

ORDINANCE NO. 2023- 50

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, “ZONING CODE,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3708, “DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT,” TO MODIFY HEIGHT BONUS OPTIONS, TO MODIFY THE MASSING RESTRICTIONS OF THE HISTORIC TRANSITION AREA, TO MODIFY THE TRANSIT CORE AREA BOUNDARY OF THE DENSITY REGULATING PLAN, AND TO MODIFY THE USE REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, seven (7) days’ notice prior to the first hearing and five (5) days’ notice prior to the second hearing has been given by publication in a paper of general circulation in the City, notifying the public of its proposed ordinance and of public hearings in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission has been held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had the opportunity to be and were, in fact, heard; now therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 155.3708, “Downtown Pompano Beach (DP) Overlay District,” is amended to read as follows:

§ 155.3708. DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT

A. PURPOSE

The Downtown Pompano Beach Overlay district (DPOD) is established and intended to encourage an urban form that promotes transit usage and pedestrian oriented design.

...

E. BUILDING HEIGHT REGULATING PLAN AND MODIFIED HEIGHT STANDARDS

1. Building Height Regulating Plan

All new and modifications to existing development shall comply with the standards found within the Building Height Regulating Plan ~~shall be referred to~~. In addition, the following shall apply:

- a. Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
- b. Buildings higher than 6 stories shall be developed according to the tower building type standards.

2. Height Bonus Options

In addition to the maximum building height shown in the Building Height Regulating Plan, properties within the DPOD may be eligible for a height bonus in accordance with Table 155.3708.E.1. In no case shall a property be permitted to utilize more than one height bonus.

TABLE 155.3708.E.1: Height Bonus Options

TABLE 155.3703E.1: Height Bonus Options			
Bonus Option	Sub-Area	Height Bonus	Requirement
#1	Core and Center	24 28 ft.	Properties whose front lot line or street side lot line is directly abutting or located across a street from the designated public open space.
#2	All	12 ft.	Buildings at the end of a street vista. The additional height / story shall occupy up to 15% of the floor area of the story immediately below.
#3	All	12 ft.	Properties located within the 1/4 mile radius (1,320 feet) of the BCT North East Transit Center, that provide public parking in accordance with the following: <ol style="list-style-type: none"> a. The minimum number of spaces required for off-street parking are provided using one or

			<p>more of the Off-street Parking Alternatives;</p> <p>b. A minimum of 10% of the parking spaces are reserved for public parking. The 10% of parking spaces shall be calculated including the spaces required for the height bonus.</p> <p>c. A lease agreement with the City, at a rate established by the City, shall be recorded for a term not less than 50 years.</p>
#4	All	12 ft.	<p>All new non-residential, multi-family residential and mixed-use construction that provide public art using one or a combination of the following strategies:</p> <ol style="list-style-type: none"> 1. A fee equal to 1 percent of the project's construction costs; 2. A piece of artwork valued at 1 percent of the project's construction costs. <p>a. The artwork shall be accessible to the public and may be displayed in the building's common areas, public open spaces or areas along the street abutting the building.</p> <p>b. Public art proposed for public areas shall be required to receive approval from the City Commission.</p>
#5	Core and Center	12 ft.	<p>Development which achieves at least 28 points per Table 155.5802, Sustainable Development Options and Points.</p>

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

...

3 Additional Design Standards for Historic Core and Historic Transition Areas

All new or improved structures, site improvements, and appurtenances in the Historic Core and Historic Transition

Areas (as depicted on the Use Regulating Plan) must comply with the design standards in this section.

a. Massing Restrictions for Historic Transition Area

In order to limit the impacts of massing on the Historic Core Area, the following massing restrictions are required for buildings within the Historic Transition Area:

- i. The maximum height of the ~~pedestal~~ podium of a tower building shall not exceed 60 feet.
- ii. The ~~pedestal~~ podium area shall not exceed 90% of the lot area.
- iii. The portion of a tower building located above ~~60 feet in height~~ the fifth floor shall not exceed 80% of ~~pedestal~~ podium area ~~and or~~ shall ~~be setback~~ stepback a minimum of 20 feet from the front building line.

...

SECTION 2. That the corresponding Density Regulating Plan Map in Section 155.3708, “Downtown Pompano Beach (DP) Overlay District,” of Chapter 155, “Zoning Code,” of the Code of Ordinances of the City of Pompano Beach is hereby substituted to amend the Transit Core Area Boundary and shall read as shown on **Exhibit A** attached hereto and made a part hereof.

SECTION 3. That the corresponding Use Regulating Plan Map in Section 155.3708, “Downtown Pompano Beach (DP) Overlay District,” of Chapter 155, “Zoning Code,” of the Code of Ordinances of the City of Pompano Beach is hereby substituted to amend the Transit Core Area Boundary and shall read as shown on **Exhibit B** attached hereto and made a part hereof.

SECTION 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 25th day of April, 2023.

PASSED SECOND READING this 9th day of May, 2023.

DocuSigned by:
Rex Hardin
502CB780EB3E480

REX HARDIN, MAYOR

ATTEST:

















DocuSigned by:
Kervin Alfred
D1C913A8ED334CA...

KERVIN ALFRED, CITY CLERK

:jrm
4/4/23
L:ord/ch155/2023-138


















EXHIBIT A
DENSITY REGULATING PLAN

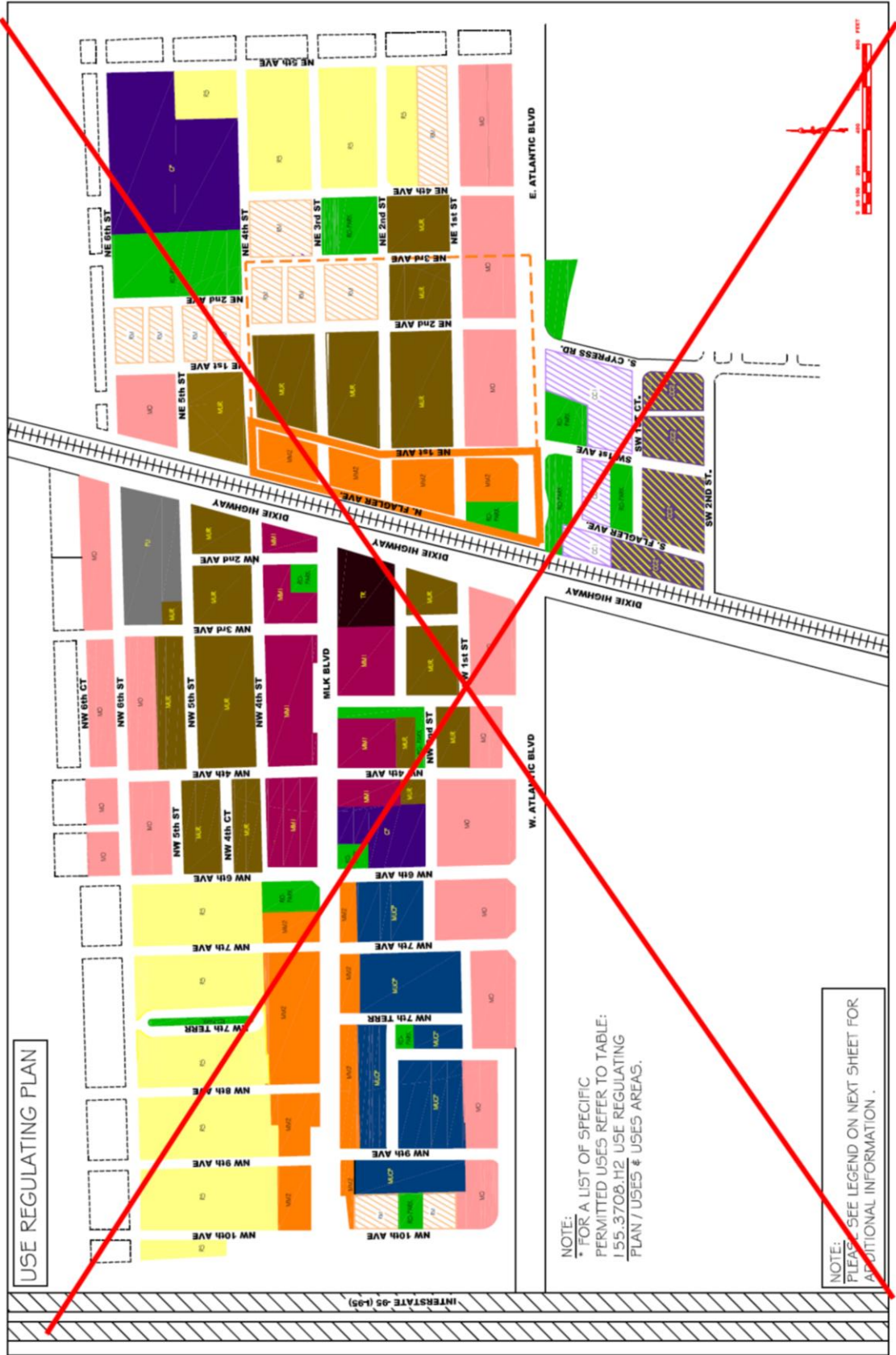
LEGEND	
DENSITY- REGULATING PLAN	
	(R.R.) RESIDENTIAL REQUIRED: (MIN. 36 UNITS / ACRE NET, MAX. 80 UNITS / ACRE NET). (1)
(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL : (MIN. 36 UNITS / ACRE NET, MAX. 80 UNITS / ACRE NET). (1)
	(R.R.) RESIDENTIAL REQUIRED: (MIN. 36 UNITS / ACRE NET, MAX. 60 UNITS / ACRE NET).
(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 36 UNITS / ACRE NET, MAX. 60 UNITS / ACRE NET).
	(R.R.) RESIDENTIAL REQUIRED: (MIN. 18 UNITS / ACRE NET, MAX. 36 UNITS / ACRE NET).
(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 18 UNITS / ACRE NET, MAX. 36 UNITS / ACRE NET).
	(R.R.) RESIDENTIAL REQUIRED: (MIN. 12 UNITS / ACRE NET, MAX. 18 UNITS / ACRE NET).
(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 12 UNITS / ACRE NET, MAX. 18 UNITS / ACRE NET). (1)
(4-18) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 4 UNITS / ACRE NET, MAX 18 UNITS / ACRE NET).
(4-9) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 4 UNITS / ACRE NET, MAX 9 UNITS / ACRE NET).
(1-9) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 1 UNIT / ACRE NET, MAX 9 UNITS / ACRE NET).
(1-4) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 1 UNIT / ACRE NET, MAX 4 UNITS / ACRE NET).
(0-18) (O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 0 UNITS / ACRE NET, MAX 18 UNITS / ACRE NET).
(0-60) (O.R.) 	(O.R.) RESIDENTIAL OPTIONAL: (MIN. 0 UNITS / ACRE NET, MAX 60 UNITS / ACRE NET). (1)
(0-80) (O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 0 UNITS / ACRE NET, MAX 80 UNITS / ACRE NET). (1)
(T.C.A.) 	(T.C.A.) TRANSIT CORE AREA BOUNDARY

Notes: (1): The maximum permitted density shall not apply to residential developments within the T.C.A. boundary. The maximum density for residential development within the T.C.A. boundary shall only be limited by the build which is prescribed by the maximum permitted building height, tower floorplate sizes, and building length.



REVISED MAP:

LEGEND	
USE REGULATING PLAN	
MM1 	MIXED-USE MAIN STREET-1 .
MM2 	MIXED-USE MAIN STREET-2.
MUR 	MIXED-USE RESIDENTIAL.
MO 	MIXED-USE OPTIONAL.
RM 	MULTI FAMILY RESIDENTIAL .
RS 	SINGLE FAMILY RESIDENTIAL .
MUCP 	MIXED-USE COMMERCE PARK.
CC1 	CIVIC CAMPUS-1 .
CC2 	CIVIC CAMPUS-2.
RO 	RECREATION / OPEN SPACE
CF 	COMMUNITY FACILITIES
PU 	PUBLIC UTILITIES
TR 	TRANSIT FACILITIES.
	HISTORIC CORE
	HISTORIC TRANSITION



REVISED MAP:

