



## Staff Report

**File #:** LN-452

### PLANNING AND ZONING BOARD

Meeting Date: JULY 26, 2023

### MCNAB HOTEL TEXT AMENDMENT

**Request:** Text Amendment  
**P&Z#** 23-81000001  
**Owner:** ACG PB LLC  
**Project Location:** 872 E. McNab Road  
**Folio Number:** 494212320010  
**Land Use Designation:** C (Commercial)  
**Zoning District:** B-2 (Community Business)  
**Commission District:** 1 (Andrea McGee)  
**Agent:** Rahil Sanghvi (909-538-2321 / jaxhotel2020@gmail.com)  
**Project Planner:** Daniel Keester-O'Mills (954-786-5541 / Daniel.Keester@copbfl.com)

### Summary:

The applicant is requesting a text amendment to amend Section 155.4225. C. of the City's Zoning Code. The reason for the proposed text amendment is allow "Hotel or Motel" to be permitted by right within the B-2 zoning district, as opposed to only permitted by special exception.

### CODE AMENDMENT, AS SUBMITTED BY THE APPLICANT

### 155.4225. COMMERCIAL: VISITOR ACCOMMODATION USES

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#### C. Hotel or Motel

##### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
								S	S	S			SP	P	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
S	P	P		P		P							P	P	P	P



(Community Business) Zoning District. The use is currently permitted by “Special Exception.” The Applicant, Rahil Sanghvi, is the manager of ACG PB LLC which owns property in Pompano Beach (872 E McNab Road). The Applicant sought approval of a special exception by the Zoning Board of Appeals (ZBA) to operate a Hotel or Motel (P&Z: 23-1700001). The ZBA found that the Applicant did not demonstrate competent substantial evidence to satisfy the granting of the application, and was denied at the hearing held on April 20, 2023. Following the rejection, the Applicant filed the request to amend the zoning code to allow the use by right throughout the City in this zoning district.

Today’s current Code allows other visitor accommodation uses in this zoning district (B-2), but not a Hotel or Motel. The other uses are a “Condo Hotel,” and “Bed and Breakfast Inn.” A map identifying the areas of the City with the B-2 zoning has been included with the back-up. If approved by the City Commission, the text amendment would allow this use as a permitted by right in areas within this zoning district (B-2).

### **CODE AMENDMENT REVIEW STANDARDS**

The Planning & Zoning Board must make a recommendation to the City Commission on applications for code amendments based on the competent substantial evidence in the record that the amendment addresses the following standards:

### **155.2402. TEXT AMENDMENT**

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#### **C. Text Amendment Review Standards**

The advisability of amending the text of this Code is a matter committed to the legislative discretion of the City Commission and is not controlled by any one factor. In determining whether to adopt or deny the proposed amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with the comprehensive plan;
2. Does not conflict with any provision of this Code or the Code of Ordinances ;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;
6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

### **DEPARTMENT RECOMMENDATION**

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following alternative motion options, which may be revised or modified at the Board’s discretion.

#### Alternative Motion I

Recommend approval of the text amendment to the City Commission for their consideration.

#### Alternative Motion II

Table this application for additional information as requested by the Board.

# CITY OF POMPANO BEACH, FLORIDA Official Zoning Map

Map Updated: April 14, 2021



2005

HILLSBORO BEACH

LIGHTHOUSE POINT

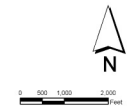
DEERFIELD BEACH

COUNTY REGIONAL FACILITY

COCONUT CREEK

LAUDERDALE BY THE SEA

This product has been compiled from various source data from the City of Pompano Beach. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. The City of Pompano Beach assumes no responsibility for any use of the information contained herein or any loss resulting therefrom. This is to certify that this is the Official Zoning Map of the City of Pompano Beach, Broward County, Florida, referred to in section 155.005 of the City of Pompano Beach Code of Ordinances adopted by Ordinance 2011-42 on May 10th, 2011 and as amended as shown below.



- LEGEND**
- CRA Boundaries
  - ATLANTIC BOULEVARD
  - EAST ATLANTIC OVERLAY DISTRICT
  - DOWNTOWN POMPANO BEACH OVERLAY DISTRICT
- pompano\_gls\_DBO\_ZoningDistrict**
- RESIDENTIAL ZONING DISTRICTS**
- RS-1 - SINGLE-FAMILY RESIDENCE
  - RS-2 - SINGLE-FAMILY RESIDENCE
  - RS-3 - SINGLE-FAMILY RESIDENCE
  - RS-4 - SINGLE-FAMILY RESIDENCE
  - RS-L - SPECIAL SINGLE-FAMILY RESIDENCE
  - RD-1 - TWO-FAMILY RESIDENCE
  - RM-12 - MULTIPLE-FAMILY RESIDENCE
  - RM-20 - MULTIPLE-FAMILY RESIDENCE
  - RM-30 - MULTIPLE-FAMILY RESIDENCE
  - RM-45 - MULTIPLE-FAMILY RESIDENCE
  - MH-12 - MOBILE HOME PARK
- COMMERCIAL ZONING DISTRICTS**
- B-1 - LIMITED BUSINESS
  - B-2 - COMMUNITY BUSINESS
  - B-3 - GENERAL BUSINESS
  - B-4 - HEAVY BUSINESS
  - M-1 - MARINA COMMERCIAL
  - CR - COMMERCIAL RECREATION
- INDUSTRIAL ZONING DISTRICTS**
- I-1 - GENERAL INDUSTRIAL
  - I-1X - SPECIAL INDUSTRIAL
  - O-IP - OFFICE INDUSTRIAL PARK
  - M-2 - MARINA INDUSTRIAL
- SPECIAL ZONING DISTRICTS**
- TO - TRANSIT ORIENTED
  - PR - PARKS AND RECREATION
  - CF - COMMUNITY FACILITIES
  - PU - PUBLIC UTILITIES
  - T - TRANSPORTATION
  - BP - BUSINESS PARKING
  - LAC - LOCAL ACTIVITY CENTER
  - W - WATER
- PLANNED DEVELOPMENT DISTRICTS**
- RM-45HR - MULTIPLE-FAMILY RESIDENCE / HIGH-RISE OVERLAY
  - RM-45PCI - MULTIPLE-FAMILY RESIDENCE PLANNED INDUSTRIAL DEVELOPMENT
  - RPUD - RESIDENTIAL PLANNED UNIT DEVELOPMENT
  - RPUD-6 - RESIDENTIAL PLANNED UNIT DEVELOPMENT
  - B-3PCD - GENERAL BUSINESS PLANNED COMMERCIAL OVERLAY
  - B-3PCI - GENERAL BUSINESS PLANNED INDUSTRIAL OVERLAY
  - B-4PCD - HEAVY BUSINESS PLANNED COMMERCIAL OVERLAY
  - PD-I - PLANNED DEVELOPMENT - INFILL
  - PCD - PLANNED COMMERCIAL/INDUSTRIAL DISTRICT
  - O-IPPCI - OFFICE INDUSTRIAL PARK PLANNED INDUSTRIAL OVERLAY
  - O-IPPCD - OFFICE INDUSTRIAL PARK PLANNED COMMERCIAL DEVELOPMENT
  - I-1PICI - GENERAL INDUSTRIAL PLANNED INDUSTRIAL OVERLAY
  - I-1PCD - GENERAL INDUSTRIAL PLANNED COMMERCIAL OVERLAY

**AMENDMENTS**

Ord No.	Date	Ord No.	Date	Ord No.	Date	Ord No.	Date	Ord No.	Date	Ord No.	Date
00-12	10/26/1999	05-59	6/14/2000	07-64	9/25/2007	2012-34	3/27/2012	2017-04	10/29/2016	2017-46	3/23/2021
02-37	12/11/2001	06-05	12/13/2006	07-68	9/25/2007	2012-48	6/26/2012	2015-35	4/25/2017		
03-39	3/12/2002	06-08	12/13/2006	06-01	10/29/2007	2012-52	7/10/2012	2017-52	6/27/2017		
02-84	02/04/2001	06-12	11/02/2006	06-02	10/29/2007	2012-53	7/10/2012	2017-59	7/25/2017		
02-86	03/24/2002	06-13	11/02/2006	06-12	12/11/2007	2012-57	7/24/2012	2018-03	10/10/2017		
03-03	10/29/2002	06-18	2/14/2006	06-13	12/11/2007	2012-58	11/13/2012	2018-04	10/10/2017		
03-08	10/22/2002	06-20	2/14/2006	06-13	2/26/2008	2013-18	12/21/2012	2018-08	11/14/2017		
03-13	11/12/2002	06-21	4/29/2006	06-24	2/26/2008	2013-47	3/26/2013	2018-20	1/30/2018		
03-15	11/12/2002	06-22	4/29/2006	06-25	2/26/2008	2013-54	5/14/2013	2018-34	2/13/2018		
03-38	3/25/2003	06-27	5/9/2006	06-32	4/22/2008	2013-53	5/14/2013	2018-40	2/27/2018		
03-39	3/25/2003	06-28	5/9/2006	06-45	6/14/2008	2013-57	9/26/2013	2018-42	3/27/2018		
03-48	5/27/2003	06-29	5/9/2006	06-36	9/23/2008	2013-71	7/9/2013	2018-52	4/10/2018		
03-54	6/10/2003	06-43	6/18/2006	06-38	9/23/2008	2013-76	8/24/2013	2018-54	4/24/2018		
03-57	6/10/2003	06-44	6/13/2006	06-39	9/23/2008	2014-3	10/22/2013	2018-54	5/28/2018		
03-62	7/29/2003	06-45	6/13/2006	06-45	6/13/2006	2014-17	3/11/2014	2018-45	5/29/2018		
03-64	8/9/2003	06-46	7/11/2006	06-39	4/14/2008	2014-26	3/25/2014	2018-72	6/25/2018		
04-01	10/14/2003	06-47	7/11/2006	06-32	4/29/2008	2014-32	4/9/2014	2018-74	7/29/2018		
04-13	1/28/2004	06-48	7/25/2006	06-43	7/29/2008	2014-34	5/13/2014	2018-81	7/29/2018		
04-48	7/23/2004	06-57	7/29/2006	06-44	7/29/2008	2014-38	4/9/2014	2018-82	7/29/2018		
04-52	7/27/2004	06-62	9/30/2006	06-53	9/23/2008	2014-42	6/10/2014	2018-107	8/24/2018		
04-67	6/14/2004	06-63	9/30/2006	03-25	4/13/2010	2014-48	7/22/2014	2020-01	10/7/2019		
04-68	6/14/2004	07-08	11/14/2006	11-13	12/14/2010	2014-52	12/14/2014	2020-04	10/22/2019		
05-01	10/26/2004	07-12	1/28/2006	11-14	12/14/2010	2015-14	1/13/2015	2020-19	1/14/2020		
05-06	1/19/2004	07-13	1/28/2006	11-18	1/25/2011	2015-16	1/13/2015	2020-26	1/14/2020		
05-06	1/19/2004	07-16	12/12/2006	11-62	7/26/2011	2015-90	5/12/2015	2020-28	1/28/2020		
05-07	1/19/2004	07-17	12/12/2006	11-44	7/26/2011	2015-54	5/26/2015	2020-38	1/28/2020		
05-12	1/23/2004	07-20	3/13/2007	2011-72	9/27/2011	2015-95	9/29/2015	2020-40	3/10/2020		
05-18	1/13/2006	07-23	3/13/2007	2012-03	1/21/2011	2015-81	7/14/2015	2020-42	5/29/2020		
05-27	1/25/2006	07-32	3/13/2007	2012-25	10/25/2011	2015-84	7/14/2015	2020-48	6/23/2020		
05-43	12/24/2006	07-41	3/17/2007	2012-10	11/12/2011	2016-24	11/10/2016	2021-02	10/27/2020		
05-58	6/14/2006	07-49	9/25/2007	2012-33	3/27/2012	2016-38	1/26/2016	2021-38	2/23/2021		

NORTH LAUDERDALE

FORT LAUDERDALE

OAKLAND PARK

FORT LAUDERDALE