

Legislation Text

File #: 19-684, Version: 2

P.H. 2019-118: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY, FOR CONSISTENCY WITH BROWARD COUNTY REQUIREMENTS; AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO MODIFY REQUIREMENTS AND CORRECT A SCRIVENER'S ERROR; BY AMENDING SECTION 154.74, "LEVELS OF SERVICE REQUIREMENTS," TO MODIFY FEE SCHEDULE; BY AMENDING SECTION 154.80, "AFFORDABLE HOUSING CONTRIBUTIONS," TO REFERENCE THE FEE AMOUNT PER UNIT, DEED RESTRICTIONS, AND PERIOD OF TIME; BY AMENDING SECTION 155.2101., "SUMMARY TABLE," SECTION 155.2202., "CITY COMMISSION," SECTION 155.2204., "PLANNING AND ZONING BOARD (P&Z)," AND BY AMENDING SECTION 155.2205., "ARCHITECTURAL APPEARANCE COMMITTEE (AAC)," TO MODIFY REFERENCES; BY AMENDING SECTION 155.2207., "CITY STAFF," SECTION 155.2301., "PRE-APPLICATION CONFERENCE," SECTION 155.2304., "STAFF REVIEW AND ACTION," AND SECTION 155.2305., "PUBLIC HEARING SCHEDULE AND NOTICE," TO MODIFY PROCEDURES AND REMOVE OR MODIFY INACCURATE REFERENCES; BY AMENDING SECTION 155.2307., "DECISION-MAKING BODY REVIEW AND DECISION," SECTION 155.2308., "POST-DECISION ACTIONS AND LIMITATIONS," AND SECTION 155.2401., "OVERVIEW," TO MODIFY REQUIREMENTS; BY AMENDING SECTION 155.2402., "TEXT AMENDMENT," TO REMOVE OR MODIFY REFERENCES; BY AMENDING SECTION 155.2403., "GENERAL ZONING MAP AMENDMENT (REZONING)," SECTION 155.2404., "SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING)," SECTION 155.2405., "PLANNED DEVELOPMENT," SECTION 155.2406., "SPECIAL EXCEPTION," AND SECTION 155.2407., "SITE PLAN," TO MODIFY REFERENCES; BY AMENDING SECTION 155.2408., "BUILDING DESIGN," TO MODIFY REQUIREMENTS; BY AMENDING SECTION 155.2409., "CERTIFICATE OF APPROPRIATENESS," SECTION 155.2410., "PLAT," AND SECTION 155.2411., "TREE PERMIT," TO REMOVE OR MODIFY INACCURATE REFERENCES; BY AMENDING SECTION 155.2412., "TEMPORARY USE PERMIT," TO CLARIFY CURRENT ADMINISTRATIVE POLICY AND REMOVE OR MODIFY INACCURATE REFERENCES; BY AMENDING SECTION 155.2413., "ZONING COMPLIANCE PERMIT," SECTION 155.2414., "ZONING USE CERTIFICATE," SECTION 155.2415., "INTERIM USE PERMIT," AND SECTION 155.2416., "MASTER SIGN PROGRAM," TO REMOVE OR MODIFY REFERENCES; BY AMENDING SECTION 155.2420., "VARIANCE," TO MODIFY REQUIREMENTS; BY AMENDING SECTION 155.2421., "ADMINISTRATIVE ADJUSTMENT," TO CLARIFY THAT ADJUSTMENTS SHALL NOT BE USED TO CORRECT UNAUTHORIZED WORK, AND CLARIFY PROCESS FOR APPROVAL OF A MAJOR ADMINISTRATIVE ADJUSTMENT CONCURRENT TO A MAJOR SITE PLAN, AND REMOVE OR MODIFY INACCURATE REFERENCES, AND PRIORITIZE SUPERIOR DESIGN AND OBJECTIVES OF EACH APPLICABLE ZONING DISTRICT; BY AMENDING SECTION 155.2422., "AIR PARK OBSTRUCTION PERMIT," TO REMOVE OR MODIFY INACCURATE REFERENCES; BY AMENDING SECTION 155.2423., "INTERPRETATION," SECTION 155.2424., "APPEAL," SECTION 155.2427., "PLACEMENT ON LOCAL REGISTER OF HISTORIC PLACES," AND SECTION 155.2428., "DEVELOPMENT AGREEMENT," TO MODIFY REFERENCES; BY AMENDING SECTION 155.2430., "RIGHT-OF-WAY OR EASEMENT

DEDICATION ACCEPTANCE,” TO AUTHORIZE THE CITY MANAGER TO ACCEPT DEDICATIONS AND MODIFY REFERENCES; BY AMENDING SECTION 155.2431., “RIGHT-OF-WAY EASEMENT VACATION OR ABANDONMENT,” SECTION 155.2432., “REASONABLE ACCOMMODATION,” SECTION 155.2433., “NONCONFORMING CERTIFICATE,” AND SECTION 155.2434., “COMMUNITY RESIDENCE AND RECOVERY COMMUNITY CERTIFICATE,” TO MODIFY REFERENCES; BY CREATING SECTION 155.2435., “PUBLIC PURPOSE ADJUSTMENT,” TO PROVIDE A MECHANISM TO PROVIDE FOR RELIEF TO PUBLIC PROJECTS THAT COMPLY WITH THE PROVIDED ADJUSTMENT STANDARDS; BY CREATING SECTION 155.2436., “COMPREHENSIVE PLAN MAP AMENDMENT,” TO PROVIDE PROCEDURES AND REFERENCES; BY AMENDING SECTION 155.3302., “LIMITED BUSINESS (B-1),” AND SECTION 155.3303., “COMMUNITY BUSINESS (B-2),” TO MODIFY EXAMPLES; BY AMENDING SECTION 155.3501., “TRANSIT-ORIENTED (TO),” TO MODIFY REFERENCES AND BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS; BY AMENDING SECTION 155.3502., “PARKS AND RECREATION (PR),” SECTION 155.3503., “COMMUNITY FACILITIES (CF),” SECTION 155.3504., “PUBLIC UTILITIES (PU),” AND SECTION 155.3505., “TRANSPORTATION,” TO MODIFY REFERENCES; BY AMENDING SECTION 155.3507., “LOCAL ACTIVITY CENTER (LAC),” TO CREATE A PROCESS FOR THE APPROVAL OF MASTER PLANS AND SITE PLANS SPECIFIC TO THIS ZONING DISTRICT; BY AMENDING SECTION 155.3603., “RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD),” TO ADD PARKING DECK OR GARAGE DESIGN STANDARDS TO MODIFICATIONS PROHIBITED; BY AMENDING SECTION 155.3604., “PLANNED COMMERCIAL/INDUSTRIAL (PCD),” SECTION 155.3605., “PLANNED DEVELOPMENT - TRANSIT-ORIENTED (PD-TO),” AND SECTION 155.3607., “PLANNED DEVELOPMENT - INFILL (PD-1),” TO PROHIBIT ADDITIONAL MODIFICATIONS; BY AMENDING SECTION 155.3703., “ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD),” TO MODIFY REFERENCES AND STANDARDS, AND TO REMOVE REQUIREMENTS; BY AMENDING SECTION 155.3708., “DOWNTOWN POMPAÑO BEACH (DP) OVERLAY DISTRICT,” TO CLARIFY REQUIREMENTS; BY AMENDING SECTION 155.3709., “EAST OVERLAY DISTRICT (EOD),” TO CLARIFY THE DISTRIBUTION OF DENSITY WITHIN A DEVELOPMENT PARCEL, AND MODIFY REFERENCES AND REQUIREMENTS IN THE USE TABLE TO THE PR ZONING DISTRICT, AND TO INCLUDE FAMILY COMMUNITY RESIDENCE AND TRANSITIONAL COMMUNITY RESIDENCE WITHIN THE RM36 USE AREA, AND TO REMOVE AND REPLACE THE STREET NETWORK CONNECTIVITY REGULATING PLAN, AND TO REMOVE AND REPLACE THE STREET DEVELOPMENT REGULATING DIAGRAMS; BY AMENDING SECTION 155.4202., “RESIDENTIAL: HOUSEHOLD LIVING USES,” TO ADD PERMITTED USES AND STANDARDS; BY AMENDING SECTION 155.4204., “INSTITUTIONAL: COMMUNICATION USES,” TO CLARIFY SCREENING REQUIREMENTS; BY AMENDING SECTION 155.4303., “STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES,” TO MODIFY DEFINITIONS AND STANDARDS FOR CONSISTENCY WITH STATE REQUIREMENTS AND THE CITY’S CODE; BY AMENDING SECTION 155.5101., “ACCESS AND CIRCULATION,” TO CLARIFY CURRENT ADMINISTRATIVE POLICY AND TO RELOCATE STANDARDS TO ARTICLE 5, PART 10; BY AMENDING SECTION 155.5102., “OFF-STREET PARKING AND LOADING,” TO CLARIFY CURRENT ADMINISTRATIVE POLICY AND SIMPLIFY CODE LANGUAGE, TO ADD USES AND REMOVE OR MODIFY REFERENCES; BY AMENDING SECTION 155.5203., “LANDSCAPING,” TO ADD MISSING ZONING DISTRICTS AND SIMPLIFY CODE LANGUAGE AND REMOVE OR MODIFY INACCURATE REFERENCES; BY AMENDING SECTION 155.5301., “SCREENING,” TO CLARIFY SCREENING REQUIREMENTS AND SIMPLIFY CODE LANGUAGE; BY AMENDING SECTION 155.5302., “FENCES AND WALLS,” TO MODIFY REQUIREMENTS; BY AMENDING SECTION 155.5401., “GENERAL EXTERIOR LIGHTING STANDARDS,” TO CLARIFY APPLICABILITY; BY AMENDING SECTION 155.5509., “UTILITY LINES LOCATION,” TO AUTHORIZE PARTIAL COMPLIANCE WHERE PRACTICABLE; BY AMENDING

SECTION 155.5602., “COMMERCIAL, INSTITUTIONAL, AND MIXED-USE DESIGN STANDARDS,” TO PROVIDE FOR ADMINISTRATIVE DISCRETION; BY AMENDING SECTION 155.5605., “PARKING DECK OR GARAGE DESIGN STANDARDS,” TO APPLY DESIGN STANDARDS TO ALL PARKING GARAGES; BY AMENDING SECTION 155.51003., “STANDARDS,” TO INCLUDE LANGUAGE REMOVED FROM ARTICLE 5, PART 1; BY AMENDING SECTION 155.7502., “APPLICABILITY,” TO MODIFY REQUIREMENTS FOR CONSISTENCY WITH ADOPTED LANDSCAPE CODE AMENDMENTS; BY AMENDING SECTION 155.9402., “EXCEPTIONS AND VARIATIONS,” TO REORGANIZE STANDARDS AND CLARIFY EXCEPTIONS; BY AMENDING ARTICLE 9, PART 5, TERMS AND CONDITIONS,” TO MODIFY DEFINITIONS; BY AMENDING APPENDIX A: CONSOLIDATED USE TABLE, TO ADD PERMITTED USES; BY AMENDING APPENDIX B: CONSOLIDATED INTENSITY AND DIMENSIONAL STANDARDS, TO MODIFY REFERENCES; BY AMENDING APPENDIX C: FEE SCHEDULE, TO REFLECT ALL AMENDMENTS; AMENDING CHAPTER 156, “SIGN CODE,” BY AMENDING SECTION 156.03, “DEFINITIONS,” TO MODIFY DEFINITIONS; BY AMENDING SECTION 156.08, “OVERLAY DISTRICTS,” AND SECTION 156.12, “PROHIBITED SIGNS,” TO MODIFY REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Jennifer Gomez/David Recor)

Summary Explanation/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 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 and that help achieve Strategic Planning objectives. 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, and to create new processes that will further streamline development and public projects. For a detailed summary of the text amendments, please refer to the P&Z reports from April (primary document), May and June of 2019.

These proposed amendments build upon previous initiatives to streamline zoning and landscape codes that were adopted by the City Commission in July of 2018 and 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 and the various departments of the City regarding the proposed amendments. The text amendments were presented to the EDC on April 22nd, 2019 and the Planning and Zoning Board on April 24th, 2019. The P&Z and EDC unanimously recommended approval. Subsequent Text Amendments, presented to the Planning and Zoning Board on May 22, 2019 and June 26, 2019, are combined into this proposed amendment to create one consolidated agenda item.

Included in the backup are the Staff Reports, and Minutes for the Planning and Zoning Board. Board memos recommending approval, as well as City Department communications are also included in the back-up.

On September 10, 2019, the City Commission held the first public hearing and approved first reading of Ordinance 2019-118 to amend the Code of Ordinances. Staff notified the Commission that the City Attorney requested the language of the Ordinance be revised to reflect amendments proposed within the Code of Ordinances rather than limited to the Zoning Code. Staff has also revised the proposal removing one proposed amendment from Exhibit A as described in the attached staff memo dated September 17, 2019.

Origin of request for this action: Development Services

Fiscal impact and source of funding: N/A

Strategic Plan Initiative

2.3 Building a reputation as a "business friendly" City while strengthening Pompano Beach as a Preferred Place to do Business.

5.1 Deliver city services in the most cost-effective, efficient manner.

6.1 Maintain a customer focused City organization.

2019-2020 High Priority Management Action- John Knox Village Master Plan