

parking ramp. He showed the Board a PowerPoint of the proposed tower and explained that the site consists of two vacant lots and one single-family home. The issue that the AAC had was with the parking lifts and how the cars would maneuver. He stated that the project is near the beach and will have great water views.

Mr. Jean-Francois Gervais (20900 NE 30th Avenue, Aventura, FL) stated that the original version of the project that was presented to the AAC featured stacked parking. The Committee postponed the project so that the applicant could provide more information. The applicant has since redesigned the parking so that there are two floors of parking which eliminates the need for stacked parking.

Mr. Stacer asked how many driveways the original plan included compared to this revised plan.

Mr. Gervais responded that the first plan had just one driveway while this version has two. He stated that the project will have the code required minimum 28 parking spaces.

Mr. Stacer asked how long it takes to elevate a car.

Mr. Gervais stated that it would only take 15 seconds to raise the car.

Ms. West added that there was a concern about how maneuverability would be handled with the lift parking.

Mr. Stacer stated his concern that the AAC might be restricting the amount of parking spaces provided.

Mr. Gervais stated that the Fire Marshall also had concerns with the lift parking.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Tony Hill and seconded by Richard Klosiewicz to approve the Major Site Plan PZ #16-12000038 subject to the eight staff conditions. All voted in favor of the motion; therefore the motion passed.

I. OTHER BUSINESS

(21:35)

7. Sunshine Law Presentation

The Assistant City Attorney will give the Board a presentation on the Sunshine Law

MOTION by Jerry Mills and second by Richard Klosiewicz to move this item to the end of the meeting agenda. All voted in favor.

Note: This item was not discussed by the Board at this meeting

8. Chapter 155 Text Amendments, DPOD Standards (Follow-Up)

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME

Mr. Bird stated that Development Services staff has no new report. He stated that the CRA has responded to the questions from the Planning and Zoning Board and that they have also conducted several neighborhood meetings.

Ms. Natasha Alfonso from the CRA presented herself to the Board. She stated that there have been meetings with several boards and the Old Pompano Civic Association since the last time they presented to the Board. All the boards that were consulted expressed their support for the proposed revisions. She stated that some of the questions raised at the previous meeting will be addressed in future text amendments, including Mr. Stacer's question about cross-block connections. She stated that the Board should have received two memos with more details.

Mr. Chris Brown from the CRA presented himself to the Board. He showed the Board an aerial map of the different CRA districts and pointed out an "Innovation District" centered on the Atlantic Boulevard area between I-95 and Dixie Highway. He stated that the CRA has acquired 26 of the 40 acres in this district. He stated that when RMA began working for the City in 2009, this area had already been targeted for redevelopment and that since then the zoning and land use designation has been changed. He showed a map of the district and pointed out past and planned projects for the area, including the proposed City Vista apartment project and a future mixed-use building at MLK and Dixie Highway. He explained that a lot of public money has been invested in infrastructure which is now beginning to attract the interest of private investment. He mentioned a newly-proposed apartment building in Old Pompano, which would be a first, and that two restaurants and a brewery will be opening soon in the neighborhood.

Mr. Stacer stated that the housing study that was presented via the Lambert Report was very helpful for this item. He thinks the injection of market rate rentals in places as they are proposed will help with the City's development.

Mr. Bird stated that the years of Euclidian zoning has allowed a concentration of affordable housing which makes it difficult to attract market rate developers. He stated that there have been hopes to redevelop this part of the city for at least 25 years. While there has been market-rate development approved, nothing substantial has been built.

Ms. Kovac stated that the affordable housing should be done, but not concentrated.

Mr. Stacer stated that Mr. Lambert reported that children in areas of concentrated low-income housing performed worse in school and had lower earning power. He also recounted that the CRA wants to provide affordable housing for younger residents.

Mr. Evans asked for a copy of the Lambert Report.

Mr. Edge stated that he will provide a copy to all members of the Board.

Mr. Bird stated that the Lambert Report will also help the City to force Broward County to ensure the correct implementation of the low-income housing regulations.

Mr. Bird explained that the Board is not required to take any further action on this item as they provided a recommendation at the last meeting.

(4:20:35)**9. Chapter 156 Text Amendments, Sign Code (Follow-Up)**

Mr. Bird stated that there is already a recommendation of approval from the Board for these text amendments, but he will be providing an update to answer questions. He stated that the Board has been provided a summary of responses based on the questions they asked at the previous hearing.

Mr. Hill stated that the two site plan projects from tonight's meetings already have signs up. He asked if those would no longer be acceptable.

Ms. Karen Friedman, Principal Planner, stated that these would be temporary real estate signs and are allowed without an active building permit. She stated that the signs cannot be regulated based on copy.

Mr. Bird stated that it is hard to regulate the difference between a real estate sign and a development sign. He explained that once they do receive a permit, they will be able to erect a second sign.

Ms. Friedman stated that the ultimate takeaway is that the City will be very hands-off when regulating copy which is because of the *Reed* US Supreme Court decision.

Mr. Hill stated that most of these signs that are being installed also exceed the maximum size allowed.

Ms. Friedman stated that Code Enforcement will be trained on how to identify and enforce the sign regulations regarding maximum size.

Mr. Hill asked why development signs are not then allowed and why there is a 45-day limit on real estate signs.

Ms. Friedman stated that it is outside of the City's purview to regulate signs based on content. Real estate signs have case law, however, to back up the City's stance. Commercial signage cannot be favored more than non-commercial.

Mr. Hill asked what homeowners would do if their homes do not sell within 45 days.

Ms. Friedman stated that the real estate signs may not be enforced very strictly, but that it is important for the City to have a standard in case there are abuses.

Mr. Bird stated that there is no clear answer for what should be done when a property has not been sold or leased after 45 days. He explained that this recommendation is coming from outside counsel and that further analysis will need to be done. He stated that enforcement will be done city-wide and in a fair manner.

Mr. Klosiewicz asked who determined the 45 days.

Mr. Bird stated that it was the recommendation from outside counsel. He stated that he will revisit it with them so he can provide more information to the Board.

Dr. Mills asked how yard sale, political, and other signs posted by a homeowner would be regulated.

Mr. Bird responded that all properties will be entitled to one sign, and that if the size of the sign is less than 12 square feet then no permit is required.

Ms. Friedman stated that signs of non-commercial nature are categorized differently than commercial signs but that the City may not treat commercial signs more favorably than non-commercial signs. She added that properties in single-family zoning districts can have 1 temporary sign (2 if they are on a corner lot).

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Mr. Stacer asked if a monument sign would need to come up to code if the tenant changes.

Mr. Bird stated that this requirement is only for individual tenant signs, not multi-business signs.

Mr. Stacer commented that the Board voted to recommend approval of these amendments.

Mr. Bird asked if the Board wished to have an additional memo submitted for their review. He explained that they could request additional information that would be provided to them after the City Commission meeting, but that this request for information would be provided to the Commission.

Mr. Stacer suggested that the Board leave their previous recommendation as is.

(4:41:03)

10. Chapter 155 Text Amendments, Medical Marijuana

Mr. Bird stated that staff has been working very hard on this topic and that the moratorium will expire on May 8th. He explained that this text amendment will set certain standards for these uses, and that they will be categorized as either retail use, healthcare use, or as industrial use. He stated that there will be certain distance requirements implemented, limitations on hours of operation and where the use will be permitted in the City, and site design requirements. He stated that the City cannot simply say that this use in general cannot be allowed, and that there will be a learning process to see how regulations can be implemented.

Ms. Kovac asked if the healthcare use would mean that a person would need a prescription from a doctor before going to a facility to purchase.

Mr. Bird confirmed this.

Mr. Bird added that parking standards have been added and that the uses have been added to the Consolidated Use Table.

Ms. Friedman stated that for the retail and industrial uses there are separation requirements from residential zoning districts. She added that the healthcare use will be treated like a Specialty Medical Facility and so has certain distance requirements. She added that all the uses require a Special Exception approval unless located in a PCD that allows for them.

Mr. Hill asked why the use is not prohibited in the East CRA as it is in the NW CRA.

Ms. Friedman stated that the Atlantic Overlay District already does not allow the uses and the proposed Transit Overlay District will also prohibit it.

Mr. Stacer asked for an explanation of what no variances being allowed means.

Mr. Bird responded that it means that an applicant cannot request variances from any use specific standards.