



## Staff Report

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**File #:** LN-325

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PLANNING AND ZONING BOARD

Meeting Date: OCTOBER 26, 2022

### **BROWARD PARTNERSHIP FOR THE HOMELESS INC REZONING**

**Request:** Rezoning  
**P&Z#** 22-13000009  
**Owner:** Broward County Board of County Commissioners  
**Project Location:** 1700 NW 30 Avenue  
**Folio Number:** 484228250050  
**Land Use Designation:** Industrial  
**Zoning District:** CF (Community Facility)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** John Rinaldi (954-788-3400)  
**Project Planner:** Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

### **APPLICANT'S REQUEST**

This rezoning from CF (Community Facility) to B-3 is a companion item to a land use plan amendment from Industrial to Commercial related to the site currently occupied by the North Homeless Assistance Center (NHAC) on Blount Road. The land use plan amendment applies to the entire 7.0 gross acre site (approximately 6.7 net acres) located at the east side of Blount Road (aka, NW 30<sup>th</sup> Avenue) approximately a half-mile north of Dr. Martin Luther King, Jr. Boulevard. This companion rezoning (from CF to B-3) will only apply to the 3 acres in the rear of the building currently used for stormwater storage for the NHAC. The purpose of the land use plan amendment and rezoning is to allow the rear 3 acres of the NHAC property to be developed with a 138 unit tax credit residential building using a combination of deed restricted affordable flex units and County Policy 2.16.3 affordable housing bonus units to generate the entitlements.

The rezoning is only happening on the rear of the project because the homeless shelter is allowed in a CF zoning but not in a B-3 zoning so the CF zoning needs to remain under the NHAC to avoid it becoming a nonconforming use.

According to the Land Use Plan Amendment Application, the Applicant's rationale for the land use plan amendment and rezoning is as follows:

*The Broward Partnership for the Homeless, Inc. ("BPHI") is planning to develop 138 affordable residential units on the area used for stormwater management abutting the north homeless assistance center (NHAC) at 1700 Blount Road. Affordable housing supply and homelessness continue to be issues in the City of Pompano Beach and throughout the country. The Broward Partnership for the Homeless, Inc. (BPHI) proposes to develop this 138 unit residential apartment building which will provide individuals and families with affordable housing for*

*very low and low income individuals. This project provides permanent housing targeted for those who were homeless or at risk of becoming homeless and can work with a dedicated case manager to stabilize their unique situations. Broward Partnership prides itself with being a good neighbor and believes that the proposed addition of affordable residential apartments at this location would be a natural location providing the next level of assistance. The project will be managed by an experienced professional management company with extensive experience operating similar affordable housing developments.*

*The request is to change the City of Pompano Beach Land Use from Industrial to Commercial. Once the land use designation becomes commercial, the property would be available for affordable flex units under the City's comprehensive plan and Broward County policy 2.16.3. The ultimate intent of the local land use plan amendment is to allow for the 138 unit affordable residential development.*

*The proposed use of affordable residential apartments is suitable to the use of the area. The site will provide within a short travel distance many potential employers. Current trends in land use is to provide housing in proximity to employment base. Providing affordable housing opportunities furthers the goals of the Broward Partnership and the goals, objectives and policies of the City of Pompano Beach.*

*The Land Use Plan Amendment is the first step in the process. Rezoning, flex allocation and plat note amendment will all be necessary prior to the final site plan approval.*

#### **SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS**

In determining whether to adopt or deny a proposed Zoning Map Amendment, the City shall weigh the relevance of information submitted by the applicant and consider the extent to which the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan. Accordingly, the review criteria for a Site Specific Rezoning Application is as follows:

##### **Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards**

1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
  - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

#### **A. The following policies of the Comprehensive Plan that are generally considered when reviewing a rezoning request:**

##### **Policy 01.03.03**

Encourage property owners to rezone the subject properties when initiating development and/or redevelopment proposals to be consistent with the designations on the Future Land Use Map.

##### **Policy 01.06.12**

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

##### **Policy 06.01.04**

The City shall require that all new residential, commercial and industrial development be serviced by centralized wastewater systems.

**Policy 06.03.03**

Broward County Water and Wastewater Services should require that all new residential, commercial and industrial development be serviced by centralized wastewater systems where financially feasible.

**Policy 07A.08.07**

Review all land use plan map and text amendments, rezonings and site plan applications to ensure that there is sufficient potable water resources available to serve the proposed development and the land uses are consistent with the wellfield protection zone regulations.

**Other Comprehensive Plan GOPs that may support this particular project include:**

**Objective 03.01.00 - Housing to Accommodate Future Population**

The City should provide, through the undertaking or support of public and private development efforts, sufficient housing units through the long range planning horizon to meet the anticipated population through 2040. Provision of these units shall be based on the need for adequate and affordable housing for all segments of the existing and future population including those households with very-low, low, and moderate income and those with special housing needs, including homelessness.

**Policy 03.01.04**

The City shall continue to cooperate with other local governments concerning providing affordable housing for very-low, low, and moderate income households and the homeless.

**Comprehensive Plan GOPs that do not support the project include:**

**Policy 01.03.12**

The following criteria may be used in evaluating rezoning requests:

- A. Density;
- B. Design;
- C. Distance to similar development;
- D. Existing adjoining uses;
- E. Proposed adjoining uses;
- F. Readiness for redevelopment of surrounding uses; and.
- G. Proximity to mass transit.

**Objective 03.03.00 - Land for Affordable Housing**

The City shall continue to provide adequate sites for very-low, low and moderate income housing and manufactured homes through the long term planning horizon in a manner that supports the goal to deconcentrate poverty.

**Policy 03.03.02**

Through the review of development proposals, the City shall support public and private sector efforts to create and/or preserve affordable housing for very-low, low and moderate-income groups in areas designated for residential land use for future and current residents recognizing the need for distance separation for subsidized low income tax credit projects of no less than one-half mile. Review of such proposals shall be based on overall compatibility with already established residential areas, the extent to which the location supports the de-concentration of poverty, and consistency with the land development code.

**Policy 03.03.04**

To promote and support affordable housing, the City shall consider locations that permit residents to walk or bike to work which will provide savings to the residents, reduce traffic, promote health, and reduce carbon emissions.

**Policy 01.01.13**

The City shall utilize flexibility units and redevelopment units to increase residential densities within the flex receiving area when consistent with the community character; adjacent land uses; and public school capacity both within Pompano and affected contiguous municipalities; and has undergone a compatibility review relative to potential impacts on Environmentally Sensitive Lands and County or regional parks in accordance with Policy 2.10.01 of the Broward County Land Use Plan.

**Policy 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

**Policy 01.03.08**

Establish criteria to protect residential areas and other land uses that are adjacent to industrial and commercial areas from excessive, odors, traffic and parking impacts.

**Policy 01.03.09**

Discourage Future Land Use Map amendments, rezonings or other methods that would place residential units into or adjoining industrial land use designations.

**Policy 01.23.01**

To create balanced communities, encourage the expansion of neighborhood-serving retail and office uses in areas dominated by the industrial, and manufacturing sectors if appropriate to better serve the local community.

**Policy 01.04.01**

The Planning Department shall support and promote the intermix of residential and commercial uses along major traffic corridors, where mass transit is available, through the allocation of flex and redevelopment units and approval of land use plan map amendments allowing for mixed use and residential developments.

**B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:**

1. The Land Use Designation is currently Industrial but is concurrently being considered for amendment to Commercial (which, if approved, would enable the rezoning request to be consistent with the underlying land use designation).
2. The rezoning was reviewed by the DRC on August 3 and October 5, 2022.
3. The property is located at 1700 Blount Road in the rear of the North Homeless Assistance Center (NHAC).
4. The subject property to be rezoned is 3.0 acres.
5. The property is platted.
6. The existing land use and zoning designations of adjacent properties are as follows:

**LAND USE, ZONING AND CURRENT USES OF ADJACENT AREAS**

	Site	North	South	East	West
Future Land Use and Zoning	Industrial Community Facility (CF)	Industrial I-1	Industrial I-1	Industrial I-1	Industrial I-1
Existing Uses	Homeless Shelter	Warehouse / trucking	Broward County Highway Maintenance Yard	Warehouse / trucking	UPS Ground Freight / Warehouse / Trucking

**C. Analysis**

As a criteria for rezoning, the Applicant must provide competent, substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

The Comprehensive Plan does support the development of affordable housing. On balance, however, Staff finds that placing residential in the industrial area is not consistent with the goals, objectives and policies in the Comprehensive Plan which clearly considers residential incompatible with industrial uses. This project would create a new incompatible condition which will result in the same issues the City has with existing incompatible conditions where residential and industrial land uses abut.

There is no Broward County Transit service to the site. The City's blue line stops there 3 times per day at 11:00 AM, 2:20 PM and 4:42 PM. This is not adequate service to support 344 residents in this isolated industrial location.

Staff finds there is not substantial evidence to support this request in this location.

**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.

**(1) Motion to recommend denial of the proposed rezoning** as the Board finds the proposed map change incompatible with adjacent uses and the majority of the Goals, Objectives and Policies in the Comprehensive Plan.

**(2) Motion to recommend approval** of the proposed rezoning as the Board finds it to be compatible with the Goals, Objectives and Policies in the Comprehensive Plan related to providing affordable housing with the following commitments in a Declaration of Restrictive Covenant (or equivalent binding agreement) to be provided prior to City Commission second reading:

- Broward Transit will provide adequate bus routes along Blount Road to service the project and the Apartment management will provide transportation services to residents until such time as Broward County mass transit is adequate to serve their daily needs;
- Broward County will accommodate and permit stormwater management off-site on their property to the south of the subject property;
- Reasonable recreation and open space amenities will be provided on-site to serve the

residents; and

- The 7 flex units will be deed restricted to very low income for a period of 30-years as required by County Policy 2.16.3 to qualify for the 19 bonus units for every very low income unit.

**(3) Motion to table** the proposed rezoning to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.

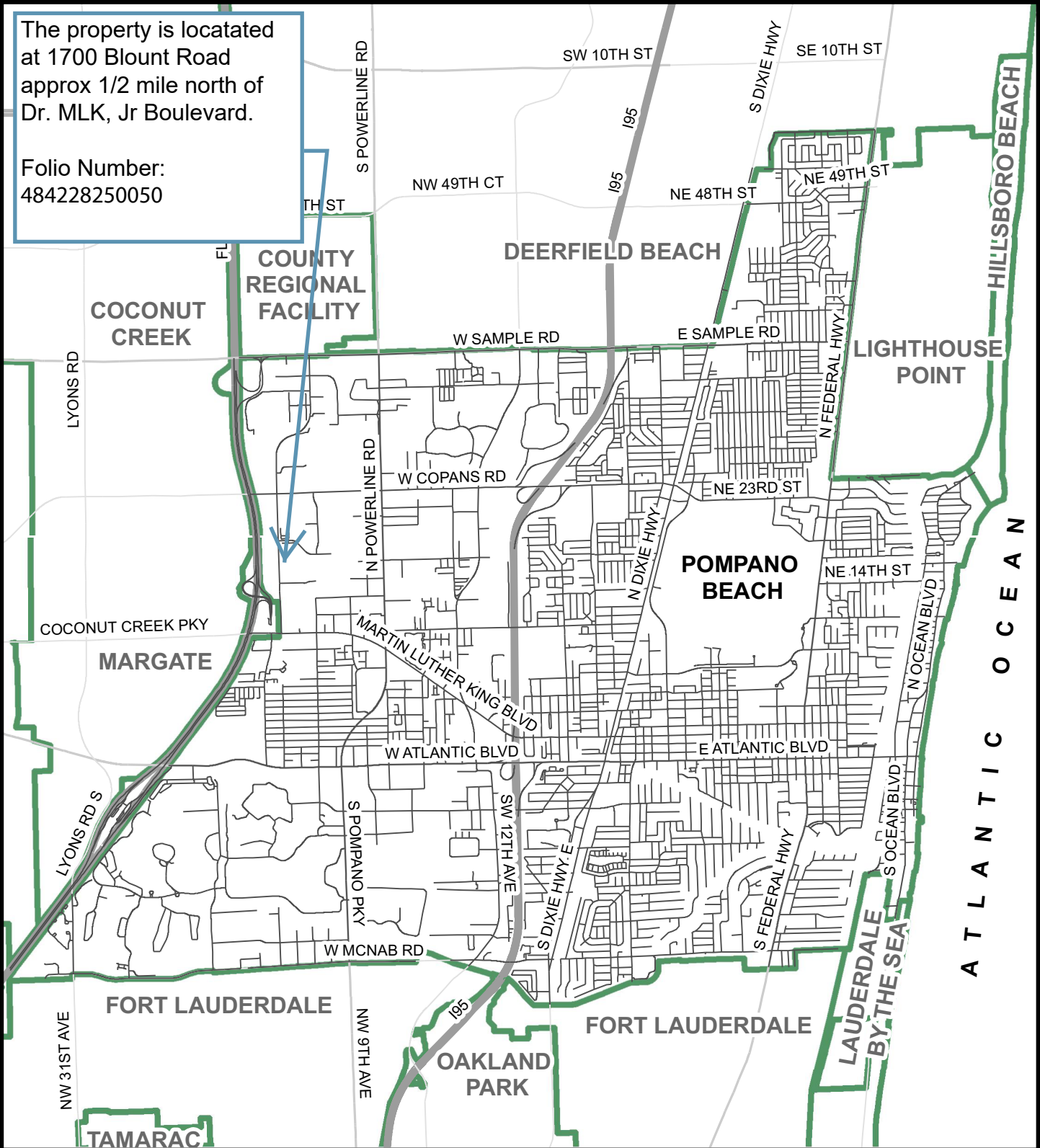
**Staff recommends motion number (1).**

# CITY OF POMPANO BEACH LOCATION MAP



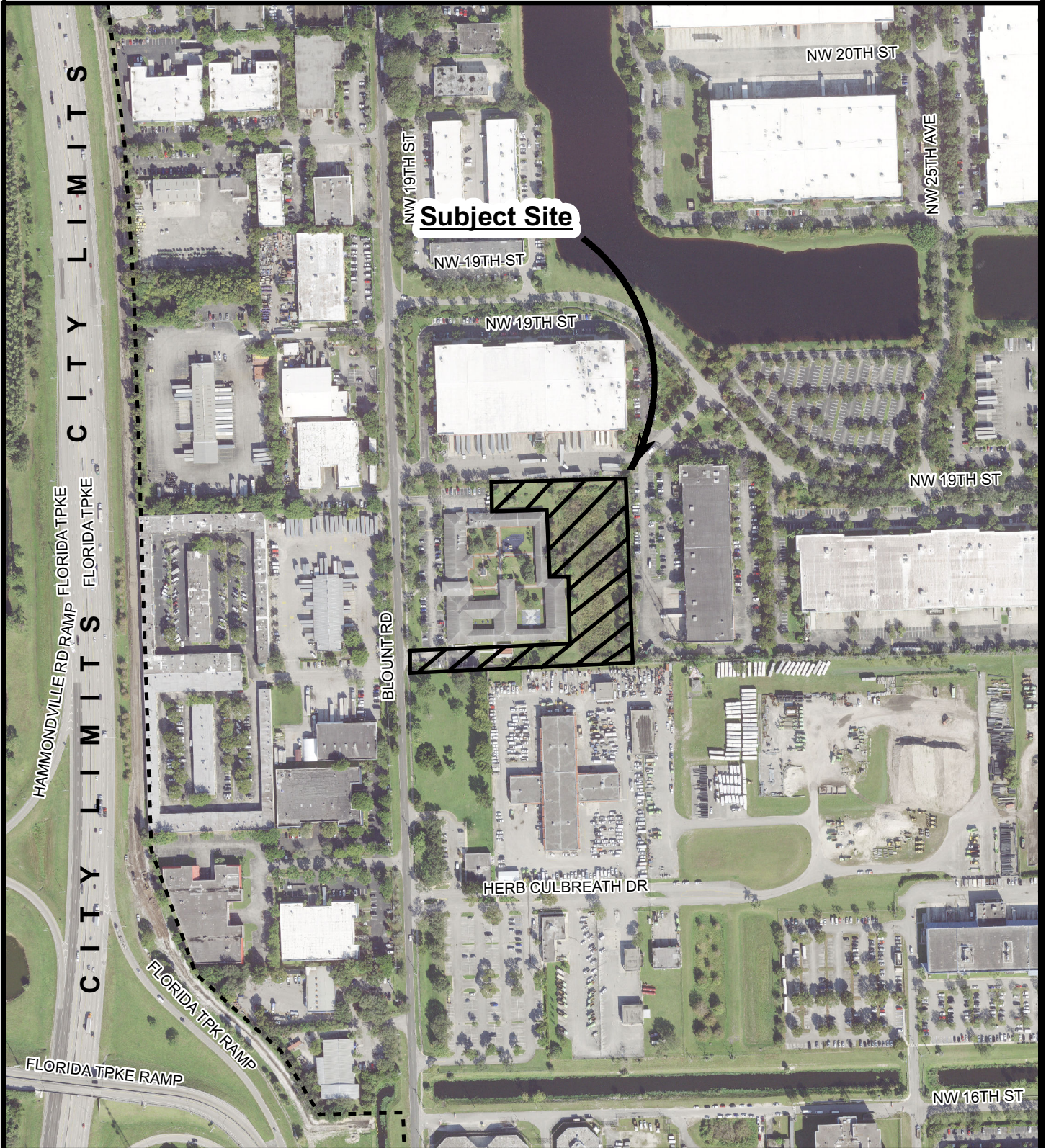
The property is located at 1700 Blount Road approx 1/2 mile north of Dr. MLK, Jr Boulevard.

Folio Number:  
484228250050





# CITY OF POMPANO BEACH AERIAL MAP



**P&Z**  
10/12/2022 AdkBob

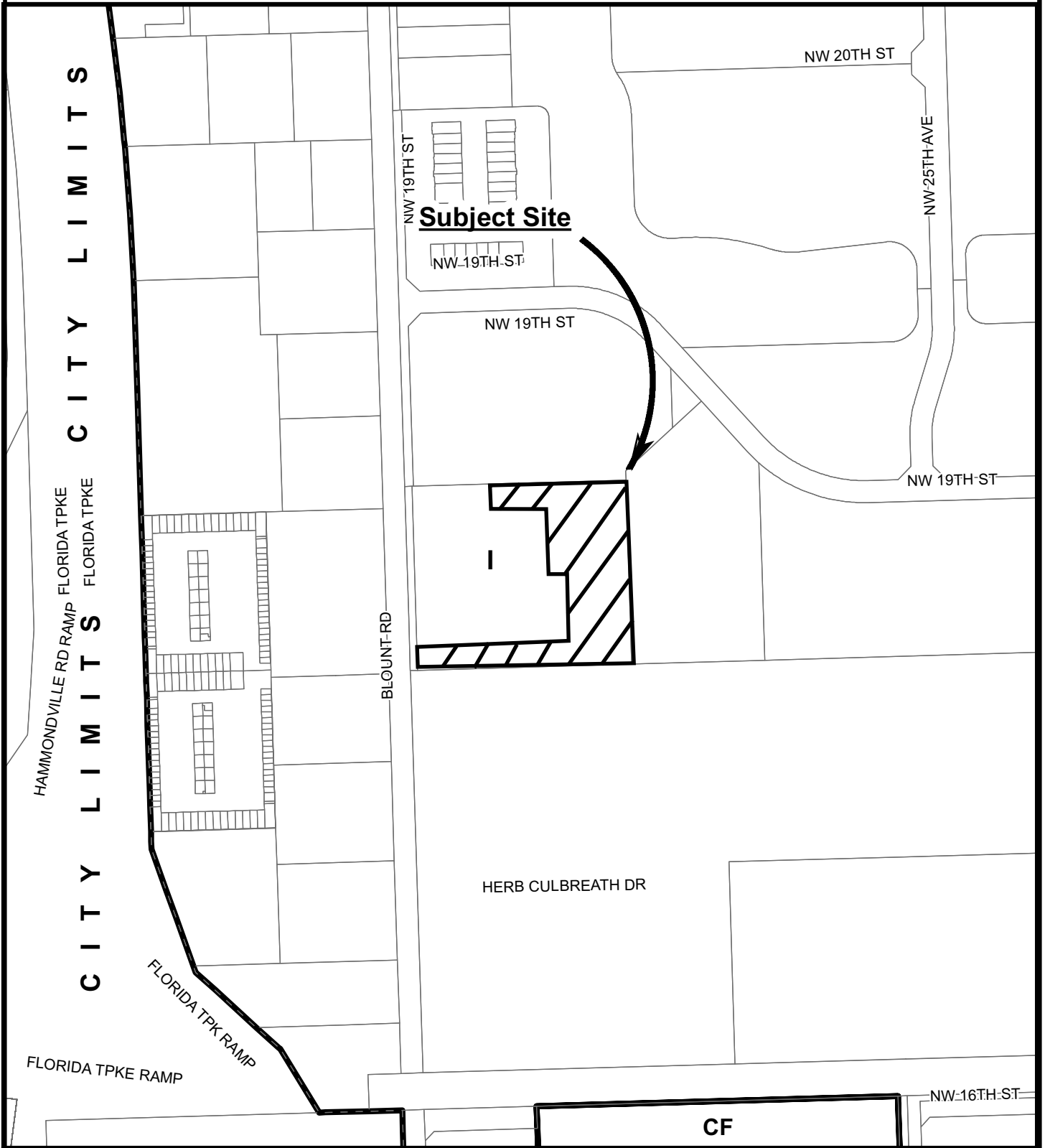
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PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

PZ22-13000009  
10/26/2022



# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



**P&Z**  
in = 37.5 ft

10/12/2022

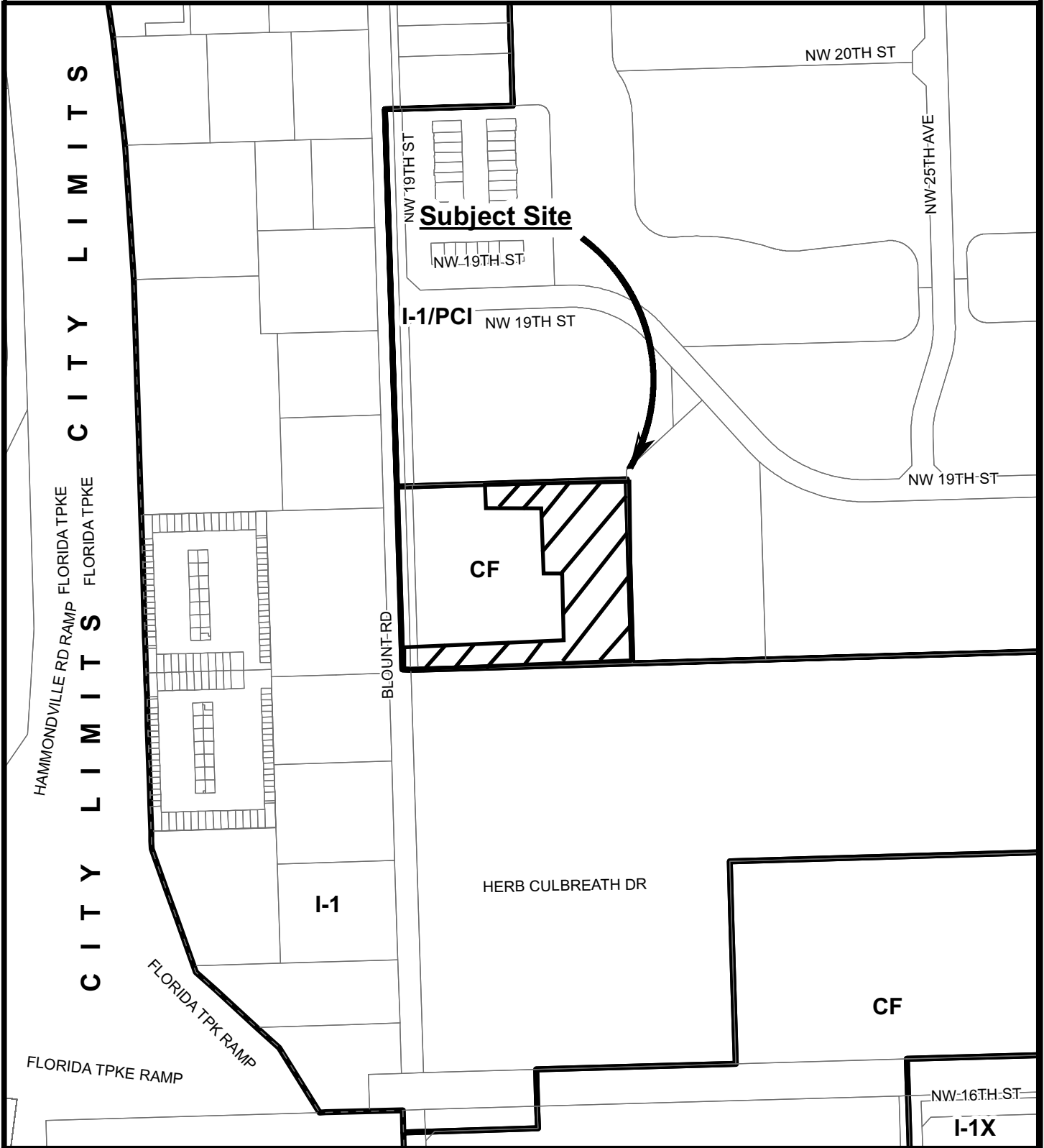
AdkBob

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PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

PZ22-13000009  
10/26/2022

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



**P&Z**  
10/12/2022 AdkBob

PREPARED BY:  
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DEVELOPMENT SERVICES

PZ22-13000009  
10/26/2022

# LEGEND

FOR LAND USE PLAN			FOR ZONING MAP	
Symbol	Classification	Units/ Acre	Symbol	District
			RS-1	Single-Family Residence 1
L	Low	(1-5 DU/AC)	RS-2	Single-Family Residence 2
LM	Low- Medium	(5-10 DU/AC)	RS-3	Single-Family Residence 3
M	Medium	(10-16 DU/AC)	RS-4	Single-Family Residence 4
MH	Medium-High	16-25 DU/AC)	RS-L	Single-Family Residence Leisureville
H	High	(25-46 DU/AC)		
12	Irregular Density		RD-1	Two- Family Residence
36	Irregular Density			
			RM-7	Multiple-Family Residence 7
>	C	Commercial	RM-12	Multiple-Family Residence 12
	CR	Commercial Recreation	RM-20	Multiple-Family Residence 20
			RM-30	Multiple-Family Residence 30
*	I	Industrial	RM-45	Multiple-Family Residence 45
			MH-12	Mobile Home Park
	T	Transportation		
	U	Utilities	B-1	Limited Business
			B-2	Neighborhood Business
			B-3	General Business
	CF	Community Facilities	B-4	Heavy Business
			M-1	Marina Business
	OR	Recreation & Open Space	CR	Commerical Recreation
	W	Water	I-1	General Industrial
			I-1X	Special Industrial
	RAC	Regional Activity Center	O-IP	Office Industrial Park
			M-2	Marina Industrial
	LAC	Local Activity Center		
			TO	Transit Oriented
	DPTOC	Downtown Pompano	PR	Parks & Recreation
		Transit Oriented Corridor	*	CF
			PU	Public Utility
			T	Transportation
			BP	Business Parking
			LAC	Local Activity Center
			RPUD	Residential Planned Unit Dev.
			PCD	Planned Commercial Development
			PD-TO	Planned Development - Transit Oriented
			PD-I	Planned Development - Infill
			RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
			AOD	Atlantic Boulevard Overlay District
			CRAO	Community Redevelopment Area Overlay
			NCO	Neighborhood Conservation Overlay
			APO	Air Park Overlay
			DP	Downtown Pompano Beach Overlay

P&Z

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10/26/2022