

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

**AN ORDINANCE 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 INCREASE MINIMUM REQUIRED UNIT SIZE FOR MULTI-FAMILY DWELLINGS; TO REVISE RESIDENTIAL AND NONRESIDENTIAL USE AREAS FOR PROPERTIES ABUTTING FLAGLER AVENUE AND DR. MARTIN LUTHER KING, JR. BLVD.; AND TO REQUIRE OFF-STREET PARKING IN ENCLOSED STRUCTURES FOR CERTAIN RESIDENTIAL PROJECTS LOCATED EAST OF DIXIE HIGHWAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing 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 155.3708, "Downtown Pompano Beach (DP) Overlay District," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

**§ 155.3708. DOWNTOWN POMPANO BEACH OVERLAY DISTRICT**

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**G. BUILDING PLACEMENT REGULATING DIAGRAMS AND MODIFIED DIMENSIONAL STANDARDS.**

**1. Building Typology**

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**4. Minimum Unit Sizes for Residential Development**

Floor area per dwelling unit, minimum (sq ft)	SF	950		
	2F	750		
	MF	Efficiency units: 500 Other units: 650 + 100 per BR>1		
	MF	Efficiency Units	600	
		1 Bedroom	800	
		2 Bedroom	1,000	
		3 Bedroom	1,200	
Additional Bedroom	100			

**H. USE REGULATING PLAN AND MODIFIED USE STANDARDS.**

**1. Use Regulating Plan**

- a. All new and existing development shall comply with the standards found within the Use Regulating Plan and the Principal Uses Regulating Table. The Use Regulating Plan separates the DPOD into use areas. Table 155.3708.H.1.a lists the Use Areas with the requirements of Residential and Nonresidential Uses.

TABLE 155.3708.H.1.A: USE AREAS WITH REQUIREMENTS ON RESIDENTIAL AND NONRESIDENTIAL USES		
USE AREA	RESIDENTIAL	NONRESIDENTIAL
MM-1: Mixed Use Main Street 1	For properties abutting Dr. Martin Luther King, (MLK) Jr. Blvd., Not Permitted on the portion of the 1st Floor fronting MLK	For properties abutting Dr. Martin Luther King, (MLK) Jr. Blvd. Required on the portion of the 1st Floor fronting MLK
	For all properties, Optional on 2nd Floor	For all properties, Optional on 2nd Floor
	For all properties, Required on 3rd Floor and above	For all properties, Not Permitted on 3rd Floor and above

...	...	...
MUR: Mixed Use Residential	<u>For properties abutting Flagler Avenue, Not Permitted on 1st Floor</u>	<u>For properties abutting Flagler Avenue, Required on 1st Floor</u>
	<u>For properties not abutting Flagler Avenue, Optional on 1st Floor</u>	<u>For properties not abutting Flagler Avenue, Optional on 1st Floor</u>
	<u>For all properties, Optional on 1st and 2nd Floor</u>	<u>For all properties, Optional on 1st and 2nd Floor</u>
	<u>For all properties, Required on 3rd Floor and above</u>	<u>For all properties, Not Permitted on 3rd Floor and above</u>
MO: Mixed Use Optional	<u>For properties abutting Flagler Avenue, Not Permitted on 1st Floor</u>	<u>For properties abutting Flagler Avenue, Required on 1st Floor</u>
	<u>For properties not abutting Flagler Avenue, Optional on 1st Floor</u>	<u>For properties not abutting Flagler Avenue, Optional on 1st Floor</u>
	<u>For all properties, Optional on all other Floors</u>	<u>For all properties, Optional on all other Floors</u>
...	...	...

- b. The Use Regulating Plan also depicts the location of the Historic Core and Historic Transition ~~Area-s~~ Areas, which have modified use standards listed in Table 155.3708.H.2.

**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**

- a.** Properties developed in full compliance with the Use Regulating Plan and the Density Regulating Plan are eligible for reduced parking. However in no case shall a property be permitted to utilize one of the following parking reductions and a parking reduction per Section 155.5102.K (Reduced Parking Requirements for Parking Demand Reduction Strategies) or per Table 155.5803.A: Sustainability Bonuses.

- a i.** All developments, except single family detached dwellings and eating and drinking establishments, shall provide at least 80 percent of the minimum number of off-street parking spaces required per Table 155.5102.D.1, Minimum Number of Off-Street Parking Spaces.

b ii. Eating and drinking establishments shall provide a minimum of six spaces per 1,000 sq ft of customer service area.

c iii. Off-street parking is not required for non-residential uses with a maximum 10,000 sf gfa and whose primary pedestrian entrance is located within 800 feet of the BCT North East Transit Center.

d iv. When directly abutting MLK Boulevard, or located within the Historic Core and Historic Transition ~~Area~~s Areas, locally designated historic buildings and existing commercial buildings located, shall not be required to provide parking in addition to that which exists.

e v. Senior Housing

i (A) Developments where all of the dwelling units are Senior Housing approved and/or funded by US HUD, the required off-street parking may be reduced to a minimum of one parking space per every dwelling unit.

ii (B) Developments where a portion of the dwelling units are Senior Housing approved and/or funded by US HUD, the required off-street parking may be reduced to a minimum of one parking space per every "Senior Housing" dwelling unit. The dwelling units that are not designated "Senior Housing" shall provide parking at the standard parking rate.

iii (C) The applicant shall submit plans which demonstrate how the remaining parking will be accommodated in the event that the Senior Housing dwelling units are converted to non-Senior Housing.

**b.** Excluding townhouse and zero lot lines building typologies, all multi-family developments which are located east of Dixie Highway and all mixed use developments which include a residential component which are located east of Dixie Highway shall provide all off-street parking spaces in enclosed parking garage structures. No surface level parking lots are permitted for these properties.

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**SECTION 2.** If any provision of this Ordinance or the application thereof 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 10<sup>th</sup> day of March, 2015.

**PASSED SECOND READING** this 24<sup>th</sup> day of March, 2015.

  
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**LAMAR FISHER, MAYOR**

**ATTEST:**

  
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**ASCELETA HAMMOND, CITY CLERK**

GBL/jrm  
1/14/15  
L:ord/ch155/2015-163