

## Legislation Details (With Text)

<b>File #:</b>	20-191	<b>Version:</b>	2	<b>Name:</b>	
<b>Type:</b>	Ordinance / Regular Agenda	<b>Status:</b>	Passed		
<b>File created:</b>	12/18/2019	<b>In control:</b>	City Commission		
<b>On agenda:</b>	2/11/2020	<b>Final action:</b>	2/11/2020		
<b>Title:</b>	<p>P.H. 2020-31: (PUBLIC HEARING 2ND READING)  AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING ARTICLE 3, "ZONING DISTRICTS" OF THE ZONING CODE, TO MODIFY REFERENCES TO THE DUNE VEGETATION LINE TO THE HISTORIC DUNE VEGETATION LINE IN THE DIMENSIONAL STANDARDS TABLES; BY AMENDING SECTION 155.4302., "GENERAL," SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," SECTION 155.5402., "LIGHTING REQUIREMENTS FOR MARINE TURTLE PROTECTION," AND SECTION 155.9301., "REAR PROPERTY LINE AS RELATED TO MEASUREMENTS," TO MODIFY REFERENCES; BY AMENDING ARTICLE 9, PART 5, TERMS AND CONDITIONS," TO MODIFY DEFINITIONS AND DEFINE HISTORIC DUNE VEGETATION LINE; BY AMENDING APPENDIX B: CONSOLIDATED INTENSITY AND DIMENSIONAL STANDARDS, TO MODIFY REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  (Fiscal Impact: N/A)</p>				

FIRST READING: JANUARY 28, 2020

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**Attachments:** 1. City Attorney Communication Memo - 2020-314, 2. Planning & Zoning Board Approval Memo 19-051, 3. Ordinance, 4. HistoricDuneVegetation\_Map, 5. Staff Report to Planning & Zoning Board, 6. Minutes October 2019 - P&Z Board

Date	Ver.	Action By	Action	Result
2/11/2020	2	City Commission	ADOPTED	Pass
1/28/2020	1	City Commission	APPROVED FIRST READING	Pass

### P.H. 2020-31: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING ARTICLE 3, "ZONING DISTRICTS" OF THE ZONING CODE, TO MODIFY REFERENCES TO THE DUNE VEGETATION LINE TO THE HISTORIC DUNE VEGETATION LINE IN THE DIMENSIONAL STANDARDS TABLES; BY AMENDING SECTION 155.4302., "GENERAL," SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," SECTION 155.5402., "LIGHTING REQUIREMENTS FOR MARINE TURTLE PROTECTION," AND SECTION 155.9301., "REAR PROPERTY LINE AS RELATED TO MEASUREMENTS," TO MODIFY REFERENCES; BY AMENDING ARTICLE 9, PART 5, TERMS AND CONDITIONS," TO MODIFY DEFINITIONS AND DEFINE HISTORIC DUNE VEGETATION LINE; BY AMENDING APPENDIX B: CONSOLIDATED INTENSITY AND DIMENSIONAL STANDARDS, TO MODIFY REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

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**(Staff Contact:** Daniel Keester-O'Mills/David Recor)

**Summary Explanation/Background:**

In 1959, the City of Pompano Beach's City Engineer established a "Dune Vegetation Line" on a survey photograph map filed with the City Clerk. This map, dated October 14, 1959, provided measurements from the Dune Vegetation Line to the right-of-way at various points. The line is also referenced in the plat maps on file with the City. The Zoning Code (prior to 2012) made reference to the 1959 line as the means to establish a rear lot line for properties that extended on or past the beach. When the Zoning Code was revised in 2012, the definition of "Dune Vegetation Line" no longer referenced the 1959 line; which has created confusion for applicants. The Dune Vegetation Line has historically, and still is, considered the rear property line for the purposes of calculating lot area, lot coverage, pervious area, setbacks, etc. To provide clarity going forward, the City hired an engineering firm to survey the previously photographic map. The proposed text amendment will rename the Dune Vegetation Line to Historic Dune Vegetation Line and the definition has been updated to reference the recent survey, which is to be adopted by Resolution. As a companion item, a Resolution will be presented to the City Commission accepting the line in a digital format. All cross references have also been revised. The report from Timothy Gray, Senior Project Manager with Keith, is included in the back-up.

This code amendment is not the establishment of a new line, but simply referencing the existing and developed Dune Vegetation Line with a definition and format that is easier to locate geographically, for use by developers, the City of Pompano Beach, and any other interested party. As such, the digitalization of this line will not make any currently existing properties non-conforming. This amendment was presented to the Planning & Zoning Board and they unanimously recommended approval to the City Commission.

**Origin of request for this action:** Development Services

**Fiscal impact and source of funding:** N/A