

ADMINISTRATIVE MEMORANDUM NO. 19 - 083

DATE: April 4, 2019

TO: Planning and Zoning Board

VIA: David Recor, ICMA-CM, Director of Development Services
Jennifer Gomez, AICP, Assistant Director of Development Services

FROM: Max Wemyss, Planner
Paola A. West, Principal Planner

RE: Chapter 155 Zoning Code- Miscellaneous Amendments

Background

To further strengthen Pompano Beach as a "Preferred Place to do Business" and to enhance the City's reputation as being "business friendly", Development Services staff has hosted 2 roundtable forums: one in August 2017 and the most recent in March 2018. The purpose of these forums was to obtain developer and development community input regarding development processes and zoning requirements. With the input obtained, Development Services staff then assessed requirements and processes to identify where additional improvements can or should be made. The text amendments presented herein include changes that stem from suggestions made at the roundtable forums as well as staff recommendations that remove burdensome processes for more streamlined methods. Staff also utilized this amendment to prepare other housekeeping type edits in order to clarify the code and/or to reflect existing policies and interpretations.

The goal of the combined changes presented is to clean up minor scrivener's errors, make requirements and processes clearer for a more streamlined approval, and to further clarify policies that are already being implemented. These proposed amendments are following miscellaneous code amendments adopted in July of 2018 and Landscape Code amendments to be adopted in April of 2019 with the same purpose of making Pompano Beach a "Preferred Place to do Business." Staff has met and coordinated with the CRA regarding the proposed amendments and presented to the EDC on April 22nd, 2019.

Text Amendments

Page	Section	Change
1	100.01(B)	To be consistent with the Broward County Trafficways Plan which recently amended the required widths of Atlantic Blvd.
1	154.61	Removed limitation of Redevelopment and Flexibility Units to <u>multifamily</u> dwellings so that units may be allocated for all types of <u>residential</u> development. Corrected typo reference to moderate (rather than workforce) housing within Table 2. Reduced the period of time for a required restrictive covenant

		for affordable units to 15 years to be consistent with Broward County Policy.
2	154.74	Modified the applicability of Mid Rise and High Rise dwelling types for Park Service Fees. Consistent with proposed definitions.
3	154.80	Added reference to the fee amount <i>per unit</i> . Added reference to the deed restrictions and period of time.
4-15	155 Table of contents through 155.2305.C	Miscellaneous housekeeping edits. Added missing procedures/applications to various tables. Removed or modified inaccurate references.
11-48	155.2301 -155.2402	Removed reference to meetings as “conference”. Deleted redundant procedural graphics due to difficulty in updating.
15	155.2307.C.3 & 155.2308.A	Added Development Order to clarify the legal document of final decision and that date rendered to be the filing date.
15	155.2401	Overview – clarified that the division excepts instruments equivalent to a unity of title agreement as a standard practice.
22	155.2408	Building Design - Removed Minor Building Design as application and process. Same applications are now Building Permit Applications (remain subject to staff review, same development standards still apply)
25	155.2408.E	Building Design - Exempt Transportation (T) and Public Utilities (PU) Zoning Districts from limitations on AAC waivers of Building Design Standards to allow for more flexibility with these unique types of development, typically for public purposes.
30	155.2412.B.1	Temporary Use Permit - Added clarification that was previously provided as an Administrative Policy and is now clear in the code.
36	155.2420.E	Variance - Removed requirement of the applicant to file a copy of approval notice with the County. This is now the responsibility of the City.
37	155.2421.B.1	Administrative Adjustment – clarified that adjustments shall not be used to correct improper work consistent with previous zoning code.
37	155.2421.C.7	Administrative Adjustment – clarified process for approval of a major administrative adjustment concurrent to a major site plan.
39	155.2421.E	Administrative Adjustment Review Standards – reorganized to prioritize superior design and require that all applications are supporting of the objectives of the relevant base zoning district applicable to the application.
42	155.2424.C.3	Added date Development Order rendered as an event to begin the applicable appeal period.
44	155.2430	Right-of-Way Dedications may now be accepted by the City Manager or his designee rather than require City Commission approval.
49	155.2435	Public Purpose Adjustment – Created to provide a mechanism to allow relief to aspects of public projects that comply with the provided adjustment standards.
50	155.2436	Comprehensive Plan Map Amendment – Created to be consistent with other Chapter 154 subjects that also require Chapter 155 review/coordination. Serves as a cross reference.
51-56	155.3501.O.5 – 155.3505	Corrected references to the Notes in the table.

57	155.3507	Local Activity Center – Created process for the approval of Master Plans and Site Plans specific to this zoning district and added specific standards.
59-64	155.3603 – 155.3607	PDs – added Parking Deck or Garage Design Standards to “Modifications Prohibited” sections of each district.
65	155.3703	AOD – Removed reference to area west of Intracoastal Waterway (no longer within the AOD), and removed reference to Residential development on Commercial Land Use (no longer a Flex Receiving Area). Reorganized the Parking Deck or Garage Standards to be consistent with Citywide requirement. Removed requirement for specific colors for Primary Façade Materials
67	155.3708	DPOD – Added language to clarify the applicability and design of the required streetscapes for large development within the district.
68	155.3709	EOD – Clarified the distribution of density within a development parcel and corrected reference in the Use Table to the PR Zoning District. Corrected omission of Family Community Residence and Transitional Community Residence within the RM36 Use Area.
69	155.4204	Telecommunications Facility – removed explicit exemption for chain link fencing and clarified that fence or wall is not required to be fully opaque (Type B Buffer requirement)
70	155.4303.A	Accessory Dwelling Unit – made definition consistent with the Building Code’s definition of a dwelling.
70	155.4303.E	Canopy, Vehicular Area – removed standards for Canopy Banding and Signage, consistent with State Statutes.
70	155.4303.JJ	Mechanical Equipment and Similar Features – corrected definition to match Article 9 definition.
71	155.5101.G	Vehicular Access and Circulation – Removed signage standard to relocate in Part 10. Clarified that gates that remain open during business hours do not require stacking. This Administrative Policy is now incorporated into code. Adjusted stacking space requirement to match parking space requirement.
72	155.5102.C	General Standards for Off-Street Parking and Loading Areas – removed redundant standard. Clarified that parking spaces within structured parking does not require curbing. Removed height maximum for continuous curbing.
72	155.5102.D	Off-Street Parking Space Requirements – Simplified language and corrected various notes and use names within the parking table. No change in standards.
79	155.5102.D.4	Modified Parking Requirements in Northwest Community Redevelopment Area – Clarified that the intent is to provide a parking requirement reduction with a “whichever is less” statement.
80	155.5102.L	Bicycle Parking Facilities – exempted duplexes and townhomes from the requirement.
83	155.5203.C	Minimum Development Site Landscaping – Added LAC Zoning District as a Base Zoning District previously missing from table.

80	155.5301.A	Mechanical Equipment – Removed the definition from the Development Standard and identified section more appropriately as Applicability. Reorganized subsections.
81	155.5301.C	Location and Screening of Commercial Containers – Clarified that existing development of all kinds (regardless of view from ROW) requires screening. Reorganized subsections. Added exemption for established lots with impracticable conditions.
82	155.5302.E	Perimeter Fences and Walls Abutting Street Rights-of-Way – Simplified language to say only what is prohibited.
82	155.5302.F.3	Fence and Wall Landscaping – removed conflicting language regarding chain link fences.
83	155.5401	General Exterior Lighting Standards – Modified applicability so that illumination is determined by use type rather than zoning district for more appropriate lighting applications.
83	155.5509	Utility Lines Location – utility lines are to be undergrounded to the “maximum extent practicable”
83	155.5602.C.6.a	Façade Materials – Add discretion on the use of decorative materials for the Development Services Director.
83	155.5602.C.7	Fenestration/Transparency – modified requirement of street-facing roll-up doors or service bay entrances to apply to street-visible roll-up doors or service bay entrances.
84	155.5605.C	General Commercial, Institutional, Industrial, and Mixed-Use Design Standards – Renamed to reflect all Parking Decks or Garages.
84	155.51003	Sign Structure Design Standards – added the removed language from Vehicular Access and Circulation (155.5101.G)
84	155.7502	Nonconforming Site Features – Modified the applicability to be consistent with recent Landscape Code Amendments
85	155.9402	Maximum Height Exceptions – Clarified the types of structures that may be permitted to exceed the maximum height and to what extent. Reorganized standards.
86	Article 9, Part 5	Created definitions or made definitions consistent with other code sections.
88	Appendix B	Special Zoning Districts – Removed inaccurate information, corrected reference numbers and notations.
91	Appendix C	Fee Schedule – Corrected references to application names, removed deleted applications/procedures, reorganized.
97	156	Sign Code – Clarified definition for a Temporary Sign, allowing for repair of signs damaged in disasters. Corrected references to the DPOD to reflect all TO Overlay Districts.
	155.3501.O.4 Supplemental Diagram	Building Typology and Placement Regulating Diagrams – Added reference to TO Overlay Districts for Front and Streetside Setback. Clarified language for rear and side yard exceptions. Provided a Forecourt Standard to allow for preservation of existing tree canopy. Provided exception for tower floorplates and stepbacks where the floor may contain a garage.
	155.3709. Supplemental Diagram	Street Development Regulating Diagrams - Modified Streetscape in accordance with recent amendment to Broward County Trafficways Plan. Updated styling of all street sections. Consolidated sections into fewer diagrams. No new/different regulation.

	155.3709.F.1 Supplemental Diagram	Street Network Connectivity Regulating Diagram – Updated the street designations consistent with updates to the Street Development Regulating Diagrams
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Staff Request

The Department of Development Services presented these text amendments to the Economic Development Council at their April 22, 2019 meeting. Staff recommends approval of the proposed code amendments.