



## Legislation Text

File #: 2017-05, Version: 2

MOTION TO PASS PROPOSED ORDINANCE 2017-05 ON SECOND AND FINAL READING.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING CODE," BY AMENDING SECTION 155.272 ENTITLED "STORAGE OF FLAMMABLE LIQUIDS" TO INCREASE THE TOTAL AMOUNT OF UNDERGROUND STORAGE FOR CERTAIN FLAMMABLE LIQUIDS TO AN AGGREGATE TOTAL OF 100,000 GALLONS AND THE INCORPORATION OF ALL APPLICABLE GOVERNMENTAL REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

### SUMMARY EXPLANATION AND BACKGROUND:

1. Dwayne Dickerson, at the request of his client WAWA Florida, LLC requested an amendment to the City's Zoning Code section 155.272 entitled "Storage of Flammable Liquids" to increase the total amount of underground storage from 35,000 gallons to 100,000 gallons.
2. Mr. Dickerson, provided justification for the request including the following points:
  - A. The existing City Ordinance section 155.272 has been in place since 1969 and does not reflect new tank construction materials, technological innovations or modern safeguards.
  - B. The proposed changes mirror the 2012 Broward County local amendments to the fire code (F-116.1).
  - C. Larger tanks, with greater capacity allow for more fuel availability during emergencies.
3. The proposed changes were also reviewed by the City's professional staff including the fire prevention bureau and engineering department.
4. The Planning and Zoning Board at the February 23, 2017 made a motion to support the proposed changes to section 155.272.
5. The proposed changes to the Code section are as followed:

### § 155.272 STORAGE OF FLAMMABLE LIQUIDS.

(A) All gasoline, benzene, diesel fuel, naphtha, or other volatile flammable liquids stored incidental to the operation of a service station shall be in underground tanks.

(B) The total capacity of underground tanks and storage facilities of flammable liquids incidental to the operation of a service station shall not exceed ~~35,000~~ an aggregate total of 100,000 gallons. In the event a service station is continuously inactive for a period of 30 days or more, then all storage tanks on the premises shall be emptied.

(C) All underground tanks shall comply with all applicable federal, state, and county codes, laws, and ordinances, which includes all applicable regulations, including building and fire codes, and all applicable governmental approvals must be obtained before installation.

6. Staff recommends passing Proposed Ordinance 2017-05 on first reading.

7. Second reading and final reading is scheduled for May 3, 2017.

**Item has been reviewed by the Commission Auditor and approved for the Agenda.**

**FINANCIAL IMPACT DETAIL:**

- a) **Initial Cost:** None
- b) **Amount budgeted for this item in Account No:** Not Applicable
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable
- d) **5 year projection of the operational cost of the project:** Not Applicable
- e) **Detail of additional staff requirements:** Not Applicable