

ADMINISTRATIVE MEMORANDUM NO. 19-352

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Jean E. Dolan, AICP, CFM, Principal Planner
SUBJECT: Rezoning of 2955 NW 1st Street - P&Z #19-13000014/ December 16, 2019 P&Z Meeting
DATE: November 14, 2019

APPLICANT'S REQUEST

The City is acting as the applicant for this rezoning of a vacant single family lot from B-3 to B-2 to allow the allocation of one flex unit for construction of a single-family home. As shown on the Future Land Use and Zoning maps attached, this single-family lot is part of an entire block face of single-family homes that has a Commercial land use and B-3 Zoning up to their back yards. This is not ideal and is likely a mistake in the maps, however, the County also has the same Commercial land use designation so the City can't correct the land use map to enable the entire block to be rezoned for single family use without doing both a City and County land use plan amendment. The current owner has owned this lot since 2004 and has not been able to build a single family home on it due to the land use and zoning designations and it's also too small to meet minimum lot standards for a commercial use. For this reason, the City is facilitating this rezoning to give the lot a reasonable, single-family use.

SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed Zoning Map Amendment, the compatibility of the uses allowed by the rezoning with the adjacent uses and 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 are the primary considerations. 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 City's Comprehensive Plan Land Use Element have been identified as pertinent to this rezoning:

Policy 01.03.02 Require residential densities of zoning districts to be consistent with the densities on the Future Land Use Map.

Policy 01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

CITY OF POMPANO BEACH AERIAL MAP



1 in = 142 ft

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DEVELOPMENT SERVICES

11/14/2019

McCPam

G:\Zoning 2009\Rezoning & LUPA's\2019\19-13000014 Collier City SF (2955 NW 1st Street Rezoning)\P&S

Staff Liaison\19-13000014_Aerial Map.mxd

LEGEND

FOR LAND USE PLAN

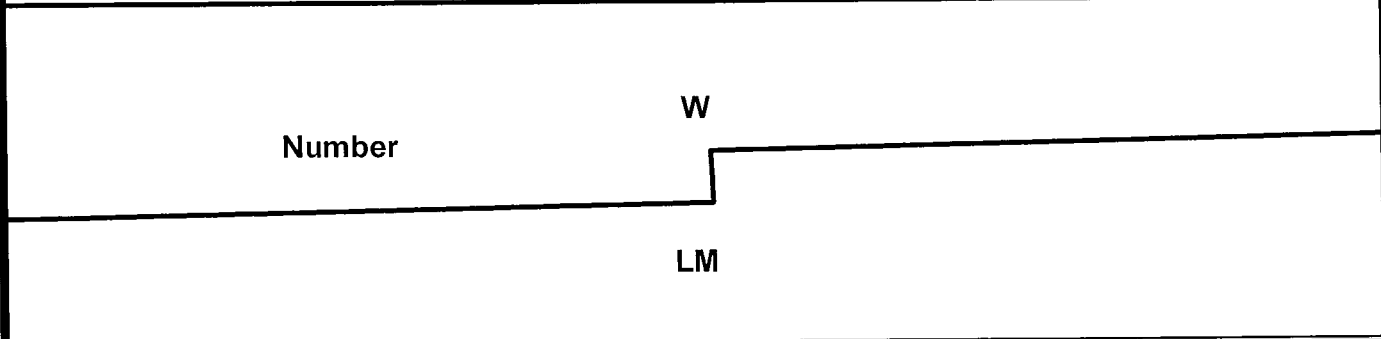
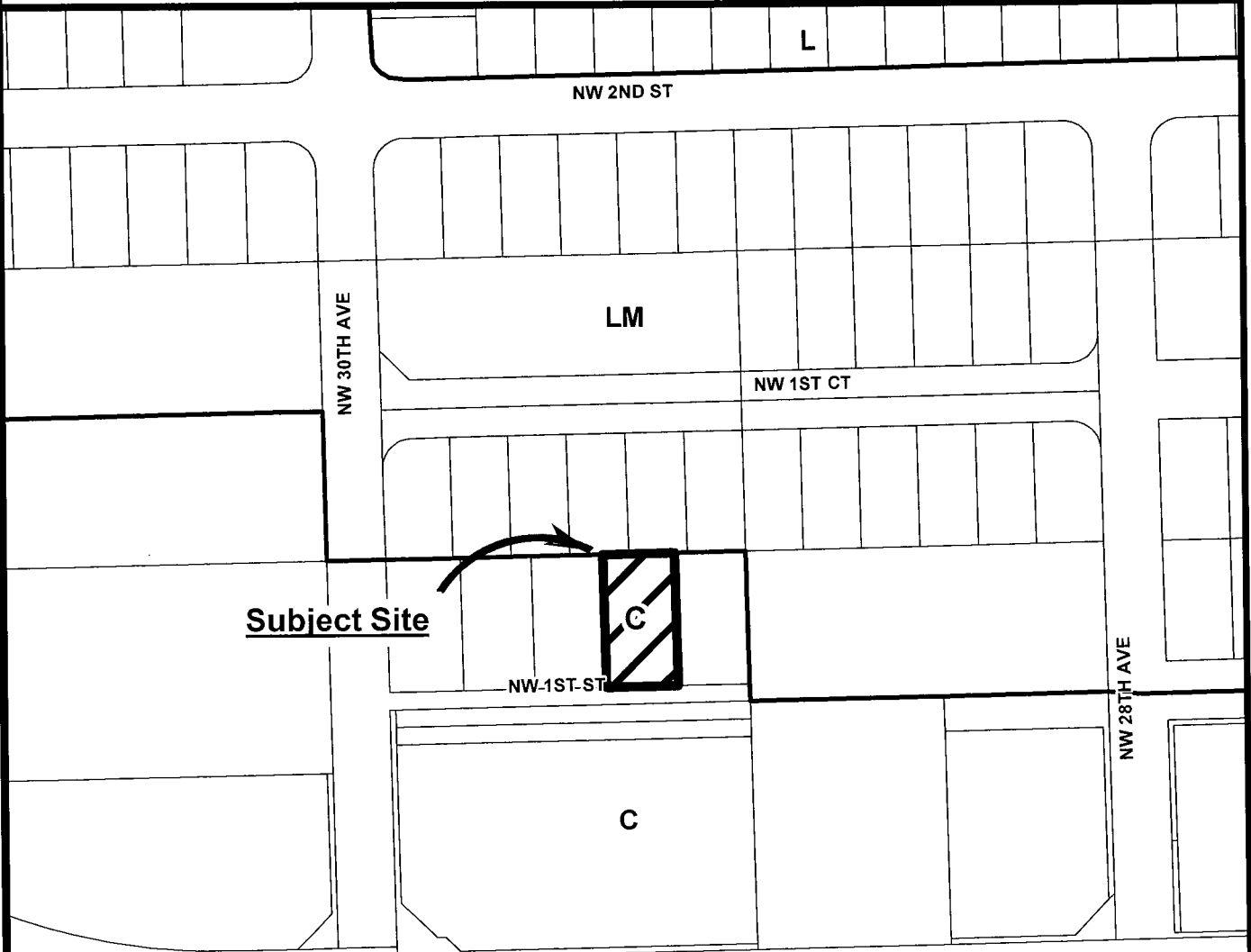
<u>Symbol</u>	<u>Classification Units/ Acre</u>
	Residential
L	Low (1-5 DU/AC)
LM	Low- Medium (5-10 DU/AC)
M	Medium (10-16 DU/AC)
MH	Medium-High 16-25 DU/AC)
H	High (25-46 DU/AC)
12	Irregular Density
36	Irregular Density
* C	Commercial
CR	Commercial Recreation
I	Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
LAC	Local Activity Center
DPTOC	Downtown Pompano Transit Oriented Corridor
	Number
	Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

*	Existing
>	Proposed

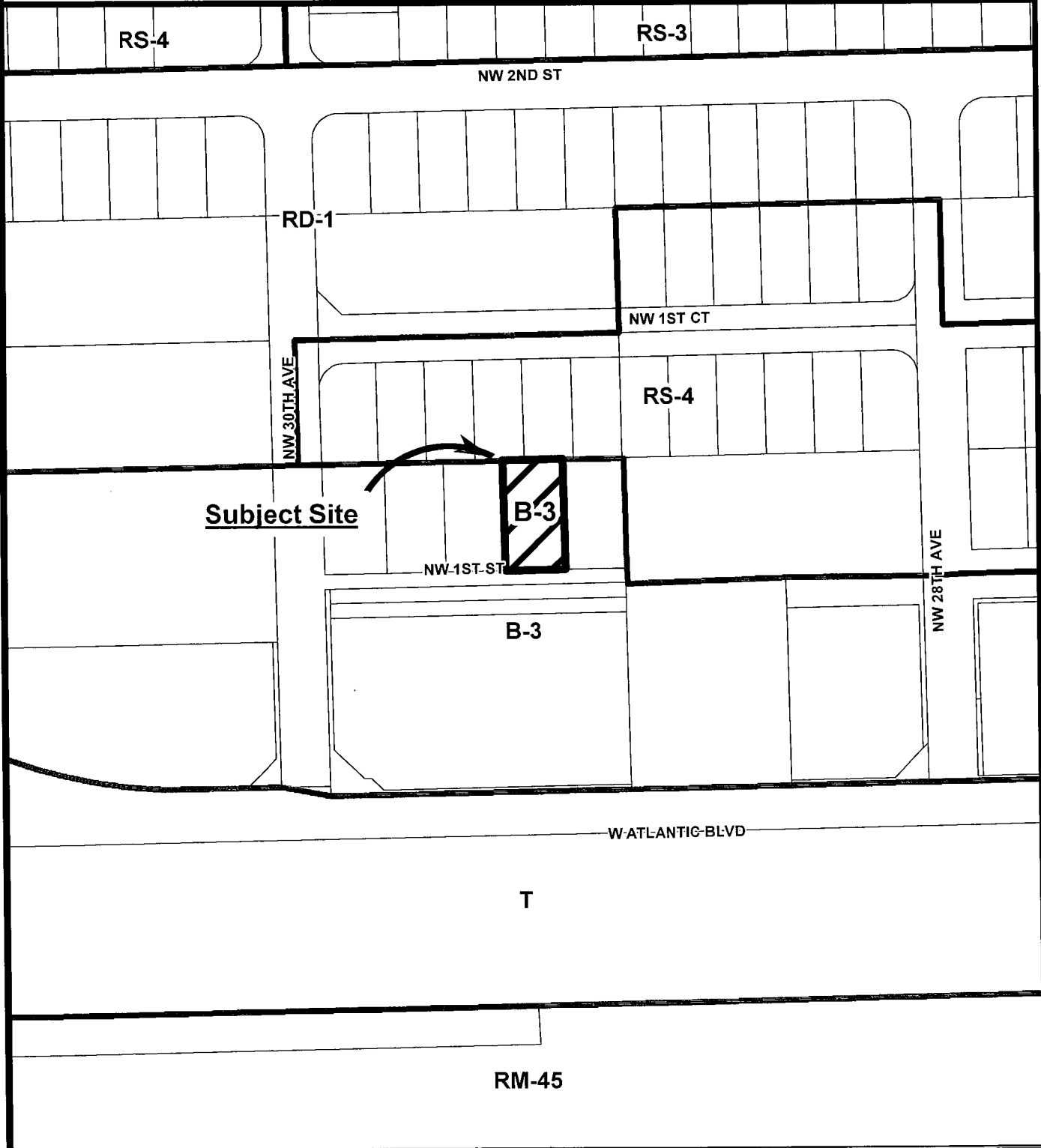
FOR ZONING MAP

<u>Symbol</u>	<u>District</u>
RS-1	Single-Family Residence 1
RS-2	Single-Family Residence 2
RS-3	Single-Family Residence 3
RS-4	Single-Family Residence 4
RS-L	Single-Family Residence Leisureville
RD-1	Two- Family Residence
RM-7	Multiple-Family Residence 7
RM-12	Multiple-Family Residence 12
RM-20	Multiple-Family Residence 20
RM-30	Multiple-Family Residence 30
RM-45	Multiple-Family Residence 45
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
* B-3	General Business
B-4	Heavy Business
M-1	Marina Business
CR	Commerical Recreation
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
M-2	Marina Industrial
TO	Transit Oriented
PR	Parks & Recreation
CF	Community Facilities
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

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 142 ft

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Policy 01.03.05 All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.03.12 The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

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

1. Given the nature of this rezoning, the Development Services Director concluded that a DRC meeting was not necessary.
2. The property is located at 2955 NW 1st Street between NW 28th Avenue and NW 30th Avenue, fronting on NW 1st Street in Collier City.
3. The subject property to be rezoned is one single-family lot approximately 6,900 SF.
4. The property is part of the Collier City Subdivision.
5. The existing zoning and uses of adjacent properties are as follows:

Direction	Land Use/Zoning Designation	Use
North	LM/RS-4	Single-Family home
East	Commercial/B-3	Single-Family home
South	Commercial B-3	Vacant
West	Commercial/B-3	Single-Family home

6. The Land Use Designation is Commercial and the proposed B-2 Zoning is allowed within the Commercial land use designation. With the application of one flex unit, a single-family home can be built on this lot.

C. Analysis

In the review criteria it states that 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 proposed B-2 Zoning is consistent with the Commercial land use category and does allow for the construction of a single-family home if a flex unit is granted to the parcel.

It is Staff's opinion that the land use and zoning maps for this entire block face are erroneous and this rezoning will allow a single-family home to be built on that lot which is the only reasonable use of the land given its context as the only vacant lot on a block developed with single family homes.

Staff is, therefore, of the opinion that there is a reasonable basis to support this request for rezoning since it is compatible with the surrounding existing uses and the underlying Commercial land use category.

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 rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.

Alternative Motion II

Table this application for additional information as requested by the Board.

Alternative Motion III

Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.