

ORDINANCE NO. 2460

AN ORDINANCE OF THE CITY OF PLANTATION PERTAINING TO THE SUBJECT OF ZONING; CHANGING THE LIST AND REGULATIONS FOR PERMITTED, CONDITIONAL, AND PROHIBITED USES IN THE I-LP (LIGHT INDUSTRIAL DISTRICT); AMENDING SITE DEVELOPMENT CRITERIA AND REGULATIONS FOR THE I-LP ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE THEREFOR.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANTATION, FLORIDA, THAT:

SECTION 1. Division 23 of Article VII of Chapter 27 of the Code of Ordinances of the City of Plantation is hereby amended to read as follows:

DIVISION 23.

I-LP LIGHT INDUSTRIAL DISTRICT

Sec. 27-531. Regulations.

The regulations in this division shall apply in the I-LP district.

Sec. 27-532. Purpose.

The I-LP light industrial district is intended primarily for the manufacture, processing and assembly of articles and products conducted within an entirely enclosed building and not involving the use of any materials, processes or machinery likely to cause undesirable effects upon nearby or adjacent property. The I-LP districts are also intended to encourage quality, tax-base intensive, Technology based industry, including research and development, with limited office use is encouraged. The I-LP districts may abut a residential or business district and the activities permitted are intended to be ~~such as may be compatible~~ with such neighboring districts under the yard and separation regulations provided. In order to minimize conflict and preserve the I-LP districts for their primary purposes, residential, institutional, ~~governmental, assembly of persons, outdoor storage,~~ and retail ~~business-uses~~ are generally not permitted.

Sec. 27-533. Use regulations.

(a) Before a building permit will be issued for any use permitted in an I-LP district, ~~the proposed use and site development and building permit plans showing the location and arrangement of such use shall~~ conform to the applicable city codes, including but not limited to Article XI: OFF STREET PARKING AND LOADING (provided however, in the event of any conflict between the parking requirements of such Article XI and any parking requirements set forth in this Division, the parking requirements in this Division shall control). ~~have first been approved by the city council.~~ No site plan review shall be required for interior

47 alterations to an existing building where: (i) there are no exterior changes to the Building's
48 appearance, (ii) the use is a permitted use, and (iii) the extent of the use, together with the other
49 uses within the building, meet the requirements of Article XI: OFF STREET PARKING AND
50 LOADING.

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52 (b) Before a certificate of occupancy will be issued for any use permitted in the I-LP
53 district, the use must conform ~~with~~to applicable codes, inspections, and regulations including,
54 but not limited to, the ~~South~~-Florida Building Code.

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56 (c) All principal and accessory uses shall be conducted entirely within a completely
57 enclosed building unless specifically allowed and regulated in this section.

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59 (d) Retail sales and personal services are prohibited unless specifically allowed as a
60 retail use in this section.

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62 (e) All uses shall be subject to Section 27-541: Required Conditions.

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64 (f) No building or land shall be used and no building shall be erected, constructed,
65 reconstructed or structurally altered which is designed arranged, or intended to be occupied or
66 used for any purpose other than one or more of the following:

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68 (1) The manufacture or processing of such products as bakery goods, candies,
69 cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toiletries (except
70 soap), and food products excluding sauerkraut, vinegar, yeast, and the rendering
71 or refining of fats and oils.

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73 (2) The manufacturing, compounding, assembling, treatment, or assembling
74 combined with painting or finishing, of articles of merchandise from the
75 following previously prepared materials: Bone, cellophane, canvas, cloth, cork,
76 feathers, fur, felt, fiber, glass, horn, hair, leather, plastics, precious and semi-
77 precious metals, non-precious metals or stones, shells, textile, tobacco, wood
78 (except planing mills), yarns and paint not involving a boiling press, and
79 fiberglass; provided, however, that any waste material placed in the sanitary
80 sewers, either public or private must be biodegradable. ~~Provided further, that~~
81 ~~painting or finishing previously prepared non-precious metal products shall only~~
82 ~~be permitted as part of a wholesale industrial business involving substantial~~
83 ~~assembly and iron phosphate coating, dipping or other equivalent processes.~~

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85 (3) The manufacture of pottery and figurines or other ceramic products using only
86 previously pulverized clay and kiln-fired only by electricity or gas.

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88 (4) Manufacture or assembly of metal or metal composite products.

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90 (5) Manufacture of musical instruments or toys, novelties, and rubber and metal
91 stamps.

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- 93 (6) Machine and tool and die shops.
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95 (7) Assembly, servicing, and repairing of electrical appliances, electronic equipment,
96 communications equipment and electrical or electronic or communications
97 instruments and devices, including but not limited to, radios, televisions,
98 computers, telephones, cameras, and phonographs, including the manufacturing of
99 small parts such as semiconductors, coils, condensers, transformers, crystal
100 holders, and the like. ~~If~~ ~~In the event~~ ~~greater than twenty-five (20) (25) percent of~~
101 the gross floor area of the principal use is devoted to customer service, work
102 conducted on-site is received or picked up on-site directly from or by the ultimate
103 customer, then the use (to the extent of such excess) shall be a conditional use.
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105 (8) Plastic manufacturing. ~~(except pyroxylin).~~
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107 (9) Ice ~~manufacturing and distributing.~~
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109 (10) Laundry and dry cleaning plants.
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111 (11) Warehouses, or distribution centers. If any portion of the gross floor area for a
112 warehouse or distribution center is devoted to business or professional offices,
113 then: (i) parking for that portion of office gross floor area which exceeds fifteen
114 (15%) of the overall gross floor area of the warehouse or distribution center shall
115 be based on the Article XI, Off-Street Parking requirement for business and
116 professional offices; and (ii), parking for that portion of office gross floor area
117 which is less than or equal to fifteen (15%) of the overall gross floor area of the
118 warehouse or distribution center shall be based on the parking requirement for the
119 warehouse or distribution center.
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121 (12) Accessory uses and structures.
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123 (13) Showrooms for wholesale sales and limited retail sales of finished products
124 utilized in conjunction with and accessory to warehousing or manufacturing
125 establishments ~~having a minimum gross floor space of five thousand (5,000)~~
126 ~~square feet. In the event~~ If greater than twenty-five (25) percent of the gross floor
127 area of the principal use is devoted to showroom, then the showroom area (to the
128 extent of such excess) shall be a conditional use. ~~The accessory showroom shall~~
129 occupy no more than twenty (20) percent of the gross floor area of the principal
130 use establishment and shall have no exterior retail advertising whatsoever.
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132 (14) Laboratories, for chemical, technological, engineering, medical, dental, testing,
133 and research, which do not involve on site patient visits~~excluding testing on live~~
134 animals.
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136 (15) Printing facilities where, in addition to other criteria for such use approval
137 contained within this Code, the noise or other impacts of the machinery process
138 used for such facilities are not likely to cause undesirable effects upon nearby or

- 139 adjacent property.
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141 (16) ~~(Reserved).~~ Facilities for governmentally owned or franchised utilities and
142 offices accessory thereto.
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144 (17) Pest control business which does not include any on-site insecticide
145 manufacturing ~~but~~ and which ~~may~~ will include limited indoor storage of insecticide
146 chemicals which are approved by the fire department.
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148 (18) Inside overnight vehicle storage as an accessory use to permitted warehouse usage
149 or light industrial manufacturing usage otherwise allowed in this zoning district.
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151 (19) Technology based industry, including research and development, for
152 manufacturing, communications, environmental, internet, software, or computer
153 related industries.
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155 (20) Business and professional offices and governmental offices. If any portion of the
156 gross floor area for a manufacturing, assembly (not of persons), service, or
157 technology based use is devoted to business or professional offices, then: (i)
158 parking for that portion of office gross floor area which exceeds twenty five
159 (25%) of the overall gross floor area of the manufacturing, assembly (not of
160 persons), service, or technology based use shall be based on the Article XI, Off-
161 Street Parking requirement for business and professional offices; and (ii), parking
162 for the portion of office gross floor area which is less than or equal to twenty five
163 percent (25%) of the overall gross floor area of the manufacturing, assembly,
164 service, or technology based use shall be based on the parking requirement for the
165 manufacturing, assembly (not of persons), service, or technology based use.
166 Except as may be specifically provided otherwise in this Section, in all other
167 cases, parking for all portions of floor area devoted to business and professional
168 offices shall be based on the Article XI, Off-Street Parking requirement for
169 business and professional offices. ~~Office, so long as the total area of the use(s)~~
170 ~~does not consume more than fifty (50) percent of the site specific building floor~~
171 ~~area, and as long as the location of the use(s) does not preclude or adversely affect~~
172 ~~the future use of the subject property, or the surrounding properties for industrial~~
173 ~~uses.~~
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175 (21) Dog and pet kennels with interior runs that are soundproofed to such a degree that
176 no noise from within the building shall be audible to any person within ten (10)
177 feet of the building.
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179 (22) Catering without on-site banquet facilities.
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181 (23) Television and broadcasting stations without exterior telecommunication
182 apparatus.
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184 (24) Recording or motion picture studios without exterior telecommunication

185 apparatus.

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187 (25) Wholesale uses.

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189 (26) Self-storage facility.

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191 (27) Art, dance, and music schools; tutoring schools; computer schools; day care
192 centers; martial arts, gymnastics, cheerleading, or other sports training schools;
193 when located in a building providing at least one parking space per each 500 sq.
194 ft. of gross floor area, subject to the following:

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196 (a) The uses shall not collectively exceed 5,000 square feet or 25% of the
197 gross building floor, whichever is less, of the building in which the uses
198 are located.

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200 (b) The uses shall contain no assembly areas for persons, including but not
201 limited to fixed or portable seating or seats or bleachers.

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203 (c) Under the above limitations, the off-street parking requirement shall be
204 one space for every 500 sq. ft. of gross floor area.

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206 (d) Day care centers shall be additionally subject to a separation requirement
207 of one thousand (1000) feet, by airline measurement from front door to
208 front door.

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210 (28) Art, dance, and music schools; tutoring schools; computer schools; day care
211 centers; martial arts, gymnastics, cheerleading, or other sports training schools;
212 when located in a building providing at least one parking space per each 200 sq.
213 ft. of gross floor area, subject to the following:

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215 (a) The uses shall not collectively exceed 10,000 square feet or 49% of the
216 gross building floor area, whichever is less, of the building in which the
217 uses are located.

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219 ~~(27)~~(b) The uses shall contain no assembly areas for persons, including but not
220 limited to fixed or portable seating or seats or bleachers.

221
222 (c) Under the above limitations, the off-street parking requirement shall be one
223 space for every 200 sq. ft. of gross floor area.

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225 (d) Day care centers shall be additionally subject to a separation requirement of
226 one thousand (1000) feet, by airline measurement from front door to front
227 door.

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229 a- (29) Office support-high density occupation area as defined by Chapter 27-1
230 and provided that the off-street parking requirement for this area shall be provided

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on the ratio of one (1) parking space for each one hundred (100) square feet of gross floor area.

(30) Photography Studio and/or laboratory.

(31) The internet sales or leasing of automobiles where, except as provided in the next sentence, the cars being sold are entirely inventoried either off-site or within a fully enclosed warehouse on site. This permitted use is distinguished from "Automobile leasing or sales" which is allowed within the I-LP District on a conditional use basis below.

(32) Outdoor storage of automobiles, vans, commercial vehicles, and small trucks which can fit into a 9'x18' parking space and which is not accessory to a principal use operating within a building on the site is permitted, subject to the requirement that the vehicles shall not contain exterior equipment (such as ladder or equipment racks, glass racks, or other exterior equipment designed to carry materials or equipment [except a tool storage box restricted to the front of a pickup truck bed behind the cab]). The vehicles must be fully operable, maintain current registrations and licenses as may be required by law, window and windshield glass may not be cracked or broken, all tires shall be inflated and not bald, and the vehicles shall not have excessive rust, missing body parts, or broken lights; mirrors, or other appurtenances. Any parking spaces devoted to this use shall be subtracted from the parking spaces available to meet the building's off street parking requirements for its interior uses. The area used for this purpose shall not be required to be visually screened in any manner not otherwise required for an off street parking area. This provision shall sunset on Midnight, December 31, 2015, and all outdoor storage authorized pursuant to this provision shall cease and discontinue as of such date and time, shall not be allowed to continue thereafter as a non-conforming use, and shall be in violation of this Code.

b. (33) The following, subject to prior approval as a conditional use:

(a) Concrete and cement products manufacturing.

(b) Brick, tile or terra cotta manufacturing.

(c) Rock, gravel or sand distribution.

(d) ~~Restaurants, or coffee shops or delicatessens,~~ providing for on-premises or off-premises consumption, located primarily for the convenience of executives and employees of industries in the I-LP district.

(e). Helistops, with the council being able to place parameters on the type of helicopter, to be considered by the city council on an individual basis, having due regard to the safety of the citizenry, and to the avoidance of undue noise pollution of the environment. Nothing in this paragraph shall

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prohibit the emergency landing of helicopters in any open space or the occasional landing of a helicopter in any nonresidential use district so long as such landing occurs at least three hundred (300) feet from the nearest residential structure and one hundred fifty (150) feet from any other structure; rather this paragraph is to govern the granting of conditional use permits for the regular landings of helicopters at helistops.

- (f) ~~Art, Trade, vocational or industrial schools and colleges~~ except those prohibited pursuant to Section 27-534 below.
- (g) Bulk storage of oxygen or non-toxic non-flammable gases as defined by the National Fire Protection Association (NFPA) within an area surrounded by a wall, fence, hedge, or other device which will effectively screen such storage from public view.
- (h) Manufacturing of custom pest control spray equipment, with the ancillary use of installation, maintenance, and repair of custom pest control spray equipment and modification, repair, and maintenance of service vehicles for the installation of the custom pest control spray equipment only.
- (i) Television and broadcasting stations with exterior telecommunication apparatus, such as microwave dish antennas, broadcasting, or cellular communication towers.
- (j) Recording or motion picture studios with exterior telecommunication apparatus, such as microwave dish antennas, broadcasting, or cellular communication towers.
- (k) Dog and pet kennels with exterior runs.
 - l. ~~Offices, exceeding more than 50% of the site specific building floor area, so long as the location of said use(s) does not preclude or adversely impact the future use of the subject property, or the surrounding properties for industrial uses.~~
 - m. ~~Boat building.~~
 - (l) Outdoor storage of construction vehicles or ~~construction~~ equipment (e.g. ladder trucks, cherry pickers, dump trucks, bulldozers, backhoes, front end loaders, and forklifts), utilities vehicles, trucks, vans, trailers, and ~~outdoor storage of other commercial vehicles (except those commercial vehicles described in paragraph (32) above), and which are accessory to a use otherwise allowed within the I-LP District and located within the building on the site where the outdoor accessory storage takes place, may be allowed subject to the following minimum conditions: Contractors, subcontractors plants or storage yards.~~

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- ~~(2)1.~~ The storage of commercial vehicles, and equipment, materials, and supplies ~~The use shall be within a completely enclosed building or within an area surrounded by a solid finish masonry wall, or a fence made of wood, metal, PVC, or vinyl-covered chain link, six (6) feet in height with landscaping or hedge installed on the opposite (outside) side of the wall or fence which will grow to a height of six feet at maturity and which will be maintained at such height, or other device which will effectively screen such storage from public view, public rights of way, and adjacent properties.~~
- ~~(3)2.~~ The use shall be located on a paved, durable, and dustless surface complying with engineering, paving, and drainage requirements.
- 3. The uses shall not be permitted in areas required or designated for parking, drive aisles, or loading.
- 4. The outdoor storage area shall not exceed 25% of the lot area or 25,000 sq. ft., whichever is less.
- 5. The outdoor storage of materials, supplies, scrap, or by-products waiting recycling or disposal shall not be allowed.
- ~~(4)6.~~ The vehicles must be fully operable, maintain current registrations and licenses as may be required by law, window and windshield glass may not be cracked or broken, all tires shall be inflated and not bald, and the vehicles shall not have excessive rust, missing body parts, or broken lights, mirrors, or other appurtenances.
- ~~2-7.~~ Other conditions as determined pursuant to the conditional use process to prevent the outdoor storage use from adversely impacting adjacent properties or discouraging the development or redevelopment of nearby properties for technology based, research, development, service, and manufacturing uses consistent with the purpose of this Division.
- ~~(2)8.~~ The outdoor storage of six (6) or less of these vehicles can be approved by the Director as an Administrative Adjustment under Article III, Division 3, Subdivision B of this Chapter, and any number in excess of this amount will need to be approved by the City's governing body.
- 9. In the event the principal use to which this accessory use pertains is a conditional use, a separate application for this accessory use will be required, however, if the two applications are processed

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concurrently, no separate application fee for the accessory conditional use application shall be required.

Outdoor storage of construction vehicles or equipment (e.g. ladder trucks, cherry pickers, dump trucks, bulldozers, backhoes, front end loaders, and forklifts), utilities vehicles, trucks, vans, trailers, boats, campers, recreational vehicles (RV's) and other commercial vehicles, which can not fit within a standard sized 9'x18' parking space, and are not accessory to a use otherwise allowed within the I-LP District and located within the building on the site where the outdoor storage takes place, may be allowed subject to the requirements of 1-9 above; however, this provision shall sunset on Midnight, December 31, 2015. All non accessory outdoor storage authorized pursuant to this provision shall cease and discontinue as of such date and time, shall not be allowed to continue thereafter as a non-conforming use, and shall be in violation of this Code.

~~o. Wholesale storage and sale of in-bag inorganic fertilizer.~~

(m) Auto repair facilities, subject to the following minimum conditions:

1. Auto repair facilities shall be subject to a separation requirement of two thousand five hundred feet, measured by airline measurement from front door to front door,
2. Except as provided in paragraph 9 below, vehicle access to the interior of the facility shall be through one entry and exit overhead door which then permits access to all the service bays. Individual overhead access doors for each service bay shall be prohibited.
3. Overhead doors shall not face any public road or street.
4. Repair shall be limited to passenger automobiles and trucks.
5. Painting or bodywork shall be prohibited.
6. In addition to the parking required by Section 27-743, one additional designated indoor parking space shall be provided for each service bay.
7. All activities, equipment, supplies, and materials associated with the auto repair facility shall be conducted within a fully enclosed building. Outdoor storage of equipment, supplies, and materials shall be prohibited.
8. All interior walls shall be soundproofed to confine automobile repair noise to the auto repair facility.
9. The use shall contain at least 10,000 sq. ft. of floor area. No more

415 than one vehicle access door shall be permitted for each 5,000 sq.
416 ft. of gross floor area, not to exceed four access doors regardless of
417 facility size.
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419 ~~Automobile painting top and body work, conducted indoors only. No repair maintenance or~~
420 ~~servicing of any kind and of any motor vehicle, whether such activity is considered to be minor~~
421 ~~or otherwise, is permitted unless wholly confined within a building or structure designed for such~~
422 ~~activities.~~
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424 (n) Facilities for private utilities.
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426 (o) Automobile leasing subject to the requirement that this conditional use will only
427 be available for buildings providing at least one parking space per each 200 sq. ft. of
428 gross floor area. A maximum of (6) automobiles being inventoried exterior to the
429 premises can be approved by the Director as an Administrative Adjustment under Article
430 III, Division 3, Subdivision B of this Chapter, and any number in excess of this amount
431 shall be considered by the City's governing body.
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433 (p) Personal services such as barber shops, hair salons, spa and nail centers, one-on-
434 one personal training (no classes); subject to the requirement that these conditional uses
435 will only be available for buildings providing at least one parking space per each 200 sq.
436 ft. of gross floor area and may not collectively exceed fifteen percent (15%) of a
437 building's gross floor area.
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439 **Sec. 27-534. Prohibited uses.**
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441 The following uses shall not be permitted in the I-LP district:
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- 443 (1) Insecticide manufacturing.
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445 (2) Storage, sale, salvage, transfer, recycling or disposal of junk, scrap, supplies,
446 materials, equipment, garbage or used parts.
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448 (3) Manufacture or storage of explosives, fireworks and/ or ammunition.
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450 (4) Retail stores, sales or service unless specifically listed as a permitted use.
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452 ~~(5) Commercial advertising signs (which do not apply to the business located on the~~
453 ~~property);~~
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455 (6) Billboards.
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457 (5) Amusement arcades or enterprises.
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459 (6) Painting or bodywork of automobiles.
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461 (7) Sale, rental or leasing of automobiles, except as provided in Sec. 27-533 (31) and

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27-533 (32) (o).

- (87) Sale, lease, repair, painting, or bodywork of motorcycles, trucks, boats, or recreational vehicles. Provided however, auto repair facilities shall be regulated pursuant to Section 27-533 above, Conditional Uses.
- (98) Tow truck operator offices, junk or damaged vehicle storage, or tow truck parking.
- (109) Restaurant or hotel bars, entertainment facilities, night clubs, and bars.
- (1140) Grocery store and meat markets.
- (121) Sawmills, pulpmills or papermills.
- (132) Fertilizer manufacturing or storage, except wholesale storage and sale of in-bag inorganic fertilizer.
- (143) Breweries or distilleries.
- (154) Wholesale storage, refining or distribution of petroleum products except the storage of petroleum products in prepackaged single use containers.
- (165) Soap manufacturing.
- (176) Mining, or quarrying.
- (187) Foundries.
- (198) Rock and sand crushing plants.
- (2019) Notwithstanding anything to the contrary, the manufacture of hazardous substances as defined by the National Fire Protection Association.
- ~~(21)~~ (21) Tannery and slaughterhouse.
- (22) Assembly uses for persons, included but not limited to convention and meeting centers, auditoriums, and convention centers.
- (23) Residential use, except that one residential dwelling unit integrated into a self storage warehouse may be provided for property managers.
- (24) The following trade or vocational schools:
- a. Auto, truck, RV, motorcycle, boat repair, painting or bodywork.

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b. Truck, construction, or heavy equipment operation.

(25) Reserved.

(26) Penal or correctional institutions, jails, detention centers, temporary or transitional housing or shelters, or treatment centers or facilities for disorders, addictions, or other health or social problems.

(27) Medical Offices or Clinics.

Section 27-535 Setbacks and minimum sizes.

(a) That area of Section 34-49-41 lying south of N.W. 16th Street, east of N.W. 66th Avenue, north of the center line of N.W. 12th Street as shown on the plat of Plantation Sunrise Heights 3rd Addition, P.B. 50 p. 19, as extended eastward, and west of the Holloway Canal, shall have the following setback and size requirements:

(1) No part of any building shall be erected closer than twenty-five (25) feet to a right-of-way line of a street or alley, or to a rear lot line or interior lot line, and no closer than twelve and one-half (12½) feet from the east-west canal in this area and no less than twenty-five (25) feet from O.P.W.C.D. East Holloway Canal west right-of-way line.

(2) No lot or tract shall have a street frontage of less than one hundred (100) feet ~~in the area herein covered by (1).~~

(3) No part of any building or structure shall be erected closer to a property line than .5 times the height of the building or structure.

(b) Except as provided in (a) above, no building or part thereof shall be closer than seventy-five (75) feet to a right-of-way line of any street having a right-of-way width of one hundred (100) feet or more, or closer than fifty (50) feet from a right-of-way line of any other street, or closer than twenty-five (25) feet from an interior property side or rear line, or canal right-of-way or canal easement line. No lot or tract shall have a street frontage of less than one hundred fifty (150) feet except as provided in (a)(2) herein. In addition, no part of any building or structure shall be erected closer to a property line than .5 times the height of the building or structure.

(c) Freestanding or pole or tower mounted exterior wind or solar power equipment shall have the following setbacks:

i.(1) Minimum setback to any property line shall be equal to one (1) times the maximum equipment height.

(2) Minimum setback to Sunrise Boulevard shall be equal to one and one-half (1 ½) times the maximum equipment height.

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555 | **Sec. 27-536. - Access and parking restrictions.**

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557 | ~~No additional vehicular access shall be after January 1, 2000, permitted to any property~~
558 ~~from Sunrise Boulevard or the extension thereof. Given the public street system servicing this~~
559 ~~district has been fully developed, and that most of the parcels adjacent to Sunrise Boulevard have~~
560 ~~been platted, and that Sunrise Boulevard is a major roadway, after January 1, 2010, no parcel~~
561 ~~adjacent to Sunrise Boulevard shall have additional points of vehicular access to or from Sunrise~~
562 ~~Boulevard. Provided however, that an access point existing prior to such date may be relocated,~~
563 ~~if permitted by applicable platting procedures.~~

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565 | **Sec. 27-537. - Lot coverage.**

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567 | The combined area occupied by all roofed buildings and structures shall not exceed fifty
568 (50) percent of a lot area in any I-LP district.

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570 | **Sec. 27-538. - Street dedication required.**

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572 | No property in the I-LP district shall be ~~subdivided separated or changed in ownership,~~
573 and no further subdivision of property shall be made unless the street rights-of-way on portions
574 thereof affecting the property in question, as shown on the master plan, shall have been dedicated
575 to the city.

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577 | **Sec. 27-539 - Authority to defer requirements.**

578 | The city council may defer or modify the requirements of ~~paving streets and building~~
579 ~~sidewalks of this division provided the owner of the property executes an agreement which~~
580 ~~guarantees that the streets will be paved and sidewalks will be built at such time as the city~~
581 ~~council determines it necessary. Such agreement shall be legally binding on any subsequent~~
582 ~~owners and shall be an advance consent authorizing the city to construct the paving and sidewalk~~
583 ~~and assess the cost of same against the property in the event the owner refuses to comply with~~
584 ~~the agreement, regardless of whether or not a special assessment relates to construction on~~
585 ~~private property. The agreement shall be capable of recordation and be satisfactory to the city~~
586 ~~attorney.~~

587 | **Sec. 27-540. - Drainage.**

588

589 | ~~Plans submitted for improvement or building permit shall include a plot plan showing~~
590 ~~finished elevations including street paving, drainage areas and such other information as may be~~
591 ~~required.~~

592

593 | **Sec. 27-541. - Fences and walls.**

594

595 | ~~Subject to Section 27-637, any part of a property may be enclosed by fences or walls~~
596 ~~which are not unsightly and which do not interfere with traffic sight lines.~~

597

598 ~~Sec. 27-542. Type of construction and fire zone.~~

599 ~~All buildings in I-LP district shall be constructed in accordance with type I, type II or type III as set~~
600 ~~forth in the South Florida Building Code. All areas zoned I-LP shall be in fire zone 2 as set forth~~
601 ~~in the South Florida Building Code.~~

602 ~~Cross reference Fire resistive construction required, § 5-2; adoption of building code, § 5-~~
603 ~~41.~~

604 ~~Sec. 27-543. Design approval required.~~

605 ~~(a) Before any building permit is issued for any use in all districts except single family I-LP district,~~
606 ~~prints of drawings shall be submitted to the planning and zoning board for review and approval.~~

607 ~~(b) The board will review the drawings as to acceptable design of site development, buildings,~~
608 ~~exterior and show window lighting intended by the requirements of this article and those~~
609 ~~described in the landscaping chapter.~~

610 ~~(c) If the approval is granted based on preliminary drawings, the final drawings must be submitted to~~
611 ~~the board for final approval.~~

612 ~~(d) The plan, together with the recommendation of the board, shall then be submitted to the council~~
613 ~~for their review and approval. After council approval, application may be made in the building~~
614 ~~department for a building permit.~~

615

616 Sec. 25-540. Maximum Height

617

618 (a) No principal or accessory building shall exceed seventy five (75) feet in height.

619

620 (b) No principal or accessory structure shall exceed one-hundred and forty (140) feet
621 in height.

622

623

624 Sec. 27-541 Required Conditions.

625

626 (a) Except as provided in Sec. 27-533 (a) or Division 3 of Article III of this Chapter,
627 before any building permit is issued, development plans and information (including but not
628 limited to a written description of proposed use or uses, site plan, floor plans, building
629 elevations, and landscape plans) shall be submitted to the Planning Zoning, and Economic
630 Development Department, Review Committee, the Landscape Planning and Review Board, and
631 the Advisory Board for the Disabled for comment and recommendation to the Planning and
632 Zoning Board.

633 (b) The Planning and Zoning Board will review the site drawings as to acceptable
634 design of site development, building elevations, landscaping, and lighting in accordance with the
635 requirements of this article and those described in the landscaping chapter.

636 (c) The plans, together with the recommendation of the Planning and Zoning Board,
637 shall then be submitted to the City's governing body for its review and approval.

638 (d) In reviewing such site development plan, the City shall consider the following:

639 (1) Safe access and circulation for vehicles and pedestrians with respect to streets
640 (public or private) and on-site parking, loading, and walkways, and sidewalks
641 (where they exist).

642
643 (2) The compatibility and impact of proposed uses upon adjacent properties. When
644 reviewing the compatibility of a proposed use with adjacent uses, the parking
645 impacts, degree of landscape or screening, noise, odors, and character of the uses
646 shall be considered.

647
648 (3) Buildings facades fronting Sunrise Boulevard shall contain no loading areas,
649 overhead doors, or outdoor storage areas.

650 (4) Buildings within the I-LP zoning district shall comply with the following:

651 a. In order to avoid the appearance of large, blank, unarticulated surfaces for
652 the building's faces,

653 i. variations in color shall be used;

654 ii. variations in surface texture shall be used;

655 iii. exterior wall planes should not exceed 50 feet without a facade
656 offset of eight inches (8") or more; and,

657 iv. the face of any building fronting on a public right of way, as well
658 as the face(s) of the building where the principal entrances are
659 located, shall be treated and articulated to create a three
660 dimensional elevation to reduce the impact of building mass (ex.
661 covered entryways, recessed doors or windows [except where
662 daylight design warrants against such elements being recessed in
663 order to maximize the benefit of energy sources], stucco bands,
664 stepback walls, etc). Segmented shading or architectural elements
665 which are allowed on the exterior of any the building facade or
666 designed to reduce building mass may protrude into the setback
667 area.

668
669 b. Building facades that front on Sunrise Boulevard shall be composed of at
670 least 75% of Class 1 or 2 materials, with at least 10% of Class 1 material
671 as the total facade. Building facades that front on other public rights of
672 way shall be composed of at least 30% Class 1 or Class 2 material, with at
673 least 5% of Class 1 Material as the total facade.

674

<u>Class 1</u>	<u>Class 2</u>
<u>Brick</u>	<u>Masonry Stucco</u>
<u>Natural Stone</u>	<u>Decorative Concrete Block</u>
<u>Brick or Stone Veneer</u>	<u>Decorative Concrete Panels</u>
<u>Glass</u>	<u>Tile Glazing and Framing Systems</u>
<u>Face Brick</u>	<u>Split Face or Fluted Concrete Masonry</u>
<u>Stone Veneer</u>	<u>Factory Glazed Concrete Masonry Units</u>
<u>Such other similar Class 1 Material as is Approved by Resolution of the City Council.</u>	<u>Architectural, Pre-Cast Concrete</u>
	<u>Such other similar Class 2 Material as is Approved by Resolution of the City Council.</u>

675

676

677

c. Exterior walls constructed with metal panels shall not be allowed, metal buildings shall not be allowed.

678

679

d. Corrugated metal roofs visible from the building exterior shall not be permitted. Standing seam metal roofs shall be allowed.

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e. Accessory Buildings, regardless whether attached or detached from the principle building shall be constructed of the same style, quality, and appearance as the principal building.

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(5) Buildings existing within the I-LP zoning district on June 22, 2011 shall not need to comply with the requirements of paragraph (3) or (4)a, b, and f above until, if ever, as a result of the application of the Florida Building

695 Code, the building must be improved to meet all of such Code's then
696 current requirements.

697
698 (d) The City Council may attach to its approval of the site development plan any
699 reasonable conditions as are necessary to further the purposes of this Division. After council
700 approval, application may be made in the building department for a building permit.

701 (e) Division 3 of Article III of this chapter allows minor development approvals,
702 which can be approved without planning and zoning board, landscape, disabled board or city
703 council review. In these types of approvals, the same substantive standards for acceptable site
704 and building design shall apply.

705 (f) In situations where a proposed use is less than or equal to 20,000 gross square feet
706 in size and is not listed as a permitted, conditional, or prohibited use, the PZED Director may
707 determine the specific use is allowable on the basis that it is substantially similar to a permitted
708 use and complies with all parking requirements associated with said substantially similar use. In
709 making such a determination, the PZED Director may require the applicant proposing such a use
710 to submit documentation fully explaining and describing the proposed use. If the property owner
711 disagrees with the Director's determination, the matter can be appealed pursuant to the
712 provisions for appealing an administrative determinations as set forth elsewhere in this Chapter.
713 The provisions of this Paragraph (f) shall be narrowly construed and applied so as to limit the
714 PZED Director's authority. Unless it is clearly apparent that reasonable minds cannot disagree
715 as to whether a proposed use is substantially similar to a permitted use, the Director's refusal to
716 allow a proposed use shall be upheld.

717 (g) Building permit applications or business receipts tax applications associated with
718 a change of use within an existing building shall be subject to the following:

719
720 (1) The applicant shall provide a use letter providing sufficient information for staff
721 to determine if the proposed use is listed as a permitted or conditional use.

722
723 (2) The property owner shall provide written documentation demonstrating that
724 sufficient on-site parking is provided to meet the collective demand for both the
725 proposed new use and all existing uses in accordance with this Division and
726 Article IX (OFF STREET PARKING AND LOADING)

727
728 Secs. 27-542--27-555. Reserved.

729
730
731 SECTION 2. Should any section, paragraph, sentence, clause, phrase or other part of this
732 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not
733 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part
734 so declared to be invalid.

735
736
737 SECTION 3. This Ordinance shall take effect immediately upon passage on second reading by
738 the City Council and signature by the Mayor.

739

PASSED ON FIRST READING by the City Council this 25 day of May, 2011.

741

PASSED AND ADOPTED ON SECOND READING by the City Council this 22 day
of June, 2011.

744

SIGNED by the Mayor this 27 day of June, 2011.

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Diane Pettit Bendikovic
MAYOR

750 ATTEST

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752

753

754

Susan K Slattery
CITY CLERK

755

756

	APPROVED	DATE
REQUESTED BY: _____		
DEPT. OK: _____		
ADMIN. OK: _____		
ATTY. OK: _____		

AS TO FORM ONLY

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762 RECORD ENTRY:

763

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765

I HEREBY CERTIFY that the Original of the foregoing signed Ordinance was received by
the Office of the City Clerk and entered into the Public Record this 27th day of June,
2011.

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771

Susan K Slattery
Susan Slattery, City Clerk

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