporting. Microbreweries/ microwineries/brewpubs must accurately report on their local business tax receipts the (1) amount(s) of product brewed, vinted, made or produced for the most recent fiscal year; and (2) the amount(s) of product the microbrewery/microwinery anticipates brewing, vinting, making or producing for the upcoming fiscal year.
5. Parking for microbreweries, microwineries, and brewpubs shall follow the parking standards for a restaurant.

155.518 MOBILE FOOD VENDORS

Mobile food vendors shall be subject to the following standards and regulations:

(A) Local Business Tax Receipt Required

1. Mobile food vendors shall comply with all applicable state and local laws relating to the dispensing of food products.
2. A mobile food vendor shall be required to obtain a local business tax receipt as provided for herein.
3. Local business tax receipts are non- transferable. A local business tax receipt is valid at three locations the mobile food vendor plans to operate. If the mobile food vendor is operating on private nonresidential property, the mobile food vendor must submit proof of property owner permission, and comply with zoning requirements as required in this division, to the City of Pembroke Pines.

4. A local business tax receipt, unless sooner suspended or revoked, shall expire on September 30 of each year. No local business tax receipt shall be issued for more than one year.
5. Local business tax receipts shall be attached to the mobile food vendor unit where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vendor unit owner and shall list the addresses and parcel identification numbers where the permit is valid.
6. Pembroke Pines Fire Rescue/Fire Prevention Bureau shall inspect all mobile food vendor units and ensure compliance with all applicable federal, state and local fire safety statutes, regulations, ordinances, and codes. All mobile food vendor units obtaining a local business tax receipt pursuant to this section shall obtain a Fire Department fire and life safety inspection prior to issuance of said receipt. A Fire Department inspection shall be conducted annually thereafter in accordance with § 150.32 of the city's Code of Ordinances, commencing one year after the initial date of the fire inspection. The fee schedule set forth in § 150.32 of the City's Code of Ordinances, as amended from time to time, shall apply.
7. Any mobile food vendor unit that has been issued a notice of health violation by the State of Florida, and on a subsequent inspection, a State of Florida inspector determines that the mobile food vendor has not corrected the violation(s), shall have its city issued local business tax receipt revoked and food service shall cease in the City of Pembroke Pines.

(B) Products Permitted to be Sold

No products other than foods may be sold, offered for sale, or dispensed in any fashion from a mobile food vendor unit within the city. Alcoholic beverages may not be sold from a mobile food vendor unit. This section is not intended to sanction the sale of products from vehicles in any fashion. Except as permitted herein, no sales of products, goods, or merchandise from vehicles is permitted within the City.

(C) Restrictions

Mobile food vendors are allowed on private property that is designated and used for commercial, industrial, recreational, or non-residential purposes, subject to the following conditions:

1. No display areas, merchandise, or stored items in association with the vendor or those associated with the principal use on the property, which are displaced due to the vending activity, shall encroach onto any public street/right-of-way or easement, or onto any adjacent private property without express permission from that property owner.
2. The mobile food vendor shall set up and locate the vehicle, wares, and/or any associated displays in accordance with the principal structure setbacks of the underlying property's land use designation.
3. The mobile food vendor sales area shall not exceed more than three parking spaces or 600 square feet in area, whichever is greater. The mobile food vendor shall designate a portion of the sales area as a waiting area for patrons. Such designated area shall not conflict with traffic. In addition, one space/100 square feet of mobile vendor unit area shall

be required for customer parking. However, at no time may the required number of parking spaces for the principal use of the property be rendered nonconforming due to vendor use.

4. Mobile food vendor units shall not remain on the property overnight or when they are not in use by the mobile food vendor.
5. All mobile food vendors shall operate in compliance with the city's noise ordinance, Chapter 96 of the City of Pembroke Pines Code of Ordinances.
6. Mobile food vendors shall be prohibited from discharging fat, oil, grease, or wastewater into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
7. All menus and signage shall be fully affixed to the mobile food vendor unit. Detached signs shall not be permitted.
8. Mobile food vendors shall be permitted to conduct their operations between 7:00am – 9:00pm, provided that the approved restroom facilities are available to the patrons.

(D) Required Submissions

1. A mobile food vendor proposing to sell food shall submit a copy of all permits and licenses required by the State of Florida, Broward County and the City of Pembroke Pines at the time of submission of a local business tax receipt application.
2. The mobile food vendor shall provide a statement signed by each property owner indicating that the vendor has permission to vend on that site, along with the following:
 - (a) The property owner shall allow the vendor and vendor's patrons access to bathroom facilities, where available; and
 - (b) The property owner shall comply with Chapter 94 of the City of Pembroke Pines Code of Ordinances regarding solid waste disposal and shall allow the vendor access to solid waste collection on the subject property, where available. If solid waste collection facilities are not available to the mobile food vendor, the mobile food vendor must remove solid waste from the subject property location daily; and
 - (c) The property owner shall require that the vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes; including but not limited to permitting requirements regarding his or her specific business; and
 - (d) The property owner shall acknowledge that she/he understands the regulations governing mobile food vendors and may be held responsible, along with the vendor, for any code violations; and
 - (e) The property owner shall ensure that the property will be continuously maintained in a neat, clean, and orderly manner;
 - (f) The property owner shall acknowledge that locating a mobile food vendor on private property may impact parking requirements, and that all approvals shall be subject to the city's parking code.
3. The falsification of property owner's permission shall be subject to a civil fine of up to \$250 for each occurrence.

(E) Standards

The following standards shall apply to all mobile food vendors and their respective mobile food vending units:

1. The mobile food vendor unit shall not interfere with required parking, loading and unloading spaces, or the vehicular access to those spaces for the principal use.
2. The mobile food vendor unit shall not block, damage, or interfere with required landscaping, buffers, or stormwater drainage systems on the subject property.
3. The mobile food vendor unit shall not interfere with or block fire lanes on the subject property.
4. Only one mobile food vendor shall be allowed on any one parcel less than one-half acre in size. No more than two mobile food vendors shall be allowed on any one parcel exceeding one-half acre in size. The Zoning Official may authorize and approve more than two mobile food vendors to operate on a single parcel on a case by case basis after review of the site plan.

(F) Ice Cream Trucks

1. Manner of stops. Ice cream trucks shall pull as far as practicable to the side of the right-of-way when stopping for the purpose of making sales and shall operate four-way flashers when so stopped. An ice cream truck shall vend only when the ice cream truck is lawfully stopped. An ice cream truck shall vend only from the side of the truck away from moving traffic and as near as possible to the curb or side of the street. An ice cream truck shall not vend to a person standing in the roadway.
2. In no event shall an ice cream truck stopped for the purpose of making sales prevent the passage of other motor vehicles on the right-of-way.
3. Trash receptacle required. Each ice cream truck shall provide a trash receptacle for use of its customers. Prior to leaving each stop, the operator of the ice cream truck shall remove any litter left at the stop by customers.
4. Hours of operation. Ice cream trucks may stop for the purpose of making sales only between the hours of 11:00 a.m. and 8:00 p.m.
5. Ice cream trucks operating on private property in the same manner as mobile food vendors shall be subject to the mobile food vendor regulations as set forth in this Article.

155.519 OUTDOOR DINING

(A) Authorization. Outdoor dining is permitted as an accessory use in accordance with the following criteria set forth in this section.

(B) Review process.

1. All outdoor dining proposals shall require the approval of the city's zoning official.
2. The approval of a master outdoor dining shall be required prior to the approval of tenant outdoor dining areas.
3. Proposed outdoor dining areas shall require a parking analysis, detailed seating plan, details of architectural features and amenities as well as a narrative summary showing all improvements.

(C) Standards.

1. Access. An aisle, complying with the minimum width established by the Americans with Disabilities Act (ADA), as amended from time to time, must be maintained to the restaurant door and to allow passage in front of the restaurant along the shopping center.
2. Food preparation. All kitchen and other equipment (for example, bus service stations, remote menu computer stations, hostess stations) and refuse containers used to service the open-air café or outside seating area shall be located within the primary restaurant and dining room.
3. Location. The dining area must be on private property and be authorized by both the property owner and tenant. The outdoor dining area must be adjacent to the principal indoor food service establishment.
4. Noise. No sound systems or amplified music shall be permitted unless the owner of the establishment can verify that such sound system or amplified music will not interfere with the neighboring properties and uses. Any and all such sound systems or amplified music shall comply with the City of Pembroke Pines Code of Ordinances. The burden of proof of compliance with the requirements herein shall be on the owner of the establishment.
5. Parking. The outdoor dining area, in excess of 50 square feet, will be interpreted as additional customer service area and will require the requisite parking.
6. Screening. The outdoor dining area shall be screened from all residential property and appropriately screened from adjacent commercial property and parking lots. Specific landscaping and/or screening shall be provided and may be in excess of required landscaping code to effectively protect other property. Landscaping and screening must be provided to prevent light spillover onto adjacent uses and/or properties.
7. Setbacks. No outdoor dining shall be allowed within the required setbacks.
8. No signs except those required by code shall be allowed within the outdoor dining area.
9. Architectural features. Dining areas in excess of 50 square feet shall be contained by architectural features.

155.520 OUTDOOR DISPLAY AND SALES

(A) Authorization. Outdoor display and sales is permitted as an accessory to a principal retail uses, in accordance with the following criteria set forth in this section.

(B) Review process.

1. A master outdoor display and sales plan must be established by the property owner. The plan shall require the approval of the City's Zoning Administrator via the administrative approval process.

(C) Standards.

2. Access. An aisle, complying with the minimum width established by the Americans with Disabilities Act (ADA), as amended from time to time, must be maintained.
3. Location.
 - (a) The display and sales area must be on private property and be authorized by both the property owner and tenant.

- (b) The display and sales area must be adjacent to the principal establishment and within the bounds of the tenant's lease line.
- (c) No outdoor sales shall be permitted within any public or private right-of-way, required parking or traffic circulation area, fire lane or landscape area.
- 4. Noise. No sound systems or amplified music shall be permitted unless the owner of the establishment can verify that such sound system or amplified music will not interfere with the neighboring properties and uses. Any and all such sound systems or amplified music shall comply with the City of Pembroke Pines Code of Ordinances. The burden of proof of compliance with the requirements herein shall be on the owner of the establishment.
- 5. Screening. The outdoor display and sales area shall be screened from all residential property and appropriately screened from adjacent commercial property and parking lots. Specific landscaping and/or screening shall be provided and may be in excess of required landscaping code to effectively protect other property. Landscaping and screening must be provided to prevent light spillover onto adjacent uses and/or properties.
- 6. Setbacks. No outdoor display or sales shall be allowed within the required setbacks.
- 7. Signage. No signs except those **required** by code shall be allowed within the outdoor display and sales area.
- 8. Hours of operation. Outdoor display and sale shall be permitted during the hours of operation of the principal use. All items for display and sale, as well as the structures utilized for display, shall be moved into the respective store during off hours.

155.521 PAWN SHOP

Pawn shops shall be subject to the following standards and regulations:

(A) Location Near Religious Institutions, Schools, Residential Districts

- 1. In the development, enforcement, and amendment of this LDC, it is recognized that there are uses and accessory uses which, because of their nature, are recognized as having serious objectionable characteristics, particularly when several of them are concentrated in any given location, thereby having a deleterious effect upon adjacent business and residential areas. Specific regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting and downgrading of the surrounding neighborhood.
- 2. None of the designated uses set forth in this Article, or added from time to time to this Article by amendment, shall be located nearer than 1,000 feet to the same or any other designated use, an establishment at which alcoholic beverages are sold or consumed, or to any religious institutions, or public, private or parochial kindergarten, nursery, elementary, middle, or high school, or day care center. Measurement of 1,000 feet shall be made in accordance with division (D) of this section.
- 3. It shall be unlawful hereafter to establish any designated use within the corporate limits of the city if the proposed location is within 500 feet of a residentially zoned district. For the purposes of this Article, a designated use or proposed designated use shall be deemed to be within 1,000 feet or 500 feet of another designated use, an establishment at which alcoholic beverages are sold or consumed, religious

institutions, school, real property, residence, business, or residentially zoned district, respectively, as defined or described herein, if any part of the building in which, or

155.522 PET HOTELS, DOG DAYCARE

Pet hotels and dog daycares shall be subject to the following standards and regulations:

- (A) Pet hotels shall only be permitted as an accessory use for businesses whose principal operations include the sale of pets and pet supplies, and whose store is at least 15,000 square feet.
- (B) Adequate soundproofing in any area where animals are boarded. Sleeping quarters shall be limited to 15% of the total square footage of the business.
- (C) No exterior cages.
- (D) Shall contain an approved air-handling system for disinfection and odor control.
- (E) Shall contain adequate waste control facilities, such as a flush system or equal.

155.523 RECREATIONAL USES

- (A) The uses and structures within the REC district shall not be located nearer to any property in separate and different ownership than the following:
 - 1. Go-cart track, no racing: 50 feet
 - 2. Mechanical riding devices: 200 feet
 - 3. Racetrack: 500 feet
 - 4. Stadium, amphitheater, or arena: 300 feet

155.524 RELIGIOUS INSTITUTION, HOUSE OF WORSHIP

- (A) Religious institutions and schools incidental to a religious institutions with the R-1A, R-1B or R-1C shall meet the following requirements.
 - 1. This use shall be located on a plot having at least 40,000 square feet of plot area, and having at least 200 feet of street frontage.
 - 2. The coverage of all roofed structures shall not exceed 25% of the plot area.
 - 3. No building or roofed structure shall be located within 40 feet of any other residentially zoned property.
 - 4. No parking area shall be located within ten feet of any plot line

155.525 RESOURCE RECOVERY

Resource recovery establishments shall be subject to the following standards and regulations:

- (A) An attendant must be kept on duty during hours the disposal area is open to control deposit of refuse.
- (B) The disposal area shall be enclosed sufficiently by a fence with gate or by other means so as to limit use to authorized periods, and for proper purposes.
- (C) No burning of refuse shall be permitted within 2 miles of any residentially zoned property in the city, except by combustion in a completely enclosed incinerator of adequate design and operation to prevent emission of fly ash and dense smoke. There shall be no burning of refuse between the hours of 7:00 p.m. and 7:00 a.m.
- (D) No refuse is to be deposited within any required yard.
- (E) Refuse is to be compacted daily and topped by a soil cover daily.
- (F) Maximum depth of fill shall not exceed 10 feet above existing ground level.

155.526 SELF-SERVICE LAUNDRY / LAUNDROMAT

Self-service, laundry establishments shall be subject to the following standards and regulations:

- (A) Service shall be rendered directly to customers who shall bring in and take away the articles to be cleaned.
- (B) The establishment shall not provide pick-up or delivery service.
- (C) The customers shall operate the machines provided to do their own laundry.
- (D) The entire cleaning and drying process shall be carried on within completely enclosed solvent recleaning units.
- (E) All solvents used in the cleaning process and the vapors therefrom shall be nonexplosive and nonflammable

155.527 SERVICE STATIONS

Service stations shall be subject to the following standards and regulations:

- (A) Applicability
 - 1. Service stations, also known as gas stations, may include the following accessory uses:
 - (a) Minor auto repair
 - (b) Car washes

(c) Convenience store

(B) Location

1. Service Stations are to be located only in B-3, C-1, I-L, I-M and I-H Districts. Service Stations are allowed on a corner lot, located at the intersection of two or more streets, or as an outparcel/free standing building within a shopping center that is located on a corner lot at the intersection of two or more streets.

(C) Clearance Required

1. Gasoline pumps shall be located not less than 15 feet from any street line and not less than ten feet from any other property line.
2. No gasoline pump shall be located within 25 feet of any property which is residentially zoned.

(D) Wall or Fences Required

1. There shall be a wall or fence, which shall effectively screen against direct view, and which shall be maintained on all property lines other than street lines of a lot occupied as a service station.
2. The wall or fence shall be opaque.
3. The above wall or fence shall not be required where the lot abuts non-residentially zoned property, provided a proper waste receptacle is maintained and used which effectively conceals the refuse and rubbish from public view.

(E) Storage or flammable liquids

1. All gasoline, benzene, diesel fuel, naphtha, or other volatile flammable liquids stored incidental to the operation of a service station shall be in underground tanks.
2. The total capacity of underground tanks and storage facilities of flammable liquids incidental to the operation of a service station shall not exceed an aggregate total of 100,000 gallons. In the event a service station is continuously inactive for a period of 30 days or more, then all storage tanks on the premises shall be emptied.
3. All underground tanks shall comply with all applicable federal, state, and county codes, laws, and ordinances, which includes all applicable regulations, including building and fire codes, and all applicable governmental approvals must be obtained before installation.

155.528 SIGN SHOP / MANUFACTURING

Sign shops shall be subject to the following standards and regulations:

- (A) Shall not be located less than 100 feet from any residentially zoned property.

155.529 STORAGE OF RENTAL VEHICLES

(A) Storage of rental vehicles. Outside accessory storage of rental vehicles may be permitted as described below:

1. Site plan. A site plan, or site plan amendment, describing with particularity the specific storage areas for rental vehicles for each proposed and/or existing use, must be submitted to the Planning and Zoning Board for review and approval in accordance with § 155.395 of this code. All parking for the storage of rental vehicles shall be in excess of required parking for the center. The Planning and Zoning Board must determine that the location for the storage of vehicles does not interfere or impede with the use of the parking lot for the customers, employees or owners of the other businesses in the center.
2. Type of vehicles. Stored rental vehicles may not have more than two axles. Only vehicles that may be driven with a non-commercial driver's license issued by the Florida Department of Motor Vehicles may be stored on-site. Rental and storage of construction and heavy equipment shall not be permitted.
3. Restrictions. No vehicles with advertising, other signage, or greater than 5,000 pounds may be parked in the front. Any such vehicles must be parked in the rear of the building and screened from adjacent residential development.

155.530 TATTOO PARLORS

Tattoo parlors shall be subject to the following standards and regulations:

(A) Location Near Religious Institutions, Schools, Residential Districts

1. In the development, enforcement, and amendment of this LDC, it is recognized that there are uses and accessory uses which, because of their nature, are recognized as having serious objectionable characteristics, particularly when several of them are concentrated in any given location, thereby having a deleterious effect upon adjacent business and residential areas. Specific regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting and downgrading of the surrounding neighborhood.
2. None of the designated uses set forth in this LDC, or added from time to time to this LDC by amendment, shall be located nearer than 1,000 feet to the same or any other designated use, an establishment at which alcoholic beverages are sold or consumed, or to any religious institutions, or public, private or parochial kindergarten, nursery, elementary, middle, or high school, or day care center. Measurement of 1,000 feet shall be made in accordance with division (D) of this section.
3. It shall be unlawful hereafter to establish any designated use within the corporate limits of the city if the proposed location is within 500 feet of a residentially zoned district.
4. For the purposes of this Article, a designated use or proposed designated use shall be deemed to be within 1,000 feet or 500 feet of another designated use, an

- establishment at which alcoholic beverages are sold or consumed, religious institutions, school, real property, residence, business, or residentially zoned district, respectively, as defined or described herein, if any part of the building in which, or lot of land upon which, a designated use is located, is within 1,000 feet or 500 feet, as measured by an actual or imaginary straight line upon the ground or in the air, of any part of the building in which, or lot of land upon which, another designated use, an establishment at which alcoholic beverages are sold or consumed, a religious institutions, school, real property, residence, business, or residentially zoned district respectively, is located.
5. Where a designated use is located in conformity with the provisions of this LDC, the subsequent locating of an establishment which sells or permits the consumption of alcoholic beverages on premises, a religious institutions or school within 1,000 feet, or a residentially zoned district within 500 feet of the existing designated use shall not be construed to cause the designated use to be in violation of this LDC.

155.531 TELECOMMUNICATION TOWERS AND ANTENNAS

(A) Intent

1. The regulations and requirements of this Article are intended to:
 - (a) Promote the health, safety, and general welfare of the citizens by regulating the siting of telecommunications towers;
 - (b) Provide for the appropriate location and development of telecommunication towers and antennas within the City;
 - (c) Minimize adverse visual effects of telecommunication towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;
 - (d) Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures;
 - (e) Protect residential areas and land uses from potential adverse impacts of telecommunication towers and antennas by maximizing use of any new or existing telecommunication towers through shared use—that is, colocation, to reduce the number of towers needed.
2. Certain restrictions and regulations may be waived by the City Commission upon a showing of good cause, so long as such a waiver is consistent with the intent of this sub-article.

(B) Telecommunication Towers

1. Freestanding telecommunication towers shall be permitted on city-owned property upon approval of a lease by the City Commission. The application for a lease shall include a plan revealing the location and height of the tower, and any other information requested by the City.
2.
 - (a) Freestanding telecommunication towers shall be permitted, in the prescribed locations, pursuant to a favorable outcome of the below-described process as follows:

Table 531.1: Proposed Tower Location and Approval Process		
Tower Type*	Zoning District	Approval Process
Guyed	Industrial	Special Exception
Lattice	Industrial and C-1	Special Exception
Monopole	Non-Residential	Site Plan – City Commission and Planning and Zoning Board
	Multi-Family	Special Exception
Stealth	Non-Single-Family	Site Plan - Planning and Zoning Board

*City-owned property: site plan and lease approved by City Commission in lieu of these processes.

- (b) Vacant property in the above-mentioned zoning districts may be utilized for a tower. However, if the proposed site is vacant, a monopole or stealth-type stealth facility must be utilized.
3. Minimum standards. All applications shall meet the following minimum standards:
 - (a) Each application for a proposed telecommunication tower shall include all requirements for development plan approval. The City may waive all or some of these provisions for stealth towers which are designed to emulate existing structures already on the site, including but not limited to light standards or power poles.
 - (b) A statement shall be submitted, prepared by a professional registered engineer licensed to practice in the state, which through rational engineering analysis certifies the tower's compliance with applicable standards as set forth in the Florida Building Code, amended by Broward County, and any associated regulations including Electronic Industry Association/Telecommunications Industry Association standards for wind load, and which describes the tower's capacity, including an example of the number and type of antennas it can accommodate. No tower shall be permitted to exceed its loading capacity. For all towers attached to existing structures, the statement shall include certification that the structure can support the load superimposed from the tower. All towers shall have the capacity to permit multiple users; at a minimum, monopole towers shall be able to accommodate two users, and, at a minimum, self-support/lattice or guyed towers shall be able to accommodate three users. However, this requirement may be waived by the final approving authority for stealth towers.
 - (c) Height/setbacks and related location requirements.
 - i. The height of a telecommunications tower shall not exceed the height limitation authorized in the zoning district where the tower shall be located, unless this requirement is specifically waived by the City Commission. Tower height shall

- be measured from the crown of the road of the nearest public street. Antennas located on towers shall not be included in the height calculations.
- ii. Towers capable of supporting multiple users in excess of the requirements of (c)(ii) above may exceed the height limit of the underlying district by an additional 25%.
 - iii. Telecommunication towers shall conform with the setbacks established for the underlying zoning district.
 - iv. All buildings and other structures to be located on the same property as a telecommunication tower shall conform with the setbacks established for the underlying zoning district.
- (d) Aircraft hazard. Prior to the issuance of a building permit by the City, the applicant shall provide evidence that the telecommunication towers or antennas are in compliance with Federal Aviation Administration (FAA) regulations. Where an antenna will not exceed the highest joint of the existing structure upon which it is to be mounted, such evidence shall not be required.
- (e) Approval required from other governmental agencies. Each application for a telecommunication tower may be required to include written approval or a statement of no objection from other federal or state agencies that may regulate telecommunication tower siting, design, and construction.
- (f) FCC emissions standards. All proposed telecommunication towers shall comply with current radio frequency emissions standards of the Federal Communications Commission.
- (g) Buffering.
- i. Landscaping, walls, and other buffering shall be consistent with the requirements of this code of ordinances and shall be installed around the entire perimeter of any fence or wall. Additional landscaping, walls, or other buffering may be required around the perimeter of the property and around any or all anchors or supports if deemed necessary to buffer adjacent properties. The City may require landscaping in excess of the requirements of this code of ordinances in order to enhance compatibility with adjacent residential and non-residential land uses.
 - ii. Landscaping consistent with perimeter and on-site requirements of the code shall be installed around any accessory buildings or structures.
- (h) High voltage and no trespassing warning signs.
- i. If high voltage is necessary for the operation of the telecommunications tower or any accessory structures, "high voltage - danger" warnings signs shall be permanently attached to the fence or wall and shall be spaced no more than 40 feet apart.
 - ii. "NO TRESPASSING" warning signs shall be permanently attached to the fence or wall and shall be spaced no more than 40 feet apart.
 - iii. The letters for the "high voltage - danger" and "no trespassing" warning signs shall be at least six inches in height. The two warning signs may be combined into one sign. The warning signs shall be installed at least five feet above the finished grade of the fence.
 - iv. The warning signs may be attached to free-standing poles if the content of the signs may be obstructed by landscaping.

- (i) Equipment storage. Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the telecommunication tower, unless repairs to the tower are being made.
 - (j) Parking. Each tower shall require one parking space, unless such requirement is specifically waived by the final approving authority, upon a showing that said parking space does not serve the public interest.
 - (k) Removal of abandoned or unused facilities. All abandoned or unused telecommunication tower facilities shall be removed by the tower owner/operator within 90 days of the cessation of use, if requested by the City to do so. A tower shall be considered abandoned if use has been discontinued for 180 consecutive days. The City may require an applicant at his/her own cost and expense to post a bond in an amount sufficient to reimburse the City for reasonable anticipated costs to be incurred in removing towers and related equipment. In the alternative, the City may place a lien on the property on which the nonconforming tower is located, after proper notice is given pursuant to Chapter 32 of this code of ordinances. Telecommunication towers being utilized for other purposes, including but not limited to light stands and power poles, may be exempt from this provision.
 - (l) Signs and advertising. The use of any portion of a tower for signs or advertising purposes, including company name, banners, streamers, and the like, shall be strictly prohibited.
 - (m) Accessory buildings or structures. All accessory buildings or structures shall meet all building standards as listed in this code or as prescribed by other applicable laws and regulations, and as prescribed in accordance with the provisions of the Florida Building Code, as amended by Broward County. All accessory buildings or structures shall require a building permit issued by the city.
 - (n) Colors. Except where superseded by the requirements of other county, state, or federal regulatory agencies possessing jurisdiction over telecommunications towers, telecommunications towers shall be painted or constructed in neutral colors, designed to blend into the surrounding environment, such as non-contrasting gray.
 - (o) Non-interference. Each application to allow construction of a telecommunication tower shall include a certified statement that the construction and placement of the tower will not interfere with public safety communications.
4. Inspections.
- (a) Telecommunication tower owners shall submit a report to the City Manager or his/her designee, certifying structural and electrical integrity on the following schedule:
 - i. Monopole towers - once every five years;
 - ii. Self-support/lattice towers - once every two years; and
 - iii. Guyed towers - once every two years.
 - (b) Inspections shall be conducted by an engineer licensed to practice in the state. The results of such inspections shall be provided to the City Manager or his/her designee. Based upon the results of an inspection, the Building Official may require repair, replacement, or removal of a telecommunication tower.
 - (c) The City may conduct periodic inspections of telecommunication towers to ensure structural and electrical integrity. The owner of the telecommunications tower may be

required by the City to have more frequent inspections should there be reason to believe that the structural and electrical integrity of the tower is jeopardized.

5. Existing towers.

- (a) Notwithstanding the provisions of this section above, telecommunications antennas may be placed on existing towers with sufficient loading capacity. The capacity shall be certified by an engineer licensed to practice in the state.
- (b) Notwithstanding the provisions of this section above, towers in existence as of November 6, 1996, may be replaced with a tower of equal or less visual impact after approval by the City Manager or his/her designee. If the proposed tower does not receive such approval under this section, its replacement must be consistent with this LDC.

(C) Antennas not Located on Telecommunications Towers

1. Antennas shall be permitted on the prescribed locations, pursuant to a favorable outcome of the process described as follows:

Table 531.2 Proposed Antenna Location and Approval Process			
Antenna or Ground-Based Microwave Dish Antenna		Zoning Districts	Approval Process
Existing Tower:			
	Add to Existing Tower	N/A	Planning and Zoning Board, non-quasi-judicial
	Replace on Existing Tower	N/A	Building Permit
Adding Building:			
	Visible	N/A	Planning and Zoning Board, non-quasi-judicial
	Stealth	N/A	Building Permit
	Satellite Earth Station	Non-Single-Family	Site Plan – City Commission and Planning and Zoning Board

2. Minimum standards. Building or rooftop antennas shall be subject to the following minimum standards:

- (a) Building rooftop stealth antennas shall be subject to the following minimum standards:
 - i. No commercial advertising shall be allowed on an antenna;
 - ii. No signals, lights, or illumination shall be permitted on an antenna, unless required by the Federal Communications Commission or the Federal Aviation Administration;
 - iii. Any related unmanned equipment building shall not contain more than 750 square feet of gross floor area or be more than 12 feet in height and shall be screened in accordance with other requirements of the code;
 - iv. If the equipment building is located on the roof of the building, the areas of the equipment building shall not occupy more than 25% of the roof area and shall be screened from adjacent property; and
 - v. Each application shall contain a rendering or photograph of the antenna, including but not limited to colors and screening devices. This shall be subject to administrative approval for consistency with the definition of stealth facility.

- (b) Satellite earth stations, ground-based microwave dish antennas, and building rooftop non- stealth antennas shall be subject to the following minimum standards:
 - i. Antennas may not extend more than 20 feet above highest joint of a roof. Stealth antennas attached to but not above rooftop structures shall be exempt from this provision. Antennas may exceed 20 feet above the roof if approved as a special exception by the City Commission;
 - ii. Antennas, and related equipment buildings, shall be located or screened to minimize the visual impact of the antenna upon adjacent properties and shall be of a material or color which matches the exterior of the building or structure upon which it is situated;
 - iii. No commercial advertising shall be allowed on an antenna;
 - iv. No signals, lights, or illumination shall be permitted on an antenna, unless required by the Federal Communications Commission or the Federal Aviation Administration;
 - v. Any related unmanned equipment building shall not contain more than 750 square feet of gross floor area or be more than 12 feet in height and shall be screened in accordance with other requirements of the code; and
 - vi. If the equipment building is located on the roof of the building, the area of the equipment building shall not occupy more than 25% of the roof area and shall be screened from adjacent property.
- 3. Antenna types.
 - (a) To minimize adverse visual impacts, stealth antenna types shall be preferred. If a non- stealth antenna is proposed, the applicant shall be required to demonstrate, in a technical manner acceptable to the City staff, why the stealth antenna cannot be used for the particular application.
 - (b) This does not preclude a combination of the various types of antenna.
- 4. Aircraft hazard. Prior to the issuance of a building permit by the city, the applicant shall provide evidence that the telecommunication towers or antennas are in compliance with the Federal Aviation Administration (FAA) regulations. Where an antenna will not exceed the highest point of the existing structure upon which it is to be mounted, such evidence shall not be required.

(D) Shared Use of Communication Towers

- 1. Notwithstanding any other provision of this LDC, to minimize adverse visual impacts associated with the proliferation and clustering of telecommunication towers, colocation of facilities on existing or new towers shall be encouraged by:
 - (a) Only issuing permits to qualified shared facilities at locations where it appears there may be more demand for towers than the property can reasonably accommodate; or
 - (b) Giving preference to qualified shared facilities over other facilities in authorizing use at particular locations.
- 2. For a facility to become a qualified shared facility, the facility owner must show that:
 - (a) The facility is appropriately designed for sharing; and
 - (b) The facility owner is prepared to offer adequate space on the facility to others on fair and reasonable, nondiscriminatory terms.

3. To satisfy the requirements of section (b) above, the facility owner must submit a written evaluation of the structural capacity of the tower.
4. Each provider shall submit to the City a list of all of its telecommunication towers located or proposed to be located within the corporate limits of the City. The list shall include the location, height, and available capacity for additional antennas as well as the name, address, and phone and facsimile number of the applicant. The City shall make these lists available to applicants to assist in the collocation of antennas.
5. Collocation of communication antennas by more than one provider on existing or new telecommunication towers shall take precedence over the construction of new single-use telecommunication towers. Accordingly, each application for a telecommunication tower shall include the following:
 - (a) A written evaluation of the feasibility of sharing a telecommunication tower, if an appropriate telecommunication tower or towers is/are available. The evaluation shall analyze one or more of the following factors:
 - i. Structural capacity of the tower or towers;
 - ii. Radio frequency interference;
 - iii. Geographical coverage requirements;
 - iv. Mechanical or electrical incompatibility;
 - v. Inability or ability to locate equipment on the tower or towers;
 - vi. Availability of towers for collocation;
 - vii. Any restrictions or limitations of the Federal Communications Commission that would preclude the shared use of the tower.
 - viii. Additional information requested by the City.
 - (b) The City may deny an application if an available collocation is feasible and the application is not for such collocation.
6. A telecommunication tower that is determined to be inappropriate for sharing shall be assumed to be inappropriate for sharing the same types of facilities in the future. Such towers will not need to be evaluated in the future regarding sharing with the same type of facility for which it has been determined to be inappropriate. The City shall retain a list of such towers and will provide a copy of the list to all potential applicants. The city may require additional sharing feasibility evaluations if warranted by changes in technology.
7. For any telecommunications tower approved for shared use, the owner of the tower shall provide notice of the location of the telecommunication tower and the tower's load capacity to the City. The City will maintain and make this list available to all applicants.

(E) Applications

1. The City shall act promptly on any application submitted in accordance with the provisions of this LDC. The reasons for rejecting any application filed under these provisions shall be explained, set forth in writing, and based on substantial evidence.
2. The issuance of a permit, however, is not a lease, and no municipally-owned property may be used without a lease agreement with the City. The City may, as appropriate to protect its property and the public interest, establish additional requirements beyond the minimum requirements of a permit for municipally-owned property. Furthermore, nothing in this LDC shall prohibit the city from requiring additional provisions in a lease.

ARTICLE 6 ZONING REGULATIONS AND STANDARDS

ARTICLE 6 ZONING REGULATIONS AND STANDARDS

Article 6 establishes the ancillary zoning regulations and standards for the development of a site within the City. To make the regulations easier to find the sections will be reorganized to group similar sections. Additionally, to aid in the modernization of the code, the existing sections will be reviewed to find sections that can be removed due to outdated regulations, updated to be reflective of current practice and law, or reworded to clarify the regulations. The restructuring and modification of the sections will aim to streamline the development process by making the regulations easier to identify and understand. Below is an example of a current section that will be found in Article 6.

Article 6 will consist of the following sections:

- Chapter 116: Lighting
- Chapter 153: Landscaping
- 155.040 – 155.083: General zoning regulations
- 155.108: Residential Zero Lot Line Development
- 155.113: Residential Townhouse Development
- 155.114 – 155.119: Residential Multi-Family Development
- 155.149: B-3 General Business - Regional Mall Development
- 155.235: Establishment and location; encroachment
- 155.245 – 155.259: Off-street Parking and Loading
- 155.315 – 155.331: Signs
- 155.340 – 155.349: Excavation regulations.
- 155.245 – 155.259: Off-street Parking and Loading

ARTICLE 6 ANTICIPATED TIMELINE

- October, 2020: Review and Recommendation by the Planning and Zoning Board
- November, 2020: City Commission Review of Article 5