



Legislation Text

File #: 20-0554, **Version:** 1

MOTION TO ACCEPT ARTICLE 4 - ZONING DISTRICTS SECTION OF THE LAND DEVELOPMENT CODE UPDATE.

1. In advance of this item on June 29, 2020, Planning and Economic Development Staff provided the City Commission with a copy of *Article 4* and summary of the Land Development Code (LDC) via email for preliminary review. Staff has prepared a presentation to highlight the changes proposed in *Article 4*.

2. The City of Pembroke Pines has contracted with Calvin Giordano and Associates (CGA) to update the City LDC. The general goals of the Land Development Code update include the following:

- ☐ To consolidate most development related activities / regulations into one area of the Code.
- ☐ To make the Code easier to understand for all parties.
- ☐ Ensure all development applications and processes are updated to current practices.
- ☐ To review current Code and remove obsolete uses / regulations / zoning districts.
- ☐ To ensure the Code remains consistent with Comprehensive Plan.
- ☐ To strengthen the Code from a legal perspective.
- ☐ Free the Code of contradictions and cross referencing errors.
- ☐ Encourage public participation.

3. The identified target audiences of the Land Development Code Update include the following:

- ☐ Residents / Public
- ☐ Developers
- ☐ Business Owners
- ☐ Legal Community
- ☐ City Staff
- ☐ City Advisory Boards

4. Calvin Giordano and Associates role in this process includes the following:

- ☐ Overall technical assistance in drafting the Code update.

- ☐ Help facilitate public participation
- ☐ Attend and participate in staff meetings and public meetings.
- ☐ Website & Graphics creation
- ☐ Coordinate and attend stakeholder interviews.
- ☐ Create drafts and revisions to the Code based on stakeholder input.

5. Calvin Giordano and Associates is contracted to complete the Land Development Code updates by September 2020. To date, the following meetings have taken place related to this project:

- ☐ **November 19, 2018** City Commission meeting: Approved the City budget which included the funding of the Land Development Code Update project.
- ☐ **January 30, 2019** City Commission meeting: Contract Proposal received by Calvin, Giordano & Associates
- ☐ **March 11, 2019** City Commission meeting: Contract Accepted by City of Pembroke Pines
- ☐ **June 13, 2019:** Joint Advisory Board, Kick- off Meeting (Public Meeting)
- ☐ **June- August 2019:** Internal Staff Meetings
- ☐ **August 28, 2019:** Open House #1 (Public Meeting)
- ☐ **September, 2019:** Annotated Outline Created
- ☐ **October 10, 2019:** Project Update provided to Planning and Zoning Board (Public Meeting)
- ☐ **October 15, 2019:** Staff Working Group (Public Meeting)
- ☐ **October 29, 2019:** Staff Working Group (Public Meeting)
- ☐ **November 19, 2019:** Staff Working Group (Public Meeting)
- ☐ **December 03, 2019:** Staff Working Group (Public Meeting)
- ☐ **January 07, 2020:** Staff Working Group (Public Meeting)
- ☐ **January 21, 2020:** Staff Working Group (Public Meeting)
- ☐ **January 23, 2020:** Planning and Zoning Board Meeting transmitting Article 1 to City Commission.
- ☐ **March, 4, 2020:** City Commission Meeting motion to accept Article 1
- ☐ **March 17, 2020:** Staff Working Group (Public Meeting)
- ☐ **May 28, 2020:** Planning and Zoning Board Meeting transmitting Article 3 to City Commission.
- ☐ **June 17, 2020:** City Commission Meeting motion to accept Article 3
- ☐ **June 25, 2020:** Planning and Zoning Board Meeting transmitting Article 4 to City Commission.
- ☐ **June 29, 2020:** Staff sent Article 4 to City Commission for Preliminary Review.

In addition to the meetings above, the public has had continuous access to the City's Land Development Code project microsite, <http://pembrokepinescode.cgasolutions.com/>, which is updated regularly. The public can review relevant documentation relating to the Land Development Code update as well as provide project related comments.

6. Based on the meetings above, CGA and the City have created an overall outline as to the organization of this Code. Both the City staff and consultant have agreed to reorganize the proposed

Land Development Code into the following general Articles as stated below:

- ☐ Article 1: Purpose
- ☐ Article 2: Definitions
- ☐ Article 3: Administration - Summary of development application types and processes
- ☐ Article 4: Zoning Districts - List of all zoning districts with general development criteria specific to that zone.
- ☐ Article 5: Use Regulations - Creation of a use table which outlines uses and the zone in which those uses are permitted. Additional criteria for specific uses (ie. Schools, Adult Entertainment)
- ☐ Article 6: General Zoning Regulations - Site specific supplemental regulations which apply to more than one zoning district (ie: Land Use separation requirements, accessory structures, driveways)
- ☐ Article 7: Development Regulations - Other larger scale regulations related to a site. (ie. Signage, Lighting, Landscape)

7. The City Commission at its January 15, 2020 meeting endorsed staff's proposed review process for the reorganization of this large document. Under the proposal, staff would bring each article separately to the Planning and Zoning Board for consideration. Each individual article would then be transmitted to the City Commission for review. Commission would then consider a motion to accept each article, enabling staff to proceed to the next Article. The order in which the articles are to be reviewed by the Boards would be determined by staff. An ordinance, enacting all of the changes and adopting the LDC will reviewed by the Planning and Zoning Board, and transmitted to City Commission for adoption (2 readings) later this year. It is anticipated that the new Code will take effect in January 2021.

8. Tonight, the City is proposing Article 4 of the Land Development Code update entitled, "Zoning Districts".

ARTICLE 4 - ZONING DISTRICTS

Article 4 of the Land Development Code was created in order to provide a user a comprehensive list of all zoning districts and the dimensional standards for those districts. Staff worked with CGA to consolidate much of the text from each zoning district into individual, easy to read, tables. This greatly reduces the length of the article and helps makes specific information easier to identify. In addition of the dimensional tables, the following types of modifications are proposed for a number of the existing zoning districts:

- ☐ *Renaming of districts:* To help modernize and help further strengthen the identification of the districts based on their permitted uses and standards.
- ☐ *Consolidation of similar districts:* Certain districts have minor differences in dimensional standards or use permitted. In an effort to streamline the code the consolidation of these districts will create a better user experience
- ☐ *Removal of districts:* The removal of districts are proposed due to the following;
 - Districts being underutilized
 - No current properties having that specific zoning designation, while staff and CGA also envision that no properties will be rezoned to those zoning districts

Care was taken to minimize the impacts these modifications will have on the properties in the City. Below is a chart summarizing the proposed alterations to the zoning districts, summary of the districts that will be removed or combined, as well as a summary of the structure and highlights of the new Article:

PROPOSED ZONING DISTRICTS

9. Currently, there are 40 zoning districts, the proposed amendments will reduce the number of districts to 29. The district will be renumbered and organized in the following order (Removal and Combinations shown in bold):

Zoning Districts	
<i>Existing</i>	<i>Proposed</i>
Limited Agricultural (A-1)	Combine: Agricultural (A)
General Agricultural (A-2)	Combine: Agricultural (A)
Agricultural Utility (A-3)	Utility (U)
Agricultural Amusement (A-4)	Combine: Recreation (REC)
Recreational (S-1)	Combine: Recreation (REC)
Agricultural Excavation (A-5)	Agricultural Excavation (A-E)
Agricultural Disposal (A-6)	Resource Recovery (R-R)
Community Facility (CF)	Community Facility (CF)
Rural Ranches Lifestyle (RR)	Remove
Estate (E-1)	Residential Estate (R-E)
One- Family Dwelling (R-1A, R-1B, R-1C)	Residential Single- Family (R-1A, R-1B, R-1C)
One- Family Dwelling Parking (R-1P)	Remove
Single- Family (RS- 7)	Residential Single- Family Zero Lot Line (R-1Z)
Mobile Home Dwelling (R-1T)	Residential Mobile Home (R-MH)
Two- Family Dwelling (R-2U)	Residential Two- Family Dwelling (R-2)
Townhouse (TH-12)	Residential Townhouse (R-TH)
Low Density Multiple (R-3)	Combine: Residential Multi-Family (R-MF)
Apartment (R-4)	Combine: Residential Multi-Family (R-MF)
Planned Apartment (R-4A)	Combine: Residential Multi-Family (R-MF)
Hotel (R-6)	Combine: Residential Multi-Family (R-MF)
Neighborhood Business (B-1)	Neighborhood Business (B-1)
Community Business (B-2)	Community Business (B-2)
Planned Business Center (B-2A)	Remove
General Business (B-3)	General Business (B-3)
Commercial (C-1)	Commercial (C-1)
Professional Office (PO-1)	Combine: Professional Office (PO)
Professional Office (PO-2)	Combine: Professional Office (PO)
Light Industrial (M-1)	Combine: Industrial-Light (I-L)
Medium Industrial (M-2)	Combine: Industrial-Light (I-L)
General Industrial (M-3)	Industrial-Medium (I-M)

Limited Heavy Industrial (M-4)	Combine: Industrial-Heavy (I-H)
Heavy Industrial (M-5)	Combine: Industrial-Heavy (I-H)
Planned Unit Development (PUD)	Planned Unit Development (PUD)
Planned Small Lot Development (PD-SL)	Planned Small Lot Development (PD-SL)
Mixed Use Development (MXD)	Mixed Use Development (MXD)
Planned Commercial Development (PCD)	Planned Commercial Development (PCD)
Planned Industrial Development (PID)	Planned Industrial Development (PID)
Hospital (HD)	Hospital (HD)

DISTRICTS TO BE REMOVED

10. In continued efforts to update the code, address existing nonconformities and remove obsolete regulations, staff and CGA have identified the following zoning districts are proposed to be removed.

- ☐ Rural Ranches Lifestyle (RR)
 - 0 existing properties
 - Staff and CGA do not expect any future rezoning to this district.
- ☐ One - Family Dwelling Parking (R-1P)
 - 1 existing property which is currently a parking lot
 - Unnecessary zoning district
 - The existing property will be rezoned to the adjacent parcel B-2, which contains the building for the parking lot referenced above.
- ☐ Planned Business Center (B-2A): 24 existing properties.
 - Obsolete zoning district
 - Properties will be rezoned to either B-2 or B-3 on a case by case basis at a later date.

DISTRICTS TO BE COMBINED

11. Similar districts are proposed to be combined to offer a more condensed, organized and clear zoning code. These districts have similar dimensional requirements as well as permitted uses. The combination of the zoning districts are proposed in a manner as to not impose more restrictive requirements on the affected properties within the city, as well as create as few non-conformities as possible. The proposed combinations are as follows:

Low Density Multiple (R-3)	Combine: Residential Multi-Family (R-MF)
Apartment (R-4)	Combine: Residential Multi-Family (R-MF)
Planned Apartment (R-4A)	Combine: Residential Multi-Family (R-MF)
Hotel (R-6)	Combine: Residential Multi-Family (R-MF)
Professional Office (PO-1)	Combine: Professional Office (PO)
Professional Office (PO-2)	Combine: Professional Office (PO)
Light Industrial (M-1)	Combine: Industrial-Light (I-L)
Medium Industrial (M-2)	Combine: Industrial-Light (I-L)

Limited Heavy Industrial (M-4)	Combine: Industrial-Heavy (I-H)
Heavy Industrial (M-5)	Combine: Industrial-Heavy (I-H)
Limited Agricultural (A-1)	Combine: Agricultural (A)
General Agricultural (A-2)	Combine: Agricultural (A)
Agricultural Amusement (A-4)	Combine: Recreation (REC)
Recreational (S-1)	Combine: Recreation (REC)

12. Below is a summary of the structure and highlights of the new Article. Significant modifications are listed below.

- ☐ 155.400 General Provisions
 - Requires that all land within the City follow the regulations outlined within the Land Development Code.
- ☐ 155.401 Zoning Map (Currently 155.027)
 - Establishes the Zoning Map as part of the Land Development Code.
- ☐ 155.402 District Classifications (Currently 155.025)
 - Outlines the broad types of zoning districts found within the city.
 - Outlines the specific zoning districts found within the city.
- ☐ 155.403 Zoning Districts Comparative Table
 - Table comparing existing zoning districts to the proposed zoning districts.
- ☐ 155.410 Agriculture (A) (Currently 155.090)
 - The Limited Agricultural (A-1) and General Agricultural (A-2) districts shall be combined to make the Agriculture (A) District.
 - Currently these districts are combined in the code but identified as two separate districts. Therefore, no changes to the development standards are proposed as part of the combination.
 - Dimensional standards table created.
 - Permitted uses will be located in Article 5: Use Regulations.
- ☐ 155.411 Utility (U) (Currently 155.091)
 - Formerly Agricultural-Utility (A-3)
 - Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations.
 - Permitted uses will be located in Article 5: Use Regulations.
- ☐ 155.412 Agriculture Excavation (A-E) (Currently 155.093)
 - Formerly Agricultural-Excavation (A-5)
 - Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations.

- ☐ 155.413 Resource Recovery (R-R) (Currently 155.094)
 - Formerly Agricultural-Disposal (A-6)
 - Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations.
- ☐ 155.414 Community Facility (CF) (Currently 155.180)
 - Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations.
- ☐ 155.415 Recreation (REC) (Currently 155.092 and 155.125)
 - The Recreational (S-1) and Agricultural Amusement (A-4) districts shall be combined to make the Recreation (REC) District.
 - These district currently have a similar purpose and uses permitted. Currently, there are zero S-1 or A-4 zoned properties located within the City.
 - The current A-4 standards are proposed for the REC district.
 - Permitted uses will be located in Article 5: Use Regulations.
- ☐ 155.420 Residential Estate (R-E) (Currently 155.105)
 - Dimensional standards table created, no changes to standards.
- ☐ 155.421 Residential Single-Family (R-1A, R- 1B, R-1C) (Currently 155.106)
 - Dimensional standards table created, no changes to standards.
- ☐ 155.422 Residential Single-Family Zero Lot Line (R-1Z) (Currently 155.108)
 - Dimensional standards table created, no changes to standards.
 - Development standards will be located in Article 7 Development Standards.
- ☐ 155.423 Residential Mobile Home (R-MH) (Currently 155.109)
 - Dimensional standards table created, no changes to standards.
- ☐ 155.424 Residential Two-Family (R-2) (Currently 155.112)
 - Dimensional standards table created, no changes to standards.
- ☐ 155.425 Residential Townhouse (R-TH) (Currently 155.113)
 - Dimensional standards table created, no changes to standards.
 - Removal of language addressing platted and unplatted lots. All townhouse development platted or unplatted shall have the same dimensional and development standards.
 - Additional Development standards will be located in Article 7 Development Standards.
- ☐ 155.426 Residential Multi-Family (R-MF) (Currently 155.114, 155.115, 155.116 and 155.118) 6 total
 - The Low Density Multiple (R-3), Apartment (R-4), Planned Apartment (R-4A) and Hotel (R-6) districts shall be combined to make the Residential Multi-Family (R-MF) District.

- Currently the residential standards such as setbacks, height, unit size and the like for the districts above are identical.
 - The main difference between the districts as they exist today are the non-residential standards.
 - There are 6 Non-residential developments found within these districts in the City; therefore, staff and CGA are proposing to consolidate them utilizing standards that minimize the impacts on the exiting sites.
 - Hotels, single family and multi-family development are permitted in the Hotel (R-6) district. Currently, there are no hotels found within the R-6 district. The combination of the district will not permit hotels where is previously was not. In order to minimize the impact of permitting hotels in the other multi-family districts, hotels shall now require a special exception to gain approval.
- ☐ 155.430 Neighborhood Business (B-1) (Currently 155.145)
- Dimensional standards table created.
 - Establishment of setbacks for B-1 which previous followed the alternative buffer yard regulations.
 - Permitted uses will be located in Article 5: Use Regulations
- ☐ 155.431 Community Business (B-2) (Currently 155.146)
- Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations
- ☐ 155.432 General Business (B-3) (Currently 155.149)
- Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations
- ☐ 155.433 Commercial (C-1) (Currently 155.150)
- Dimensional standards table created.
 - Currently, there is not a minimum lot area or setbacks for the district. Examining the current sites within the City with the goal of creating as few non-conformities as possible, Staff and CGA have proposed standards for both lot area and setbacks.
 - Staff and CGA believe that the uses permitted within the district should have the proposed regulations tied to them.
 - Permitted uses will be located in Article 5: Use Regulations
 - Development standards will be located in Article 7: Development Standards.
- ☐ 155.434 Professional Office (PO) (Currently 155.151 and 155.152)
- The Professional Office (PO-1) and Professional Office (PO-2) districts shall be combined to make the Professional Office (PO) District
 - The uses permitted within both of the districts are identical.
 - Dimensional standards table created utilizing the less restrictive PO-1 standards in order to prevent nonconformities.
 - Permitted uses will be located in Article 5: Use Regulations.

- ☐ 155.440 Industrial Light (I-L) (Currently 155.165 and 155.168)
 - The Light industrial (M-1) and Medium Industrial (M-2) districts shall be combined to make the Industrial Light (I-L) District.
 - There are only 2 M-1 properties within the City.
 - They combination of the two districts will produce minimal impact in terms of new allowed uses.
 - Based on the use the I-L district includes provisions for additional separation from residentially zoned properties.
 - M-2 standards shall be adopted.

- ☐ 155.441 Industrial Medium (I-M) (Currently 155.169)
 - Formerly General Industrial (M-3)
 - Dimensional standards table created, no changes to standards.
 - Permitted uses will be located in Article 5: Use Regulations.

- ☐ 155.442 Industrial Heavy (I-H) (Currently 155.171)
 - The Limited Heavy Industrial (M-4) and Heavy Industrial (M-5) districts shall be combined to make the Industrial Heavy (I-H) District.
 - Dimensional standards table created, no changes to standards.
 - To reduce the impact the adding uses to the previously zoned M-4 properties, the current M-5 uses shall require a special exception (Commission) to be permitted in the new I-H district
 - Additionally, the M-5 uses shall be required to meet the more restrictive lot size and the lot area established in the new I-H district.
 - Dimensional standards table created.
 - Permitted uses will be located in Article 5: Use Regulations.

- ☐ 155.450 Development Procedures for Planned Districts
 - References the procedures for various development applications in Planned Districts.

- ☐ 155.451 Planned Unit Development (PUD) (Currently 155.190-155.207)
 - No substantive changes

- ☐ 155.452 Planned Small Lot Development (PD-SL) (Currently 155.209)
 - No substantive changes

- ☐ 155.453 Mixed Use Development (MXD) (Currently 155.210)
 - No substantive changes

- ☐ 155.454 Planned Commercial Development (PCD) (Currently 155.211)
 - No substantive changes

- ☐ 155.455 Planned Industrial Development (PID) (Currently 155.167)
 - No substantive changes

- ☐ 155.456 Hospital District (HD) (Currently 155.153)

- No substantive changes

13. The Planning and Zoning Board at its June 25, 2020 meeting voted to transmit the Article to the City Commission with a favorable recommendation.

14. Administration recommends the City Commission makes a motion to accept *Article 4* (Zoning Districts) Section of the Land Development Code Update.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project:** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.