

CITY OF LIGHTHOUSE POINT

ORDINANCE NO. 2020-0980

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA AMENDING CHAPTER 42 – “LAND DEVELOPMENT CODE,” ARTICLE IV.-“ZONING,” TO CREATE A NEW ZONING DISTRICT ENTITLED “”YC-MU, YACHT CLUB MIXED USE DISTRICT”, BY AMENDING DIVISION 3.-“ZONING DISTRICTS ESTABLISHED; ZONING MAP,” SECTION 42-321 “DIVISION OF CITY INTO DISTRICTS; ENUMERATION OF DISTRICTS” TO ADD YC-MU, YACHT CLUB MIXED USE DISTRICT, TO THE LIST OF ZONING DISTRICTS IN THE CITY; AMENDING DIVISION 4.-“DISTRICT REGULATIONS” TO CREATE A NEW SECTION 42-353, ENTITLED “YC-MU, YACHT CLUB MIXED USE DISTRICT;” ESTABLISHING PURPOSE AND INTENT, DEFINITIONS, MINIMUM DISTRICT SIZE, DEVELOPMENT AGREEMENTS, PERMITTED AND PROHIBITED USES, DEVELOPMENT STANDARDS INCLUDING FLOOR AREA, SETBACKS, BUILDING HEIGHTS AND LENGTHS, BUILDING SEPARATION AND DESIGN STANDARDS, PERVERSUS AREAS, PARKING, LANDSCAPING, MARINA USE REGULATIONS AND OTHER REGULATIONS FOR THE ZONING DISTRICT; AND AMENDING DIVISION 6.-“OFF-STREET PARKING AND LOADING,” SECTION 42-409, “DESIGN STANDARDS,” TO PERMIT TANDEM PARKING IN THE YC-MU, YACHT CLUB MIXED USE, ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received an application from the Property Owner of the Lighthouse Point Yacht Club located at 2701 NE 42nd Street to create new Yacht Club Mixed Use (YC-MU) zoning district and amend the City’s parking ordinances to permit tandem parking in the newly created Yacht Club Mixed Use (YC-MU) zoning district; and,

WHEREAS, the proposed changes would amend Section 42-321 and create a new Section 42-353 in the City’s Land Development Regulations, for a Yacht Club Mixed Use (YC-MU) zoning district and provide for regulations for the new zoning district, and will amend Section 42-

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309 of the City's Land Development Regulations relating to tandem parking in the new zoning district; and,

WHEREAS, the City's Planning and Zoning Board conducted public hearings on June 2, 2020, June 10, 2020, July 7, 2020, and August 4, 2020, and recommended approval of the proposed ordinance to create the new YC-MU zoning district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2. Chapter 42, entitled "Land Development Code," Article IV, entitled "Zoning," Division 3.-"Zoning Districts Established; Zoning Map," Section 42-321 "Division Of City Into Districts; Enumeration Of Districts" is amended and Section 42-353, entitled "YC-MU, yacht club mixed use district" is created, and Division 6.-"Off-Street Parking and Loading," Section 42-409, "Design Standards," is amended, all as set forth in the attached Exhibit "A", incorporated herein.

Section 3. Conflicts. That all Ordinances, or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 4. Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

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Section 5. Codification. It is the intention of the City Commission of the City of Lighthouse Point that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE FIRST READING, THIS _____ DAY OF _____, 2020.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE SECOND AND FINAL READING, THIS DAY OF _____, 2021.

BY: _____
Michael S. Long, Commission President

ATTEST:

Jennifer M. Oh, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

	Yes	No	Absent
Commission President Michael S. Long	_____	_____	_____
Commission Vice President Kyle Van Buskirk	_____	_____	_____
Commissioner Jason D. Joffe	_____	_____	_____
Commissioner Earl Maucker	_____	_____	_____
Commissioner Sandy Johnson	_____	_____	_____

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EXHIBIT "A"

AMENDMENTS TO CHAPTER 42, LAND DEVELOPMENT CODE

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Sec. 42-321. - Division of city into districts; enumeration of districts.

In order to regulate and limit the height and bulk of buildings erected or altered; to regulate and limit the density of population; to regulate and determine the area of yards and other open spaces; to regulate and restrict the location of trades and industries; and the location of buildings erected and altered for specific uses, the city is hereby divided into the following classifications or districts:

- (1) RS-3 Single-family residence.
- (2) RS-5 Single-family residence.
- (3) RD-10 Two-family residence.
- (4) RM-16 Four-family residence.
- (5) RM-25 Apartment.
- (6) B-1 Neighborhood business district.
- (7) B-2 Community business district.
- (8) B-2A Planned business center district.
- (9) B-3 General business district.
- (10) B-3A Special business district.
- (11) CF Community facilities district.
- (12) S-1 Park and recreation facilities district.
- (13) YC-MU Yacht Club Mixed Use district.

Sec. 42-322. – Zoning map adopted by reference.

Sec. 42-353. – YC-MU, yacht club mixed use district.

- (a) Purpose and intent.
- (b) The YC-MU district is intended to implement the Commercial Recreation and Residential land use categories of the City of Lighthouse Point Comprehensive Plan, and to apply to any property for which both commercial recreation and residential uses as a single, unified mixed-use development are proposed.
- (c) Definitions.

For the purposes of this Section only, the following words and phrases shall have the meanings set forth herein:

Accessory Building means a Building that meets the standards of the Florida Building Code

that is located in the Commercial Recreation land use area such as tennis center, children's activity center, and food service facilities, and marina dock office, or that is located in the residential land use area, such as a guardhouse, that is incidental and subordinate to the Principal Buildings and subject to the floor area, setbacks, and height requirements of this Section unless otherwise provided.

Accessory Structure means a Structure, excluding a Building, incidental and subordinate to the Principal Buildings, including uncovered vertical structures such as walls, fences, gates, flagpoles, and play structures; uncovered horizontal structures such as decks, stairs, ramps, swimming pools, spas, hot tubs, tennis courts; covered structures, such as cabanas, canopies, gazebos, pergolas, sail tents, and other shade structures; and mechanical equipment such as heating and air conditioning systems, emergency generators, and other equipment, and subject to the floor area, setback, and/or height requirements of this Section unless otherwise provided in this Section.

Accessory Use means a use customarily incidental to the Principal Building as permitted.

Attendant means a person who performs any service regarding Valet Parking on a full-time, part-time or contract basis, including an operator or manager of a Valet Parking station and a driver of patrons' vehicles.

Boat Club means a members-only boat rental or boat sharing program, separate from a Yacht Club membership and available to members and non-members of a Yacht Club, that is restricted to a maximum number of boat slips or docks as described herein.

Boat Detailing means boat cleaning that is limited to pressure washing, waxing, vacuuming, cleaning hatches, cleaning gutter tracks and nonskid, cleaning upholstery, polishing brightwork, cleaning Bimini tops and other similar work.

Building means any Structure or part thereof, either temporary or permanent, having a roof, which gives protection or shelter for occupancy. The term "Building" shall be included within the term "Structure."

Canopy Tree means a tree or Palm whose mature height and branch structure (minimum thirty (30) foot diameter) provide foliage primarily on the upper portion of the tree. The purpose of a Canopy Tree is to provide shade to adjacent ground areas.

Development Agreement means an agreement entered into pursuant to Ch. 163.3220 – 163.3243, F.S.

Diameter Breast Height (DBH) means the diameter of a tree trunk measured at four and one-half (4½) feet above grade measured in accordance with the most recent guidelines published by the U.S. Forest Service.

Established Grade means the following when used to measure the maximum height of a Building or Structure:

- (1) The minimum finished floor elevation shall be as set forth in the current effective Flood Insurance Rate Map (FIRM) as published by the Federal Emergency Management Agency (FEMA) or the minimum finished floor elevation as set forth in the Broward County Surface Water Management License, which ever elevation is greater.
- (2) The maximum height of a residential Building shall be no more than 38.0 feet above the crown of the adjoining public roadway. Chimneys and ornamental features, such as spires and weathervanes, shall not exceed 41.0 feet above the crown of the adjacent public roadway.
- (3) The maximum height of a commercial recreation Building shall be no more than 54.0 feet above the crown of the adjoining public roadway. Chimneys and ornamental features, such as spires and weathervanes, and screened mechanical equipment shall not exceed 59.0 feet above the crown of the adjacent public roadway.

Ground Cover means any plant that does not attain a mature height of more than one foot. Such plants shall be characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground.

Impervious Area means an area covered by a material which does not permit infiltration or percolation of water directly into the ground.

Landscape Island means a contiguous plot of land intended to contain landscape materials and located in a vehicular parking lot but separated from parking stalls or vehicular use areas by curb or similar vehicular barrier.

Lot means a properly recorded and deeded property upon which a Yacht Club, Townhouse dwelling unit, or one-family residence and their respective Accessory Uses, Buildings, and Structures, as applicable, are found within the YC-MU district.

Marina means a facility that is part of a Yacht Club and provides private boat docks or boat slips for mooring vessels in the private Yacht Club Basin and City owned canals and ancillary uses as described in Lighthouse Point Code of Ordinances, Sec. 42-353(p).

Owner means the record title owner(s) of any property subject to the YC-MU district.

Palm means a plant belonging to the monocot order of the family Palmae, distinguished by having unbranched single or multi-trunks crowned by large, compound pinnate, or palmate leaves/fronds.

Parcel of Land means all property within a designated YC-MU district.

Pervious Area means an area maintained in its natural condition, or covered by a material that does not reduce the infiltration or percolation of water. Swimming pools, water bodies, sports courts, and paver blocks of any type are not considered Pervious Areas. However, stabilized parking with a grass surface shall be considered a Pervious Area and meet the City's applicable code requirements for Pervious Area described in Lighthouse Point Code of Ordinances, Sec. 42-142, Pervious Area and Greenspace.

Principal Building means a Building which is occupied by, or devoted to, a principal use on the Parcel of Land. For purposes of this Section, the Yacht Club Clubhouse, Townhouses, and one-family residences shall be considered the Principal Buildings.

Shrub means a multi-stemmed woody plant other than a tree.

Structure means anything constructed or erected, the use of which requires more or less permanent location on the land, or attached to something having a permanent location on the land. The term "Structure" shall include "Buildings."

Tandem Parking means two (2) or more parking spaces with one (1) or more vehicles parked behind the other vehicle(s).

Townhouse means a Principal Building containing two or more attached dwelling units that share a common wall.

Transient Boat means a vessel belonging to a traveling yachtsman or member of a participating reciprocal yacht club that is temporarily docking in a designated boat slip or dock at the Marina for less than a week based on slip availability. There shall be a maximum number of boat slips or docks established for Transient Boats approved by the City Commission in a Development Agreement.

Tree means any living self-supporting dicotyledonous or monocotyledonous woody perennial plant that has a DBH of no less than three (3) inches and normally grows to an overall height of no less than ten (10) feet in South Florida.

Valet Parking means the service of parking vehicles for patrons of a Yacht Club.

Valet Parking Lot means a parking lot as designated on an approved site plan which provides Attendants to receive, park and deliver the automobiles of patrons of a Yacht Club.

Valet Parking Agreement means the written authorization by the City allowing the Owner of the Yacht Club portion of the Parcel of Land to provide Valet Parking.

Yacht Club means a commercial recreation use that is classified as either a private club or community club, the use of which is primarily restricted to members and their guests but may provide a venue for private parties for non-members, that consists of structures and related grounds and/or moorage used for social and recreational purposes related to

pleasure boating and/or gym, spa, swimming, tennis and other similar racquet sports, and Marina.

Yacht Club Basin means the submerged lands, as designated in a Development Agreement and approved site plan, that are owned by the Owner of the Yacht Club.

Yacht Club Clubhouse means the Principal Building of a Yacht Club that contains one or more restaurants or banquet halls and uses ancillary and customary to a private club.

(d) *Minimum district size.*

The minimum size required for an application to a YC-MU district shall be five (5) net acres of contiguous land.

(e) *Development agreement.*

- (1) All rezoning applications requesting the YC-MU district designation shall be accompanied by a Development Agreement, pursuant to Ch. 163.3220 – 163.3243, F.S.
- (2) All rezoning applications requesting the YC-MU district designation shall be accompanied by a conceptual site plan that contains sufficient detail to demonstrate that the development as proposed meets development standards and regulations.
- (3) Any breach of any term or condition of the Development Agreement required by this Section shall be a breach of the regulations of this Section and may be enforceable by the City through Code Enforcement action, or any other legally available means.

(f) *Uses permitted.*

- (1) No Building or Structure or part thereof shall be erected, altered or used in whole or in part for other than the following specified uses:

- a. One or more of the following in the designated residential land use areas:
 1. One-family residences
 2. Townhouses

AND

- b. Yacht Club in the designated Commercial Recreation land use areas.
- (2) A residential Homeowners' Association as defined in Ch. 720.301, F.S. shall be created for all residential units and such association shall be required to be a member of the Yacht Club.

- (3) Accessory Uses, Buildings, and Structures to residential or Yacht Club uses shall be identified in a Development Agreement and are subject to applicable provisions of the Land Development Code of the City of Lighthouse Point unless otherwise specified in this Section or the Development Agreement.
- (4) Any use, Building, or Structure not specifically permitted in this Section or the Development Agreement shall be prohibited.

(g) Floor areas.

- (1) Residential dwelling units shall have a minimum total floor area under air conditioning of one thousand five hundred (1,500) square feet.
- (2) A Yacht Club Clubhouse shall have a minimum total floor area under air conditioning of thirty thousand (30,000) square feet.

(3) Accessory Buildings

- a. The designated residential land use area shall be permitted one (1) guardhouse not to exceed a total floor area of one thousand (1,000) square feet and twenty (20) feet in height from Established Grade pursuant to an approved site plan.
- b. Each Accessory Building of a Yacht Club Clubhouse shall be limited to a maximum total floor area of twenty-five (25) percent of the Yacht Club Clubhouse's total floor area under air conditioning.
- c. A Yacht Club Basin shall be permitted one (1) Accessory Building not to exceed a maximum total floor area of eight hundred (800) square feet with a maximum height of fourteen (14) feet in height from the top surface of the dock.

(4) Accessory Structures

Each covered Accessory Structure in the designated Commercial Recreation land use area, when adjacent to a residential land use line, shall be limited to a maximum total floor area of one thousand (1,000) square feet.

(h) Setbacks.

- (1) The minimum setbacks for residential uses shall be as follows:
 - a. One-Family Residences
 - 1. Front (main entrance): Twenty-five (25) feet measured from the internal vehicular access drive
 - 2. Side: Eight (8) feet measured from the residential land use line

3. Street Side: no requirement
4. Rear: Twenty-five (25) feet measured from the wet face of the seawall
- b. Townhouses
 1. Front (main entrance): Twenty (20) feet measured from the residential land use line
 2. Side: Eight (8) feet measured from the residential land use line; provided that if a common wall exists, the setback is zero (0) feet
 3. Street side: Twenty (20) feet measured from the internal vehicular access drive
 4. Rear: Twenty-five (25) feet measured from the wet face of the seawall for waterfront Townhouses or from the residential land use line for non-waterfront Townhouses
- c. Accessory Building
 1. Front (main entrance): Eight (8) feet measured from the residential land use line
 2. Side: no requirement
 3. Street side: no requirement
 4. Rear: Eight (8) feet measured from the residential land use line

(2) The minimum setbacks for non-residential uses shall be as follows:

- a. Yacht Club Clubhouse
 1. Front (main entrance): Fifty (50) feet measured from the Commercial Recreation land use line
 2. Side: Twenty-five (25) feet measured from the Commercial Recreation land use line
 3. Street side: no requirement
 4. Rear: Fifteen (15) feet measured from the Commercial Recreation land use line
- b. Accessory Buildings

Except for the Accessory Building permitted in the Yacht Club Basin, all other Accessory Buildings of a Yacht Club Clubhouse shall be subject to the following setbacks:

1. Front (main entrance): Seven (7) feet measured from the internal vehicular circulation
2. Side: Sixteen (16) feet measured from the Commercial Recreation land use line
3. Street side: no requirement
4. Rear: Ten (10) feet measured from the wet face of the seawall for waterfront Accessory Buildings or two (2) feet measured from the Commercial Recreation land use line for non-waterfront Accessory Buildings

c. Accessory Structures

Covered Accessory Structures of a Yacht Club Clubhouse shall be subject to the minimum setbacks below. Uncovered vertical structures, uncovered horizontal structures, and mechanical equipment shall be exempt.

1. Front: Eight (8) feet measured from the Commercial Recreation land use line
2. Side: Three (3) feet measured from the Commercial Recreation land use line. There shall be no requirement for covered Accessory Structures less than twelve (12) feet in height adjacent to residential land use lines.
3. Street side: Seven (7) feet measured from the Commercial Recreation land use line
4. Rear: Fifteen (15) feet measured from the Commercial Recreation land use line

(i) Building and Structure heights.

- (1) Residential Buildings shall have a maximum height pursuant to the definition of Established Grade.
- (2) A Yacht Club Clubhouse Building shall have a maximum height pursuant to the definition of Established Grade.
 - a. Tennis court fences shall be included in the height measurement.
 - b. Mechanical equipment shall be permitted to have a maximum height pursuant to the definition of Established Grade. Mechanical equipment shall be surrounded by screening matching the façade of the Building and shall not be in the line of sight from a 45-degree angle measured from ground level on the site. There shall be a minimum setback of ten (10) feet measured from the edge of the Building to the mechanical equipment.
- (3) All Accessory Buildings and Structures shall be measured pursuant to the definition of Established Grade and shall be subordinate in height to the Yacht Club Clubhouse and

residential Buildings. Fences, walls, and gates shall be regulated by Lighthouse Point Code of Ordinances, Sec. 42-377.

(j) *Building length.*

- (1) Townhouse Buildings shall not exceed one hundred eighteen (118) feet in length.
- (2) The Yacht Club Clubhouse Building shall not exceed two hundred (200) feet in length.
- (3) All non-residential Buildings other than the Yacht Club Clubhouse Building shall not exceed one hundred twenty (120) feet in length.

(k) *Building separation.*

- (1) Townhouse Buildings shall have a distance separation of between sixteen (16) feet and twenty-four (24) feet, measured in a straight line from the closest point between the Townhouse Buildings as provided in an approved Development Agreement and the final approved site plan. If a Townhouse Building is longer than ninety (90) feet in length, then the separation of the portion of the Townhouse Building over twenty-two (22) feet in height shall be a minimum distance of twenty-four (24) feet. Non-habitable features such as but not limited to walls, fences, hedges, and landscaping shall be permitted to occupy the building separation area. No overhangs or projections of any kind shall be permitted within the building separation area. Vertical safety railings shall not be considered an overhang or projection.
- (2) A Yacht Club Clubhouse shall have a minimum fifty (50) foot distance separation to residential Buildings, measured in a straight line from the closest point of the two (2) Buildings.
- (3) All Accessory Buildings of a Yacht Club Clubhouse shall have a minimum twenty-four (24) foot distance separation to residential Buildings, measured in a straight line from the closest point of the two (2) Buildings.
- (4) One-family residences shall have a minimum distance separation of twenty-four (24) feet from a Townhouse Building, measured in a straight line from the closest point of the two (2) Buildings.

(l) *Building design standards.*

- (1) Facades: Straight front and rear facades are prohibited. The front, street side and rear facades shall vary along both the vertical and horizontal planes to create visual interest and character.
- (2) Roofline: The front and rear rooflines shall vary along the horizontal plane to create visual interest and character by creating varying layers.

(3) Roofs: Flat roofs shall be discouraged unless it can be demonstrated through reference to best practices that the flat roof is an integral part of the architectural style proposed for the development.

(m) Pervious Area.

- (1) The minimum Pervious Area for residential uses shall be thirty (30) percent; and
- (2) The minimum Pervious Area for nonresidential uses shall be twenty (20) percent;
- (3) But in no event shall the total minimum Pervious Area in a YC-MU district be less than twenty-five (25) percent.
- (4) The standards and regulations contained in Lighthouse Point Code of Ordinances, Sec. 42-392, as may be amended from time to time, are applicable.

(n) Parking.

No part of any required parking shall be used at any time for vehicle storage, including the use or storage of campers and other similar recreational vehicles.

(1) Residential

- a. A minimum of two (2) indoor garage spaces restricted by recorded Homeowners Association deed restrictions to vehicular use only shall be required, and one (1) supplemental space shall be required adjacent to each residential unit.
- b. The required number of guest parking spaces shall be equal to fifteen (15) percent of the total required number of spaces. Guest spaces shall be distributed throughout the YC-MU district but shall be in addition to all other required parking for uses within the district.
- c. No parking shall be allowed on any internal vehicular access drive.
- d. No parking shall be allowed off site in the adjacent residential neighborhoods.

(2) Non-Residential

- a. Parking shall be provided in an amount equal to the total number of required parking spaces for all individual uses as provided for in the Lighthouse Point Code of Ordinances.
- b. In lieu of subsection (2)a., a signed and sealed parking study prepared by a licensed professional acceptable to the City and paid for by the Owner of the Yacht Club portion of the Parcel of Land, may be submitted for the cumulative parking requirements provided in subsection (2)a. above, if approved by the City Engineer and the City's Planning and Zoning Board.

- c. Valet Parking provided in accordance with the Valet Parking standards set forth in these regulations may be provided to meet a maximum of forty (40) percent of the total minimum parking requirements for non-residential uses, if approved by the City Engineer and the City's Planning and Zoning Board.
- d. No parking shall be allowed on any part of any internal vehicular access drive.
- e. No parking shall be allowed off site in the adjacent residential neighborhoods.

(o) Valet Parking.

Valet Parking, which may be provided as Tandem Parking, in a Valet Parking Lot shall only be permitted in the Yacht Club portion of the Parcel of Land subject to a detailed Valet Parking Agreement executed by the Owner of the Yacht Club portion of the Parcel of Land and the City on a form acceptable and approved by the City Attorney and recorded with the Broward County Records Division at the Owner's expense. The Valet Parking Agreement shall be considered a restriction running with the land and shall bind the heirs, successors, and assigns of said Owner.

(p) Landscaping.

(1) General Site Landscape

- a. These regulations are to establish minimum standards for the development, installation, and maintenance of Florida-Friendly Landscaping™.
- b. All landscaped areas shall be mulched and irrigated.
- c. All landscape material shall be Florida #1 grade or better as per most current edition of Grades and Standards for Nursery Plants, by the Division of Plant Industry, Department of Agriculture and Consumer Affairs, state of Florida.
- d. Sod and approved Synthetic Turf area shall be clean and visibly free of weeds, noxious pest and diseases
- e. Synthetic Turf may be used and conform to Lighthouse Point Code of Ordinances Sec. 42-392, as may be amended from time to time. Synthetic Turf is limited to a maximum of fifteen percent (15%) of the pervious space requirement
- f. A minimum of fifty (50) percent of all proposed landscape will be "Florida Friendly" to conserve water, protect the environment, and are planted consistent with the right plan in the right place standards (drought, wind, and/or salt tolerant).
- g. A minimum of forty (40) percent of proposed Trees/Palms shall be native as approved by the City's designated landscape professional.

- h. Plants shall be grouped by hydrozone and irrigated per watering needs to conserve water as per South Florida Water Management District's guide Waterwise: South Florida Landscapes.
- i. All landscape beds except for sod and approved Synthetic Turf, decorative rock bed, and annual beds, shall be mulched with arsenic free organic mulch a minimum of three (3) inches to prevent weeds, enrich the soil, lower temperature of soil, and reduce watering needs.
- j. Trees and plant species on Florida Exotic Pest Plant Council (FLEPPC) Invasive Plant Species List, as may be amended from time to time, shall not be proposed in the landscape plan. Existing exotic material shall be removed from construction site unless approved by the City's designated landscape professional.
- k. Required buffer hedges shall be planted and maintained to form a continuous, unbroken solid visual screen, with a minimum height of two (2) feet at the time of planting and three (3) feet to be attained within one (1) year after planting.

(2) Residential

- a. For every two thousand (2,000) square feet of Pervious Area, including fractions thereof, but excluding water bodies, a minimum of one (1) Tree and twenty (20) Shrubs, twenty (20) groundcover shall be required.
- b. All air conditioning equipment, generators, and other equipment shall be screened from view.

(3) Non-Residential

- a. For purposes of this subsection (p)(3), the Pervious Area of the Commercial Recreation land use area will have the following:
 - (1) One (1) Tree for each one thousand (1,000) square feet of Pervious Area including fractions thereof.
 - (2) All Pervious Areas shall be landscaped with a combination of shade and ornamental Trees, Shrubs, ground cover and sod.
 - (3) All air conditioning equipment, generators, and other equipment shall be screened from view.
- b. Parking areas
 - (1) Parking lots, exclusive of lots designated for overflow Valet Parking only, shall provide one Landscape island for each ten (10) parking spaces. Each Landscape island shall have at least one (1) Tree and ten (10) Shrubs.

- (2) Each parking lot Landscape island shall be a minimum of ten (10) feet wide, or an alternate dimension no less than five (5) feet wide that is consistent with the proposed Canopy tree species to support healthy root growth, subject to approval by the City's designated landscape professional and Planning and Zoning Board at the time of site plan approval, and sixteen (16) feet long.
- (3) Parking lots designated for overflow Valet Parking only are not required to provide internal Landscape islands.
- (4) A landscape buffer of at least four (4) feet in width shall be installed to visually separate the parking area from streets and waterways and screen vehicles.
- (5) All parking areas shall be separated from landscaped areas by curb or other design feature to preclude vehicular intrusion.

(4) Street Trees

- a. Areas contiguous to an internal vehicular access drive shall provide street Trees on either side of the access drive staggered apart, either directly across from each other or offset, as aesthetics or field conditions require.
- b. Street Trees shall be Canopy trees that are a minimum of fourteen (14) feet in height, a minimum 2 ½ " caliper, with a clear trunk of at least five (5) feet, and a minimum six (6) foot spread at the time of planting, subject to approval of the City's designated landscape professional at the time of site plan approval.
- c. Sidewalk vertical clearance shall be a minimum eight (8) feet or fifteen (15) feet over vehicular access drive.

(q) Marina at the Yacht Club

(1) The following are permitted uses for the Marina at the Yacht Club:

- a. Boat mooring at a dock or slip, limited to a maximum capacity of seventy-eight (78) vessels restricted to use by members in good standing of a Yacht Club or Transient Boats, a Boat Club, and a charter boat
- b. Transient fueling, Boat Detailing, Transient pump out, provisioning and minor repair and maintenance
- c. Liveaboard vessels, only if pump out stations are available
- d. One charter boat, not to carry more than six (6) passengers while moored or underway

- e. Boat rental restricted to use by a Boat Club for vessels less than thirty-two (32) feet in length with no more than five (5) vessels berthed in up to a maximum of five of the seventy-eight (78) slips assigned to the Marina. No more than one vessel shall be permitted in each slip
- f. Boat Dock or Boat Slip rental to Transient Boats

(2) The following are prohibited uses for the Marina at the Yacht Club:

- a. Boat retail dealerships
- b. Boat shows
- c. Commercial recreational businesses, other than one permitted charter boat
- d. Fish cleaning other than at designated fish cleaning stations
- e. Anchorage mooring
- f. Conducting a business from a vessel in the Marina not specifically approved as a permitted use
- g. Leasing slips or docks to members of the general public who are not members of a Yacht Club, except for leasing slips or docks to Transient Boats
- h. Any use not specifically permitted in this Section or the Development Agreement shall be prohibited.

(r) Additional Regulations

- (1) All Marinas shall provide fire protection consistent with the requirements of the National Fire Protection Association.
- (2) Liveaboard vessels are only permitted in the Yacht Club Basin.
- (3) Outdoor storage or display of materials or goods is prohibited.
- (4) Any subject not covered or addressed in this Section shall be regulated by the applicable City Code.

Sec. 42-409. - Design standards.

- (a) *Area requirement.* Each standard parking space required and provided shall be not less than nine feet in width and 18 feet in length, with a net area of at least 162 square feet.
- (b) *Access from street or alley.* Each parking space shall be directly accessible from a street or alley.

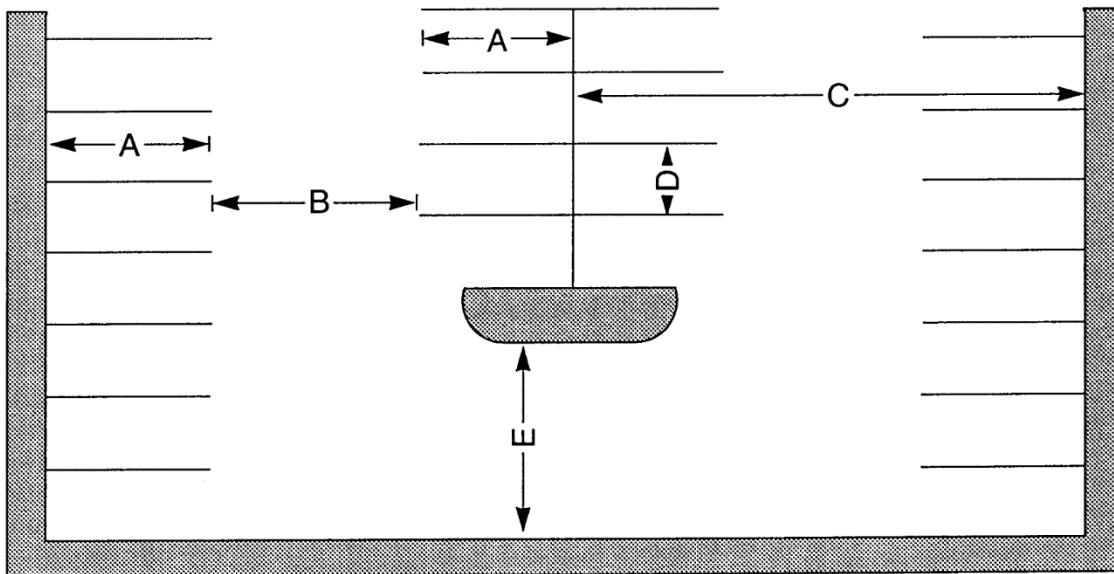
- (c) *Access to buildings.* Parking shall not interfere with ingress/egress, doors for stairwells, transformer rooms, elevator machine rooms, trash rooms or any other use requiring clear access aisles for services.
- (d) *Lighting.* Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be installed, maintained and regulated so as to reflect the light away from adjoining property and avoid annoyance to such premises.
- (e) *Plans.* All required parking spaces must be indicated on the plans for zoning and building permit approvals and shall be clearly and accurately designated, including access drives, lanes and aisles.
- (f) *Parking drives, lanes and aisles.* All parking drives, lanes and aisles shall be as established pursuant to Table 1 which is attached hereto and made a part hereof.

Table 1
PARKING SPACE SIZE AND CONFIGURATION
Dimensions (in feet) are as follows:

Parking Angle	A	B*	C	D	E
0	10	14	34	24	25
30	15	15	47	9	25
45	17	15	49	9	25
60	18	19	55	9	25
90	18	23	59	9	25

All spaces shall be provided with concrete wheel stops or extruded curbing placed thirty (30) inches from the edge of the pavement.

*Assumes one-way traffic for parking angle 0 to 60. Two-way traffic driveway must be 23'.



- (g) *Maneuvering of vehicles.* Off-street parking areas should be designed to prevent the maneuvering of vehicles within any portion of an entrance driveway or driveway line that is within 20 feet of the right-of-way line of any public street. In all but single-family zoning districts, off-street parking areas should be so designed to prevent any vehicle from backing onto any public street.
- (h) *Curb cuts.* Curb cuts shall be at least 25 feet from the curb line of any intersecting streets. In parking areas for commercial uses the maximum width of the curb cut shall be 30 feet, with not more than one curb cut per 100 feet of frontage.
- (i) *Use of right-of-way, street or alley prohibited.* No required off-street parking space including adjacent parking access lanes or maneuvering space shall be located within the existing or proposed right-of-way of any public street or alley.
- (j) *Tandem parking.* Tandem parking is prohibited except in single-family zoning districts and the Yacht Club – Mixed Use zoning district.
- (k) *Stalls.* Stalls shall be provided with bumper guards, wheel stops, or continuous curbing when necessary for safety or protection to adjacent structures or landscaped areas. In the event continuous curbing is utilized, the landscape area shall be increased in width by 30 inches, (60 inches for head-to-head spaces) and the parking space size may be reduced to nine feet by 16½ feet.
- (l) *Composition.* Parking facilities, including access aisles and driveways shall be surfaced with brick, asphaltic or concrete surfacing maintained in a smooth, well-graded condition with standards set forth according to the office of the city engineer.
- (m) *Drainage.* All off-street parking facilities shall be drained so as not to cause any nuisance on adjacent or public property. Such drainage facilities shall be arranged for convenient access and safety of pedestrians and vehicles with standards set forth according to the office of the city engineer.

(n) *Identification.* Each parking space required and provided pursuant to the provisions of this article shall be distinguished and separated from adjoining parking spaces by means of three-inch painted stripes. It shall be the responsibility and obligation of the Owner or operator of any building, structure or use affected by this article to maintain such identification markings so that parking spaces at all times are distinguishable from one another. (Code 1979, ch. 21, § 5.54)
