

ORDINANCE NO. 2023- 62

**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 POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3305. HEAVY BUSINESS (B-4), TO ALLOW RESIDENTIAL AND MIXED USE DEVELOPMENT IN B-4 ZONING ON THE NW 31ST AVENUE CORRIDOR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board has reviewed and approved the revised Zoning Amendments; and



WHEREAS, in accordance with Florida Statutes Section 166.041(3)(c)2, advertisements have been published in a newspaper of general circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

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

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

SECTION 1. That Section 155.3305, "B-4, Heavy Business," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

155.3305 HEAVY BUSINESS (B-4)

A. Purpose		Typical Building Type
<p>The Heavy Business (B-4) district is established and intended to accommodate a wide and diverse range of moderate- to high-intensity retail, service, office, recreation/entertainment, and institutional uses that provide goods and services serving a community, city -wide, and regional customer bases. It also accommodates the city's major employment-generating non-industrial uses, as well as wholesaling, warehousing, and limited light manufacturing uses. Residential uses are generally inappropriate in this district, <u>however, on the NW 31st Avenue Corridor between Dr. Martin Luther King, Jr. Boulevard and Atlantic Boulevard, the city will allow mixed use and residential projects.</u></p>		
B. Use Standards		
<p>See Appendix A: Consolidated Use Table, and use-specific standards in Article 4: Use Standards.</p>		
C. Intensity and Dimensional Standards ¹		
Lot area, minimum (sq ft)	10,000	Typical Lot Pattern
Lot width, minimum (ft)	100	
Density, maximum (du/ac)	n/a ⁴	
Lot coverage, maximum (% of lot area)	60	
Pervious area, minimum (% of lot area)	20	
Height, maximum (ft)	105 ²	
Front yard setback, minimum (ft)	0	
Street side yard setback, minimum (ft)	0 ³	
		

Setback from a waterway or canal, minimum (ft)	15	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	0 ³	
Rear yard setback, minimum (ft)	30	
Dimensional Standards for Accessory Structures	See Accessory Use-Specific standards in Article 4: Part 3.	
<p>NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]</p> <p>1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.</p> <p>2. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.</p> <p>3. Increased 1 ft for each 4 ft (or major fraction thereof) the structure's height exceeds 50 ft.</p> <p>4. <u>Mixed Use and Multi-family Residential Development along the NW 31st Avenue between Dr. MLK, Jr Blvd and Atlantic Blvd may be permitted in the same manner (intensity and dimensional standards, development standards) as a B-3 (155.3304) Zoned property, subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.</u></p> <p><u>If the B-4 zoned areas adjacent to the 11-acre park west of NW 31st Avenue and east of Luzano and the Golfview Estates MHP are redeveloped to residential or mixed use, ensure the future site plans for those properties provide access from NW 31st Avenue to the City's wellfield on the 11-acre park site, as deemed necessary by Water Utilities at the time of site plan approval.</u></p>		

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SECTION 2. 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 applications 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 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 11th day of July, 2023.

PASSED SECOND READING this 25th day of July, 2023.

DocuSigned by:
Rex Hardin
502CB780EB3F480...

REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Kervin Alfred
D1C913A8ED334CA...

KERVIN ALFRED, CITY CLERK

MEB/mcm
6/27/23
l:ord/ch/a55/2023-194

