

## Legislation Text

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**File #:** 19-189, **Version:** 2

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### **P.H. 2019-26: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.2304., "STAFF REVIEW AND ACTION," TO INCLUDE AIR PARK OBSTRUCTION PERMIT APPLICATIONS; BY AMENDING SECTION 155.2305, "PUBLIC HEARING SCHEDULING AND NOTICE," TO AMEND TABLES TO INCLUDE AIR PARK OBSTRUCTION PERMITS, COMPREHENSIVE PLAN NOTICE REQUIREMENTS FROM CHAPTER 154, AND TO MODIFY A FOOTNOTE REFERENCE; BY AMENDING SECTION 155.2422., "AIR PARK OBSTRUCTION," TO INCLUDE REFERENCE TO OBSTRUCTIONS IN FORT LAUDERDALE EXECUTIVE AIRPORT (FXE) AIRSPACE, MODIFY PURPOSE, APPLICABILITY AND PROCEDURES FOR AIR PARK OBSTRUCTION PERMITS, AND PROVIDE FOR APPEALS; BY AMENDING SECTION 155.2424., "APPEAL," TO PROVIDE PROCEDURES FOR APPEAL OF AIR PARK OBSTRUCTION PERMIT DECISIONS; BY AMENDING SECTION 155.3707., "AIR PARK OVERLAY (APO) DISTRICT," TO MODIFY PURPOSE, DEFINITIONS, REQUIREMENTS, RESTRICTIONS AND PROCEDURES TO INCLUDE FXE AIRPORT ZONES AND HEIGHTS AND INCLUDE THE PROCESS FOR REVIEW OF OBSTRUCTIONS IN FXE AIRSPACE; BY AMENDING SECTION 155.4229., "INDUSTRIAL: WASTE - RELATED SERVICES USES," TO MODIFY A CROSS-REFERENCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

### **FIRST READING: FEBRUARY 12, 2019**

(Staff Contact: David Recor/Jennifer Gomez)

#### **Summary Explanation/Background:**

On July 25, 2018, the P&Z Board recommended the City Commission approve amendments to the Airpark Zoning and Obstruction Permitting regulations to better address the requirements in Chapter 333 F.S. primarily related to comments received by FDOT. The City Attorney then proceeded to draft an ordinance with the recommended changes for consideration by the City Commission. Subsequent to the completion of that ordinance, Staff became aware of the fact that the restricted airspace associated with Fort Lauderdale Executive Airport (FXE) overlaps into the City of Pompano Beach as shown on the attached airspace exhibit. The staff, therefore, in coordination with FXE and City of Fort Lauderdale staff, has written a procedure for the review and approval of potential obstructions by Fort Lauderdale staff when those projects are within the jurisdiction of the City of Pompano Beach and also within the FXE airspace. The procedure will be triggered when the height of a proposed project exceeds 75% of the height limit shown on the FXE airspace plan. The City of Pompano Beach will not approve any permit for projects exceeding that height limit until the City of Fort Lauderdale provides a determination of no obstruction or issues an obstruction permit for the project. The P&Z Board approved this language at their meeting on November 28, 2018.

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

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

