



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 16-366

DATE: August 8, 2016

TO: Planning and Zoning Board

VIA: Robin M. Bird, Director of Development Services *[Signature]*
Jennifer Gomez, Assistant Director of Development Services *[Signature]*

FROM: Karen Friedman, AICP, Principal Planner *[Signature]*

RE: Proposed Revisions to §155.3501 and §155.3708 related to off-site parking in DPOD

Staff has prepared text amendments to §155.3501 and §155.3708 related to off-site parking in TO-DPOD.

Background

CRA Request

On April 13, 2016 the City's CRA submitted a memo to the Development Services Department requesting a text amendment to the Off-Site Parking within the Downtown Pompano Overlay District. Accordingly, Development Services Department prepared the text amendment for the April 27, 2016 Planning and Zoning Board hearing.

On April 27, 2016 the City's CRA submitted a memo to the Planning & Zoning Board requesting the previously requested text amendment be tabled. The item was therefore tabled and has remain tabled since that time.

On July 27, 2016 the City's CRA submitted a memo to the Development Services Department regarding proposed revisions to off-site parking standards and provided revised amendments.

Copies of the aforementioned memos are attached.

Comprehensive Plan Consistency

The proposed text amendments are consistent with the following Future Land Use Element Policies:

- 01.04.02** The City of Pompano Beach shall amend its land development regulations to reduce parking requirements for residential and commercial uses along major corridors where it can be shown that pedestrian amenities are provided, shared parking is provided, or sufficient public parking is nearby.
- 01.07.06** Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the zoning code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.
- 01.19.08** Areas designated as Transit Oriented Corridors must include design features that promote and enhance pedestrian mobility, including connectivity to transit stops and

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stations, based on the following characteristics which are detailed further in the City's TOC Zoning District regulations:

- Integrated transit stop with shelter, or station (within the TOC area).
- Wide (the minimum shall be consistent with ADA requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- Buildings should front the street (zero or minimal setbacks are encouraged).
- Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).
- Streets (internal and adjacent to the TOC) should be designed to discourage isolation and provide connectivity (such as streets in the grid pattern).

Proposed Text Amendments

An explanation of the text amendments is below:

§155.3501.F.2.d	<ul style="list-style-type: none"> • Revise off-site parking standards in TO in order to allow off-site parking for residential uses if permitted by the accompanying Overlay • Clarify that off-site parking for all uses in TO must be provided on property within the TO.
§155.3708.K.1.a	<ul style="list-style-type: none"> • Strike reference to Sustainability Bonuses (concurrently being struck from code by separate code amendment) • Permit non-residential and residential uses in DPOD to provide off-site parking except the parking must be provided in a garage or parking lot owned by City or CRA.

Staff's Request

Staff is requesting the Board approve the recommended changes to the Zoning Code to the City Commission for adoption.

155.3501. TRANSIT ORIENTED (TO)

...

F. TO District Access, Circulation, Parking and Loading Standards

The following standards shall apply to development in TO districts in addition to any applicable standards in Part 1 (Access, Circulation, Parking and Loading) of Article 5 (Development Standards):

...

2. Parking

...

d. Off-Site Parking

Off-site parking, developed in compliance with the standards in Section 155.5102.J.4. (Off-Site Parking) is permitted, with the following modifications:

- i. ~~Only~~ Except as otherwise modified in the overlay district regulations, only non-residential uses may provide parking spaces off-site;
- ii. A maximum of 100% of the required off-street parking spaces may be located off-site; ~~and~~
- iii. The off-site parking spaces shall be located within the TO District; and
- ~~iii.~~iv. The off-site parking spaces may be located in a parking lot or parking garage up to 1,320 feet away from the primary pedestrian entrance to the use served by the parking.

...

155.3708. DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT

K. Additional DPOD Standards

In addition to the Regulating Plans, the following standards apply to properties within the DPOD.

1. Reduced and Modified Off-street Parking Standards

- a. Properties developed in full compliance with the Use Regulating Plan and the Density Regulating Plan are eligible for reduced parking. However in no case shall a property be permitted to utilize one of the following parking reductions and a parking reduction per Section 155.5102.K (Reduced Parking Requirements for Parking Demand Reduction Strategies) ~~or per Table 155.5803.A: Sustainability Bonuses.~~
 - i. All developments, except single family detached dwellings and eating and drinking establishments, shall provide at least 80 percent of the minimum number of off-street parking spaces required per Table 155.5102.D.1, Minimum Number of Off-Street Parking Spaces.
 - ii. Eating and drinking establishments shall provide a minimum of six spaces per 1,000 sq ft of customer service area.
 - iii. Off-street parking is not required for non-residential uses with a maximum 10,000 sf gfa and whose primary pedestrian entrance is located within 800 feet of the BCT North East Transit Center.
 - iv. When directly abutting MLK Boulevard, or located within the Historic Core and Historic Transition Areas, locally designated historic buildings and existing commercial buildings located, shall not be required to provide parking in addition to that which exists.

v. Non-residential and Residential Uses may provide up to 100% of required off-street parking spaces off-site provided all of the following standards are met:

(A) The off-site parking shall be located within the TO District;

(B) The off-site parking shall be located a maximum of 1,320 feet away from the primary pedestrian entrance of the residential development;

(C) The off-site parking spaces shall be located within a Parking Garage or Parking Lot owned or leased by the City or the Community Redevelopment Agency (CRA).

vi. **Senior Housing**

(A) Developments where all of the dwelling units are Senior Housing approved and/or funded by US HUD, the required off-street parking may be reduced to a minimum of one parking space per every dwelling unit.

(B) Developments where a portion of the dwelling units are Senior Housing approved and/or funded by US HUD, the required off-street parking may be reduced to a minimum of one parking space per every "Senior Housing" dwelling unit. The dwelling units that are not designated "Senior Housing" shall provide parking at the standard parking rate.

(C) The applicant shall submit plans which demonstrate how the remaining parking will be accommodated in the event that the Senior Housing dwelling units are converted to non-Senior Housing.

b. Excluding townhouse and zero lot lines building typologies, all multi-family developments which are located east of Dixie Highway and all mixed use developments which include a residential component which are located east of Dixie Highway shall provide all off-street parking spaces in enclosed parking garage structures. No surface level parking lots are permitted for these properties.

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MEMOS FROM CRA



P. O. Drawer 1300
Pompano Beach, FL 33061

Phone: (954) 786-5535
Fax: (954) 786-7836

MEMORANDUM

DATE: July 27, 2016

TO: Robin Bird, Director of Development Services
Jennifer Gomez, Assistant Director of Development Services

FROM: Max Wemyss, CRA/RMA Planning and Urban Design Assistant
Natasha Alfonso-Ahmed, RMA Urban Design Director

THRU: Kim Briesemeister, CRA Executive Director
Chris Brown, CRA Executive Director

A handwritten signature in blue ink, appearing to be 'Kim Briesemeister', is written over the name of the CRA Executive Director.

RE: Memo 16-190- Proposed Revisions to Off-Site Parking Standards

Please find below the requested language for the code amendment dealing with Transit Oriented District, Off-Site Parking (155.3501.f.2.d).

Background:

After the item was tabled at the April 27th and June 22nd P&Z meeting, the CRA developed the recommended language to better meet the intent of the original request to amend this section. Unfortunately, due to a gap in communication, it appears that this recommended language was either never provided to Development Services staff.

Proposed Action:

The CRA is requesting that the code amendment reflect the language below.

cc: CRA Attorney
City Attorney

155.3501. TRANSIT ORIENTED (TO)

F. TO District Access, Circulation, Parking and Loading Standards

The following standards shall apply to development in TO districts in addition to any applicable standards in Part I (Access, Circulation, Parking and Loading) of Article 5 (Development Standards):

2. Parking

d. Off-Site Parking

Off-site parking, developed in compliance with the standards in Section 155.5102.J.4. (Off-Site Parking) is permitted, with the following modifications:

- i. Except as otherwise modified in the overlay district regulations, only non-residential uses may provide parking spaces off-site, provided that the off-site parking is located within the TO district;
- ii. A maximum of 100% of the required off-street parking spaces may be located off-site; and
- iii. The off-site parking spaces may be located in a parking lot or parking garage up to 1,320 feet away from the primary pedestrian entrance to the use served by the parking.

155.3708. DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT

H. Use Regulating Plan and Modified Use Standards.

4. Modified Use Standards

e. Parking Deck or Garage (as a Principal Use) and Parking Lot (as a Principal Use) shall be owned or leased by the City or the CRA. The design of the Parking Deck or Garage or Parking Lot shall be in a manner that encourages pedestrian and transit usage.

f. Non-residential and residential uses may provide parking spaces off-site provided the Parking Deck or Garage or Parking Lot shall be owned or leased by the City or the Community Redevelopment Agency (CRA).

g. When directly abutting MLK Boulevard, Dixie Highway, or Atlantic Boulevard, or located within the Historic Core Area, eating and drinking establishments with outdoor seating shall be exempt from the restriction on sound production or reproduction machine or device per Section 155.4303.V.3.a (Outdoor Seating, including Sidewalk Cafes (as accessory to an eating and drinking establishment).

h. When directly abutting MLK Boulevard, Dixie Highway, or Atlantic Boulevard, or located within the Historic Core Area, the below listed uses shall not be subject to Section 155.4501 (Separation Requirements for Alcoholic Beverage Establishments).

- i. Bar or lounge (whether a principal use or an accessory use to a restaurant or hotel, and including any accessory outdoor seating);
- ii. Brewpub (whether a principal use or an accessory use to a hotel, and including any accessory outdoor seating);
- iii. Restaurant (whether a principal use or an accessory use to a hotel, and including any accessory outdoor seating);
- iv. Specialty eating or drinking establishment (whether a principal use or an accessory use to a hotel, and including any accessory outdoor seating);
- v. Hotel or motel; and
- vi. Community Center, Library, and Civic Centers owned or operated by the City or CRA.

i. Brewpubs may be permitted to produce up to 930,000 gallons of fermented malt beverage annually, provided they comply with the following standards:

- i. No more than 75% of the total gross floor area of the brewpub shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
- ii. At least 10% of the total gross floor area or 1,000 square feet whichever is greater, shall be used for an accessory commercial component (i.e., tasting room and retail showroom); and
- iii. The brewery function shall be carried out so as to not allow the emission of objectionable or offensive odors or fumes in such concentration as to be readily perceptible at any point at or beyond the brewpub.

To: Robin Bird, Development Services Director
From: Kim Briesemeister/Chris Brown, Co-Executive Directors CRA
Date: April 27, 2016
RE: Planning and Zoning Board Agenda item on Proposed Revisions to

The City and CRA have been working together on amendments to certain sections of the zoning code in particular Section 154; Reserve and Flex Units and Section 155; Mixed-Use Dwelling and Residential Compatibility Standards and Transit Oriented District Off-site Parking.

We learned yesterday that these proposed zoning amendments have been placed on the agenda for tonight's Planning and Zoning Board meeting.

The last time we met to discuss these amendments was February 18th. We left that meeting with the understanding that preliminary amendments would be vetted with the legal department and we would reconvene to review the preliminary proposed revisions. There has been no exchange of documents regarding his subject.

Even a cursory review of the proposed amendment shows multiple points of conflict and concern that need to be addressed prior to public presentation of these items. We are not able to adequately respond in the few hours left before tonight's meeting, nor do we feel it's in the best interest of the city or the CRA to proceed in this manner. Therefore, we respectfully request that item #s 8, 9 and 10 be removed from the agenda until further notice.

Cc: Fred Stasser, Chairman, Planning and Zoning Board
Dennis Beach, City Manager
Mark Berman, City Attorney
Carrie Sarver, Asst City Attorney
Jennifer Gomez, Asst Development Services Director
Karen Friedman, Principal Planner

Mr. Syrek asked about the sentence that talks about the compatibility standards (section C) and Ms. Friedman clarified that page two (2) is a completely different topic than page one (1).

Robin Bird suggested tabling the item for 30 days.

The Chair reopened the public hearing. Mr. Johnston stated that there is a single family home that will be next to the hotel and he believes there will be a problem. Mr. Johnston stated that he believes 30 days would be sufficient. The Chair closed the public hearing.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to table the proposed text amendments to the May 25th, 2016 meeting and declare Zoning in Progress. All voted in favor of the above motion; therefore, the motion passed.

10. Chapter 155 Text Amendments, Transit Oriented District, Off-Site Parking

Staff is recommending text amendments to Chapter 155 regarding the Off-Site Parking Standards in the Transit Oriented District. In particular, the request is to remove the restriction that only permits nonresidential uses from utilizing off-site parking.

Ms. Friedman introduced herself to the Board and stated that this item is a result of a request from the CRA staff. However; the CRA is requesting to pull this item. Staff does not have an issue with the item being pulled. Mr. Stacer asked for a suggested time and Ms. Friedman recommended pulling the item until CRA is ready. Mr. Bird suggested tabling the item but not to a certain date.

Dr. Mills asked why residential want off-site parking. Mr. Bird answered that there have been some examples in the northwest CRA. The long term goal is to have structured parking. If we require on-site parking, it will make the residential more expensive to build (if built on top of parking). Mr. Bird stated that they will relocate the parking later onto the site as structured parking. This would be in order to provide a kick start by not requiring parking on-site.

Mr. Syrek asked what exactly the revisions are changing. Mrs. Friedman stated that the TO currently allows off-site parking for non-residential uses. The request from the CRA staff is for all uses to be permitted to have off-site parking. Ms. Friedman reminded the Board that, inside the TOD, off-site parking would be permitted up to 1,320 feet away while the rest of the City is limited to 500 feet.

Dr. Mills stated that he believes that the off-site parking would create a problem for handicapped residents. Ms. Friedman stated that this may be a concern of the CRA. Mr. Bird stated that Staff will come back and address this issue.

MOTION was made by Richard Klosiewicz and seconded by Jerry Mills to table the item. All voted in favor of the above motion; therefore, the motion passed.

11. Application to Amend Unified Flex Zone Map

Staff is requesting approval of the recommended changes to the Unified Flex Zone map to the City Commission.

Karen Friedman introduced herself to the Board and stated that this item is Staff's draft application to the Broward County Planning Council to amend the Unified Flex Zone Map. In 2010 the City unified its flexibility zones into one Unified Zone. Ms. Friedman referenced the map on the overhead screens and explained that the intent of the unification was to "*direct residential flex and reserve units into mixed use development along the City's transit priority corridors as a means to promote energy efficient development and redevelopment*". Ms. Friedman stated that since 2010, Staff has noticed that some of the areas that were originally excluded from the receiving zone would actually be locations ideally situated for receiving flex units. Also, there are areas that were originally included that have been determined are not appropriate for the allocation of flex units.

Ms. Friedman stated that the deletions are a result of two general conditions: 1) Residential LM or M property which is not suitable for increasing density as the increased density would not be compatible with the existing urban form and/or 2) Residential property which is not located within immediate adjacency to a transit priority corridor. The proposed additions are primarily due to additional planning studies, which have since identified certain Commercial properties that were initially not included, to be desirable locations for mixed-use development.

Therefore Staff has prepared an application to the Broward County Planning Council to modify the Unified Flex Zone map. Staff is requesting the Board's recommendation and the next step is to go to the City Commission for a resolution. There is a total of eight deletions and three additions.

Ms. Friedman displayed the map with the proposed changes on the overhead screens and explained the proposed deletions and additions.

Mr. Stacer asked Staff if they have taken a comprehensive look at these proposals. Ms. Friedman stated that there were four areas they were initially targeting and they looked at each area intensely. Ms. Friedman reminded the Board that industrial parcels are eligible for commercial flex (not residential).

Ms. Aycock asked Staff about removing Cypress Cove. Ms. Friedman replied that there are five separate areas on Page 8 in the backup that show the five areas that are either across the street from single-family or are only accessible by a road that runs through a single-family neighborhood. Ms. Friedman stated that Staff would not want to make these areas eligible for flex allocation. Ms. Friedman clarified that if an area is not green, it is not eligible for flex allocation.

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // kem



MEMORANDUM

DATE: April 13, 2016
TO: Robin Bird, Development Services Director
FROM: Lorri Hall, Principal Planner 
THRU: Nguyen Tran, NW CRA Director 
RE: Off-Site Parking within the Downtown Pompano Overlay District

The Community Redevelopment Agency (CRA) is requesting to amend the City of Pompano Beach Code regarding the Off-Site Parking within the Transit Oriented District (TO). Currently, the code restricts off-site parking to only non-residential uses. The CRA is requesting to expand this provision of the Code to permit residential uses to utilize off-site parking. See the code section below:

155.3501. TRANSIT ORIENTED (TO)

F. TO District Access, Circulation, Parking and Loading Standards

2. Parking

a. The use of off-street parking alternatives (See Section [155.5102.J](#), Off-Street Parking Alternatives.) and parking reduction incentives (See Section [155.5102.K](#), Reduced Parking Requirements for Parking Demand Reduction Strategies.) is encouraged.

d. Off-Site Parking

Off-site parking, developed in compliance with the standards in Section [155.5102.J.4](#). (Off-Site Parking) is permitted, with the following modifications:

- i. Only non-residential uses may provide parking spaces off-site;
- ii. A maximum of 100% of the required off-street parking spaces may be located off-site; and
- iii. The off-site parking spaces may be located in a parking lot or parking garage up to 1,320 feet away from the primary pedestrian entrance to the use served by the parking.

The Downtown Pompano Overlay District (DPOD) was established to encourage an urban form that promotes transit usage, pedestrian oriented development and a critical mass of housing within walking distance of the commercial core and convenient access to transit. The main purpose of the request is to permit off-site parking for residential to allow for moderate to high intensity, compact, mixed-use, and pedestrian-oriented development. As the area is developed



into the planned urban setting it will require off-site parking to facilitate the urban design. It is the CRA's strategy to provide a parking garage when the demand is reached.

To ensure that the DPOD develops into a well-planned urban setting the DPOD restricts parking deck, parking garage and parking lots (as a principal use) to be owned or leased by the City or the CRA and that design of these facilities shall be in a manner that will encourage pedestrian and transit use.