Legislation Details (With Text)

File #:	18-199 **Version:** 2	**Name:**	
Type:	Ordinance / Regular Agenda	**Status:**	Passed
File created:	1/30/2018	**In control:**	City Commission
On agenda:	2/27/2018	**Final action:**	2/27/2018

Title: P.H. 2018-40: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING CHAPTER 100, “STREETS,” TO REFERENCE MODIFICATIONS TO STREET STANDARDS INCLUDED IN THE TRANSIT-ORIENTED (TO)/EAST OVERLAY DISTRICT (EOD) DISTRICT AND OTHER OVERLAY DISTRICTS THAT INCLUDE STREET REGULATING PLANS AND DIAGRAMS; PROVIDING FOR THE AMENDMENT OF CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3501., "TRANSIT-ORIENTED (TO) SPECIAL BASE ZONING DISTRICT," TO MODIFY THE PURPOSE OF THE DISTRICT AND TO ADD AND DELETE TYPICAL LOT DIAGRAMS; TO PROVIDE A REVISED PROCESS FOR CREATING A TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; CLARIFYING THAT SAID ZONING DISTRICT MUST ALSO BE CONCURRENTLY ZONED WITH AN OVERLAY DISTRICT WITH DISTRICT-SPECIFIC REGULATING PLANS; DEFINING TRANSIT-ORIENTED (TO) DISTRICT STREET STANDARDS; BY INCLUDING ADDITIONAL PARKING STANDARDS INCLUDING VALET AND TANDEM PARKING, SHARED USE PARKING, OFF-SITE PARKING AND LOADING STANDARDS; BY ADDING STANDARDS FOR SURFACE PARKING LOTS AND PARKING GARAGES; BY ADDING ADDITIONAL STREET TREE REQUIREMENTS; BY INCLUDING ADDITIONAL TYPES OF OPEN SPACES; BY CLARIFYING SCREENING, FENCES AND WALL REQUIREMENTS; BY INCLUDING MAXIMUM HEIGHT ENCROACHMENTS; BY MODIFYING BUILDING LENGTH, SEPARATION AND BUILDING BREAK REQUIREMENTS FOR PROPERTIES SUBJECT TO FAA HEIGHT LIMITATIONS; BY INCLUDING ACTIVE USE STANDARDS AND FAÇADE ARTICULATION, ARCHITECTURAL TREATMENT AND COLONNADE STANDARDS; BY CLARIFYING STANDARDS RELATED TO LIVE-WORK UNITS; BY RELOCATING AND MODIFYING THE BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS AND RELATED SETBACKS AND LOT STANDARDS PREVIOUSLY INCLUDED IN SECTION 155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT,” INTO THE TRANSIT-ORIENTED (TO) DISTRICT REGULATIONS; BY AMENDING SECTION 155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY REFERENCES TO THE DPOD REGULATING PLANS; BY ADDING MINIMUM COMMERCIAL GROUND FLOOR HEIGHT STANDARDS AND REQUIRING ALL BUILDINGS OVER SIX STORIES TO BE DEVELOPED UNDER THE TOWER BUILDING TYPE STANDARDS; DELETING ACCESSORY STRUCTURE AND COLONNADE DESIGN STANDARDS; REMOVING TABLE 155.3708.F.1, WHICH REPEATED THE DENSITIES SHOWN ON THE DENSITY REGULATING PLAN AND RENUMBERING SUBSEQUENT TABLES ACCORDINGLY; ELIMINATING REGULATIONS RELATED TO THE TOWER AND OTHER BUILDING TYPES, WHICH ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; ADDING TABLE 155.3708.G.2.a MINIMUM AND MAXIMUM FRONT AND STREET-SIDE SETBACKS; MODIFYING LOT STANDARDS TO REFER TO THE BUILDING TYPOLOGIES IN THE TRANSIT ORIENTED (TO) BASE ZONING DISTRICT; REMOVING REGULATIONS FOR FENCES, WALLS AND HEDGES THAT ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT REGULATIONS; REMOVING PUBLIC OPEN SPACE CLASSIFICATIONS THAT ARE NOW INCLUDED IN THE TRANSIT ORIENTED (TO) BASE ZONING DISTRICT REGULATIONS; REMOVING STREET DESIGN STANDARDS THAT ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; TO CLARIFY THE AFFORDABLE HOUSING REQUIREMENTS; TO DELETE THE BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS, AND TO DELETE THE PREVIOUS VERSIONS OF TABLES 155.3709.G.2.a AND 155.3708.G.3.; BY CREATING SECTION 155.3709., “EAST OVERLAY DISTRICT (EOD)” TO ESTABLISH THE OVERLAY ZONING DISTRICT REGULATIONS, REGULATING PLANS, EAST OVERLAY DISTRICT (EOD) USE TABLE AND EAST OVERLAY

DISTRICT (EOD) STREET DEVELOPMENT REGULATING DIAGRAMS AND ALL PROVISIONS RELATING THERETO TO GOVERN DEVELOPMENT AND REDEVELOPMENT OF PROPERTIES WITHIN THE EAST TRANSIT ORIENTED CORRIDOR (ETOC) LAND USE CATEGORY; BY AMENDING CHAPTER 155, ARTICLE 9, PART 4, “MEASUREMENT, EXCEPTIONS AND VARIATIONS,” TO INCLUDE PARKING GARAGE SHADE STRUCTURES IN THE MAXIMUM HEIGHT EXCEPTION REQUIREMENTS FOR THE EAST OVERLAY DISTRICT (EOD) AND CITYWIDE; BY AMENDING CHAPTER 155, ARTICLE 9, PART 5, "TERMS AND USES DEFINED," TO CREATE OR REVISE VARIOUS DEFINITIONS RELATED TO THE TRANSIT-ORIENTED (TO) BASE DISTRICT AND EAST OVERLAY DISTRICT (EOD) OVERLAY DISTRICT REGULATIONS; BY AMENDING CHAPTER 155, ARTICLE 4, SECTION 155.4222., “RETAIL SALES AND SERVICES USES - RETAIL SALES,” TO SEPARATE GROCERY AND CONVENIENCE STORE DEFINITIONS AND USE STANDARDS TO REGULATE PERMITTED USES IN THE EAST OVERLAY DISTRICT (EOD) AND RENUMBERING THE LIST OF USES ACCORDINGLY; BY AMENDING CHAPTER 155, ARTICLE 4, SECTION 155.4303., “STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES,” TO INCLUDE THE EAST OVERLAY DISTRICT (EOD) IN THE EXCEPTIONS FOR OUTDOOR SEATING DISTANCE REQUIREMENTS FROM SINGLE-FAMILY HOMES OR SINGLE-FAMILY (RS) ZONING DISTRICTS; AND TO ADD THE EAST OVERLAY DISTRICT (EOD) TO TABLE 155.4501.B EXCEPTIONS TO THE MINIMUM SEPARATION OF USES INVOLVING THE SALE OF ALCOHOLIC BEVERAGES FROM CERTAIN EXISTING USES; BY AMENDING CHAPTER 155, ARTICLE 2, TABLE 155.2421.B.1, TO ALLOW ADMINISTRATIVE ADJUSTMENTS TO CERTAIN REGULATIONS IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT AND THE EAST OVERLAY DISTRICT (EOD); BY CREATING CHAPTER 155, ARTICLE 5, SECTION 155.5605., “PARKING DECK OR GARAGE DESIGN STANDARDS,” TO CREATE DESIGN STANDARDS FOR PARKING DECKS AND GARAGES APPLICABLE TO PARKING FACILITIES IN THE EAST OVERLAY DISTRICT (EOD) AND CITY-WIDE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 13, 2018

Sponsors:

Indexes:

Code sections:

Attachments: 1. CA Transmittal Memo, 2. 2018-73 Text Amendment Ordinance, 3. Exhibit A to Text Amendment Ordinance, 4. 00 P&Z Staff Report Text Amendment, 5. Signed TO and EOD Text Amendment PZB Memo 17-060, 6. PZB (12 DECEMBER) MINUTES ETOC Map and Text, 7. 000 Staff Report Alcoholic Separation issue, 8. Signed Alcoholic Beverage Establishment Separation Exemption PZB Memo 18-001, 9. January P&Z Minutes Exerpt Alcohol Separation, 10. PB_CC Workshop10-9-17-Final with post mtg edits, 11. CRA Support Memo

Date	Ver.	Action By	Action	Result
2/27/2018	2	City Commission	ADOPTED	Pass
2/13/2018	1	City Commission	APPROVED AS AMENDED	Pass

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(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 13, 2018
(**Staff Contact:** Jean E. Dolan/David Recor)

Summary Explanation/Background:
In 2016, the City of Pompano Beach initiated a change in the future land use designation of the East Atlantic Boulevard Corridor to create the East Transit Oriented Corridor (ETOC) which connects the City from the Intracoastal to the Downtown Pompano Transit Oriented Corridor (DPTOC) at Atlantic Boulevard and I-95. The Zoning Code text amendments to implement the ETOC land use designation were presented at the October 9, 2017 P&Z and City Commission workshops. The intent of the Zoning Code amendments is to allow a mixture of residential and commercial uses, particularly within the blocks fronting on Federal Highway and Atlantic Boulevard, and provide a comprehensive approach to redevelopment while creating compatible transitions to the adjacent residential development. The proposed text amendments are to the current Transit Oriented (TO) Special Base Zoning District and the new East Overlay District (EOD), which is being created. There is a companion ordinance to the agenda item to rezone 279 acres to the Transit Oriented (TO) zoning district subject to the East Overlay District (EOD) regulations. The text amendments are being heard first on the agenda so the zoning district is in place prior to rezoning property. The Planning and Zoning Board unanimously recommended approval of the rezoning, which will be heard by the Commission after the text amendments. The Zoning Code text amendments establish standards for new development and redevelopment that address building placement and design, streetscape enhancements, traffic and neighborhood compatibility. The Planning and Zoning Board voted 4-2 on December 20, 2017 to recommend approval of the proposed code amendments but requested Staff return to the P&Z to present additional justification for the exemption from the alcoholic beverage establishments distance requirements from churches, schools and child care facilities. Staff returned to P&Z with this information on January 24, 2018 and received a 5-1 vote to retain the exemption as originally proposed.

At first reading on February 13, 2018, "Beer or Wine Store, Specialty" was added as a permitted retail use on the EOD use table. Exhibit "A" to the Ordinance has been updated to reflect that additional use.

Origin of request for this action: Development Services
Fiscal impact and source of funding: N/A

Strategic Plan Initiative

High Priority Policy #2