

Meeting Date: 3/8/2011

Agenda Item 9

Memo #: 11-041

REQUESTED COMMISSION ACTION: QUASI-JUDICIAL

Consent

Ordinance

X Resolution

Consideration/
Discussion

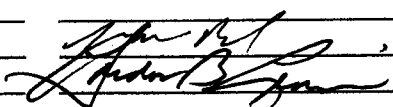
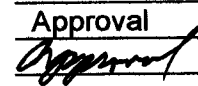
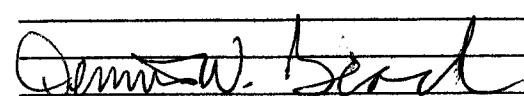
Presentation

SHORT TITLE A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE JOHN KNOX VILLAGE AMENDED PLAT LOCATED ON THAT PARCEL OF LAND LYING IMMEDIATELY SOUTH OF POMPANO PARK PLACE (SW 3RD STREET) AND WEST OF DIXIE HIGHWAY; (SR 811) PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

John Knox Village, Inc. of Florida wishes to plat the 64.899 acre parcel for the purpose of consolidating their multiple parcels of land. The plat, Parcels A, B & C are restricted to 674 high rise units (503 existing, 171 proposed); 87 garden apartments (38 existing, 49 proposed); 216 villas (204 existing, 12 proposed); an Assisted Living Facility (ALF) with 247 dwelling unit equivalents (62 existing, 185 proposed); 47,050 square feet of uses ancillary to the residential units; and 4.28 acres of ancillary recreational uses. Parcels B & C are further allowed up to 42,300 square feet of commercial use; and 27,700 square feet of existing office use. Platting the property allows the owner to provide for utilities, dedicate right-of-way and meet requirements in order to secure a building permit.

- (1) Origin of request for this action: Michael Vonder Meulen, Keith & Associates
- (2) Primary staff contact: Chris Clemens/ Robin M. Bird Ext. 4048
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Serv. Dept.	12/16/2009	Approval	
City Attorney	3/2/11		
<input checked="" type="checkbox"/> Advisory Board		P&Z Board #11-12	
<input checked="" type="checkbox"/> City Manager			

ACTION TAKEN BY COMMISSION:

Ordinance Workshop	Resolution	Consideration
1 st Reading	1 st Reading	Results: Results:
2 nd Reading		



City Attorney's Communication #2011-739

March 1, 2011

TO: Christopher J. Clemens, AICP, Planner

FROM: Jill R. Mesojedec, FRP, Paralegal

VIA: Gordon B. Linn, City Attorney *MBL*

RE: JKV Amended Plat

As requested in your memorandum of March 1, 2011, Department of Development Services Memorandum #11-079, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE JOHN KNOX VILLAGE AMENDED PLAT LOCATED ON A PARCEL OF LAND LYING IMMEDIATELY SOUTH OF POMPANO PARK PLACE (SW 3RD STREET) AND WEST OF DIXIE HIGHWAY (S.R. 811); PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.

Jill R. Mesojedec

JILL R. MESOJEDEC

/jrm
l:cor/dev-srvc/2011-739

Attachment

RESOLUTION NO. 2011-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE JOHN KNOX VILLAGE AMENDED PLAT LOCATED ON A PARCEL OF LAND LYING IMMEDIATELY SOUTH OF POMPANO PARK PLACE (SW 3RD STREET) AND WEST OF DIXIE HIGHWAY (S.R. 811); PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the City of Pompano Beach hereby approves the John Knox Village Amended Plat located on a parcel of land lying immediately south of Pompano Park Place (SW 3rd Street) and west of Dixie Highway (S.R. 811), a copy of said plat being attached hereto and made a part hereof as if set forth in full.

SECTION 2: That the City Clerk is hereby authorized to certify the approval of the said plat by the City Commission by affixing her signature thereto.

SECTION 3: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2011.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

MEMORANDUM #11-12

DATE: February 27, 2011
TO: City Commission
FROM: Planning and Zoning Board/Local Planning Agency
SUBJECT: PROPOSED PLAT – John Knox Village Amended Plat

At the meeting of the Planning and Zoning Board/Local Planning Agency held on February 23, 2011, the Board reviewed the proposed **JOHN KNOX VILLAGE AMENDED PLAT**, located on the property known as 651 S.E. 6th Street.

It is the unanimous recommendation of the Board that this proposed plat be approved as submitted.



JIM BEESON
Chairman
Planning and Zoning Board/Local Planning Agency

lrh



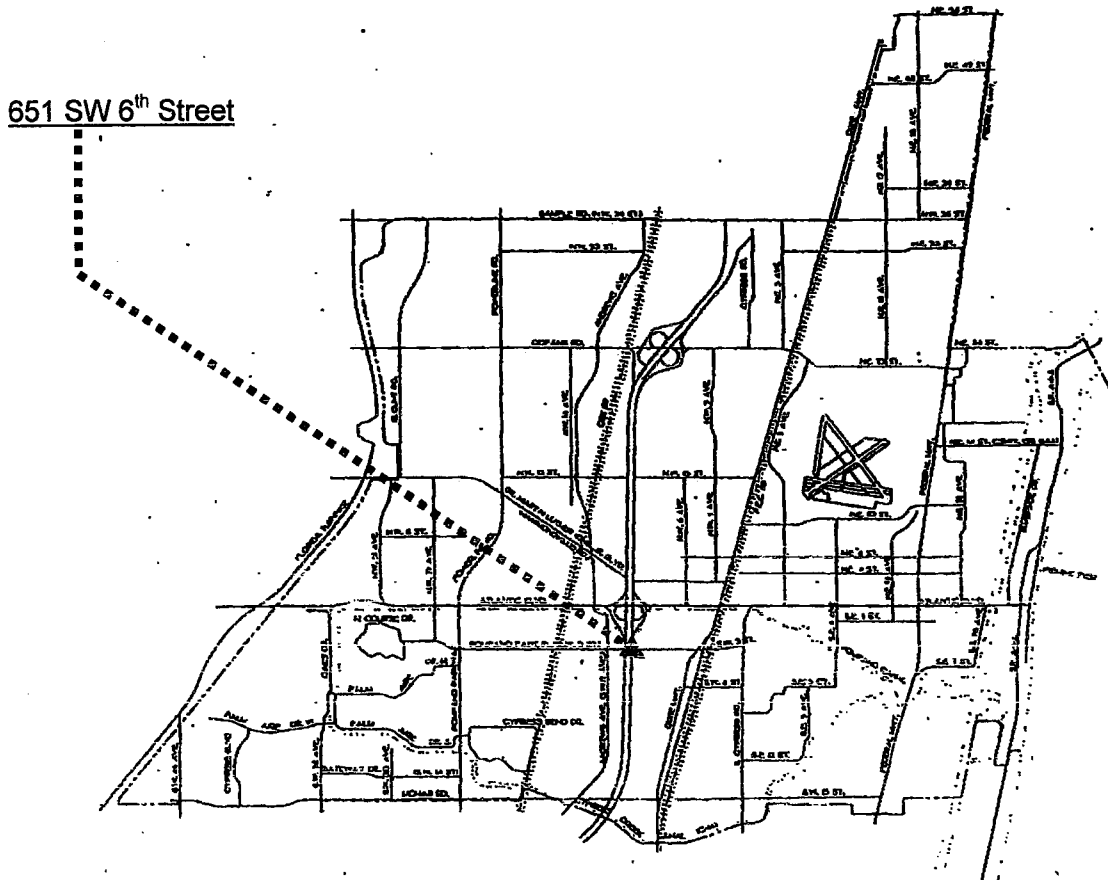
City of Pompano Beach
Department of Development Services
100 West Atlantic Boulevard – 3rd Floor
Pompano Beach, FL 33060



Administrative Report No. 11-041

Date: February 11, 2011
To: Planning & Zoning Board/ Local Planning Agency
Via: Robin M. Bird, Development Services Director *RB*
From: Christopher J. Clemens, AICP, Planner *CJC*
Re: John Knox Village Amended plat

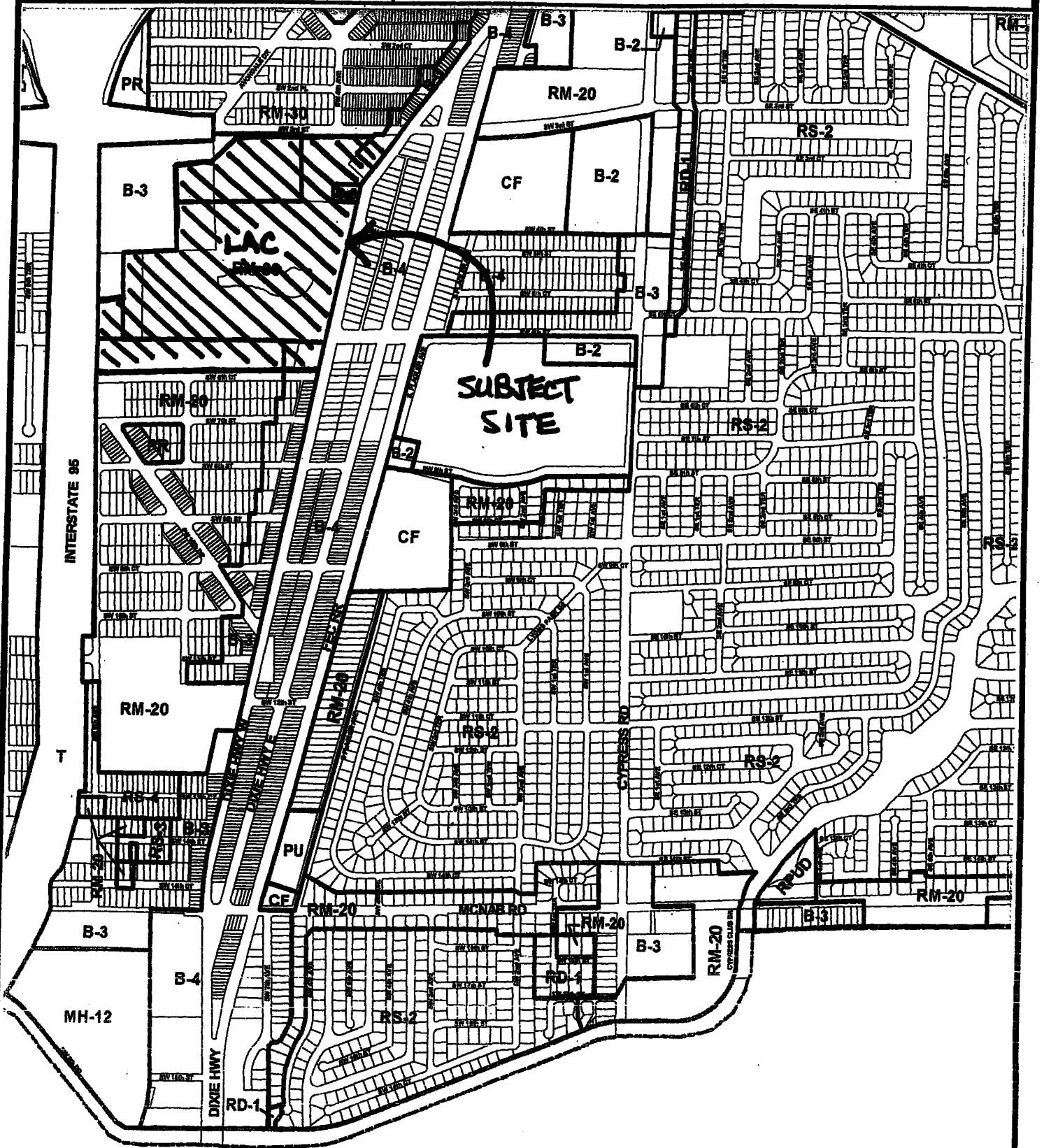
The following is a brief summary of information on the subject and surrounding properties, together with City departments, Development Review Committee and/or utility company comments. Please see plat note on following page.



Parcels A, B & C are restricted to 674 high rise units (503 existing, 171 proposed); 87 garden apartments (38 existing, 49 proposed); 216 villas (204 existing, 12 proposed); an Assisted Living Facility (ALF) with 247 dwelling unit equivalents (62 existing, 185 proposed); 47,050 square feet of uses ancillary to the residential units; and 4.28 acres of ancillary recreational uses.

Parcels B & C are further allowed up to 42,300 square feet of commercial use; and 27,700 square feet of existing office use. The entire property totals 2,827,003 square feet or 64.899 acres.

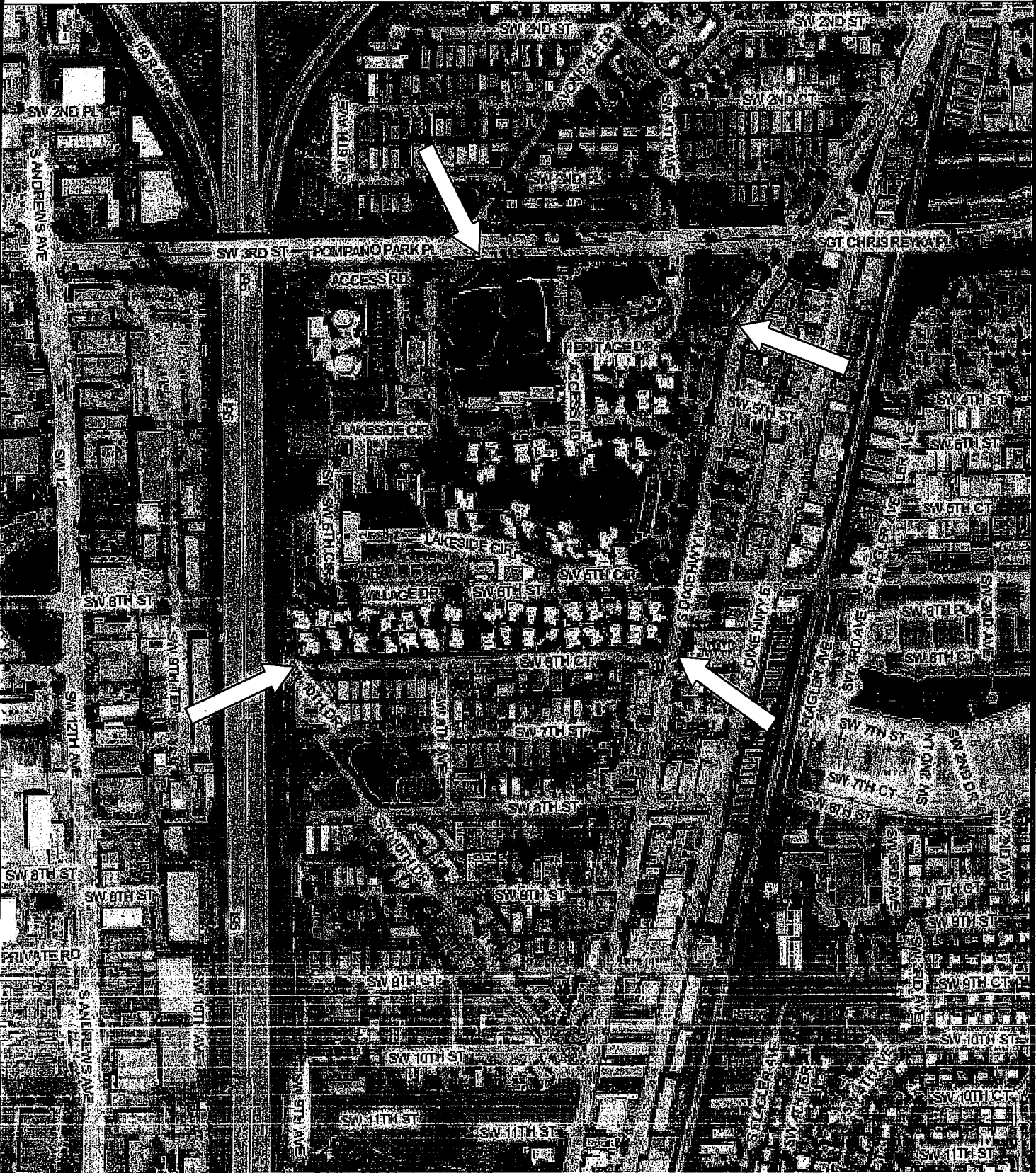
EXCERPT FROM THE CITY OF POMPANO BEACH
ZONING MAP



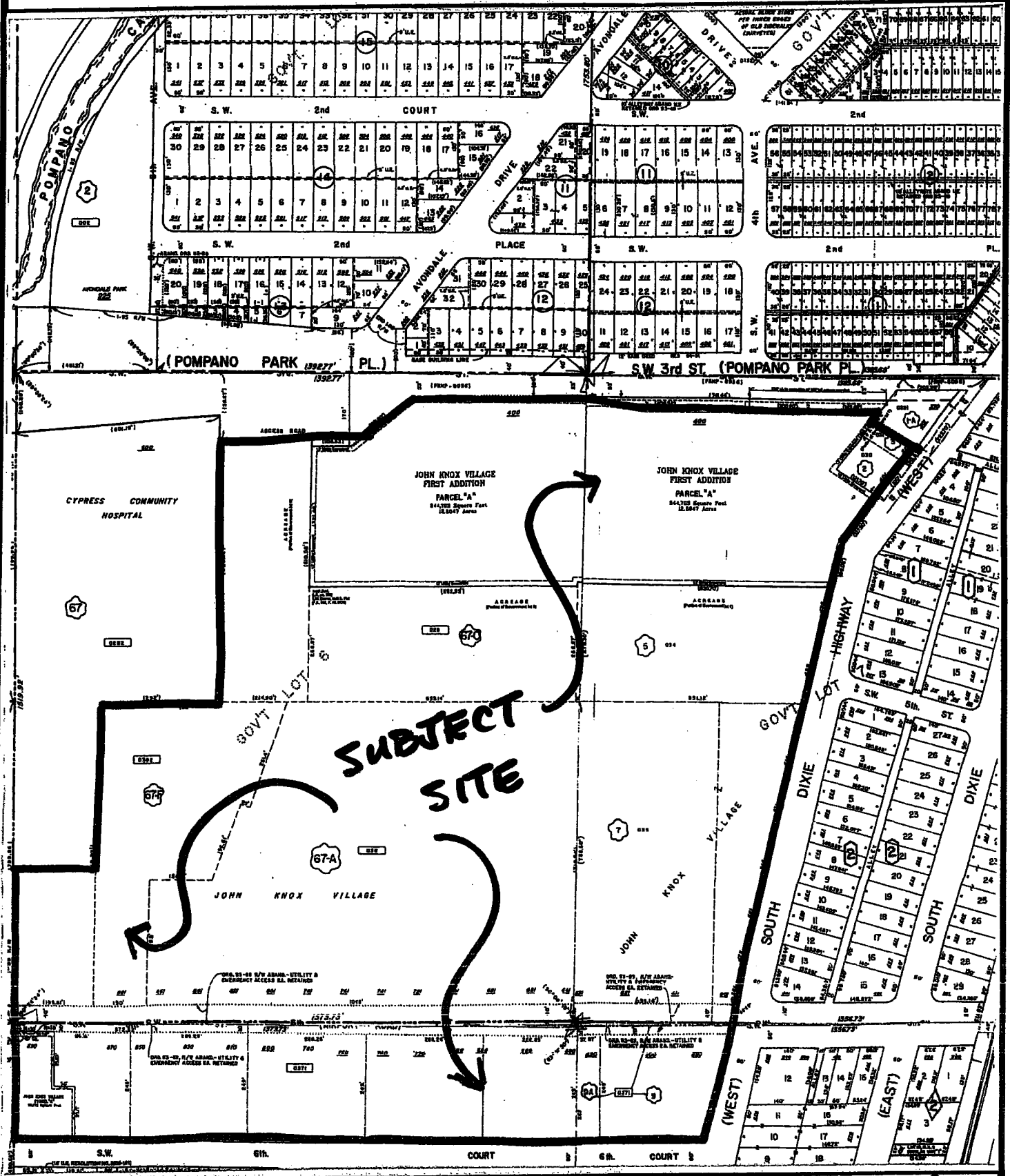
SCALE: 1" = 1000'

↑
NORTH

EXCERPT FROM THE BROWARD COUNTY PROPERTY APPRAISER
AERIAL MAP



EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

NORTH

Review and Summary

Pursuant to Section 157.31(A) [Major Review: Development Review committee Report and Notice to Applicant], the Zoning Director has compiled department reports which are summarized below.

Planning Division - John Knox Village's Future Land Use provides for allowable development of 1,224 dwelling units and 120,800 sf of commercial space. New plat note states "70,000 sf of commercial space" which is well below what the Future Land Use allows. SW 3rd Street is on the Broward County Trafficways Plan with right-of-way set at 110'. It appears that the applicant needs to dedicate 2' of right-of-way for a section along SW 3rd Street.

Approved to proceed to the Planning & Zoning Board.

Engineering Dept. - Approved - no comments.

Fire Dept. - This P&Z application is able to meet all of the Fire Department requirements at this time for Plat amendment. However, the petitioner shall maintain all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

Urban Forester - No objections to the plat application at this time.

F.D.O.T. - Driveway #1: Maintain full access driveway (signalized) across from SW 6th Street/ Village Drive.

Driveway #2: Maintain existing emergency-use (gated) only driveway 685 feet north of Village Drive.

Driveway #3: Maintain existing 55-foot driveway 135 south of SW 3rd Street.

Review and Summary cont.

WE APPROVE YOUR REQUEST. Please see Conditions and Comments below.

Conditions: Maintain existing driveway length and the existing guard gate located approximately 140 feet west of South Dixie Highway West at Driveway #1.

- **Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage).**
- **A Storm Water Pollution Prevention Plan must be submitted with the application if there will be more than one acre of 'disturbed area' (as defined by the Florida Department of Environmental Protection (FDEP))**
- **If right-of-way dedication is required to implement the proposed improvements, the applicant shall donate the right-of-way to the Department.**
- **All driveways not approved in this letter must be fully removed and the area restored.**

Comments: Driveway #3 is an existing driveway to the 1,130 square foot vacant building. The existing driveway could be used until the existing building is demolished.

Please note that the dimensions between driveways are measured from the near edge of pavement to the near edge of pavement and dimensions between median openings are measured from centerline to centerline unless otherwise indicated.

Teco - We have no objection or easement requirements for above-described plat.

FPL - After reviewing the John Knox Village plat, FPL has no objections to the proposed plat. The developer will be responsible for the removal or re-location costs of any FPL facilities on the property. In addition, any future FPL facilities will require an easement by instrument for the purposes of providing service to the site.

Review and Summary cont.

AT&T - As requested by Keith & Associates, Inc. AT&T has reviewed the proposed John Knox Village amended plat and has no objections provided all the utility easements from the John Knox Village- First Addition plat are maintained and AT&T be reimbursed the cost of relocating any existing facilities.

Comcast - Please be advised, in reference to the proposed John Knox Village Amended Plat. Comcast has no objection and approves the proposed plat, as outlined in the above referenced project, provided all the utility easements from the previously recorded John Knox Village Plats are maintained; and Comcast shall be reimbursed the cost of relocating any existing facilities.

Should it become necessary, Comcast will coordinate with the developer/ owners for a separate easement instrument for the provision of Comcast services to the property/ properties.

Department of Development Services Recommendation

This plat was reviewed at a DRC meeting held on 12/16/2009 and found to be in compliance with Land Development regulations.

Development Services staff recommends approval of this plat.

0914000004

CITY OF POMPANO BEACH
ZONING DEPARTMENT
PLAT REVIEW APPLICATION



Plat name John Knox Village Amended

Plat identification no. #124 494202000360, 494202000310, 494202000340

Property address/Folio number 651 SW 6th Street/ 494202000280, 494202000362, 494202480010
494202000285, 494202000281, 494202000371

Property legal description Please see attached survey 494202450010, 494202000300

Lot Block Subdivision

Robert Scharmann, Executive Director

Print name of property owner

Signature of property owner

John Knox Village Inc of Florida

Owner's company name (if applicable)

651 S.W. 6th Street

Property owner's mailing address

Pompano Beach, FL

City State

33060

Zip Code

954-783-4020

Property owner's telephone number

954-783-4097

Property owner's fax number

Michael Vondermeulen

Print name of agent

Signature of agent

Keith & Associates, Inc.

Agent's company name

301 E. Atlantic Blvd.

Agent's mailing address

Pompano Beach, FL

City State

33060

Zip Code

954-788-3400

Agent's telephone number

954-788-3500

Agent's fax number

OWNER'S CERTIFICATE

5/8/2007

- 3 -

CITY OF POMPANO BEACH

2009 NOV 23 AM 10:50

RECEIVED
PLANNING/ZONING

This is to certify that I ROBERT SCHARMANN
am the owner of AUTHORIZED OFFICIAL OF JOHN KNOX VILLAGE OF FLORIDA
and that I have authorized the filing of the aforesaid application.

A.O.
Owner's Name: ROBERT SCHARMANN

Address: 657 SW 6TH ST.
POMPANO BEACH, FL 33060

Telephone #: 954-783-4020 Fax #: 954-783-4097

Company Name: JOHN KNOX VILLAGE OF FLORIDA, INC

Company's Address: 657 SW 6TH ST.
POMPANO BEACH, FL 33060

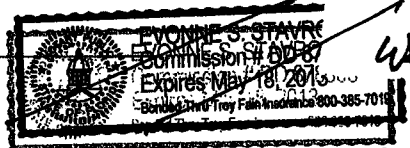
Signature of Owner or Authorized Official: [Signature]

SWORN AND SUBSCRIBED before me this 13 day of November, 2009

Evonne S. Stavrojohn
NOTARY PUBLIC, STATE OF FLORIDA

Evonne S. Stavrojohn
Name of Notary Public: Print, stamp, or Type as Commissioned

Personally known to me, or
 Produced identification: _____
Type of Identification Produced: _____



SIGNATURES TO BE OBTAINED FROM:



CITY OF POMPANO BEACH
DEPARTMENT OF DEVELOPMENT SERVICES



MEMORANDUM NO. 11 - 083

DATE: March 2, 2011
TO: Dennis Beach, City Manager *DB*
VIA: Robin M. Bird, Development Services Director *RB*
FROM: Vicky L. Newson, AICP, Principal Planner *JNewson*
SUBJECT: Agenda items for March 8, 2011 – Amendments to Chapters 155 and 156

There are several zoning change proposals on the March 8, 2011 City Commission agenda that contain a P&Z Report package dated January 18, 2011 referencing some changes that are highlighted in “red”. In the City Commissioner’s Agenda package those copies are black and white. Attached hereto is a color copy of the report to assist the Commissioner’s in their review of these items.

If you have any questions, please let me know.



CITY OF POMPANO BEACH
DEPARTMENT OF DEVELOPMENT SERVICES



MEMORANDUM NO. 11-012

DATE: January 18, 2011
TO: Planning and Zoning Board, Local Planning Agency LPA
VIA: Robin M. Bird, Development Services Director
FROM: Vicky L. Newson, AICP, Principal Planner
SUBJECT: Code of Ordinances Chapter 155 and 156 amendments-

At the November and December P&Z meetings various code changes were presented to the Board for Chapters 155, mostly for the AOD zoning, and 156, for the sign code. Staff has continued to refine those changes and since those meetings, the Northwest Community Redevelopment Agency (NW CRA) has requested some additional changes to our current code to help facilitate redevelopment in that area of the City. Some of the following revisions are to code sections that were previously reviewed by the Board and have since been revised. The corrections in red are the current proposals.

In addition to the requested changes from the NW CRA, staff is proposing to add three additional permitted uses in the General Business District, B-3, to allow churches and houses of worship as a permitted use, rather than requiring special exception approval; and, add fortune tellers and pet hotels as new permitted uses.

PROPOSED NW CRA CODE CHANGES

The NW CRA is proposing a reduction in the amount of parking that is required for multifamily and nonresidential uses, as well as reduction in the size of parking spaces to 9' by 18', Section 155.111(A) (1), to help support positive redevelopment efforts in this area of the City.

In particular, the proposed amendments include a 10% reduction in the amount of parking required for multifamily residential uses, Section 155.113 (A) (new subsection 5) located within the NW CRA. The proposed amendments also include a 20% reduction in parking required for nonresidential development, Section 155.113 (A) (new subsection 17) when such development is located adjacent to Dr. Martin Luther King, Jr. Boulevard, between I-95 and Dixie Highway.

The proposed code changes result in a reduction in the cost of development as it relates to parking, thus supporting the redevelopment efforts in the NW CRA area. Reduced parking

requirements in community redevelopment areas are a tool utilized in many communities as a means of supporting positive redevelopment.

In addition to the parking reduction requirements for the NW CRA, other code changes include replacing the majority of the sign code regulations that currently apply to the Historic Core and Historic Transition Overlay Districts, (Sections 155.176(G) and 155.177(G)) with the citywide sign code standards. The Historic sign code will still continue the requirements that signs must compliment the architecture in the historic districts using compatible colors, material, size and location. The NW CRA feels that the remaining citywide sign code standards have proven to be more appropriate then the sign provisions that are applicable under the "overlay" districts. In the total code rewrite project, being completed by Clarion Associates LLC, new zoning and sign code standards are being developed to provide for a mixed use designation for the city as well as the Downtown Pompano Beach area. However, until such time, the NW CRA feels that the citywide sign code is best suited to address and encourage signage improvements for local businesses in the NW CRA area.

There is also a clarification of 155.079(D)(2) for the permitted uses for Establishments for the Sale of Alcoholic Beverages to limit so specified uses.

These changes reflect a combined effort of the Northwest Community Redevelopment Agency and the Development Services Department, and have been identified modifications to the zoning regulations that are necessary to provide the platform for redevelopment in accordance with the vision for the Northwest Community Redevelopment Area Plan.

The proposed code changes were reviewed and input was given by the Northwest Community Redevelopment Advisory Committee at their January 10, 2011 meeting.

PROPOSED STAFF CODE CHANGES

The current code allows churches and houses of worship in several districts as a special exception use including the General Business District, B-3, (Section 155.(B)). As per the Religious Land Uses and Institutionalized Persons Act (RLUIPA), "Equal Terms" section states that "No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution." Since places of public assemblage are allowed in the B-3 zoning district, churches and other house of worship uses should also be allowed as a permitted use. By adding this to B-3, it will also allow this use in B-4 districts. Churches and houses of worship will continue to be special exceptions uses in the remaining commercial districts, B-1 and B-2, residential districts and will continue to be a non-permitted uses in the remaining zoning districts. Also "Fortune Tellers" and "Pet Boarding Kennels" are being added to B-3 as a permitted uses.

In Section 155.003, the definition for “Pet Hotel” is being added and “Totally and Permanently Enclosed Building” is being modified to remove the restriction for the separation requirement for doors on large retail and office buildings where such doors face a street.

In Section 155.069, Alcoholic Beverage Establishments, staff is adding “wine” to the exemption for businesses that are exempt from the distance requirement and adding movie theaters, with more than 100 seats, to be distance requirement.

In Chapter 156, Sign Code, Section (J) (1)(b)(a) the language is being modified to clarify the location of wall signs on single story and multi-story buildings within the Atlantic Boulevard Overlay District(AOD).

After this meeting, all of the proposed changes will be consolidated and submitted to the City Commission for their review and approval. Should the code changes proposed herein be adopted by the City Commission, they will be implemented immediately and then incorporated into the code provisions being proposed by Clarion.

PROPOSED CODE CHANGES FOR CHAPTER 155

§ 155.003 DEFINITIONS.

• • •

(B) For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

• • •

PET HOTEL. A facility totally enclosed within a principal building of not less than 4500 square feet of air conditioned space, containing a front desk, reception area, exercise room, social and play area, training facility for pets and owner, salon facilities to include styling and massage area, and weight loss center; all pets attending the facility are limited to domesticated household animals as defined in section 90.05, must be properly licensed within Broward County or jurisdiction of their permanent residence; registration desk shall maintain on file pet stays with documentation of license and shots; sound proofing shall result in no outside noise detection; no permanent kennel cages may be present (portable pet crates used to transport are acceptable), breeding for sale is prohibited, sleeping rooms are to be a minimum of 30 square feet with a minimum 8- foot ceiling height.

• • •

TOTALLY AND PERMANENTLY ENCLOSED BUILDING. A building each side of which consists of a solid wall containing doors, windows, or other apertures of a size and type normally and usually found in similar buildings in the same district. However, the

following restrictions and limitations shall apply to any such building the front or any side of which faces a street:

(1) There shall be no overhead doors, manually operated sliding glass doors, removable panels, or other similar type of doors;

(2) For buildings other than retail and office buildings with more than 10,000 square feet ~~There~~ shall be allowed one door not exceeding four feet in width, or one double door not exceeding eight feet in width, in each 25 lineal feet of the building, or major fraction thereof, but no such door shall be constructed within 25 feet of any other such door;

(3) No aperture of any kind, other than allowable doors provided for above, shall be used for ingress and egress. No building shall be altered, modified, or changed so that it no longer complies with the provisions hereof.

(4) are exempt from the door separation requirements, (2 above), of this section.

...

§155.069 ALCOHOLIC BEVERAGE ESTABLISHMENTS

(A) Distance between establishments. No establishment for the sale of any alcoholic beverage shall be located within 1,000 feet, to be measured from main entrance to main entrance of the establishments by airline route, of an existing establishment for the sale of any alcoholic beverage either within or without the corporate limits of the city, however, the distance limitations shall not apply to any establishment of a type enumerated in divisions (1) through (5) below. Any establishment for the sale of any alcoholic beverage shall not be subject to a distance requirement from an existing establishment of a type enumerated as follows

...

(4) The sale of beer and wine for consumption on the premises only when the premises consist of a bowling alley containing ten or more alleys, the alleys to be within an enclosed building, or a movie theater that has more than 100 seats.

...

§ 155.111 PARKING SPACE SIZE.

(A) (1) Business, residential and all other non-industrial uses. Each parking space shall be 10 feet by 20 feet.

...

~~(B)~~ (C) (1) Atlantic Boulevard Overlay District uses. Each parking space provided shall be 9 feet by 18 feet with double striping.

(2) Northwest Community Redevelopment Area (NW CRA). Each parking space provided shall be 9 feet by 18 feet with double striping.

...

§ 155.113 REQUIREMENTS IN VARIOUS ZONES.

Off-street parking requirements corresponding to various uses in all zones shall be as follows. The requirements noted below for any given land use shall also govern where the use as a more restricted use is situated within any less restrictive use zone.

(A) Residential use applications.

...

(3) Multi-family dwelling use.

(a) RM-12, RM-20, RM-30, RM-45, RPUD, and MH-12 Multi-Family Districts. In connection with every multiple residence for three or more families there shall be provided off-street automobile garage storage or open-air parking space or a combination of both in an amount as hereinafter required for each residence. Any fraction of a space in a total computed spaces required or permitted shall be considered a full space. The parking of commercial vehicles is prohibited in RM-12, RM-20, RM-30, RM-45, RPUD, and MH-12 Districts effective December 4, 1995, however, such parking may be permitted upon satisfaction of the requirements as set forth in § 155.113(F).

1. There shall be required for every apartment unit, condominium unit, or cooperative unit one and one-half parking spaces for each efficiency apartment, one-bedroom apartment, and two-bedroom apartment units. Where the apartment units provide for three or more bedroom units, therein, two parking spaces shall be required for every unit. Each duplex unit shall be required to conform with subsection (A) (2) above. However, multi-family properties complying with the requirements in § 96.21 shall receive a credit for one parking space towards the required number of parking spaces for the property, provided the location meets the criteria set forth in § 155.037 for a one cubic yard or greater sized recycling container and approval based upon the requirements of this subsection is obtained from the Public Works Director and the Director of Development Services.

2. There shall be one parking space required for each hotel room, sleeping room, or room used for transient sleeping occupancy.

3. If in addition to sleeping rooms, motel rooms, hotel rooms, or dwelling units, there are other permissible uses operated in conjunction with or as part of the hotel, motel, or apartment hotel, additional off-street parking spaces shall be provided for other uses as would be required by this section if the permissible uses were separate from the hotel, motel, or apartment hotel, to the extent of 65% of the off-street parking spaces specified in this chapter for retail stores, offices, service establishments, bars, restaurants, dining rooms, nightclubs, cabarets, ballrooms, banquet halls, meeting rooms, auditoriums, and other similar permissible uses. Notwithstanding the above requirement, if a hotel or motel of 50 rooms or more, in conformity with all other provisions of this chapter or Chapter 156 of this code, includes signage for a restaurant or bar, additional off-street parking shall be provided for other uses as would be required by this section if the permissible uses were separate from the hotel or motel.

4. Multifamily Residential Use Buildings located in the Atlantic Boulevard Overlay District.

(a) There shall be no off-street parking spaces required for multifamily residential use buildings for a time period expiring on January 4, 2016.

(b) Effective January 5, 2016, any proposed multifamily residential use building that does not have an active building permit shall be required to provide one space for every 1,000 square feet of gross floor area.

5. Multifamily Residential Use Buildings located in the Northwest Community Redevelopment Area (NW CRA):

(a) Ninety (90%) of the required parking shall be provided for multifamily residential use buildings located within the Northwest Community Redevelopment Area (NW CRA).

(b) The provisions of subsection (a) above shall apply for a time period expiring on January 4, 2016. Effective January 5, 2016, any proposed multifamily residential use building located within the NW CRA that does not have an active building permit shall be required to provide one space for every 1,000 square feet of gross floor area.

(4) (6) Exemptions. Nothing in the preceding sections shall be construed to prohibit the temporary parking in the swale area of commercial vehicles in conjunction with normal service or trade activity.

(B) Business, commercial, manufacturing, and industrial use applications. All business, commercial, manufacturing, and industrial buildings shall provide a minimum of off-street parking spaces as follows.

•••

(17) Nonresidential uses located in the Atlantic Boulevard Overlay District (AOD).

(a) There shall be no off-street parking spaces required for any nonresidential use and for mixed use buildings for a time period expiring on January 4, 2016.

(b) Effective January 5, 2016, any proposed nonresidential or mixed use building that does not have an active building permit shall be required to provide off-street parking, as follows:

1. Nonresidential use buildings up to and less than 25,000 gross square feet shall have no minimum parking space requirement;

2. Nonresidential use buildings greater than 25,000 gross square feet shall provide one space for every 500 square feet of gross floor area over 25,000 gross square feet;

3. Mixed use buildings shall provide one space for every 500 square feet of gross floor area over 25,000 gross square feet of nonresidential use and one space for every 1,000 square feet of gross floor area of residential use.

(18) Nonresidential Use Buildings located on properties adjacent to that portion of Dr. Martin Luther King, Jr. Boulevard bounded by the east right-of-way line of Interstate 95 and the west right-of-way line of North Dixie Highway.

(a) Eighty (80%) of the required parking shall be provided.

(b) The provisions of subsection (a) above, shall apply for a time period expiring on January 4, 2016. Effective January 5, 2016, any proposed nonresidential use building located within the boundaries described therein shall be subject to the off-street parking requirements of this Section, 155.113.

...

(C) Miscellaneous use applications.

...

(12) Mixed uses. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and off-street parking for one use shall not be considered as providing the required off-street parking for any other use

(a) For mixed use development located within the Atlantic Overlay District, the provisions of subsection (B) (17) shall apply.

(b) For mixed use development that includes residential and nonresidential uses located on properties adjacent to that portion of Dr. Martin Luther King, Jr. Boulevard bounded by the east right-of-way line of Interstate 95 and the west right-of-way line of North Dixie Highway. The provisions of subsection (B) (18) shall apply.

(c) The provisions of this subsection shall apply to mixed use development that includes residential and nonresidential uses located in all other areas of the Northwest CRA, excluding the area of located within the boundaries described above in subsection (12) (b) and excluding the area of land located within the Historic Transition Overlay District and the Historic Core Overlay District.

...

§ 155.176 HISTORIC DOWNTOWN CORE OVERLAY DISTRICT.

...

(E) Development regulations.

(1) All utilities shall be located underground, including those located to the rear of developments.

...

(G) Sign regulations. Signage in Historic Downtown Core Area Overlay District shall comply with the provisions of Chapter 156: Sign Code, and shall compliment the architecture in Historic Downtown Pompano Beach and create consistency using compatible colors, materials, size and location.

~~——(1)—— Principal buildings containing more than one tenant are permitted one directory sign. Directory signs may be a wall sign or freestanding sign located in an internal courtyard and shall not exceed ten square feet or six feet in height.~~

~~——(2)—— Individual establishments within a principal building, shopping center or single tenant building are permitted one non-illuminated, primary identification sign and one secondary identification sign. The following sign types and dimensions shall be permitted:~~

~~——(a)—— Signs located on the principal frontage shall not exceed 25 square feet in area.~~

~~——(b)—— Secondary signs shall not exceed 25% of the primary sign area in size and nine inches in letter size. Secondary signs shall be located at the rear or side.~~

~~——(c)—— Awning sign: One line of lettering shall be permitted.~~

~~———— (d) Under canopy sign: Sign shall be mounted perpendicular to the face of the entrance. Identification sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.~~

~~———— (e) Occupant nameplate sign: Letters not to exceed three inches.~~

~~———— (f) Projecting sign: Sign shall be mounted perpendicular to the face of the entrance. Sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.~~

~~———— (g) Wall sign: Sign shall not exceed one square foot of sign area per two linear foot of tenant frontage.~~

~~———— (3) Primary signs for individual establishments within a principal building or shopping center shall be of a homogenous sign type.~~

~~———— (4) Nonconforming signs: Nonconforming signs are required to conform to this section if there is any destruction, modification or improvement to a structure, site characteristic or appurtenance that is more than 25% of the replacement value, in accordance with subsection (G) of this section. All nonconforming signs shall be removed or made to conform within ten years of the effective date of this section. Nonconforming signs shall not be:~~

~~———— (a) Structurally altered to extend its useful life.~~

~~———— (b) Demolished, modified or improved by more than 25% of its replacement value.~~

~~———— (c) Re-established if there is a change in use.~~

~~———— (d) Re-established after a business has been abandoned for more than 90 days~~

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§ 155.177 HISTORIC DOWNTOWN TRANSITION AREA OVERLAY DISTRICT.

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(E) Development regulations.

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(3) Parking, loading, trash collection and storage:

(a) Surface and structured parking as well as all loading and service areas shall be placed to the rear or to the side of buildings. All surface parking and loading areas shall be screened from public areas, public sidewalks, and adjacent residentially zoned properties by landscaping and a four foot high solid wall. When parking is provided at or above grade within a structure, a facade treatment which is consistent (in terms of materials and design) with the building facade shall be provided for the parking area. Parking structures shall be constructed so that commercial or residential uses occupy the ground level floor on all street fronts.

(b) Automobile parking space is to be provided as follows:

1. There shall be required for every apartment unit, condominium unit, or cooperative unit one and one-fifth parking spaces for each efficiency apartment, one-bedroom apartment, and two-bedroom apartment units. Where the apartment units provide for three or more bedroom units, therein, two parking spaces shall be required for every unit.

2. Retail stores and offices shall provide one parking space for each 500 square feet, or fraction thereof, of gross floor area. No parking is required for the first 1,000 square feet of gross floor area for any retail or office space within a building.

(c) Direct pedestrian access shall be provided from rear parking areas to ground floor uses. Connections can be interior throughways with rear or side entrances. Pedestrian throughways may also be exterior, located adjacent or between buildings. Interior and exterior throughways shall be a minimum of five feet unless located between buildings, in which case, throughways shall be a minimum of ten feet.

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(G) Sign regulations. Signage in the Historic Downtown Transition Area Overlay District shall comply with the provisions of Chapter 156: Sign Code, and shall compliment the architecture in Historic Downtown Pompano Beach and create consistency using compatible colors, materials, size and location.

~~————(1) Principal buildings containing more than one tenant are permitted one directory sign. Directory signs may be a wall sign or freestanding sign located in an internal courtyard and shall not exceed ten square feet or six feet in height.~~

~~————(2) Individual establishments within a principal building, shopping center or single tenant building are permitted one non-illuminated, primary identification sign and one secondary identification sign. The following sign types and dimensions shall be permitted:~~

~~————(a) Signs located on the principal frontage shall not exceed 25 square feet in area.~~

~~————(b) Secondary signs shall not exceed 25% of the primary sign area in size and nine inches in letter size. Secondary signs shall be located at the rear or side.~~

~~————(c) Awning sign: One line of lettering shall be permitted.~~

~~_____ (d) Under canopy sign: Sign shall be mounted perpendicular to the face of the entrance. Identification sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.~~

~~_____ (e) Occupant nameplate sign: Letters not to exceed three inches.~~

~~_____ (f) Projecting sign: Sign shall be mounted perpendicular to the face of the entrance. Sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.~~

~~_____ (g) Wall sign: Sign shall not exceed one square foot of sign area per two linear foot of tenant frontage.~~

~~_____ (3) Primary signs for individual establishments within a principal building or shopping center shall be of a homogenous sign type.~~

~~_____ (4) Nonconforming signs: Nonconforming signs are required to conform to this section if there is any destruction, modification or improvement to a structure, site characteristic or appurtenance that is more than 25% of the replacement value, in accordance with subsection (G) of this section. All nonconforming signs shall be removed or made to conform within ten years of the effective date of this section. Nonconforming signs shall not be:~~

~~_____ (a) Structurally altered to extend its useful life.~~

~~_____ (b) Demolished, modified or improved by more than 25% of its replacement value.~~

~~_____ (c) Re-established if there is a change in use.~~

~~_____ (d) Re-established after a business has been abandoned for more than 90 days.~~

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§ 155.179 ATLANTIC BOULEVARD OVERLAY DISTRICT

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(D) Permitted uses.

(1) All uses permitted in the underlying zoning district, unless prohibited by this section.

(2) Establishments for the Sale of Alcoholic Beverages. Establishments for the sale of alcoholic beverages that shall not be subject to the provisions of the city Zoning Code of Ordinances Section 155.069, including, but not and are limited to: Bar and Lounge; Restaurant, Restaurant Bar; Outdoor Restaurant or Bar; Sidewalk Café; Hotel; and Hotel Bar, and Package Liquor Store; and any other duly licensed to sell and serve/ serve alcoholic beverages located within the AOD.

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§ 155.183 B-3 GENERAL BUSINESS DISTRICT.

(A) Intent. This district is intended to permit a broad range of commercial uses, including those of a highway-oriented nature.

(B) Permitted uses.

(1) Any use permitted in the B-2 District;

(2) Auction house;

(3) Automobile rental or leasing agencies (outdoor display permitted).

(4) Automobile sales agency and accessory used car sales and auto service. The service facilities shall be located behind the showroom facilities such that the service bays are not visible from the street;

(5) Bars;

(6) Bowling alleys and skating rinks;

(7) Business and commercial colleges, night schools, adult training, and similar educational enterprises;

(8) Community care facility;

(9) Church and other house of worship;

(10) Consignment Shop

(11) Fortune tellers;

~~(9)~~ (12) Funeral homes;

~~(10)~~ (13) Hospitals and clinics;

~~(11)~~ (14) Hotels and motels in conformance with Implementation Section 302 of the Future Land Use Element;

~~(12)~~ (15) Marinas - no dry storage or repair;

~~(13)~~ (16) Marine pleasure craft sales;

~~(14)~~ (17) Movie and other theaters, auditoriums or similar places of assembly;

(15) (18) Pet Hotel as defined in section 155.003; exterior exercise of no more than 2500 square feet is permitted on properties larger than one acre provided the exercise area is fully fenced, covered and not within 100 feet of a residential property line, residential use or outdoor dining facility.

(19) Printing, newspaper printing, blueprinting and other printing and reproduction facilities;

~~(16)~~ (20) Retail stores including thrift shops for the sale of secondhand clothing and household goods with not more than 20% of the floor space being secondhand merchandise.

~~(17)~~ (21) Shop for making articles sold at retail on the premises;

~~(18)~~ (22) Showrooms with wholesaling by sample only;

~~(19)~~ (23) Studios for artists, photographers and musicians, including recording studios;

~~(20)~~ (24) Transportation passenger stations; and

~~(21)~~ (25) Veterinarian, animal grooming and pet store with all activities enclosed within the building; soundproofing and lack of windows shall result in no outside noise detection from the treatment or boarding rooms.

~~(22)~~ (25) Window tinting, burglar alarm and stereo and telephone installation for automobiles.

(C) Accessory uses.

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CODE CHANGES FOR CHAPTER 156, SIGN CODE

§ 156.07 BUSINESS, COMMERCIAL AND INDUSTRIAL DISTRICTS

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(J) Atlantic Boulevard Overlay District (AOD): The following sign provisions shall apply to all nonresidential and mixed use development within the AOD. Where not specifically defined for the AOD, the provisions for all other signs, as specified in this Chapter, shall apply.

(1) Commercial Sign Types.

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(b) Wall Sign. This type of sign is intended primarily for retail or service uses at street level to draw the attention of pedestrians and drivers.

1. Placement:

(a) Multi-story building: on the primary building face between first and second floor window openings. The sign shall be an integral part of the façade composition; the building wall may serve as the sign background. The bottom of the wall sign shall be a minimum of 10 feet above grade.

(b) Single and multi-story buildings: The sign shall be an integral part of the façade composition; the building wall may serve as the sign background.

2. Dimensions: Signs shall not exceed one square foot of sign area per one linear foot of tenant frontage. Individual elements or letters are limited to 24 inches in height.

3. Materials: metal, stone, wood, paint, plaster, or durable synthetic materials.

4. The following types of sign lighting are permitted: front lit, back lit, or internally lit.

5. Design: Wall sign shall be considered as an integral element of the building façade and be consistent with the building's architecture. Consistency of the wall sign in a single building is required.