

# EXHIBIT 1

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**ARTICLE 1. GENERAL PROVISIONS****1.1. AUTHORITY.**

1.1.1 Chapters 163 and 166, Florida Statutes, and the Charter for the City of Lauderhill, Florida authorizes the Commission to adopt, repeal and amend, in whole or in part, regulations governing the use, development and redevelopment of land and water.

1.1.2 This Schedule is a land development regulation and was adopted as one of the instruments of implementation of the public purposes, goals, objectives and policies of the City of Lauderhill Comprehensive Plan and does not authorize development or redevelopment that is inconsistent with the City of Lauderhill Comprehensive Plan. Moreover, to further the Comprehensive Plan's goals and objectives and to further the purpose of this Schedule, the State Road 7 Community Redevelopment Area is divided into Transect Zones (T-Zones) of such number, characteristics, area, common unity of purpose, and adaptability as will accomplish the purpose of the Comprehensive Plan and this Schedule.

1.1.3 This Schedule was adopted to promote the health, safety and general welfare of the City of Lauderhill, including protection of the environment; conservation of land, energy and natural resources; reduction in vehicular traffic congestion; more efficient use of public funds; health benefits of a pedestrian environment, education and recreation; enhancement of economic development; reduction in sprawl development; and improvement of the built environment.

1.1.4 This Schedule was recommended for adoption by the Planning and Zoning Board (hereinafter the "Board") on June 21<sup>st</sup>, 2011 and was adopted on August 29<sup>th</sup>, 2011 by the Lauderhill City Commission (hereinafter the "Commission").

**1.2 APPLICABILITY.**

1.2.1 Provisions of this Schedule are activated by "shall" when required; "should" when recommended; and "may" when optional.

1.2.2 The provisions of this Schedule, when in conflict, shall take precedence over those of other City codes, ordinances, regulations and standards except Chapters 6 (Buildings and Building Regulations), Chapter 9 (Fire Protection and Prevention) and Chapter 21 (Water and Sewer Service) of the Lauderhill Code of Ordinances (hereinafter the "Local Health and Safety Codes").

1.2.3 This Schedule, along with the land uses allowed within the respective base or underlying zoning districts, shall be the development code for the area designated on the official City of Lauderhill Zoning District Map as the SmartCode Overlay Transect Zone (See Map No. 1). The existing City of Lauderhill Land Development Regulations and Code of Ordinances shall continue to be applicable to issues not covered by this Schedule.

1.2.4 Capitalized terms used throughout this Schedule may be defined in Article 8 Definitions and Abbreviations. Article 8 contains regulatory language that is integral to this Schedule. Those

terms not defined in Article 8 shall be interpreted as defined in the Land Development Regulations and, if not defined therein, then accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the existing City of Lauderdale Land Development Regulations, those of this Schedule shall take precedence.

1.2.5 The metrics of Article 4 Standards, Tables and Maps are an integral part of this Schedule; however, the diagrams and illustrations that accompany them should be considered guidelines, with the exception of those on Article 4, Table 12 Form-Based Code Graphics and the Maps, which are also legally binding.

1.2.6 Where in conflict, numerical metrics shall take precedence over graphic metrics.

### **1.3 INTENT.**

The intent and purpose of this Schedule is to enable, encourage and qualify the implementation of the following policies:

#### 1.3.1 The Community.

- a. That development and redevelopment should be compact, pedestrian-oriented and Mixed use.
- b. That Mixed use developments should be the preferred pattern of development and that Districts specializing in a single use should be the exception.
- c. That ordinary daily living activities should occur within walking distance of most dwellings.
- d. That interconnected networks of Thoroughfares should be designed to disperse and reduce the length of automobile trips.
- e. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- f. That appropriate building densities and land uses should be provided within walking distance of transit stops.
- g. That Civic and Commercial activity should be embedded in downtowns, not isolated in remote single-use complexes.
- h. That schools should be sized and located to enable children to walk or bicycle to them.
- i. That a range of Open Space including Parks, Squares, and playgrounds should be distributed within neighborhoods and downtowns.

#### 1.3.2 The Block and the Building.

- a. That buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.
- b. That development and redevelopment should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- c. That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.
- d. That architecture and landscape design should grow from local climate, topography, history, and building practice.
- e. That buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- f. That Civic buildings and public gathering places should be provided as locations that reinforce community identity and support self-government.
- g. That Civic buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.
- h. That the harmonious and orderly evolution of urban areas should be secured through form-based codes.

### 1.3.3 The Transect.

- a. That communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.
- b. That the Transect Zone descriptions in Article 4, Table 1 shall demonstrate the intent of this Schedule with regard to the general character of each of these environments.

**ARTICLE 2. ADMINISTRATIVE PROVISIONS****2.1. SMARTCODE OVERLAY TRANSECT ZONE MAP.**

- 2.1.1. The Zoning District Map described in Article III., Part 2.0., Section 2.2 is hereby supplemented by the SmartCode Overlay Transect Zone Map, which Map together with all adopted explanatory and supplemental information is shown in Article 4, Map 1, is hereby adopted and shall be a part of this Schedule.
- 2.1.2. The SmartCode Overlay Transect Zone Map and any amendments thereto shall be maintained in the Office of the City Clerk, and a certified copy shall be maintained in the Office of Planning and Zoning. The City Planner shall sign the Map to verify its accuracy and it shall be authenticated by the signature of the Mayor of the City.
- 2.1.3. This Schedule affects all lands, waters, Structures, Uses and occupancies within the area of the City of Lauderhill shown on the SmartCode Overlay Transect Zone Map. No Building, Structure, land or water shall be used or occupied, no land shall be subdivided and no Building, Structure, land or part thereof shall be developed except in conformity with the Transect regulations in which it is located, unless excepted, and with all applicable Land Development Regulations.

**2.2. TRANSECT ZONE BOUNDARIES.**

- 2.2.1. Except as otherwise specifically provided, a Transect symbol or name shown within Transect boundaries in the SmartCode Overlay Transect Zone Map indicates that the regulations pertaining to the Transect Zone extend throughout the whole area surrounded by the boundary line.
- 2.2.2. Except as provided in Section 2.2.3, where a Transect Zone designation is not indicated for an area in the SmartCode Overlay Transect Zone Map, the area shall be construed to be zoned as for the most restrictive Abutting zone, until corrective action is taken by the City Commission.
- 2.2.3. Where uncertainty exists as to the location of the boundary of a Transect Zone, or other areas delineated for regulatory purposes in the SmartCode Overlay Transect Zone Map, the following rules shall apply:
- a. Boundaries indicated as approximately following the centerlines of streets, alleys, rights-of-way, or Easements shall be construed as following such centerlines as they exist on the ground.
  - b. Boundaries indicated as approximately following Thoroughfares, public or private Property Lines, Rights-Of-Way or Easements shall be construed as following such boundaries; provided, however, that where such boundaries are so located with relation to other opposing boundaries as to leave such area without apparent Transect Zone designation, such boundaries shall be construed as running to the

centerlines of the areas remaining.

- c. Boundaries indicated as approximately following centerlines of canals or other bodies of water shall be construed as following such centerlines.
- d. Where variation of the actual location from the mapped location would change the T-zone status of a Lot or parcel, the boundary shall be interpreted so as to avoid the change.
- e. In the event of vacation, the boundary shall be construed as remaining in its location, except where ownership of the vacated property is divided other than at the center, in which case the boundary shall be construed as moving with the ownership.

2.2.3. Where distances are not specifically indicated on the Map, distances shall be determined by reference to the scale of the Map.

2.2.4. Where boundaries occur within a parcel of land comprising more than one Lot, the Lots shall be developed separately according to the assigned Transect Zone.

### **2.3. PENDING ACTIONS AND DEVELOPMENT APPROVALS.**

2.3.1. The effective date of this Schedule shall not affect nor prevent the prosecution of any action pending at the time of the effective date of this Schedule, which action is to enforce the Code of Ordinances or Land Development Regulations or the conditions of any previously adopted development order.

2.3.2 Any previously approved development orders and any conditions of approval shall continue in full force and effect unless a new development order is obtained, at which time the development shall come into conformance with these regulations if required.

2.3.3. Any development orders previously approved or applications filed and pending action under the Notice of Zoning in Progress (Resolution No. 10R-06-126) shall be vested provided it is constructed as displayed in the approved development order.

### **2.4. PROCESS.**

2.4.1 Article IV of the existing City of Lauderhill Land Development Regulations shall govern the review of applications under this Schedule except that the Development Review Committee (DRC) shall make the final determination on a Site Plan application.

2.4.2 An applicant may appeal a decision of the DRC to the Planning and Zoning Board (Board), may appeal a decision of the Board to the City Commission, and may appeal a decision of the City Commission to the appropriate court.

2.4.4 Should a violation of the approved Site Plan occur during construction, a Building or Code Enforcement official has the right to require the owner to stop, remove, mitigate the violation, or



to require the owner to secure a Variance to cover the violation, or any combination of the above.

## **2.5 WARRANTS AND VARIANCES.**

2.5.1 There shall be two types of deviation from the requirements of this Schedule: Warrants and Variances. Whether a deviation requires a Warrant or Variance shall be determined by the City Manager.

2.5.2 A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Schedule but is justified by the provisions of Section 1.3 Intent. The DRC shall have the authority to approve, approve with conditions, or deny administratively a request for a Warrant pursuant to regulations established by the DRC.

2.5.3 A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only in accordance with the laws of the State of Florida and the City's Land Development Regulations.

2.5.4 The request for a Warrant or Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

## **2.6. RULES OF CONSTRUCTION.**

2.6.1. In their interpretation and application, the provisions of this Schedule shall be the minimum requirements or maximum limitations, as the case may be, adopted for the promotion of the public health, safety, or general welfare.

2.6.2. The following rules of construction shall apply to the text of this Schedule:

- a. Headings. Sections or subsections shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision herein.
- b. Illustrations. In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control, unless the intent of this Schedule is clearly otherwise.
- c. Terminology: Shall, may and should. "Shall" is always mandatory and not permissive. "May" is permissive. "Should" is advisory and identifies guidance provided by the City Commission in the implementation of these regulations.
- d. Tenses and numbers. Words used in the present tense include the future, words used in the singular include the plural, and the plural includes the singular, unless the context clearly indicates the contrary.
- e. Conjunctions. Unless the context clearly indicates otherwise, the following conjunctions shall be interpreted as follows:
  1. "And" indicates that all connected items or provisions shall apply.

2. "Or" means that the connected items or provisions may apply singly or in any combination
3. "Either/or" indicates that the connected items or provisions shall apply singly but not in combination.
- f. Gender. Use of the masculine gender includes the feminine gender and use of the feminine gender includes the masculine.
- g. Any act authorized by this Schedule to be carried out by a specific official or agency of the City is impliedly authorized to be carried out by a designee of that official or agency.
- h. Any reference to federal laws, Florida Statutes, Florida Administrative Code, Broward County Code of Ordinances, the Lauderhill Code of Ordinances and Land Development Regulations or any other official code shall be construed to be a reference to the most recent enactment of the particular law, and shall include any amendments to it as may be adopted from time to time.

## 2.7. CALCULATIONS.

- 2.7.1. Rounding. Where cumulative requirements or limitations are to be computed for purposes herein, fractions shall be carried forward in the summation, and the total rounded to the nearest whole number, subject to the minimum Lot sizes and maximum Densities or intensities of development required by these regulations.
- 2.7.2. Time. The time within which an act is to be done shall be computed by excluding the first and including the last day, except that if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.

## 2.8. INSTRUCTIONS.

- 2.8.1 Lots and buildings located within any Transect Zone are subject to this Schedule.
- 2.8.2 Owners and developers may have the Site Plan required under this Schedule prepared on their behalf.
- 2.8.3 Prior to filing any plans subject to this Schedule, a mandatory Pre-Application Conference shall be held with the owners, developers or their consultants and City staff.
- 2.8.4 A Site Plan shall show the following, in compliance with the standards described in this Schedule for site and building approval:
  - a. Cover sheet
  - b. Building Disposition
  - c. Building Configuration

- d. Base/Underlying Zoning District(s) and proposed primary and accessory uses
- e. Parking
- f. Landscape and Irrigation
- g. Signage
- h. Special Requirements
- i. Lighting

2.8.5 The development review process and time frames shall be as prescribed in LDR Article IV., Part 1.0. and Part 5.0., Section 5.10.

2.8.6 The following design review criteria shall be applied to a Site Plan consistent with the standards and requirements of this Schedule and the Land Development Regulations:

- a. Cover sheet
  - Table Contents
  - Scope of Work
  - Legal Description
  - General Location Map
  - Project Name
  - Scale
- b. Building Disposition
  - Respond to the physical context taking into consideration natural features, existing urban form and Transect Zone intentions
  - For Buildings on Corner Lots, design Façades to acknowledge all Frontages
  - For modifications of nonconforming Structures, See Subsection 2.9.1
  - Create transitions in Building Height with mass and with Abutting properties and Transect Zones
- c. Building Configuration
  - Articulate the Building Façade vertically and horizontally in intervals appropriate to the existing Neighborhood and Transect Zone
  - Articulate the Building Façade at street level to recognize pedestrian continuity and interest and at upper levels to recognize long views of Buildings
  - Use architectural styles and details, colors and materials consistent with LDR Schedule P., Design Standards and Guidelines
  - Design Façades that respond primarily to the human scale
  - Promote pedestrian interaction
  - Design all walls as active Façades, with doors and windows; when not possible, embellish walls with architectural design treatment
  - Provide usable Open Space that allows for visible and convenient pedestrian access from the public sidewalk
  - Building sites should locate service elements, such as trash dumpsters, utility meters, loading docks, backflow preventers, Siamese connections and electrical, plumbing, mechanical and communications equipment away from

a street front. All service elements shall be situated and screened from view to the street and adjacent properties

- d. Uses allowed within the base/underlying zoning district
- Demonstrate that the land uses are allowed within the zoning district
- e. Parking
- Minimize the impact of automotive parking and driveways on the pedestrian environment and adjacent properties
  - For pedestrian and vehicular safety, minimize conflict points such as the number and width of driveways and curb cuts
  - Minimize off-street parking adjacent to a Thoroughfare front and where possible locate parking behind the Building
  - Design landscaping or surface parking areas as buffers between dissimilar Uses
  - Screen parking garage structures with Habitable Space. Where Habitable Space is not provided, architectural treatments and landscaping shall screen the garage structure
- f. Landscape and Irrigation
- Preserve existing vegetation or geological features or both whenever possible
  - Reinforce Transect Zone intention by integrating landscaping, irrigation and hardscape elements
  - Use landscaping to enhance Building design and continuity of streetscape
  - Use landscape materials, such as plantings, trellises, pavers, screen walls, planters and similar features to enhance building design and continuity of streetscape
  - Provide landscaping that screens undesirable elements, such as surface parking lots, and that enhances open space and architecture
- g. Signage
- Provide signage appropriate for scale and character of the project and immediate Neighborhood
  - Provide functional and aesthetic signage identifying Building addresses at the entrance(s)
- h. Special requirements
- Engineering standards
  - Stormwater management standards
- i. Ambient standards
- Provide lighting appropriate to the Building and landscape design in a manner that coordinates with signage and street lighting
  - Orient outdoor lighting to minimize glare to the public realm and adjacent properties
  - Protect residential areas from excessive noise, fumes, odors, commercial

vehicle intrusion, traffic conflicts and the spillover effect of light

## **2.9 PRE-EXISTING CONDITIONS.**

2.9.1 Existing buildings and appurtenances that do not conform to the provisions of this Schedule may continue in use as they are until a Substantial Improvement or Modification is requested, at which time the DRC at a Pre-Application Conference shall determine the provisions of this Schedule that shall apply.

2.9.2 The modification of existing buildings is permitted By Right if such changes result in greater conformance with the specifications of this Schedule and is consistent with design guidelines in the Land Development Regulations, Schedule P.

2.9.4 Where buildings exist on adjacent lots, the DRC may require by Waiver that a proposed building match one or the other of the adjacent Setbacks and heights rather than the provisions of this Schedule.

2.9.5 When the restoration or rehabilitation of an existing building is proposed, the DRC may not require the provision of parking in addition to that existing. Existing parking requirements that exceed those for this Schedule may be reduced as provided by Table 9A and Table 9B.

## **2.10. APPLICATION AND FEES.**

2.10.1. Application. The City Planner is hereby authorized to prepare such application forms as is necessary to implement and effectuate the purposes of this Schedule.

2.10.2. Fees. The City Commission, by resolution, shall establish such fees for applications and other processes provided herein.

**ARTICLE 3. GENERAL TO TRANSECT ZONES****3.1 TRANSECT ZONES.**

3.1.1. The City of Lauderdaleville Transect Zones are described in Article 4, Table 1 and include the standards summarized in Article 4, Table 11 and further described in Article 4

**3.2. BUILDING FUNCTION.**

3.2.1 This Schedule generally does not regulate Building Function. The Transect Zones are overlay zones on the Zoning District Map and the base or underlying Zoning District govern the Building Function or Uses allowable within a zoning district.

**3.3 PHASING.**

3.3.1. All development shall conform to this Schedule regardless of phasing. Each phase of a development shall conform to this Schedule in its entirety.

**3.4. LOTS AND FRONTAGES.**

3.4.1 Lots assembled into one ownership that encompass more than one Transect Zone shall be developed according to the corresponding Transect regulation for each lot. In such cases, there shall not be any transfer of density or intensity of development capacity between Transect Zones.

3.4.2. In Transect Zones T5 and T6, buildable sites shall Enfront a vehicular Thoroughfare or a Pedestrian Passage, with at least one Principal Frontage.

3.4.3. Lots facing Thoroughfares on more than one (1) side shall have designated Principal Frontage(s) and may have Secondary Frontage(s). Unless otherwise designated by a Special Area Plan, a Principal Frontage shall be facing the Thoroughfare of higher pedestrian importance or intensity (i.e., traffic volume, number of lanes, etc.), as determined by the City Manager upon request by the City Planner.

a. If two Thoroughfares are of equal importance each Frontage shall be considered a Principal Frontage. Lots with two or more Frontages may consider other non-fronting Property Lines as sides.

b. Where an existing lot of record is located adjacent to a Thoroughfare in a manner that creates an irregular Frontage such that the sides or rear yards cannot be determined as with a regular lot, the City Planner shall determine, by Waiver, the yard and setbacks for the lot as fits the circumstances of the case. In addition to general Waiver requirements, the City Planner shall consider the minimum dimensions and methods of measurement as generally required for either a side or rear yard in the transect, determining which shall apply by the relation of the

portion of the lot on which the yard is to be located to the adjoining lot, with due regard to the orientation of structures and buildable areas on each lot.

3.4.4. For purposes of this Schedule, Lots are divided into Layers (See Article 4, Table 13) which control Development on the Lot.

3.4.5. Where the property to be developed abuts an existing Building, a Waiver may be granted so that the proposed Building matches the dominant Setback of the block and its Context.

### **3.5. DENSITY AND INTENSITY CALCULATIONS.**

3.5.1. Lot Area is used for purposes of Density and Intensity calculation, except as provided elsewhere in the Schedule.

3.5.2. Density shall be calculated in terms of the number of dwelling units based on the gross acreage of the Development.

3.5.3. Intensity shall be calculated in terms of floor lot ratio.

3.5.4. A lodging unit shall be considered as equivalent to one-half (1/2) of a Dwelling Unit.

3.5.5. Density and Intensity shall be allocated from the Comprehensive Plan's Transit Oriented Corridor and such allocation shall be assigned at the time of plat or site plan approval. If allocated by Plat, such allocation shall expire within five (5) years of approval. If allocated by Site Plan, such allocation shall expire within three (3) years of approval.

### **3.6. MEASUREMENT OF HEIGHT.**

3.6.1. The Height of Buildings shall be measured in Stories. The height of Fences, walls and light poles shall be measured in feet. The Height of Buildings, Fences, walls and light pole shall be measured from the Average Sidewalk Elevation or, where no sidewalk exists, the average of the record profile grade elevation of the street Abutting the Principal Frontage of the Building, as determined by the City Engineer.

3.6.2. A Story is a habitable level within a Building of a maximum fourteen feet (14') in Height from finished floor to finished floor or roof. Basements are not considered Stories for the purposes of determining Building Height. A ground level retail Story may exceed this limit up to a total height of 25 feet. A single floor level exceeding 14 feet, or 25 feet at ground level retail, shall be counted as two (2) Stories. Where the first two stories are retail, their total combined Height shall not exceed 39 feet and the first floor shall be a minimum of 14 feet in Height. Mezzanines may not exceed 33 percent of the Habitable Space floor area. Mezzanines extending beyond 33 percent of the Floor Area shall be counted as an additional floor. The Height of a Parking Structure concealed by a Liner may be equal to the Height of the Liner; this may result in a Liner Story concealing more than one level of Parking.

3.6.3. Except as specifically provided herein, the Height limitations of this Schedule shall not apply to any roof Structures for housing elevators, stairways, tanks, ventilation fans, solar energy collectors, or similar equipment required to operate and maintain the Building provided that such Structures shall not cover more than 20 percent of roof area for T4 and T5; nor to church spires, steeples, belfries, monuments, water towers, flagpoles, vents or similar Structures, which may be allowed to exceed the maximum Height by Waiver; nor to fire or parapet walls, which shall not extend more than five (5) feet above the maximum Height in T4 and T5 and ten (10) feet in T6 Districts.

3.6.4. No Building or other Structure shall be located in a manner or built to a Height which constitutes a hazard to aviation or creates hazards to persons or property by reason of unusual exposure to aviation hazards. A letter authorizing clearance from the Broward County Aviation Department or the Federal Aviation Administration (FAA) may be required by the City Planner prior to the issuance of any Development Order or Building permit.

### **3.7. OFF-STREET PARKING AND LOADING STANDARDS.**

#### 3.7.1. Off-street Parking Standards.

- a. Off-street Parking calculations and the Shared Parking factor for the individual Transect Zones shall be as set forth in Article 4, Tables 9A and 9B.
- b. Off-street Parking Standards shall be as set forth in Article 4, Table 9C.

#### 3.7.2. Additional Off-street Parking Regulations. General performance standards for Off-street Parking facilities:

- a. Parking shall be implemented so as to provide safe and convenient access to and from public Thoroughfares which include movement lanes and Public Frontages.
- b. Vehicular access through Residential properties for nonresidential Uses shall be prohibited.
- c. Off-street Parking spaces shall be located with sufficient room for safe and convenient parking without infringing on any public Thoroughfare or sidewalk.
- d. Off-street Park spaces whose locations require cars that back into movement lanes shall be permissible only in T4 zones. Backing into Alleys shall be permissible in all Transect Zones.
- e. Off-street Parking or loading area shall not be used for the sale, repair, or dismantling of any vehicle or equipment, or for storage of materials and supplies.
- f. Parking or storage of commercial trucks, buses, vans, sign trailers, trailers or semi-trailers for freight, cargo or the like is prohibited except when associated with an institutional use, such as a community blood bank.



- g. Inoperable vehicles shall be stored only in storage facilities or other approved places where they are completely concealed from public view.
  - h. All Off-street Parking shall comply with applicable laws, rules and regulations pertaining to lighting, paving and drainage, including the Code of Ordinances and the Florida Building Code.
  - i. Through the Waiver process, Parking facilities on adjoining Lots may share access points, driveways and parking subject to a recorded covenant running with the property on which the facilities are located.
- 3.7.3. Calculation of Off-street Parking requirements. Where Civic and other Uses provide for seats and seating is:
- a. In the form of undivided pews, benches or the like, twenty-four (24) lineal inches shall be construed to be to be equal to one (1) seat.
  - b. Related to movable seating in auditorium and other assembly rooms, ten (10) square feet of Floor Area shall be construed to be equal to one (1) seat except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles and shall not include accessory unoccupied areas or the thickness of walls.
- 3.7.4. Valet Parking. Off-street Parking facilities maintained with valet parking shall be allowed provided that the minimum Off-street Parking requirements of this Schedule are satisfied and that an attendant shall remain on duty during business hours or as long as the Principal Building is occupied.
- 3.7.5. Parking Management Plan. [RESERVED]
- 3.7.6. Off-street Parking Reductions by Use. [RESERVED]
- 3.7.7. Deferral of Off-street Parking Standards.
- a. Deferral of portions of total required parking improvements in phased projects. Parking requirements shall be met as set forth by this Schedule and built concurrently with approved improvements generating said requirements. Provision of parking should not in part or in whole be deferred for future implementation. Further, phased projects shall be approved subject to the provision of required parking for each component phase to be provided concurrently with the phase generating said requirement; however, deferrals may be granted by Waiver as specified below.

- b. Deferral period, revocation of permit; notice of revocation. A deferral may be allowed for up to three (3) years without provision for renewal except upon application for a new Exception.
- 3.7.8 Off-street Loading Requirements. Off-street vehicular loading shall be required for all T5 and T6 zones as shown in Article 4 Table 9D and shall require no more than three (3) turning movements.

### **3.8. FENCES AND WALLS.**

- 3.8.1. General. Fences, walls and privacy gates may be allowed in order to create views, screen undesirable views, separate land uses and establish physical barriers between different spaces. The requirements for fences and walls are specified in Land Development Regulations Article III, Section 5.18.
- 3.8.2. For all Commercial and Industrial Uses, including Mixed Uses with a Commercial or Industrial component, an eight-foot solid masonry wall shall be provided along property lines which adjoin property zoned Open Space Park (PO) or residential district. In addition, where landscaping is not required, blank walls are not allowed and shall be embellished with architectural elements or details.
- 3.8.2. Fences along a Thoroughfare shall conform to the City approved fence design depicted in Land Development Regulations Schedule L, Engineering Standards and Procedures for Land Development Activities.

### **3.9. LANDSCAPING AND IRRIGATION.**

- 3.9.1. Preemption. Broward County Article XI., General Provisions, Section 11.01., Conflict of County Ordinances with Municipal Ordinances, provides that a County ordinance shall prevail over Municipal ordinances whenever the County acts with respect to environmental regulations or land use planning. The environmental regulation provision has been interpreted to apply to landscaping.

The Broward County Code of Ordinances establishes minimum standards for landscaping, including a minimum 30 percent pervious area and a 18 percent tree canopy for development. The City's Land Development Regulations contain similar standards and requirements.

- 3.9.2. The Broward County environmental standards are suburban in nature and are not suitable along within the City's TOC, which is urban in nature. In order to satisfy the Broward County environmental standards while maintaining the urban character, after meeting the minimum landscape standards and requirements identified within this Schedule, developers shall make a payment into the City Tree Preservation Trust Fund equal to the cost of satisfying and covering the Broward County environmental standards.

**3.10. LIGHTING**

3.10.1. General. Illumination shall strive for compliance with International Dark Sky Association guidelines. As such, uplighting is prohibited and all fixtures shall be full-cut off. All outdoor exterior lighting fixtures shall comply with EnergyStar Certification requirements for Solid State Lighting Luminaires.

3.10.2. Streetscape lighting. Sufficient illumination for vehicular and pedestrian safety and to improve the aesthetic quality of the environment shall be provided.

a. The preferred style presently is installed along State Road 7 and any future installation shall be as approved by the utility provider.

b. Light poles or posts shall be outfitted with provisions for specialty banners.

3.10.3. Pedestrian lighting. Pedestrian lighting shall be at a human scale and provide a distinct ambience that differentiates pedestrian facilities from adjacent vehicular zones.

a. The preferred style is depicted in Article 4, Illustration 1 and shall be installed at a maximum Height of 25 feet and approximately 100 feet on center.

b. Light poles should be installed a minimum of four (4) feet from the curb face and maintained plumb and secure.

c. Illuminated bollards may be allowed to substitute by Warrant for light poles.

d. Light poles and illuminated bollards shall complement hardscape and other streetscape elements.

e. Box lighting fixtures may be allowed by Warrant but only if it is located within an interior area generally not visible or accessible to the public.

f. Light emitting diode shall be the preferred light source.

3.10.4 Landscape lighting shall be as provided for in Land Development Regulations Schedule P., Design Standards and Guidelines.

3.10.5. Materials, colors and design.

a. Light poles and bollard shall be aluminum, fiberglass, concrete or cast iron.

b. Light poles and bollards along a Thoroughfare shall be painted black. Poles and bollards serving a development shall be painted to complement the color of the development.

- c. Light poles or posts shall be designed with a narrow profile and shall include an integrated decorative structural base with tapered shaft, arm and fixture.

**3.11. DESIGN STANDARDS.**

- 3.11.1. The design standards and guidelines in Land Development Regulations Schedule P shall apply except when directly in conflict with a standard herein.