

## Legislation Text

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**File #: 20-574, Version: 2**

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### **P.H. 2020-99: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3709., "EAST OVERLAY DISTRICT (EOD)," TO PERMIT DRIVE-THROUGH SERVICE IN A SPECIFIC DESIGNATED PORTION OF THE EAST OVERLAY DISTRICT; AND MODIFYING THE DIAGRAM TO REFLECT CHANGES IN THE CODE; BY AMENDING 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO MODIFY THE CORRESPONDING CHART TO PROPERLY DESIGNATE DISTRICTS AUTHORIZED FOR DRIVE-THRU SERVICE; AND BY AMENDING APPENDIX A: CONSOLIDATED USE TABLE, TO CONFORM TO CHANGES IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**\*This item will be stricken from the Agenda.**

### **POSTPONED FROM SEPTEMBER 8, 2020**

(Staff Contact: Max Wemyss/David Recor)

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

Development Services has received interest for Drive-Through Service within the East Overlay District. In order to accommodate this interest the Zoning Code must be amended to allow Drive-Through Service as an Accessory Use in the East Overlay District (EOD). The Zoning Code does not currently permit Drive-Through Service within the subject zoning district. If the amendment were adopted by the City Commission, it would allow Drive-Through Service for properties abutting Federal Highway, north of Atlantic Blvd, with limitations on the points of access and egress to reduce conflict with pedestrian or similar transit facilities.

Although Drive-Through Service is not currently permitted within the East Overlay District, Drive-Through Service is permitted by the underlying Transit-Oriented Corridor Land Use Designation. The intent of the TO zoning district is to encourage Pedestrian-Oriented, Mixed-Use, and Transit-Oriented Redevelopment. Yet, due to the anticipated changes in social behavior and consumer preferences following the COVID-19 Pandemic, it may be necessary to allow for the adaptive reuse of spaces or redevelopment of properties that better accommodate the recommended guidelines of the Centers for Disease Control and Prevention. As proposed, the drive-through accessory use will be limited to Federal Highway (north of Atlantic Blvd), which is an arterial roadway. The proposed standards also limit drive-throughs to those properties that can accommodate the use internally; thereby reducing potential vehicular conflict with pedestrian, bicycle or transit facilities.

The Code amendment proposes changes to Table 155.3709.E.2 Principal Uses Regulating Table, 155.3709.E.1.d Permitted Accessory Uses and Structures in the East Overlay District, and Section 155.4303. Standards for Specific Accessory Uses and Structures in the General Code.

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on July 22,

2020, the Board considered proposed text amendment to the Zoning Code. By a 6-1 vote, it is the recommendation of the Board that the text amendment be approved.

Following the P&Z, the CRA Director submitted the enclosed letter of objection to the text amendments.

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

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