



Legislation Text

File #: 20-0740, **Version:** 1

Land Development Code Review (LDC) Update:
AM 2020-01 Article 6 Development Standards

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

The City of Pembroke Pines has contracted with Calvin Giordano and Associates (CGA) to update the City Land Development Code (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.

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

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.

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.
- **August 5, 2020:** City Commission Meeting motion to accept Article 4
- **August 13, 2020:** Planning and Zoning Board Meeting transmitting Article 5 to City Commission
- **September 16, 2020:** City Commission Meeting motion to accept Article 5
- *October 8, 2020: Planning and Zoning Board Meeting transmitting Article 6 to City Commission*
- *October 22, 2020: Planning and Zoning Board Meeting transmitting Article 2 to City Commission*
- *November 4, 2020: City Commission Meeting motion to accept Article 6.*
- *November 12, 2020: Planning and Zoning Board Meeting transmitting Full Summary of Ordinance to City Commission*
- *November 18, 2020: City Commission Meeting motion to accept Article 2*

- *December 16, 2020: 1st Reading of Land Development Code*
- *January 20, 2020: 2nd Reading and Adoption of Land Development Code*

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.

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 (i.e. Schools, Adult Entertainment)
- Article 6: Development Standards - Ancillary regulations related to the development of a site. (i.e. Signage, Lighting, Landscape, Accessory structures)

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) the 1st reading in December and the 2nd reading in January. It is anticipated that the new Code will take effect in February 2021.

Tonight, the City is proposing Article 6 of the Land Development Code update entitled, "Development Standards". All Articles reviewed up to this date have been included within the item to provide context when reviewing Article 6.

ARTICLE 6 - DEVELOPMENT STANDARDS:

Article 6 of the Land Development Code was created in order to provide standards that regulate the physical layout and design for development of a site within the City. These regulations and standards consist of items such as access and parking, accessory buildings and structures, bufferyards, fences, commercial and residential developments, landscaping, lighting, signs, and sustainability. Currently these standards are scattered throughout Chapter 155 but can also be found in other chapters such as Chapters 116 (Lighting), 153 (landscaping), and 159 (Green Building). The proposed reorganization will make the code easier for all users.

Staff worked with CGA to reorganize and group similar code sections, update sections for clarity and to address changes in technology and practice. As well, staff is proposing to remove sections that are either obsolete, addressed by another code section or handled by other legislation.

The proposed changes continue the projects overall goal enhancing the user's experience. With the modifications the information will be easy to locate, understand and apply to their specific need.

ARTICLE 6 - STRUCTURE

The standards are divided into 10 categories. Below is a summary of the structure and highlights of the new Article, first will be the large heading followed by the subsections. Significant modifications are listed in bold.

Article 6 includes the following sections:

1. Access, Loading and Parking
2. Accessory Buildings and Structures
3. Bufferyards and Encroachment
4. Fences, Walls and Hedges
5. Development Design Guidelines
6. Landscaping
7. Lighting
8. Signs
9. Supplemental Site Development Standards
10. Sustainability

- 155.600 General Provisions
 - Establishes the general purpose of Article 6.

ACCESS, LOADING AND PARKING

- 155.601 General - Access, Loading and Parking
 - Combination of standards such as plan requirements, residential access, uses not listed, and fractional measurements of parking and loading.
- 155.602 Access to Gated Communities for Emergency Vehicles (Currently 155.079)
 - No substantive changes.
- 155.603 General - Off-Street Loading and Parking (Currently 155.245)
 - No substantive changes.
- 155.604 Identification of Facilities; Required Surface (Currently 155.249)
 - No substantive changes.
- 155.605 Minimum Off-Street Parking Requirements (Currently 155.251)
 - **The following parking requirements have been added or modified:**

Use	Dwelling - Multi-Family
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Current	2.1 spaces per unit
Proposed	2 spaces per unit (1 or 2 bedroom) 2.5 spaces per unit (3 or more bedrooms) 2.5 guest parking spaces per ten units
Use	Dwelling - Town House
Current	2 spaces per unit 2.5 spaces per unit with 3 or more bedrooms
Proposed	2 spaces per unit (1 or 2 bedroom) 2.5 spaces per unit (3 or more bedrooms) 2.5 guest parking spaces per ten units

Use	Amusement Center
Current	N/A
Proposed	5 spaces per 1,000 sq. ft.

Use	Office - Veterinary
Current	N/A
Proposed	3.5 spaces per 1,000 sq. ft.

Use	Recreation Specialized Gym
Current	N/A
Proposed	5 spaces per 1,000 sq. ft.

Use	Banquet Hall
Current	N/A
Proposed	10 spaces per 1,000 sq. ft.

Use	Night Club
Current	N/A
Proposed	20 spaces per 1,000 sq. ft.

Use	Instructional Services
Current	N/A
Proposed	3.5 spaces per 1,000 sq. ft.

- 155.606 Parking Space Dimensions (Currently 155.248)
 - **Addition of standards for motorcycle parking. Parking shall not count towards the required parking for the site.**
 - **Creation of parking space dimension chart.**
- **155.607 Amount of Bicycle Parking Required**
 - **New section regulating Bicycle Parking**
 - **For non-residential sites, bicycle parking shall be provided at 1 space per 10,000 square feet of commercial.**
 - **For multi-family sites, bicycle parking shall be provided at 1 space per 5 units.**
 - **Exemptions may be provided when a development is not conducive to bicycle parking.**

- 155.608 Short-Term Parking (Currently part of 155.251)
 - No substantive changes
- 155.609 Non-Concurrent Parking (Currently 155.253)
 - Clarification of what non-concurrent parking is
 - **Codification that non-concurrent parking shall be reviewed administratively.**
- 155.610 Off-Street Loading (Currently 155.257)
 - Consolidation of the amount of off-street loading space requirements into a table.
 - No other substantive changes.
- 155.611 Drive-Thru Stacking Space (Currently 155.258)
 - Consolidation of drive-thru stacking requirements into a table.
 - No other substantive changes
- 155.612 Valet Parking Regulations (Currently 155.259)
 - **New requirement for applicants to submit valet parking plan to be approved through development review process.**
 - No other substantive changes
- 155.613 Commercial Vehicle Parking (Currently 155.071)
 - No substantive changes
- 155.614 Electric Vehicle Charging Station (Currently 155.082)
 - No substantive changes
- 155.615 Recreational Vehicle - Parking
 - No substantive changes (Currently 155.078)

ACCESSORY BUILDINGS AND STRUCTURES

- 155.620 General - Accessory Buildings and Structures
 - New section formally identify what classifies as an accessory building or structure.
 - **New Accessory Buildings and Structures Table outlined the setbacks, height, dimensions and additional regulations for accessory structures permitted within the city.**
 - Consolidation of the setback regulations found within 155.049.
 - **Reduction in the street side setback for at grade structures within residential districts from 15 feet of 5 feet. Structures extending past or below grade will still have to meet the current 15 foot setback.**
 - **Establish standards for walkways on the side of homes.**
 - **2 foot setback, maximum 3 feet wide and only permitted on one side of the home.**
- 155.621 Supplemental Regulations for Accessory Buildings and Structures (Currently part of 155.049)
 - Clarification of additional standards for accessory buildings and structures in both residential and non-residential.
- 155.622 Docks (Currently 155.053)
 - No substantive changes.
- 155.623 Trash and Recycling Facilities (Currently part of 155.119)
 - No substantive changes.
- 155.624 House Trailers (Currently 155.074)
 - No substantive changes.

- 155.625 Portable Storage Units
 - No substantive changes

BUFFERYARDS, ENCROACHMENT AND SCREENING

- 155.630 General - Bufferyards and Encroachment
 - Establishes purpose and applicability.
- 155.631 Minimum Bufferyard Requirement
 - **Establishment of a minimum 10 foot wide landscape buffer for all non-residential parcels.**
- 155.632 Bufferyard Between Residential and Non-Residential (Currently 155.056)
 - No substantive changes
- **155.633 Pines Boulevard Corridor - Bufferyard**
 - **Codification of the Pines Boulevard Corridor requirements as outlined in the *Pines Boulevard Corridor Study and Manual of Design Guidelines*. The guidelines have been enforced since the document was written in 1986**
 - **40' buffer between the right-of-way and the base building line west of University Drive and a 15' buffer between the right-of-way and the base building line east of University Drive**
- 155.634 Setback Encroachment Regulations (Currently 155.047)
 - Creation of setback encroachment regulations table indicating the type, setback, maximum dimensions and any additional regulations.
 - No substantive changes.
- 155.635 Encroachment of Accessory Building and Structures Within Easements (Currently part of 155.049 and 155.108)
 - Organization of the standards regulating encroachment within easements.
 - No substantive changes.
- 155.636 Height Limitation Encroachment Specifications (Currently 155.051)
 - No substantive changes.
- 155.637 Screening of Service and Mechanical Equipment (Currently part of 155.149).
 - No substantive changes

DEVELOPMENT DESIGN GUIDELINES

- 155.640 General - Development Design Guidelines
 - Establishes the purpose and applicability.
- 155.641 Purpose - Commercial Outbuildings
 - Outlines the purpose and intent of commercial outbuildings.
- 155.642 Commercial Outbuilding Standards
 - Codification of standards regulating commercial outbuildings which were formally absent from the code.
 - No changes to existing enforcement or standards.
- 155.643 General - Commercial Outparcels (Currently part of 155.146)
 - No substantive changes
- 155.644 Commercial Outparcel Standards (Currently part of 155.146)

- No substantive changes
- 155.645 Guiding Principles - Regional Mall Outparcel Development (Currently part of 155.149)
 - No substantive changes
- 155.646 Site Development Standards for Regional Mall Outparcels (Currently part of 155.149)
 - No substantive changes
- 155.647 Use Restrictions - Regional Mall Outparcels (Currently part of 155.149)
 - No substantive changes
- 155.648 Architectural Compatibility - Regional Mall Outparcels
- 155.649 Scope of Application (Currently part of 155.149)
 - No substantive changes
- 155.650 Multi-Family (Currently part of 155.119)
 - **Modernization of existing tables and graphics**
- 155.651 Townhouses (Currently part of 155.113)
 - Clarification of existing process and requirements
 - No substantive changes
- 155.652 Zero Lot Line Homes (Currently part of 155.108)
 - Combination of zero lot line standards from throughout the code.

FENCES, WALLS AND HEDGES

- 155.655 Fences, Walls, and Hedges (Currently 155.048)
 - Addition of current standards regulating fences within the R-MH district (Currently found within 155.109).

LANDSCAPING

- 155.656 Purpose - Landscaping (Currently 153.01)
 - No substantive changes.
- 155.657 Landscape Plan Requirements (Currently 153.06)
 - **Establish standards for the location of root barriers.**
- 155.658 Landscape Plan Review and Acceptance Procedures (Currently 153.07)
 - **Establish written procedures for landscape inspections.**
- 155.659 Issuance of Certificate of Occupancy or Final Landscape Inspection Approval (Currently 153.08)
 - No substantive changes.
- 155.660 Landscape Parameters - General Considerations (Currently 153.09)
 - No substantive changes
- 155.661 Minimum Landscape Requirements - All Properties (Currently 153.11)
- 155.662 Specific Minimum Landscape Requirements (Currently 153.16-153.19 and 153.12)
 - **Relocation of industrial landscape requirements from the I-L zoning district.**
 - **Establishment of standards for a perimeter buffer between different land uses including landscaping, berms, walls, fences, and building setbacks.**
 - **Establishment of installation and construction standards for green walls and roofs.**
- 155.663 Parking Islands (Currently 153.15)

- No substantive changes.
- 155.664 Plant Material Design and Installation Standards (Currently 153.03)
 - **Clarification of living plant material located within vehicle use areas.**
 - **Establishment of regulations for sod requiring 100% coverage at time of planting.**
 - **Creation of standards for artificial turf and non-living landscape materials including location, minimum material standards, as well as installation, maintenance, and repair**
 - **Creation of new groundcover standards.**
 - **Creation of installation standards for flowers, hedges, shrubs and trees.**
 - **Establishment that all shade trees must be located minimum of 15 feet from street light whereas palms and small trees must be located a minimum of 7 feet 6 inches away from a street light.**
- 155.665 Non-Living Durable Landscape Material Design and Installation Standards (Currently 153.04)
 - No substantive changes.
- 155.667 Irrigation Standards (Currently 153.05)
 - **Establishment that all landscape areas shall be provided with permanent irrigation system with 100% coverage and 50% overlap.**
 - **Establishment that all trees and palms on non-single family properties shall have one bubbler per tree and/or palm.**

LANDSCAPING - TREE PRESERVATION

- 155.668 General Intent Standards and Duties - Landscaping (Currently 153.21)
 - No substantive changes
- 155.669 Maintenance Standards - All Properties (Currently 153.22)
 - No substantive changes
- 155.670 Duties of Property Owner for General Landscape Maintenance (Currently 152.23)
 - **Creation of standards for staking, palm pruning and tree shaping while avoiding hat racking and overlifting of the tree canopy.**
 - **Clarification that the property owners must apply for a tree removal permit prior to removal.**
- 155.671 Tree Maintenance Companies Working in Pembroke Pines (Currently 153.24)
 - No substantive changes
- 155.672 Improper Tree Maintenance (Currently 153.27)
 - No substantive changes
- 155.673 Remedial Measures for Tree Abuse By Property Owners (Currently 153.28)
 - No substantive changes
- 155.674 Tree Removal or Relocation Permit (Currently 153.29 and 153.30)
 - **Establishment of tree removal application requirements.**
- 155.675 Standards for Tree Removal or Relocation Permit Issuance (Currently 153.31)
 - No substantive changes
- 155.676 Conditions for Tree Removals and Relocation Permits (Currently 155.32)
 - No substantive changes
- 155.677 Canopy Tree and Palm Replacement (Currently 155.33)

- No substantive changes
- 155.678 Relocation of Trees (Currently 153.34 and 153.35)
- 155.679 Enforcement - Landscaping (Currently 153.36)
 - No substantive changes
- 155.680 Mitigation Plan (Currently 153.37)
 - **Clarification that mitigation for residential is for a homeowners association whereas a non-residential mitigation plan is intended for individual property owners.**
- 155.681 Landscape Fund (Currently 153.38)
 - No substantive changes
- 155.682 Exemptions - Landscaping (Currently 153.20)
 - No substantive changes.

LIGHTING

- 155.685 Purpose and Intent - Lighting (Currently 116.01)
 - No substantive changes.
- 155.686 General Lighting Standards (Currently 116.03)
 - **Increase of maximum illumination at the property line from 0.0 foot-candles to 0.5 foot-candles**
 - Organization of standards regulating. Color Correlated Temperature (CCT) into a table.
 - **4,000 K lighting is now permitted in B-2 zoning districts (Previously 3,000 K)**
 - **Creation of Color Correlated Temperature table outlining the location and maximum permitted CCT.**
- 155.687 Non-Residential Lighting Standards (Currently 116.04)
 - No substantive changes
- 155.688 Outdoor Retail Lighting (Currently 116.05)
 - No substantive changes
- 155.689 Lighting of Residential Common Areas (Currently 116.06)
 - No substantive changes
- 155.690 Lighting of Natural Areas, Preserves and Environmentally Sensitive Areas (Currently 116.07)
 - No substantive changes
- 155.691 Prohibited Lighting (Currently part of 116.03)
 - No substantive changes
- 155.692 Exemptions (Currently part of 116.03)
 - No substantive changes

SIGNS

- 155.695 Purpose - Signs (Currently 155.315)
 - No substantive changes
- 155.696 General Standards - Signs (Currently 155.321)
 - No substantive changes
- 155.697 Location - Signs (Currently 155.322)

- No substantive changes
- 155.698 Sign Plans (Currently part of 155.324)
 - Reorganization of uniform sign plan and master sign plan regulations into one place. Previously located in the permanent signs sections
 - No substantive changes
- 155.699 Permanent Signs (Currently 155.324)
 - **Creation of permanent sign table that includes sign type, maximum square footage, maximum number of signs, maximum height, and any additional standards.**
- 155.6100 Permanent Signs - Supplemental Regulations (currently part of 155.324)
 - **Creation of regulations for changeable copy signs for movie theatres, community facilities, schools, and religious institutions.**
- 155.6101 Temporary Signs (Currently 155.325)
 - **Creation of temporary sign table that includes sign type, maximum square footage, maximum number of signs, maximum height, the duration the sign may be displayed and any additional standards.**
 - Clarification of banner sign regulations.
- 155.6102 Temporary Signs - Supplemental Regulations (Currently part of 155.325)
 - No substantive changes
- 155.6103 Nonconforming Signs (Currently 155.327)
 - No substantive changes
- 155.6104 Exempt Signs (Currently 155.317)
 - No substantive changes
- 155.6105 Permit and Fee Required; Exemptions - Signs (Currently 155.318)
 - No substantive changes
- 155.6106 Prohibited Signs (Currently 155.328)
 - No substantive changes

SUPPLEMENTAL SITE DEVELOPMENT STANDARDS

- 155.6110 Supplemental Site Development Standards - General
 - Establishes purpose and applicability.
- 155.6111 Elevation of Filled Land (Currently 155.058)
 - No substantive changes
- 155.6112 Excavation (Currently 155.340 - 155.349)
 - No substantive changes
- **155.6113 Floor Area Ratio - Nonresidential**
 - **Codification of floor area ratio standards found within the City's Comprehensive plan**
- 155.6114 Relation of Grade of Floors to Crown of Street (Currently 155.077)
 - No substantive changes
- 155.6115 Residential Use in Non-Residential Districts (Currently 155.055)
 - No substantive changes
- 155.6116 Sewage Disposal (Currently 155.061)
 - No substantive changes

- 155.6117 Waterways (Currently 155.065)
 - No substantive changes

SUSTAINABILITY

- **155.6120 Purpose and Intent - Sustainability**
 - New section regarding the purpose of the sustainability code.
- **155.6121 Applicability - Sustainability**
 - Establishes sustainable procedures for new and redevelopment applications that require site plan approval for residential, commercial, office, industrial and civic uses.
- **155.6122 Site Plan Submittal Requirements - Sustainability**
 - Establishes site plan requirements including a narrative that lists green building techniques and practices that will be used through the construction and operations phase of development.
- **155.6123 Sustainable Options**
 - Creation of a sustainability options table of which encourages applicants to incorporate the listed elements.

STAFF RECOMMENDATION:

Transmit to City Commission with a favorable recommendation.