

SUMMARY OF PROPOSED CHANGES

(Underline/strike editing indicates changes made after Planning and Zoning Board meeting)

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
1	12	32	32	Drug and alcohol treatment centers	<ul style="list-style-type: none"> • Define “Addiction Treatment Center” as any outpatient service providing diagnostic or therapeutic services for alcoholism, drug abuse, or similar conditions. Clinics, professional offices or similar uses that provide addiction treatment counseling to individuals as part of a larger practice are not considered addiction treatment centers. • Permitted in: B-3 only • Standards: Min. distance separations: 500ft. from other addiction treatment centers and 500ft. from any residential district, place of public assembly, K-12 school or day care facility. • Allowed in freestanding building only. • Minimum 5,000 sq. ft. facility unless part of a hospital.
2	--	--	--	--	<ul style="list-style-type: none"> • Intentionally left blank.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
3	12	34	34(E)	Child Care, Day Nursery, Day Care facility	<ul style="list-style-type: none"> Standards improved to ensure proper site selection, traffic circulation and child safety. An outdoor play area standard of 25sq ft per child is proposed. This exceeds the State and County requirement and should be easier to enforce.¹ Prohibit the use of parking aisles for required vehicle stacking.
4	12	34	34(MM)	Education K-12 development standards	<ul style="list-style-type: none"> Standards added to ensure that when a school is located within 1,200ft. of a major intersection , that such intersection is fully signalized for vehicles and pedestrians. Prohibits K-8 classrooms on upper floors of a building. Prohibits the use of parking aisles for required vehicle stacking.

¹ Because its standards exceed those of the state, Broward County is one of 5 counties that issues day care licenses locally. County Code Sec. 7-5.03 provides: *There shall be a minimum of forty-five (45) square feet of usable, safe, and sanitary outdoor play space per child, one (1) year of age and older. Outdoor play space shall be calculated at the rate of forty-five (45) square feet per child in any group utilizing the play space. A minimum outdoor play space shall be provided for one-half (½) of the licensed indoor capacity. The minimum standard for outdoor play space shall not apply in calculating square footage for children under one (1) year of age. However, appropriate outdoor infant equipment shall be substituted for outdoor play space. The facility shall provide facilities and equipment conducive to the physical activities appropriate for the age and physical development of the child. Infants in care shall be provided opportunities for outdoor time each day that weather permits.*

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
5	12	34	34(V)	Residential/Office (RO) district	<p>Limit residential to single-family, duplex and townhouse style.</p> <ul style="list-style-type: none"> • Eliminate banks as a permitted use. • For non-residential and mixed use, set max. building size at 2,500 sq. ft. , require parking placement behind building façade, specify that “residential appearance” includes peak roof, front facing windows and prominent front door.
6	12	34	34(Z)	<p>Special Residential Facilities</p> <p>In a prior ordinance, the maximum number of beds for Category 1 was changed from 8 to 6. The other categories should have been adjusted accordingly.</p>	<ul style="list-style-type: none"> • Change the number of beds in a Category 2 facility from 9-14 to 7-14 (to correct a prior typographical error). • Require a new Certificate of Occupancy and installation of accessibility features prior to any conversion of a residential building.
7	12	34	34(CC)	<p>Vehicle sales and rental</p> <p>This section sets forth the standards for this use within commercial and industrial districts. Editing is necessary for clarity.</p>	<ul style="list-style-type: none"> • Edit for clarity. • Delete provision for “indoor showrooms” related to the M-1, M-2 and M-3 districts but institute a minimum lot size requirement.
8	12	34	34(QQ)	<p>B-2M District uses</p> <p>The B-2M district was recently created by ordinance for possible application to the “Hacienda Flores” area on State Road 84. The intent was to allow some aspects of marina use, such as boat and yacht sales, but not others, such as major hull repair. Some further changes are needed to address potential impacts to neighboring residential uses.</p>	<ul style="list-style-type: none"> • Specify that liveaboards, manufacturing of any kind and hull or engine repair of any kind are prohibited. • Limit work on boats to cleaning and installation of electronics and similar final components.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
9	12	54	54	<p data-bbox="594 232 1058 264">Nonresidential performance standards</p> <p data-bbox="594 305 1115 651">This section was adopted by Ordinance 1990-4 as part of major revisions to the zoning code (see further explanation in Sec. 12-83). It introduced concepts such as “landscape surface ratio” and “floor area ratio” creating duplication and conflicts with other code sections. As outlined in Sec. 12-83, by revising the standards for the SC, UC, FB and BP districts, Sec. 12-54 can be repealed.</p>	<ul data-bbox="1199 232 1780 297" style="list-style-type: none"> <li data-bbox="1199 232 1780 297">• Repeal Sec. 12-54 (rely on revised standards of Sec. 12-83 through 12-87).

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
10	12	83	83	<p>Development standards for the SC, UC, FB and BP districts.</p> <p>Ordinance 1990-4 introduced the Suburban Commercial (SC), Urban Commercial (UC), Freeway Business (FB) and Business Park (BP) districts as a “performance zoning” alternative to the “Commercial Conservation Standards” of the B-1, B-2 and B-3 districts. Ordinance 1990-4 also included bufferyard standards specific to these districts. The overall intent was to emphasize “performance” standards, such as context sensitive design and bufferyards, rather than building setbacks. This effort was incomplete, however, and failed to address key requirements, such as building heights, as required by the comprehensive plan. The bufferyard requirements referenced in Ordinance 1990-4 were also subsequently repealed.</p> <p><i>As of this date, no properties have been zoned Suburban Commercial (SC) or Freeway Business (FB). The only areas zoned Business Park (BP) are west of I-75, north of Griffin Road. The only area zoned Urban Commercial (UC) is the Target Shops site at the corner of University Drive and Stirling Road.</i></p>	<p>Recommendation</p> <ul style="list-style-type: none"> • Add language to Sections 12-84 through 12-87, concerning the SC, UC, FB and BP districts, to clarify how the Non-Residential Development Standards of Sec. 12-83 apply to these districts. Specifically, each of the districts is “linked” to one of the “Commercial Conservation Districts” based on similarity of intensity: <ul style="list-style-type: none"> • SC = B-2 district • UC = B-3 district • FB = B-3 district • BP = O district (Office)

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
11	12	100	100	Incorporate Ch. 26, Vegetation, into Ch. 12, Art. VI.	<ul style="list-style-type: none"> • Change article title to: “Landscaping, Tree Preservation and Land Clearing”. • Div 1: Landscaping • Div 2: Prevention of tree abuse • Div 3: Tree preservation, removal and relocation • Div 4: Clearing and Grubbing of Land • Edit all of the above for clarity. • Allow the Town Administrator to approve clearing and grubbing permits prior to site plan as needed to prepare the land for development or to control invasive exotics. • To be addressed by separate resolution: <ul style="list-style-type: none"> • Schedule of tree mitigation values (per inch) and addressing tree type of health/quality.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
12	12	205	205(A)(7)	Electric vehicle charging stations	<ul style="list-style-type: none"> • Require charging stations for multi-family and commercial developments based on the total number of parking spaces provided: <ul style="list-style-type: none"> • 1-25: 0 • 26-50: 1 • 51-200: 2 • 201-500: 4 • 500+: 6 • See Appendix 1 for existing development examples. • Require signage identifying charging spaces but allow developer to determine location and level of enforcement necessary (e.g., whether to prohibit or merely discourage parking of non-electric cars). • Allow Town Council to waive requirement where vehicle charging stations can be shown to be impracticable or where other facilities are available in the area. • Encourage installation of charging infrastructure in excess of the proposed requirement (dry-fitting).

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
13	12	208	208	<p>Restaurant and bar parking</p> <p>Current Town Standards: Bar: 1/40sf “bar or lounge space” + 1/200sf “emp. service area” Restaurant, general: “1/80sf dining area” (equivalent to 12.5 spaces per 1,000sf GFA). *If more than 10% of the seating is around a bar, refer to bar standard. Restaurant, drive-through or takeout: 1/50sf GFA (equivalent to 20 spaces per 1,000sf GFA).</p> <p>Issues: Current restaurant/bar rates may fail to capture employee parking needs and demand associated with waiting rooms and other “non-dining” areas. Even after adjusting for uncounted areas, Town rates are up to 25% below those indicated by the current ITE Parking Generation Manual. Current fast food rate is up to 40% higher than indicated by the current ITE Parking Generation Manual. See Appendix 2 for further detail.</p>	<ul style="list-style-type: none"> • Leave “Bar” standard as-is but replace “restaurant, general” with: • Restaurant, general (without bar service) Rate: 13 spaces per 1,000sf GFA • Restaurant, general (with bar service) Rate: 16-18 spaces per 1,000sf GFA* • Change rate for “restaurant, drive-through or take-out” to: 12 spaces per 1,000sf GFA <p><i>*The recently approved Outback/Tilted Kilt project (including retail component) was required to provide 139 spaces and provided 186230. If the proposed restaurant/bar standard is adopted, 223-247 spaces would have been required.</i></p>

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
14	12	208	208	<p data-bbox="594 232 873 264">Dormitory parking rate</p> <p data-bbox="594 305 1119 443">The current rate is 0.5 spaces per bed but it only addresses “on-campus” dormitories. Parking demand for off-campus dormitories would likely be higher.</p>	<ul data-bbox="1199 232 1766 297" style="list-style-type: none"> • Establish rates for both on-campus and off-campus dormitories at: <p data-bbox="1241 342 1545 370">On-campus: 0.85 per bed</p> <p data-bbox="1241 375 1734 440">Off-campus: 0.85 per bed plus 10% guest parking</p> <p data-bbox="1199 483 1770 686"><i>*These rates are on the high end but should be maintained unless there is a demonstration that a lower rate is warranted (e.g., due to high transit use). Variances and/or special parking studies may be necessary to address individual circumstances.</i></p>

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
15	12	240	240	<p>Signs in shopping centers, office and industrial parks.</p> <p>This section limits wall signage within a multi-tenant development to 2 colors (colors chosen by the landowner). Each tenant is also allowed up to 15% of the sign area for other colors associated with a logo. The chosen colors for each center must be kept on file by the Town but the landowner is free to change the colors at any time (66 centers are currently on file). Colors are not regulated in the following cases: “anchor tenant” stores within a multi-tenant center, ground-mounted signs, wall signs on a single-tenant building.</p> <p>Although some multi-tenant developments limit sign colors through their lease agreements, municipal regulation of sign colors in this fashion is not typical of other municipalities and has potential legal complications (e.g., infringement on use of registered trademarks). This arrangement has also proven difficult to enforce consistently since the colors can be changed by the landowner.</p>	<ul style="list-style-type: none"> • Revise this section to eliminate controls on the number of colors used in shopping centers and industrial parks but clarify and strengthen the requirements concerning the type of sign and lighting style used in multi-tenant signs.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
16	12	243	243(D)(5)	<p>Banner signs.</p> <p>For many years, the Town regulated banners as follows: Copy: Limited to “grand opening” and similar special events. Term: 30 days, up to 4 times per year per business Size: 4 sq. ft. per lineal foot of façade Location: Attached to building only. Permit required?: Yes</p> <p>By Ordinance 2013-012, the Town adopted a 1-year trial program to allow feather flags and similar temporary “banner” signs in more situations. Under this program, a business owner could obtain a permit to install banner signs, including feather flags and cardboard signs staked into the ground, without time limits and without limits on subject matter. In practice, only 14 permits were approved since program inception but the number of banners displayed far exceeds this.</p>	<ul style="list-style-type: none"> • Repeal the one year trial program. • Reinststate the banner provisions that existed prior to Ord. 2013-012 but with stricter size limitations (2sq. ft. per lineal foot of façade as opposed to 4sq. ft.) and with clearer standards concerning placement. • Provide for sunseting of permits issued under the trial program, leaving a grace period of no less than 60 days.
17	12	261	261	<p>Street lighting</p> <p>Currently, street lighting systems require approval of the Town Engineer but the long term operational costs of systems dedicated to the Town are not addressed.</p>	<ul style="list-style-type: none"> • Require that systems to be dedicated to the Town shall utilize LED or similar high efficiency luminaries with a minimum five year warranty.
18	--	--	--	--	<ul style="list-style-type: none"> • Intentionally left blank

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
19	12	311	311	<p>Standards for moratorium.</p> <p>The current standard for establishment of a moratorium are based on a narrow concept of a temporary cessation of development in a defined “geographic” area and does not address moratoria based on particular uses or other subject matter.</p>	<ul style="list-style-type: none"> • Repeal Sec. 12-311 entirely. Any future moratoria can simply be adopted by ordinance with appropriate notice based on the subject matter. <p><i>*This does not affect the “zoning in progress” provision, which will remain in place.</i></p>
20	12	319.6	319.6	<p>Public participation requirements.</p> <p>The requirement for public participation plans is intended to ensure that the public and surrounding property owners have an opportunity to participate in decisions that may materially affect their properties. The code requires public participation plans for site plans, rezoning and similar applications, but not specifically for plats and plat-related applications. Due to the time required to obtain County approval of a plat or plat related amendment, applicants will sometimes submit such applications for Town review well in advance of an actual site plan application. Requiring public participation for all plat-related applications would be inefficient given that many plat details governed by the County are inconsequential to surrounding properties.</p>	<ul style="list-style-type: none"> • Authorize the Town Administrator to require an applicant to provide mailed notice to surrounding property owners for plat or plat-related applications where a public participation plan is not otherwise required.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
21	12	340	340	<p>Development Review Committee (DRC) membership</p> <p>Central Broward Water Control District (CBWCD) is currently listed as a DRC member. In practice, applicants coordinate with CBWCD in parallel with the Town’s site plan review process but the District does not provide comments or project “releases” in the same manner as Town departments. Since CBWCD enforces its own code standards, not the Town Code, it is not necessary for CBWCD to be a member of the Town’s DRC.</p>	<ul style="list-style-type: none"> Eliminate CBWCD as mandatory DRC committee member but continue to include CBWCD in electronic routing of development applications.
22	12	369	369	<p>Projects excluded from site plan review.</p> <p>Currently, the only types of development specifically excluded from the site plan review process are one- and two-family dwellings (e.g., construction on an established lot of record) and certain additions that do not increase the size of a building by more than 20 percent. An additional exception is needed for agricultural uses. The site plan approval process is impractical for agricultural uses and can conflict with certain statutory pre-emptions on building permits.</p>	<ul style="list-style-type: none"> Delete the exception related expansions of less than 20 percent (this issue is already addressed by Sec. 12-374, Site Plan Modifications). Add an exception for agricultural use (this would not affect the need to obtain applicable building or engineering permits).
23	--	--	--	--	<ul style="list-style-type: none"> Intentionally left blank

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
24	12	372	372	<p>Site plan submission requirements</p> <p>The current practice involves a series of preliminary meetings between the staff and the applicant, with the applicant later uploading the site plan and other application materials over the internet. Clarification is needed in the Code as to when plans are actually routed for review.</p>	<ul style="list-style-type: none"> Specify that staff review does not commence until the application is deemed complete by Town staff.
25	12	374	374	<p>Modification of site plan.</p> <p>This section sets forth the approval process for material vs. non-material changes to an approved site plan (material changes required Council approval while non-material changes may be approved by staff, with or without site plan committee review). The intent was to allow certain changes to a site plan to be approved administratively provided that the site plan remained consistent with any restrictive covenants or conditions of approval that may have been required by Town Council. Re-editing is necessary for clarity.</p>	<ul style="list-style-type: none"> Retain the intent of this section but re-edit for clarity. Require super-majority vote of Town Council to remove or modify restrictive covenants related to approval of a site plan.

No	Ch.	Sec.	Sub. Sec.	Issue	Recommendation
26	12	438.15	438.15	<p>Drive-through windows in RAC downtown</p> <p>Currently, other than related to building frontage requirements, there is no restriction on drive-through windows for restaurants or other uses. To maintain a pedestrian-friendly atmosphere, drive-through restaurants should be prohibited entirely within the RAC-Town Center (TC). Drive-throughs for banks and other uses may be allowed if they have no direct access to Transit Oriented Streets (Davie Road, Orange Drive and 39th Street are Transit Oriented Streets).</p>	<ul style="list-style-type: none"> Prohibit drive-through facilities for new food service uses within the RAC-TC district (does not affect previously approved drive-throughs). Allow other drive-through windows (such as banks) within the RAC-TC district provided that there is no direct access from a Transit-Oriented Street.
27	12	503	503	Definitions	<ul style="list-style-type: none"> Repeal the following unused definitions: Landscape Surface Ratio Floor Area Ratio
28	99	Policy	Policy	Provide turning radii on site and landscape plans (not just fire plan).	<ul style="list-style-type: none"> Addressed via changes to application checklists.
29	99	Policy	Policy	Ensure line of site, especially residential projects.	<ul style="list-style-type: none"> Addressed via changes to application checklists.
30	99	Policy	Policy	In design manual, provide more examples of stack stone. Focus on use of natural materials.	<ul style="list-style-type: none"> Town-wide design manual updated.

Appendix 1: Electric Vehicle Charging Stations – Examples of Existing Developments

<u># of Parking Spaces</u>	<u>Name of Development</u>	<u>Address</u>
26-50	Carriage Hills MCP Management Corp	6900-6948 Stirling Rd. 7900 SW 24th St.
51-200	County Road Shoppes Davie Professional Plaza	6301-6349 Stirling Rd. 2750-2790 University Dr.
201-500	Broward Plaza Shoppes of Arrowhead	4803-4999 State Road 7 2411-2699 S. University Dr.
500+	Davie Square Tower Shoppes	5503-5793 S. University Dr. 1902-2224 S. University Dr.

Appendix 2: Comparison of Parking Rates

Comparison of ITE and Town Restaurant Parking Rates

Land Use Code	Restaurant Type	Average Peak Demand Per 1,000 SF GFA (1)	Equivalent Town Req. Per 1,000 SF GFA (2)	Variance
931	Quality Restaurant	16.4	7.5	(8.9)
932	HighTurnover Restaurant - Without Bar	13.5	7.5	(6.0)
932	HighTurnover Restaurant - With Bar	16.3	15.3	(1.1)
933	Fast Food Restaurant - Without Drive-through	12.4	20.0	7.6
934	Fast Food Restaurant - With Drive-through	10.0	20.0	10.0
936	Coffee/Donut Shop - Without Drive-through	13.6	20.0	6.4
937	Coffee/Donut Shop - With Drive-through	10.4	20.0	9.6

NOTES

(1) Source: Parking Generation, 4th Edition, Institute of Transportation Engineers, 2010

(2) Currently, only "restaurant seating area" is counted for non-fast food restaurants (kitchens, restrooms and other non-dining areas typically account for 40% of GFA). The rate shown for restaurant "with bar" assumes 10% of seating area is bar seating.