

ORDINANCE NO. 200-06-118

ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS PERTAINING TO PERMITTED ACCESSORY USES AND STRUCTURES WITHIN THE OPEN SPACE PARKS (PO) ZONING DISTRICT; AMENDING ARTICLE III, ZONING DISTRICTS, SECTION 3.5, RECREATIONAL ZONING DISTRICTS, SECTION 3.5.1 OPEN SPACE PARK (PO) ZONING DISTRICT, SECTION 3.5.1.C ACCESSORY USES AND STRUCTURES; AMENDING SCHEDULE B, ALLOWABLE USES, SECTION B-2 USES ALLOWED IN NON-RESIDENTIAL DISTRICTS PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH)

WHEREAS, at their duly noticed meeting and public hearing of June 23, 2020 the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance and all other relevant and substantial competent evidence into the record, and forwarded the record to the City Commission with the recommendation that the proposed Ordinance be adopted; and

WHEREAS, at their duly noticed meeting and public hearing of June 29, 2020, the City Commission considered the record, adopted findings and conclusions, and approved the proposed Ordinance on first reading; and

WHEREAS, at their subsequently duly noticed meeting and public hearing of July 13, 2020, the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. Land Development Regulations (LDR), Article III, Zoning Districts, Section 3.5, Recreational Zoning Districts, Section 3.5.1, Open Space Park (PO) Zoning District, subsection (C), Accessory Uses and Structures, is amended to read as set forth below:

Sec. 3.5. - Recreation zoning districts.

3.5.1. *Open Space Park (PO) zoning district.*

* * *

C. *Accessory uses and structures.* The following uses are allowed when part of, or accessory to, the principal use:

1. Benches and shelters;
2. Boat ramps and docks, but limited to canal maintenance purposes;
3. Bus bays, bus shelters and benches and other transit amenities;
4. Children's playground equipment, such as merry-go-round, slides, and swings;
5. Exercise and jogging stations;
6. Fences and walls;
7. Fitness Centers;
- ~~7.8.~~ Landscaping, including creation of wetlands and uplands;
- ~~8.9.~~ Lighting, low intensity pedestrian-scaled;
- ~~9.10.~~ Maintenance and storage facilities, both indoor and outdoor;
- ~~10.11.~~ Parking and driving areas, such as accessways, bicycle racks, and driveways;
- ~~11.12.~~ Refuse area, such as compactors, dumpsters and enclosures;
- ~~12.13.~~ Restrooms and rest areas;
- ~~13.14.~~ Sculptures, waterfalls, water fountains and other decorative water features;
- ~~14.15.~~ Signs, such as decorative and informational signs.

D. *Special exception uses and structures.* The following uses are allowed as special exception uses within the PO district:

1. Camping, temporary;
2. Live entertainment, outdoors;
3. Telecommunication facilities, such as support structure, equipment buildings, and antennas, consistent with Article III, Part 5.0.

E. *Review and approval process.*

1. The use of any land within the PO zoning district shall require site plan approval by the Planning and Zoning Board or site plan modification approval by the Development Review Committee consistent with Article IV, Development Review Requirements, Part 5.0., Site Plan.

2. A special exception use must be approved or approved with conditions by the City Commission consistent with Article IV, Development Review Requirements, Part 4.0., Special Exception Use.
- F. *Development standards.* All standards for the development or use or both of PO zoned property shall be established pursuant to the special exception use process, the site plan or site plan modification process, or any combination of the above.
- G. *Supplemental district regulations.* The supplemental district regulations in Article III, Part 6.0., and Schedule J. shall apply except as modified below.
1. *Off-street parking and loading.* The site plan or site plan modification review process shall be used to determine the number and location of required parking and loading spaces.
 2. *Outside storage.* Equipment and loose materials shall be stored in designated areas provided that such areas shall not be located along collector or arterial roadways or across from residential properties. Such areas shall be screened or hidden behind an opaque fence or wall and landscaping and shall be substantially screened from view from abutting properties and the public right-of-way as viewed from ground level. Substantially screened means that at least seventy (70) percent of the use must be hidden from view.
- H. *Special regulations.* (Reserved).

SECTION 2. Land Development Regulations (LDR), SCHEDULE B, Allowable Uses, Section B-2 Uses Allowed in Non-residential Districts, is amended to read as set forth below:

B-2. *Uses Allowed in Non-residential Districts.*

Land Use Category	CO	CN	CG	CC	CW	CE	IL	PO	PL	PR	CR	S-1	CF	UT	<u>Not Zoned</u>
Accessory Uses ¹	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Adult day care	SE		SE		SE										

Alcoholic beverage establishment ¹																			
• Bars and taverns	SE		SE	SE	P ²	P ²													
• Hotel bar	SE		SE	SE															
• Package store			SE	SE															
• Restaurant bar	SE		P	P	P	P													
Amphitheatre, arena, movie theatres and performing arts center ¹																			
• Minor with 499 seats or less						P		SE	P								P		
• Major with 500 seats or more						SE		SE	SE								SE		
Amusement room, game room, recreation center ₁			SE	P ²	SE	P ²		P		SE	A								
Animal hospital			P	P													P		
Athletic courts (e.g., basketball, croquet, lawn bowling, handball, netball, tennis and shuffleboard)								P	P	P							P		
Athletic field, (e.g., baseball, cricket, croquet, football, lawn bowling, soccer, etc.)																			

• Daytime use									P	P		P	P		
• Nighttime use (where field lights exceed a 25' height)									SE	SE					
Auctions ¹			P												
Auditoriums and convention halls						A ²							P		
Automobile repair			SE				P								
Automobile sales, car rental (outdoor)			SE	SE			P								
Automobile sales, car rental (indoor)			P	P	P ³		P								
Bandshell									SE	SE					
Banquet hall											A		A		
Batting Cage and pitching machines, archery range but excluding gun range									P	A		P			
Billiard or pool parlor			SE	SE	P	P			P		A				
Bingo parlor <small>Art. III, Sec. 5.8</small>			SE	SE		SE				A			SP		
Boat ramp and docks															
• Maintenance									P	P	P				
• Recreation									P	P					

Bowling alley ¹			SE	SE	P	P									
Bulk storage of gas, oil and other fuels ¹							SE								
Camping, temporary							SE	A	A						
Car wash			SE	SE											
Check cashing/Pay Day Loan Store			N	N											
Childcare ¹															
• Day	SE			SE				SE	SE						
• Evening	SE			SE				SE	SE						
• Weekend	SE			SE				SE	SE						
Clubs: Athletic (e.g., aquatic, golf, tennis, soccer), country, fraternal, private, social	SE		SE	SE	P	P				A ₂		SE			
Commercial kennel (enclosed building)			SE	SE											
Commercial, radio, T.V., microwave and telecommunication towers	SE	SE	SE	SE	SE					SE	SE	P			
Community gardens ¹													P		
Community service (outreach service)		SE													

Concession facilities									A	A				
Consignment shop			P	P	P									
Convenience stores ¹		P	SE	SE	SE									
Correctional and judicial facilities ¹			N	N									N	
Dance Hall						P								
Data processing and computer centers	P		P	P										
Diagnostic laboratory testing facility			P	P									P	
Domestic and Business Service ¹			SE	P		P								
Education ¹														
• College and university				SE		SE							SE	
• Instructional	P	P	P	P	P ²	P ²			A ²	A ²			SE	
• Pre-school	SE	P		SE									SE	
• Primary and secondary, Public schools	SE			SE		SE							SE	
• Primary and secondary, charter and private schools ¹	SE		SE										SE	
• Remedial		P	SE										P	

• Training	P	P	P	P	SE	SE ₂	SE		A ²	A ²			P	
Essential utilities and services	P	P	P	P	P	P	P	P	P	P	A	P	P	P
<u>Food Distribution Center</u>													<u>N</u>	
Financial institutions ¹														
• Walk-up	P	P	P	P	SE	P								
• Drive-through	SE		SE	SE										
Firearm and ammunitions sales ¹			SE											
Fishing										P				
Fitness center, gym, health and wellness spa	SE		P	P	P	P	SE	<u>A</u>	P		A	P	P	
Flea market ¹														
Freestanding and mobile vendors					p ²	p ²								
Funeral establishments ¹			SE	SE										
Gas or service stations ¹			SE	SE										
Golf course and golf driving range									P	P	P ²			
Golf course, Mini ¹			P	P		P						P	P	P
Government administration services, maintenance building	P	SE	P	SE			P					P	P	P

and outdoor storage of equipment and vehicles ¹																			
Grocery store			P	P															
Helipad, Heliport ¹							SE								SE				
Holiday sales ¹			SE/L	SE/L	SE/L	P				SE	SE								
Horticulture (i.e., garden store, nurseries and greenhouses) ¹			A																
Hospitals															SE				
Hotel or motel ¹	SE		SE	SE		P													
House of religious worship ¹	P	P	P	P	P	P/A	P		P/A	P/A	A ₂	A ₂	P/A						
Jewelry store			P	P	P														
Junkyards ¹							SE												
Laboratories, research, film or testing							P												
Laundromat, self service			SE	SE															
Laundry and Dry cleaning, full service			P	P															
Libraries, Museums and cultural facilities	P		P						P	P					P				
Limousine service and taxi stand ¹						SE ₂													

Live entertainment ¹																	
• Indoors			SE	SE	P	P			P	P	P		P				
• Outdoors	SP		SP	SP	SP	P	SP	SE	SP	SE	SP	SP	SP				
Manufacturing ¹																	
• Brewery, Microbrewery (Taproom Included)					P		P										
• Compounding, processing and storage			SE				SE										
• Assembly, and repair					P		P										
• Stamping, dyeing, shearing, punching of metal not over 1/8 -inch of thickness					P		P										
Medical Marijuana Treatment Center																	
Medical Marijuana Health Care Establishment	SE		SE	SE	SE		SE										
Medical Marijuana Dispensing Center																	
Mental health facility ¹	P		P	P													
Minor food outlet																	
Mixed use (with residential use) ¹	SE		SE	SE	P	P											

Newspaper publishing and printing					P		P												
Offices ¹																			
• Business and professional	P	P	P	P	P	P	P												
• Government	SE	SE	SE	SE	SE	SE	P ²										P	P	
• Medical with non-controlled substance practitioner	P		P	P	P	P	A2												
• Medical with controlled substance practitioner	SE		SE	SE	SE	SE													
• Medical after hours	SE		SE	SE	SE	SE													
Open space (e.g., natural land, water bodies, greenways and other pathways)							P		P	P	P					P	P		
Outdoor storage ¹									SE	A ²	A ²	A ²							
Parking facility			SE	SE			A					A							
Pattern making								P											
Personal services ¹	A	P	P	P	P	P	P								A				
Pest control services ¹				SE	P		P												
Pharmacy ¹																			
• Walk-up			P	P															

• Drive-through			SE	SE										
Public parks administration	P		P	P	P		A		P	P	P	P	P	
Public safety facilities and services (Police, Fire, Emergency, Lifeguard)	P		P	P	P	P	P		A	A			P	
Public transit ¹	SP	SP	SP	SP	SP	A	SP				SP	SP		
Publishing, lithography, engraving shop					P		P							
Recycling facility							SE							
Refuse area; dumpster enclosure ¹	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Restaurants ¹														
• Sit Down/High Turnover Restaurant	P		P	P	P	P					P			
• Sit Down/High Turnover-Drive-Through Restaurant			SE	SE	SE									
• Sit Down/Low Turnover Restaurant	P		P	P	P	P					P			
• Fast Food/In-Line Restaurant			SE	SE	SE									
• Fast Food/Drive - Through ⁴			SE											

Retail sales ¹																	
• Neighborhood-scale	P	P	P	P	P	P										A	
• Community-scale			P	P	P	P											
• City-scale			SE	P													
• Regional-scale			SE	SE													
<u>Scrap Metal Processing Plant</u>																	<u>N</u>
Self-service storage facility ¹			SE	P					SE								
Sexually oriented businesses ¹									P								
Skating rink but excluding skateboarding			SE	SE			P			P	P						
Small appliance repair		P	P			P											
Small engine repair			P			P											
Special residential facilities (Category 3) ¹			SE													SE	
Specialty food store			P	P	P												
Stadiums ¹																	
• Minor 499 seats or less										P	P						
• Major 500 seats or more										SE	SE						

Street and transportation corridors	P		P	P	P		P					P	P	P		
Studios ¹																
• Studio office use			SE		SE		P									
• Studio operations			SE		SE		P									
• Studio production/post-production use			SE		SE		P									
• Studio property			SE		SE		P									
• Studio use			SE		SE		P									
• Support use			SE		SE		P									
Supermarkets ¹			P	P												
Swimming pool ¹	P		P	P	P	A			P ²	P ²		A	P			
Tattoo parlors					P											
Telecommunication facility ¹																
• Antenna and equipment	P		P	P	P	P	P	SE	P	P		P	P	P		
• Antenna support structure, freestanding	SE		SE	SE		SE	SE	SE								
Tobacco store ¹		P	P	P	P	P										
Tool, die and gauge shops					P		P									

SECTION 3. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning Division is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending Land Development Regulations.

SECTION 4. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 5. Codification. The provisions of this Ordinance shall become and be made a part of the City of Lauderdale, Florida Land Development Regulations; sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and the word "ordinance" may be changed to "article," "part," "section," or other appropriate word.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its adoption.

DATE this _____ day of _____, 2020.

PASSED on first reading this _____ day of _____, 2020.

PASSED AND ADOPTED on second reading this _____ day of _____, 2020.

PRESIDING OFFICER

ATTEST:

CITY CLERK

	FIRST READING	SECOND READING
MOTION	_____	_____
SECOND	_____	_____
M. BATES	_____	_____
H. BERGER	_____	_____
R. CAMPBELL	_____	_____
D. GRANT	_____	_____
K. THURSTON	_____	_____