

ORDINANCE NO. 2023 - 72

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 OF THE POMPANO BEACH CODE OF ORDINANCES, “ZONING CODE,” BY AMENDING SECTIONS 155.3703., “ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD),” AND SECTION 155.5102., “OFF-STREET PARKING AND LOADING,” TO ELIMINATE PARKING REDUCTIONS THAT RESULT IN LESS THAN ONE PARKING SPACE PER DWELLING UNIT IN RESIDENTIAL DEVELOPMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, 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 a public hearing on this proposed Ordinance, in accordance with Section 166.041(3)(a), Florida Statutes; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above. 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 155.3703., "Atlantic Boulevard Overlay District (AOD)," of Chapter 155 of the Pompano Beach Code of Ordinances, “Zoning Code,” is amended to read as follows:

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E. MODIFIED DEVELOPMENT STANDARDS

Irrespective of the generally applicable development standards established in Article 5: Development Standards, the following development standards shall apply in the Atlantic Boulevard Overlay district.

1. Access and Circulation

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2. Off-Street Parking

a. Minimum Number of Spaces Required

~~i. Multifamily Dwellings~~

~~No off-street parking spaces are required for any multifamily dwellings that are constructed by or have a valid building permit as of January 4, 2016. Multifamily dwellings permitted thereafter shall provide a minimum of one off-street parking space per 1,000 square feet of gross floor area.~~

ii. i. Selected Off-street Parking Reductions for Retail Sales and Service Uses, Eating and Drinking Establishments, Professional Office, or Hotel Uses Constructed by or Having a Valid Building Permit as of January 4, 2026.

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SECTION 2. That Section 155.5102., "Off-Street Parking and Loading," of Chapter 155 of the Pompano Beach Code of Ordinances, "Zoning Code," is amended to read as follows:

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D. OFF-STREET PARKING SPACE REQUIREMENTS

1. Minimum Number of Off-Street Parking Spaces

Except as expressly exempted by other sections within this Code, new development shall provide the minimum number of off-street parking spaces in accordance with Table 155.5102.D.1, Minimum

Number of Off-Street Parking Spaces, based on the principal use(s) involved and the extent of development. Interpretation of the off-street parking space requirements for uses with variable parking demands or unlisted uses is provided in Section 155.5102.D.2, Uses with Variable Parking Demand Characteristics and Unlisted Uses.

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TABLE 155.5102.D.1: MINIMUM NUMBER OF OFF-STREET PARKING SPACES

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Use Category	Use Type	Minimum Number of Parking Spaces ^{1,2,3}	
Residential Uses			
Household Living Uses	Dwelling, live/work	1 per DU	
	Dwelling, multifamily ⁶	Efficiency DUs	1 per DU
		DUs with 1 or 2 bedrooms	1.5 per DU
		DUs with 3+ bedrooms	2 per DU
		Townhouse guest spaces <u>Guest Spaces (5+ DU)</u>	1 per 5 DU townhouse units ; in addition to the required parking spaces based on dwelling unit
	Dwelling, single-family	2 per DU	
	Dwelling, single-family (zero lot line)		
	Family Community Residence	2 per DU plus 1 space located within 1,200 linear feet off-site for each resident who maintains a motor vehicle on the premises	
	Transitional Community Residence		
	Dwelling, two-family	2 per DU	
Dwelling, mixed-use	1 per DU		
Mobile home or mobile home park	1.5 per mobile home dwelling or mobile home space		
Group Living Uses	Recovery Community	Efficiency DUs	1 per DU located within 1,200 linear feet off-site
		DUs with 1 or 2 bedrooms	1.5 per DU located within 1,200 linear feet off-site
		DUs with 3+ bedrooms	2 per DU 1 located within 1,200 linear feet off-site
	Assisted living facility	1 per 3 beds	
	Continuing care retirement community	Sum of minimum for component parts—see Section 155.5102.D.3	
	Rooming or boarding house	1 per guest room	
Institutional Uses			
...			

2. Uses with Variable Parking Demand Characteristics and Unlisted Uses

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~~4. Modified Parking Requirements in Northwest Community Redevelopment Area~~

a. ~~Multifamily Dwellings~~

~~New multifamily dwellings within the Northwest Community Redevelopment shall provide a minimum of one off street parking space per 1,000 square feet of gross floor area or provide the minimum number of off street parking spaces required for multifamily dwellings in Table 155.5102.D.1, Minimum Number of Off Street Parking Spaces, whichever is less.~~

5. 4. **Maximum Number of Off-Street Parking Spaces**

For any use listed under the commercial use classification in Table 155.5102.D.1, Minimum Number of Off-Street Parking Spaces, the number of off-street parking spaces shall not exceed 125 percent of the minimum number of parking spaces required, except as may be allowed through approval of an alternative parking plan in accordance with Section 155.5102.J.2, Provision over Maximum Allowed.

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SECTION 3. 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 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 12th day of September, 2023.

PASSED SECOND READING this 26th day of September, 2023.

DocuSigned by:
Rezo Hardin
502CB780EB3F480...

REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Kervin Alfred
D1C913A8ED334CA...

KERVIN ALFRED, CITY CLERK

JES:jrm
8/14/23
L:ord/ch155/2023-215

