

ATTACHMENT C

Exisiting Zoning Regulations

§ 4.2 Multiple Family Districts.

A. Purpose and uses.

District Purpose	Main Permitted Uses	Special Exceptions	Accessory Uses
These districts are designed to provide standards for the development and maintenance of multiple family residential buildings and hotels, where such uses are permitted (See no. 2 below).	See chart on next page.	Places of worship, meeting halls, social halls, institutional uses, day care facilities, commercial and non-commercial parking lots, and educational facilities. (See chart below)	Those uses which are customarily associated with one of the main permitted uses (See § 4.20).

District (Multiple Family MF)	Main Permitted Uses						
	Maximum Density, units per acre*	Single Family	Duplex	Town house	Apt. Bldg.	Hotel	Commercial
(1) RM-9 (Low -Med MF)	9	Yes	Yes	Yes	Yes	No	No
(2) RM-12 (Med MF)	12	Yes	Yes	Yes	Yes	No	No
(3) RM-18 (Med-High MF)	18	Yes	Yes	Yes	Yes	No, except east of I-95 permitted.	No
(4) RM-25 (High MF)	25 for Apt. Bldg.; 50 for Hotel, except if Comprehensive Plan land Use designation is Commercial**	Yes	Yes	Yes	Yes	Yes	No
(5) BRT-25 (Beach Resort MF)	25 for Apt. Bldg. 50 for Hotel, except if Comprehensive Plan land Use designation is Commercial **	Yes	Yes	Yes	Yes	Yes	Special Exception for eating and drinking uses if east of AIA, otherwise they are a Permitted Use; pawn, thrift, consignment shops, psychic help uses, tattoo shops and office are prohibited; all other commercial uses are permitted.

District (Multiple Family MF)	Main Permitted Uses						
	Maximum Density, units per acre*	Single Family	Duplex	Town house	Apt. Bldg.	Hotel	Commercial
(6) See § 4.2.D for RM-WET Multiple Family Wetlands District Regulations.							
(7) See § 4.2.E for NBDD North Beach Development District Regulations.							
* When residential uses are permitted, at least two units per platted lot are permitted regardless of the maximum permitted density.							
**Maximum density for parcels with Comprehensive Plan designation of General Business is outlined under "Permitted Uses in Areas Designated General Business" in Future Land Use Element of the Comprehensive Plan.							
MF = Multiple Family							

B. Development regulations.

District	Min. Lot Area (sq. ft.)*	Min. Lot Width* (ft.)	Max. Height (ft.)	Land-scape, open space**	Minimum Unit Size (Sq. Ft.)				
					Single Family (SF)	Duplex (Dup)	Townhse.	Apt.	Hotel
(1) RM-9	6000	60	2 stories not to exceed 30 ft.	40%	1000	500	800	500 Min 750 Avg	Not Allowed
(2) RM-12	6000	60	3 stories not to exceed 35 ft.	40%	1000	500	800	500 Min 750 Avg	Not Allowed
(3) RM-18	6000	60	4 stories not to exceed 45 ft., except if adjacent to sing. fam. district, then height 30 ft for first 100 ft of lot.	40%	1000	500	800	500 Min 750 Avg	Not Allowed
(4) RM-25	6000	60	Oceanfront - 80% of the distance from Erosion Control Line. Non- Oceanfront 65 ft or 6 stories. Development east of A-1-A, south of Harrison Street: no greater than 50 feet where there is already an existing high density multi-family residential project developed east of A-1-A and whose oceanfront views would otherwise be severely restricted and/or blocked by any such proposed development to be located	40%	1000	500	800	500 Min 750 Avg	15% of units 300-335; 85% of units 335+

			east of the existing building and on the same block.						
--	--	--	---	--	--	--	--	--	--

District	Min. Lot Area (sq. ft.)*	Min. Lot Width* (ft.)	Max. Height (ft.)	Land-scape, open space**	Minimum Unit Size (Sq. Ft.)				
					Single Family (SF)	Duplex (Dup)	Townhse.	Apt.	Hotel
(5)BRT-25	6000	60	North of Tyler to Sherman Street - 50 feet. South of Harrison St. - 65 ft. and North of Balboa Street - 150 ft.	40%	1000	500	800	500 Min 750 Avg	15% of units 300-335; 85% of units 335+
(6) See Section 4.2.D for RM-WET Wetlands District Regulations.									
(7) See Section 4.2.E for NBDD North Beach Development District Regulations.									
* Platted lots or lots of record which contain less than the minimums are considered as legal non-conforming and may be developed consistent with these regulations; provided such lots also comply with Sections 3.8 and 3.9.									
** Includes landscaped open space located at-grade or at higher elevations such as on pool decks, parking decks, roof decks and similar uses.									

C. (1) Setback requirements main structure: RM-9, RM-12 and RM-18.

Front	Side/Interior	Side/Street	Rear
20 ft. for structures; 5 ft. for at-grade parking lots.	The sum of the side yard setbacks shall be at least 20% of the lot width, but not to exceed 50 ft. with no side yard less than 7.5 ft.; except , platted and recorded lots of 50 ft. or less in width may have a 5 ft. setback. When an existing Building has a 5 ft. side yard setback, the setback of new construction may also be 5 ft. This applies to the linear or vertical extension of a single story building.	15 ft.; except at- grade lot 5 ft.	1 story bldg. - 20 ft. 2 story bldg. or higher - 15% of the lot depth; 20 ft. min.

§ 4.3 Commercial Districts.

B. C-2 Low/Medium Intensity Commercial District.

1. Purpose and uses:

District Purposes	Main Permitted Uses	Special Exception	Accessory Uses	Prohibited Uses
This district is intended to provide standards for the sale of goods and services to the entire city while remaining compatible with the surrounding residential neighborhood.	<p>Apt. on the second floor and above.*</p> <p>Assembly of pre-manufactured parts for sale on the premises (See § 4.21).</p> <p>Automotive sales (new).</p> <p>Commercial uses. Except for Self-Storage Facilities.</p> <p>Consignment shops.</p> <p>Hotels & Motels.</p> <p>Offices.</p> <p>Pain Management Clinic* (See § 4.22.R for regulations).</p> <p>Personal Services.</p> <p>Places of worship, meeting halls and fraternal lodges.</p> <p>Retail (indoor/outdoor).**</p> <p>Substance Abuse and Rehabilitation Centers (See § 4.22.R for regulations).</p> <p>Adult Educational Facilities (See Article 2 "Definitions").</p> <p>*Can not exceed 50% of the total floor area of the building.</p> <p>**See performance Standards § 4.3.J</p>	<p>Day Care Facilities</p> <p>School,** public or private</p> <p>Service Stations.</p>	Any Use that is customarily associated with the Main Permitted Uses or Special Exceptions. (See § 4.21).	Any use not listed as a Main Permitted Use or Special Exception.

2. Development regulations:

Setbacks	Maximum Height	Minimum Unit Size (Sq. Ft.) and Maximum Density
<p>0 ft. adjacent to commercial property.</p> <p>If adjacent to residential zoning district.</p> <p># of Stories Setback front, rear, sides</p> <p>1 15 ft.</p> <p>2-5 15 ft. + 10 ft. per floor</p> <p>A 5 ft. landscaped buffer must be included within the setback area with one tree for every 20 linear ft. of required buffer area.</p> <p>See Performance Standards in § 4.3.J.</p>	5 stories or 60 ft.	<p>Apt.: 500 Min.</p> <p>750 Avg.</p> <p>Hotel or motel:</p> <p>300-335 sq. ft 15 % of units</p> <p>335+ sq. ft 85% of units</p> <p>Density:</p> <p>Apts.=18 units per acre</p> <p>Hotel or motel=36 units per acre.</p>

J. Performance standards (All districts except as noted):

1. Automotive uses including sales, repair, detailing and washing: All vehicle repair shall take place within a fully enclosed building. No windows or garage doors shall be placed within 100 ft. of residentially zoned property.

Vehicles left on site overnight for repair shall be placed in storage at a location which meets the outdoor storage standards listed below.

Detailing/car washing shall only be permitted in a structure or under a permitted canopy. Canopies shall not be placed where they will interfere with parking or traffic circulation.

When automotive repair services are offered in conjunction with the retail sale of parts, said repair area shall not be permitted if it faces residentially zoned property. The service drive for the repair area shall be surrounded by 6 ft. high concrete opaque wall. The paved area shall be surrounded by a 5 ft. landscaped area. Any air compressor shall be within a wholly enclosed building that prevents the transmission of noise.

2. Burglar alarm: Shall not face residentially zoned property.

3. Crematorium: Shall be approved by the appropriate state agencies.

4. Day Care Facilities: When located in single family districts are regulated by Broward County Ordinance No. 90-33, as amended. Commercial Day Care Facilities shall provide a minimum of 45 sq. ft. per child of outdoor play area. Day Care Facilities for adults are exempt from the outdoor play area requirement.

5. Design and landscaping requirements:

a. All pervious areas shall be landscaped with grass, ground cover and/or shrubbery.

b. All office or commercial development adjacent to residentially zoned properties on the sides and rear shall be separated from the residential property by an opaque 6 ft. high concrete wall and tree screen.

c. Any development which has parking in any yard that faces a street shall provide an opaque 4 ft. high concrete wall set back three feet from and parallel to the street right-of-way line or a screening hedge with a 100% irrigation system. If the wall is selected, it shall also include a screening hedge in the setback area.

d. Design, landscaping, and performance standards in the O-1 Light Intensity Office District:

(1) Any property in the O-1 District which involves conversion of a nonoffice use to another Permitted Use or Special Exception use or is the subject of a building permit application shall be reviewed pursuant to the Planning and Development Review procedures. Any such property subject to Planning and Development Review may be required to modify either the site and/or any buildings on the site as part of the Planning and Development Review process. The Director may require improvements to the building and site in order to insure that the conversion meets the objectives of this article.

(2) The design, scale and appearance of all structures in the O-1 district:

a. Sites containing 2 lots or less: Elevations facing the main street shall be designed as an office or as a single family home; however, the area of the window openings may not be reduced. The remaining elevations shall maintain the single family residential character of the building. The facades and roof lines of buildings shall be designed to break up their linear appearance and form. This standard applies to new construction, additions and rehabilitation work.

b. Sites exceeding 1.5 acres: shall be designed in such a manner as to be compatible with single family residential structures even though the office buildings may be significantly larger in size. The intent is to achieve a compatible architectural relationship between nearby single family residential development and larger sized office buildings. The facades and roof lines of the office building(s) shall be designed to break up their linear appearance and form.

(3) New buildings shall be sited in a manner that results in the maximum distance from adjacent residential structures.

(4) Gabled roofs on new buildings shall use concrete flat tile or barrel tile. Existing buildings which currently have shingle, flat tile, or barrel tile are required to maintain the same roofing material or better. Gravel roofs are not permitted. If they presently exist, they must be upgraded according to aforementioned standard; however, flat gravel roofs may remain if they cannot be seen from the street. The Department shall determine if the proposed roofing material is of a higher aesthetic quality than the present roof. Additions shall have shingle, flat tile, or barrel tile and match the existing roof.

(5) Parking Requirement: 1 space per 250 sq. ft. for sites greater than 0.25 acres in size, 1 space per 500 sq. ft., to a maximum of 5 spaces for sites less than or equal to 0.25 acres in size (requirement applies to Permitted Uses for O-1 as listed above).

(6) The design of the parking lot shall be approved by the Director based upon the following regulations:

a. Two way drive minimum width: 12 ft.

b. Parking lot setback: 5 ft. setback from any lot line

c. Driveway setback: 3 ft. setback from any lot line.

d. Head-in/back-out parking: not permitted.

e. Required parking spaces (tandem) may be designed on a circular drive with an interior landscaped island.

(7) Cross-access agreements between properties shall be recorded in the public records prior to the issuance of a building permit.

(8) Wall/Fencing. Landscaping shall be placed between the wall and any lot line when adjacent to a right-of-way.

a. Sites exceeding 0.5 acres shall have a decorative CBS wall. Long walls should be designed to break-up their linear form through alternating the location of the footings. The placement of pilasters, stucco banding, decorative caps and similar types of treatments on the wall is encouraged.

b. Sites 0.5 acres or less, a decorative opaque non-wood wall/fence, 6 feet in height shall be installed where adjacent to residential.

(9) With the exception of one or two car garages on sites less than 1.5 acres, parking spaces shall not be located below the lowest occupied finished floor elevation of a structure.

(10) An appeal of the Director's decision regarding compliance with any of the above criteria is to the Planning and Development Board.

(11) Hospital Hospitality House.

- Shall be located within 150 ft. of a hospital.
- Shall be limited to one per hospital.
- Shall be owned by the hospital or an affiliated entity.

6. Outdoor uses - storage:

- Shall be in conjunction with a principal use in the district and located within 700 ft. of that use;
- Shall be surrounded by (the storage area) a 6 ft. opaque fence; and
- Shall contain a 5 ft. landscaped buffer on all street frontages.

7. Outdoor uses-retail sales:

- Shall be part of a licensed use that occurs within a wholly enclosed building.
- The retail area shall be surrounded by a 6 ft. vinyl coated chain link fence, wood fence, CBS wall, aluminum picket fence or wrought iron fence.
- A 5 ft. landscape buffer shall be provided adjacent to the required fence or wall.

d. Temporary retail sales associated with holidays, seasonal promotions or special events may occur on vacant lots and are exempt from a - c above with the approval of the Director. An application for a permit shall be filed with the Department; and, once approved, be valid for 45 days and shall be granted no more than 3 times in one calendar year. A fee of \$50 per each promotion or event is required along with proof of a current Business Tax Receipt.

e. Temporary outdoor retail sales (special promotions and grand openings in conjunction with an existing retail establishment shall be permitted based on the following (exempt from a - c above):

- Grand Openings: one time in one calendar year, for 10 consecutive days.
- Special Promotions: two times each calendar year, 5 consecutive days each.
- A application processing fee of \$50 per each promotion or event is required.

8. Pet care and veterinary offices: May include on-site animal boarding, provided that all animals shall be treated or kept inside fully-enclosed air conditioned buildings. The area in which the animals are boarded shall be designed to prevent the transmission of noise. No openings shall be permitted in walls which face residentially zoned property.

9. Thrift shops located within the C-3 Medium Intensity District:

- Shall have a minimum floor area of 10,000 square feet;
- All goods donated for sale at the thrift shop must be accepted through the rear of the store;
- No more than 30% of the floor area shall be utilized for receiving, sorting and storage of donated goods;
- The sale of furniture is prohibited; and
- Only the sale of small tabletop electronics is permitted
- Shall post signs advising patrons that the merchandise/goods within the store are primarily pre-owned.

K. Summary of permitted uses:

Uses\Districts	C-1	C-2	C-3	C-4	C-5	O-1	O-2	O-3	OM
Assembly of pre-manufactured parts for sale on the premises.	Yes	Yes	Yes	Yes	Yes	No*	No*	No*	No*
Automotive Paint/Body	No	No	No	No*	Yes	No	No	No	No
Automotive sales, new.	No	Yes	No	Yes	Yes	No	No	No	No
Automotive sales, old.	No	No	No	Yes	Yes	No	No	No	No
Automotive repair and storage.	No	No*	No	Yes	Yes	No	No	No	No
Boarding/Rooming houses.	No	No	No	No	No	No	No	No	No
Car wash or detailing	No*	No*	No*	Yes	Yes	No	No	No	No
Consignment shops.	No	Yes	Yes	Yes	Yes	No	No	No	No
Day care facilities.	SE	SE	SE	No	No	SE	SE	No	SE
Funeral Homes.	Yes	Yes	Yes	Yes	Yes	No	SE	SE	SE
Hotels and motels.	No	Yes	Yes	Yes	Yes	No	No	No	No
Manufacturing.	No	No	No	No	No	No	No	No	No
Multiple Family Residential (on the second floor and above).	Yes	Yes	Yes	No	No	No	No	No	Yes
Offices.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Outdoor storage.	No	No	No	No	Yes	No	No	No	No
Outdoor retail.*	No	SE	SE	SE	SE	No	No	No	No
Outdoor amusement.	No**	No	No	Yes	Yes	No	No	No	No
Pawnshops.	No	No	No	Yes	Yes	No	No	No	No
Plant Nursery and Garden Center.	SE	Yes	Yes	Yes	Yes	No	No	No	No
Psychic Help Uses.	No	No	Yes	Yes	Yes	No	No	No	No
Retail (indoor) and Personal Service.	Yes	Yes	Yes	Yes	Yes	SE	No*	No*	No*
School, adult educational.	No	No	No	Yes	Yes	No	No	No	No
School, Grades K-12	Yes	Yes	Yes	Yes	Yes	No	No	No	No
School, recreational and cultural	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Service Stations.+	No**	SE	SE	SE	SE	No	No	No	No
Thrift shops.	No	No	Yes***	Yes	Yes	No	No	No	No

Wholesaling and Warehousing.	No	No	No	Yes	Yes	No	No	No	No
SE = Special Exception - See Article 5 Administrative Regulations									
* Allowed as an accessory use - See § 4.21									
** Allowed east of the Intracoastal Waterway									
*** See performance standards									
+ Only permitted as a Special Exception									

(Ord. O-94-14, passed 4-16-94; Am. Ord. O-94-73, passed 11-23-94; Am. Ord. O-96-18, passed 5-22-96; Am. Ord. O-96-42, passed 9-25-96; Am. Ord. O-99-14, passed 5-12-99; Am. Ord. O-2001-16, passed 5-16-2001; Am. Ord. O-2002-27, passed 9-4-2002; Am. Ord. O-2002-35, passed 10-2-2002; Am. Ord. O-2006-12, passed 5-3-2006; Am. Ord. O-2008-28, passed 11-19-2008; Am. Ord. O-2010-12, passed 4-7-10; Am. Ord. O-2011-14, passed 5-4-11; Am. Ord. O-2012-05, passed 3-7-12)