

Staff Report

File #: LN-467

PLANNING AND ZONING BOARD

Meeting Date: JUNE 28, 2023

Text Amendment related to Parking, Medical Uses and Fee Schedule

Request:	Text Amendment
P&Z#	N/A
Owner:	N/A
Project Location:	N/A
Folio Number:	N/A
Land Use Designation:	N/A
Zoning District:	N/A
Commission District:	N/A
Agent:	N/A
Project Planner:	Daniel Keester-O'Mills (954-786-5541 / daniel.keester@copbfl.com)

Summary:

The Development Services Department has prepared a text amendment to Chapter 155 which proposes several changes related to minimum parking requirements, health care uses and updating the fees. The proposed changes seek to: strike a parking reduction related to residential uses in certain areas of the city to establish a minimum parking standard city-wide, to clarify the permitted treatment and services that may be offered at various medical uses and amend use standards consistent with changes to the state statutes, and update fees since the last assessment in 2014.

Below is a ~~strike-thru~~ & underlined version of the proposed amendments.

- Parking Amendments: Recent projects have brought to light a parking reduction in the northwest area of the city, which could allow residential developments to provide less than 1 parking space per dwelling unit. Staff is recommending to strike this exemption, and thus all residential developments would be subject to the same standards.
- Health Care Uses: Recent changes to the state statutes have added a new use "hospital-based off-campus emergency department." Staff has drafted the proposed amendment to modify the requirements of the medical uses to include this definition, and standards for where these medical uses may be located.
- Updated Fees: The fee schedule has not been updated since 2014. The original methodology for the adopted fees related to cost recovery of the estimated staff time to evaluate the application. Based on updated procedures, changes to the staff, and increases to the salary schedule the fees have been increased.

155.3703. ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)

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E. Modified Development Standards

Irrespective of the generally applicable development standards established in [Article 5](#): Development Standards, the following development standards shall apply in the Atlantic Boulevard Overlay district.

1. Access and Circulation

a. Limitation on Driveway Access along Atlantic Boulevard and Ocean Boulevard

Direct driveway access from Atlantic Boulevard or Ocean Boulevard is allowed only in accordance with the limitations in Section [155.5101](#), Access and Circulation, and the following additional limitations.

- i. No more than one driveway access point shall be allowed.
- ii. The driveway shall be no more than 24 feet wide and intersect no more than 20 percent of the street frontage along which it is located.

2. Off-Street Parking

a. Minimum Number of Spaces Required

i. ~~Multifamily Dwellings~~

~~—No off-street parking spaces are required for any multifamily dwellings that are constructed by or have a valid building permit as of January 4, 2016. Multifamily dwellings permitted thereafter shall provide a minimum of one off-street parking space per 1,000 square feet of gross floor area.~~

ii. Selected Off-street Parking Reductions for Retail Sales and Service Uses, Eating and Drinking Establishments, Professional Office, or Hotel Uses Constructed by or Having a Valid Building Permit as of January 4, 2026.

(A) Retail Sales and Service Use: Off-Street parking is reduced only for the following.

- (1) No off-street parking spaces are required for a change in use of an existing building.
- (2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less.
- (3) The above reductions in (1) and (2) are not applicable to funeral home or mortuary, laundromat, or consignment boutique.

(B) Eating and Drinking Establishments: Off-street parking is reduced as follows:

- (1) No off-street parking spaces are required for a change in use of an existing building.
- (2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less.
- (3) One parking space per eight persons of maximum occupancy capacity of customer service area is required for a new principal or accessory structure located on property greater than one-acre.

(4) The above reductions in (1), (2), and (3) are not applicable to nightclub or hall for hire.

(C) Professional Office Use: No off-street parking spaces are required for a change in use of an existing building on the 2nd floor or above.

(D) Hotel Use: Off-street parking is reduced as follows:

- (1) No off-street parking spaces are required for a change in use of an existing building.
- (2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less.

iii. Selected Off-street Parking Reductions for Residential Uses Vertically Integrated within a Mixed Use Development Constructed by or Having a Valid Building Permit as of January 4, 2026.

(A) For purposes of this subsection, Mixed Use Development shall mean developments that vertically integrate residential uses with retail sales and service uses, professional office uses, bar or lounges, brewpubs, restaurants, or specialty eating or drinking establishments.

(B) The off-street parking requirement for the residential use is reduced as follows:

(1) No off-street parking spaces are required for a change in use of an existing building.

(2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less.

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155.4209. INSTITUTIONAL: HEALTH CARE USES

A. Medical Office

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
												P	P	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
		P		P		P		P					P	P	P	P

2. Definition

A medical office is a small-scale office providing medical or dental treatment, **but not emergency services and care as defined in Chapter 395 of the Florida Statutes**. A small-scale office shall mean a maximum gross floor area (gfa) of 5,000 sq ft. This use shall not include any uses specified as a specialty medical facility. An office which is greater than 5,000 sq gfa shall be considered a specialty medical facility.

3. Standards

A medical office shall comply with the following standards:

- Separation from Residential Uses. A medical office is not required to be separated from residential uses.
- Overnight Treatment. Overnight treatment is prohibited.
- Hours of Operations.

~~i. Medical offices shall not offer treatment or similar services between the hours of 10:00 p.m. and 7:00 a.m.~~

~~ii. Medical offices within 500 feet of a Single Family (RS) or Two-Family (RD) Zoning District shall not offer treatment or similar services between the hours of 7:00 p.m. and 7:00 a.m.~~

d. Collecting or withdrawing human blood, skin, or other bodily fluids may be collected from patients as part of diagnosis or treatment; however, this shall be limited to ancillary services offered for convenience not primary services.

B. Specialty Medical Facility

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	P

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

2. Definition

A specialty medical facility is a facility, regardless of size, offering specialized treatment and services including, but not limited to, ambulatory surgical facilities, dialysis centers, substance abuse treatment facilities, outpatient rehabilitation facilities, birthing facilities, and urgent care facilities (not including a 24-hour urgent care facility). This use also includes medical or dental offices which are larger than 5,000 sq ft **gross floor area (gfa)**.

3. Standards

A specialty medical facility shall comply with the following standards:

- Separation from Residential Uses. The facility shall be at least 500 feet from a Single Family (RS) or Two-Family (RD) Zoning District.
- Overnight Treatment. Overnight treatment is prohibited.
- Hours of Operations. The facility shall not offer treatment or similar services between the hours of 10:00 p.m. and 7:00 a.m.

C. Urgent Care Facility 24-hours

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	P
MCR	I-1	I-IX	OIP	MTO	PR	CF	PT	BP	RPUD	PCD	PD-TO	LAC	PD-1		
	P		P			P				P		P	P		

2. Definition

An urgent care facility 24-hours is a facility which holds itself out to the general public as a walk-in, extended-hour access facility where immediate, but not emergent, care is provided. Patients shall be served solely on an outpatient basis and such services shall not include overnight stays.

3. Standards

An urgent care facility 24-hours shall comply with the following standards:

- Separation from Residential Uses. ~~The facility shall be at least 500 feet from a Single Family (RS) or Two-Family (RD) Zoning District.~~ **A urgent care facility 24-hours is not required to be separated from residential uses.**
- Overnight Treatment. Overnight treatment is ~~prohibited~~ **permitted**.
- Hours of Operations. The facility may be open 24 hours per day.
- Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate

emergency vehicle access to the facility, with minimal conflicts with other vehicular or pedestrian traffic in the area.

e. Urgent care facilities within 500 feet of a Single Family (RS) or Two-Family (RD) Zoning District shall be designed as follows to minimize negative impacts to the residential area:

i. Primary entrances for vehicular traffic must be located on a collector or arterial roadway. Secondary means of access should direct traffic away from the residential neighborhood to the maximum extent practical.

ii. A Type C Buffer Option 2 must be provided along all street-side yards abutting roadways not designated as an arterial or collector street.

D. Specialty Hospital

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	P

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

2. Definition

A specialty hospital is a hospital which offers a restricted range of services appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses or disorders which include: Specialty medical hospitals; specialty rehabilitation hospitals; specialty psychiatric hospitals, which may include beds licensed to offer intensive residential treatment programs; specialty substance abuse hospitals, which may include beds licensed to offer intensive residential treatment programs; and an addictions receiving facility.

3. Standards

A specialty hospital shall comply with the following standards:

- Separation from Residential Uses. The hospital shall be at least 500 feet from a Residential Zoning District.
- Overnight Treatment. Overnight treatment is permitted.
- Hours of Operations. The hospital may be open 24 hours per day.
- The specialty hospital shall be located on a site that has an area of at least three acres and fronts on or has direct access to and from an arterial or collector street.
- Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the specialty hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.
- A perimeter security plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.
- Outdoor recreation and/or passive space shall be provided for both patients and visitors.

E. General Hospital

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 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
		P		P				P					P	P	P	

2. Definition

A general hospital is a state-licensed institution that provides primary health services and medical or surgical care to humans, primarily inpatients, who are sick or injured, and including as an integral part of the institution, related facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices. Hospitals offer facilities and beds for use beyond 24 hours by persons needing medical treatment or service. **This use includes a "hospital-based off-campus emergency department" as defined in Chapter 395 of the Florida Statutes.**

3. Standards

A general hospital shall comply with the following standards:

- Separation from Residential Uses. ~~The hospital shall be at least 500 feet from a Residential Zoning District.~~ **A general hospital is not required to be separated from residential uses.**
- Overnight Treatment. Overnight treatment is permitted.
- Hours of Operations. The hospital may be open 24 hours per day.
- The hospital shall be located on a site that has an area of at least five acres and fronts on or has direct access to and from an arterial or collector street. **A hospital based off-campus emergency department may be located on a site that has an area of at least one acre, but must have direct access to and from an arterial or collector street.**
- Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.
- A Perimeter Security Plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.
- Outdoor recreation and/or passive space **for both patients and visitors** shall be provided for **general hospitals, but optional for any "hospital-based off-campus emergency department"** ~~both patients and visitors.~~
- A General Hospital, or "hospital-based off-campus emergency department" within 500 feet of a Single Family (RS) or Two-Family (RD) Zoning District shall be designed as follows to minimize negative impacts to the residential area:**
 - Primary entrances for vehicular traffic must be located on a collector or arterial roadway. Secondary means of access should direct traffic away from the residential neighborhood to the maximum extent practical.**
 - A Type C Buffer Option 2 must be provided along all street-side yards abutting roadways not designated as an arterial or collector street.**

F. Medical or Dental Lab

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	P

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

2. Definition

A medical or dental lab consists of facilities and offices providing diagnostic analysis of medical tests (such as blood test urinalysis, CT Scan, X-ray or other medical tests related to diagnostic treatment); collecting or withdrawing human blood, organs, skin, or other human tissue; or producing such items as dentures, caps, bridges and optical prescriptions.

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155.5102. OFF-STREET PARKING AND LOADING

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TABLE 155.5102.D.1: MINIMUM NUMBER OF OFF-STREET PARKING SPACES

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Use Category	Use Type	Minimum Number of Parking Spaces 1,2,3
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Residential Uses

Household Living Uses	Dwelling, live/work		1 per DU
	Dwelling, multifamily ⁶	Efficiency DUs	1 per DU
		DUs with 1 or 2 bedrooms	1.5 per DU
		DUs with 3+ bedrooms	2 per DU
		Townhouse guest spaces Guest Spaces (5+ DU)	1 per 5 DU townhouse units ; in addition to the required parking spaces based on dwelling unit
	Dwelling, single-family		2 per DU
	Dwelling, single-family (zero lot line)		2 per DU
	Family Community Residence		2 per DU plus 1 space located within 1,200 linear feet off-site for each resident who maintains a motor vehicle on the premises
	Transitional Community Residence		2 per DU plus 1 space located within 1,200 linear feet off-site for each resident who maintains a motor vehicle on the premises
	Dwelling, two-family		2 per DU

	Dwelling, mixed-use		1 per DU
	Mobile home or mobile home park		1.5 per mobile home dwelling or mobile home space
Group Living Uses	Recovery Community	Efficiency DUs	1 per DU located within 1,200 linear feet off-site
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4. ~~Modified Parking Requirements in Northwest Community Redevelopment Area~~

~~a. Multifamily Dwellings~~

~~— New multifamily dwellings within the Northwest Community Redevelopment shall provide a minimum of one off-street parking space per 1,000 square feet of gross floor area or provide the minimum number of off-street parking spaces required for multifamily dwellings in Table 155.5102.D.1~~
~~<https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-38420>, Minimum Number of Off-Street Parking Spaces, whichever is less.~~

5. Maximum Number of Off-Street Parking Spaces

For any use listed under the commercial use classification in [Table 155.5102.D.1](#), Minimum Number of Off-Street Parking Spaces, the number of off-street parking spaces shall not exceed 125 percent of the minimum number of parking spaces required, except as may be allowed through approval of an alternative parking plan in accordance with Section [155.5102.J.2](#), Provision over Maximum Allowed.

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ARTICLE 9: DEFINITIONS AND INTERPRETATION

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PART 5 TERMS AND USES DEFINED

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Medical or Dental Lab

Consists of facilities and offices providing diagnostic analysis of medical tests (such as blood test urinalysis, CT Scan, X-ray or other medical tests related to diagnostic treatment); collecting or withdrawing human blood, organs, skin, or other human tissue; or producing such items as dentures, caps, bridges and optical prescriptions.

Medical Office

A small-scale office providing medical or dental treatment, **but not emergency services and care as defined in Chapter 395 of the Florida Statutes**. A small-scale office shall mean a maximum gross floor area (**gfa**) of 5,000 sq ft. This use shall not include any uses specified as a specialty medical facility. An office which is greater than 5,000 sq gfa shall be considered a specialty medical facility.

Metal-Working, Welding, Plumbing, or Gas, Steam, or Water Pipe Fitting

An establishment primarily engaged in processing metals to create individual parts or assemblies, fabricating products by

joining metals through welding, or installing or repairing piping or tubing systems that convey liquids, gas, steam, or water.

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Specialty Hospital

A hospital which offers a restricted range of services appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses or disorders which include: Specialty medical hospitals; specialty rehabilitation hospitals; specialty psychiatric hospitals, which may include beds licensed to offer intensive residential treatment programs; specialty substance abuse hospitals, which may include beds licensed to offer intensive residential treatment programs; and an addictions receiving facility.

Specialty Medical Facility

A specialty medical facility is a facility, regardless of size, offering specialized treatment and services including, but not limited to, ambulatory surgical facilities, dialysis centers, substance abuse treatment facilities, outpatient rehabilitation facilities, birthing facilities, and urgent care facilities (not including a 24-hour urgent care facility). This use also includes medical or dental offices which are larger than 5,000 sq ft **gross floor area (gfa)**.

Specified Anatomical Areas

Human genitals or the pubic region, buttocks, and the entire lower portion of the human female breast below the top of the areola when such areas are less than completely and opaquely covered; or human male genitals in a discernibly turgid state even if completely and opaquely covered. Specified anatomical areas do not include any portion of the cleavage of the human female breast exhibited by a blouse, shirt, bathing suit, or other apparel, provided the areola is not exposed.

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Gazebo

An ornamental garden pavilion, with a covered roof and open sides, constructed of wood, metal, or vinyl. This term also includes a chickee hut, which has a thatched roof of palm or palmetto materials.

General Hospital

A state-licensed institution that provides primary health services and medical or surgical care to humans, primarily inpatients, who are sick or injured, and including as an integral part of the institution, related facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices. Hospitals offer facilities and beds for use beyond 24 hours by persons needing medical treatment or service. **This use includes a "hospital-based off-campus emergency department" as defined in Chapter 395 of the Florida Statutes.**

General Industrial Services

An establishment engaged in the repair or servicing of agriculture, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that provide these services do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, parking, and storage.

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Appendix A & C are included as separate attachments.

DEPARTMENT RECOMMENDATION:

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, 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.

Staff recommends Alternative Motion #1