

**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 155.3703., "ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)," TO MODIFY STANDARDS FOR OFF-STREET PARKING IN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; 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 155.3703., "Atlantic Boulevard Overlay District (AOD)," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.3703. ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)

...

E. Modified Development Standards

...

2. Off-Street Parking

a. Minimum Number of Spaces Required

...

ii. ~~Nonresidential and Mixed Use Development~~

~~No off-street parking spaces are required for any nonresidential or mixed-use development constructed by or have a valid building permit as of January 4, 2016. Nonresidential or mixed-use development permitted thereafter shall be subject to the following standards for minimum number of off-street parking spaces:~~

~~(A) Nonresidential development with a gross floor area totaling less than 25,000 square feet: No parking spaces required.~~

~~(B) Nonresidential development with a gross floor area totaling 25,000 square feet or more: one space per 1,000 square feet of gross floor area, or major fraction thereof.~~

~~(C) Mixed-use development: one space per 500 square feet of gross floor area devoted to nonresidential uses, or major fraction thereof; and one space per 1,000 square feet of gross floor area devoted to residential uses, or major fraction thereof.~~

ii. 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, 2021.

(A) Retail Sales and Service Use: Off-Street parking is reduced only for the following.

(1) No off-street parking spaces are required for a change in use of an existing building.

(2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less

(3) The above reductions in (1) and (2) are not applicable to Funeral Home or Mortuary, Laundromat, or Consignment Boutique.

(B) **Eating and Drinking Establishments:** Off-Street parking is reduced as follows:

- (1) No off-street parking spaces are required for a change in use of an existing building.
- (2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less
- (3) One parking space per 8 persons of maximum occupancy capacity of customer service area is required for a new principal or accessory structure located on property greater than one-acre.
- (4) The above reductions in (1), (2), and (3) are not applicable to Nightclub or Hall For Hire.

(C) **Professional Office Use:** No off-street parking spaces are required for a change in use of an existing building on the 2nd floor or above.

(D) **Hotel Use:** Off-Street parking is reduced as follows

- (1) No off-street parking spaces are required for a change in use of an existing building.
- (2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less

iii. **Selected off-street parking reductions for Residential Uses vertically integrated within a Mixed Use Development constructed by or having a valid building permit as of January 4, 2021.**

- (A) For purposes of this subsection, Mixed Use Development shall mean developments that vertically integrate residential uses with Retail Sales and Service Uses, Professional Office Uses, Bar or Lounges, Brewpubs, Restaurants, or Specialty eating or drinking establishments.

(B) The off-street parking requirement for the residential use is reduced as follows:

(1) No off-street parking spaces are required for a change in use of an existing building.

(2) No off-street parking spaces are required for a new principal structure or accessory structure located on property of one-acre or less

...

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 8th day of March, 2016.

PASSED SECOND READING this 22nd day of March, 2016.



LAMAR FISHER, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

/jrm
2/11/16
L:ord/ch155/2016-128