



Staff Report

File #: LN-700

PLANNING AND ZONING BOARD

Meeting Date: MARCH 26, 2025

Text Amendment - Modified AOD Permitted Uses

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:	Lauren Gratzner (954-545-7792 / lauren.gratzner@copbfl.com)

Summary:

The Development Services Department has prepared a text amendment to Chapter 155, which amends the “Modified use standards” within the Atlantic Overlay District (AOD). The Atlantic Boulevard Overlay district (AOD) is established and intended to serve as a center of activity for residents and visitors alike, a source of pride and identity for the community, and an attractive gateway to the city's beachfront areas. The purpose of this overlay is to stimulate economic revitalization, create a pedestrian-friendly environment, encourage beachfront beautification, and promote mixed-use development.

In order to achieve these goals, the AOD has a list of principal uses that are permitted within the AOD regardless of the underlining zoning district in section 155.3703.C.Modified Use Standards. Aligned with the objectives of the AOD, the proposed text amendment adds “Museums” and “Other Indoor Commercial or Membership Recreation/Entertainment Uses” to the list of permitted uses within the AOD. The addition of these uses to the modified permitted uses list of the AOD will help continue the economic growth of this area, and the establishment of the district as a destination, whether the uses are stand alone, or incorporated into a mixed-use project.

See ~~striketrough~~/underline on following pages.

PROPOSED AMENDMENT:

Chapter 155, Article 3, Part 7

155.3703. ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)

C. Modified use standards

1. Permitted Uses

Uses in the Atlantic Boulevard Overlay district shall be subject to the use standards applicable in the underlying base zoning district except as otherwise provided below.

a. Permitted Principal Uses

Irrespective of the use standards applicable in the underlying base zoning district, and except as otherwise provided in subsection 2 below, the following modified use standards shall apply to principal uses in the Atlantic Boulevard Overlay district:

- i. A hotel or motel shall be a permitted use in any underlying multifamily residential (RM-) or commercial base district.
- ii. A consignment boutique shall only be permitted provided no portion of the use fronts on Atlantic Boulevard.
- iii. Any mixed-use development combining commercial and residential uses shall be a permitted use if it complies with the standards in Section 155.3703.C.3, Standards Specific to Commercial/ Residential Mixed-Use Developments.
- iv. Brewpubs may be permitted to produce up to 930,000 gallons of fermented malt beverage annually, provided they comply with the following standards:
 - (A) No more than 75% of the total gross floor area of the brewpub shall be used for the brewery function including, but not limited to, the brew house, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
 - (B) At least 10% of the total gross floor area or 1,000 square feet, whichever is greater, shall be used for an accessory commercial component (i.e., tasting room and retail showroom); and
 - (C) The brewery function shall be carried out so as to not allow the emission of objectionable or offensive odors or fumes in such concentration as to be readily perceptible at any point at or beyond the brewpub.
- v. A medical office shall only be permitted provided it complies with the following standards:
 - (A) Hours of operations for treatment are limited to 7:00 a.m. until 7:00 p.m.
 - (B) Medical offices located in a multistory building fronting Atlantic Boulevard shall not have any space used for treatment on the first floor.
 - (C) Medical offices located in a single story building fronting Atlantic Boulevard shall not have any space devoted to treatment in the portion of the building abutting Atlantic Boulevard.
- vi. A personal services establishment whose principal services are massage therapy shall only be permitted provided it complies with the following standards:

(A) Hours of operations for treatment are limited to 7:00 a.m. until 7:00 p.m.

(B) Public access is limited to a storefront abutting a street.

(C) Special exception approval is required if the establishment is located less than 1,000 feet from another personal services establishment whose principal services are massage therapy. For purposes of this subsection, the distance shall be measured from public entrances.

vii. A Museum shall be a permitted use in any underlying commercial base district.

viii. The "Other Indoor Commercial or Membership Recreation/Entertainment Use" shall be a permitted use in any underlying commercial base district.

b. Permitted Accessory Uses

Irrespective of the use standards applicable in the underlying base zoning district, and except as otherwise provided in subsection 2 below, the following accessory uses shall be allowed by right in the Atlantic Boulevard Overlay district:

i. Walk-up window service as accessory to an eating or drinking establishment.

ii. Outdoor display of merchandise for sale or rental as accessory to a retail sales and service use, in accordance with the standards in Section 155.4303.U, Outdoor Display of Merchandise.

iii. Outdoor seating as accessory to an eating or drinking establishment (including sidewalk cafes), in accordance with the standards in Section 155.4303.V, Outdoor Seating (as accessory to an eating and drinking establishment), except that the outdoor seating area need not be located at least 100 feet from any Single-Family Residential (RS-) zoning district.

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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 recommendation, and alternative motions, which may be revised or modified at the Board's discretion. Staff finds that the proposed text amendment is consistent with the 7 review standards for a text amendment and recommends approval.

Recommended Motion:

"I move that the board recommend approval of the text amendment to the City Commission for their consideration"

Alternative Motion(s):

1. Table the item for additional information as requested by the Board
2. Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals, Objectives and Policies, or addressed the review standards for a code amendment as listed in this report.