



**Planning, Zoning & Economic Development  
Memorandum**

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DATE: October 7, 2015

TO: Mayor Diane Veltri Bendekovic  
City Council Members

THRU: Laurence Leeds, AICP, Director  
Planning, Zoning and Economic Development Department

FROM: Gayle Easterling, AICP, Senior Planner  
Zoning Department

RE: Ordinance amending the zoning regulations applicable to residential uses in the SPI-2,  
B-3P and B-4P zoning districts (PP15-0026)

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**BACKGROUND**

This ordinance is sponsored by the PZED Department as a housekeeping measure.

**ANALYSIS**

Section 1 of the Ordinance updates Supplemental Regulation (62) of the State Road 7 SPI-2 Master List of Business Uses. Now that the land within the SPI-2 enjoys a Comprehensive Plan future land use designation of “Local Activity Center”, the supplemental regulation needs to properly reference the type of planning flexibility for residential units in the applicable sub districts as being “Residential Local Activity Center Units” instead of “Reserve Units” or “Flexibility Units”.

Section 2 of the Ordinance corrects a codification scrivener’s error. In the B-3P zoning district, the use listing for “*Residential- Single and multiple, any type*” incorrectly lists Note 24 instead of Note 22. Note 22 limits residences to an efficiency apartment for a night watchperson or on-call attendant. To clarify the Code, a new use listing for “*Residence-Security*” will now be found in the B-3P and B-4P Zoning Districts, and it will properly reference supplemental Note 22.

The Planning and Zoning Board, at their meeting of August 4, 2015, recommended approval of the proposed ordinance.

**REQUEST**

Staff requests City Council consideration of the proposed Ordinance on first reading.

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PLANTATION PERTAINING TO THE SUBJECT OF ZONING; AMENDING THE CITY'S USE REGULATIONS FOR THE STATE ROAD 7 SPI-2 ZONING DISTRICT TO PROPERLY REFERENCE THE POSSIBILITY OF RESIDENTIAL USES BEING ALLOCATED IN THE HEALTHCARE SERVICES, HYBRID COMMERCIAL, FOUR CORNERS COMMERCIAL AND ARTISAN COMMERCE SUBDISTRICTS BY THE ALLOCATION OF LOCAL ACTIVITY CENTER RESIDENTIAL UNITS INSTEAD OF BY OTHER FORMS OF PLANNING FLEXIBILITY THAT WERE AVAILABLE BEFORE THE LANDS SO ZONED BECAME DESIGNATED AS "LOCAL ACTIVITY CENTER" BY THE CITY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT; AMENDING THE USE REGULATIONS IN THE B-3P AND B-4P ZONING DISTRICTS SO AS TO PROPERLY DESCRIBE RESIDENTIAL USES THEREIN BEING LIMITED TO AN EFFICIENCY APARTMENT FOR A NIGHT WATCHPERSON OR ON-CALL ATTENDANT; PROVIDING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

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Whereas, certain lands within City of Plantation State Road 7 Special Public Interest 2 District (SPI-2) now enjoy a Comprehensive Plan future land use designation of Local Activity Center, such that residential uses are possible in certain sub districts of the SPI-2 through the allocation of Residential Land Activity Center Units; and,

Whereas, Subsection (62) of the Supplemental Regulations to the Master List of State Road 7 Sub district Uses needs to be updated to reference the conditions described in the preceding paragraph; and,

Whereas, the Master List of Business Uses Table in Section 27-720, Plantation City Code contains a scrivener's error in the Business Listing for "Residences-Single and multiple, any type" in the B-3P Zoning District by referencing supplemental note 24 (which pertains to hotels and motels otherwise allowed in such District by different business regulations) instead of note 22 (pertaining to an efficiency apartment for a night watchman or on-call attendant); and,

Whereas, the City desires to correct the foregoing scrivener's error and clarify the Code so that a "Residence - Security" will be allowed in the City's B-3P and B-4P Zoning Districts subject to supplemental regulation 22;

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

48 SECTION 1: Subsection 27-613.3 (62) of the Code of Ordinances of the City of Plantation is  
 49 hereby amended to update the language of subsection in view of the Land Use Classification for  
 50 the State Road 7 Special Public Interest (SPI-2) District now being “Local Activity Center;” so as  
 51 to reference the possibility of residential uses in the Healthcare Services, Hybrid Commercial, Four  
 52 Corners Commercial, and Artisan Commerce Sub districts as being allocated by Residential Local  
 53 Activity Center Units, and so as to read as follows:

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55 “(62) Mixed uses of commercial, office, and residential are encouraged in the  
 56 State Road 7 SPI-2 District. Residential uses will be allocated in ~~land use~~the  
 57 zoning sub districts in which this supplemental regulation applies through  
 58 the utilization of ~~reserve units or flexibility~~ Residential Local Activity  
 59 Center Units pursuant to the Broward County and City of Plantation Land  
 60 Use Plans and Chapter 19 of this Code.”

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63 SECTION 2: The Master List of Business Uses table codified as Section 27-720 of the Code of  
 64 Ordinances of the City of Plantation is hereby amended to amend within such table a business  
 65 listing for “Residences-Single and multiple, any type”, so as to delete such listing in the B-3P and  
 66 B-4P Zoning Districts and to add “Residence-Security” in such B-3P and B-4P Zoning Districts  
 67 and reflect such business listing being subject to supplemental regulation 27-721 (22) of the Code  
 68 of Ordinances in the B-3P and B-4P Zoning Districts, all so as to read as follows:

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70 **Sec. 27-720. Master list of business uses.**

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BUSINESS LISTINGS	Prohibited	OB-C	B-1P	B-2P	B-3P	B-4P	B-5P	B-7P	B-2L	SPI-3
...										
Residences -Single and multiple, any type					<del>X</del> <b>24</b>	<del>X</del> <b>22</b>				<del>X</del> <b>X</b>
<u>Residence</u> <u>- Security</u>					<u>X</u> <b>22</b>	<u>X</u> <b>22</b>				<u>X</u> <b>22</b>
...										

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74 SECTION 3. Should any section, paragraph, sentence, clause, phrase or other part of this  
 75 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not  
 76 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part  
 77 so declared to be invalid.

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80 SECTION 4. This Ordinance shall take effect immediately upon passage on second reading by the  
81 City Council and signature by the Mayor.

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83 PASSED ON FIRST READING by the City Council this \_\_\_ day of \_\_\_\_\_, 2015.

84  
85 PASSED AND ADOPTED ON SECOND READING by the City Council this \_\_\_ day  
86 of \_\_\_\_\_, 2015.

87  
88 SIGNED by the Mayor this \_\_\_ day of \_\_\_\_\_, 2015.

89  
90  
91  
92 \_\_\_\_\_  
MAYOR

93 ATTEST

94  
95 \_\_\_\_\_  
96 CITY CLERK

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_  
REQUESTED BY: CITY ATTORNEY  
DEPT. OK: C. C.  
ADMIN. OK: \_\_\_\_\_  
ATTY. OK: \_\_\_\_\_  
AS TO FORM ONLY

103 RECORD ENTRY:

105 I HEREBY CERTIFY that the Original of the foregoing signed Ordinance was received by the Office  
106 of the City Clerk and entered into the Public Record this \_\_\_ day of \_\_\_\_\_, 201\_\_.

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108 \_\_\_\_\_  
Susan Slattery, City Clerk

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110 [1315]9003-92021

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