

Ord. 23

**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 §155.3501., "TRANSIT ORIENTED (TO)," TO MODIFY REQUIREMENTS AND STANDARDS FOR BUILDING CONFIGURATION AND DESIGN FOR DEVELOPMENT IN THE DISTRICT; BY AMENDING §155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY REQUIREMENTS FOR THE DENSITY REGULATING PLAN AND MODIFIED DENSITY STANDARDS AND PROVIDE REQUIREMENTS FOR AREAS THAT FALL WITHIN THE TRANSIT CORE AREA BOUNDARY, AND MODIFYING THE DIMENSIONAL STANDARDS AND USE STANDARDS FOR NEW AND EXISTING DEVELOPMENT LOCATED WITHIN THE DISTRICT AND SUBSTITUTING THE CORRESPONDING DENSITY REGULATING PLAN MAP TO INCLUDE THE TRANSIT CORE AREA BOUNDARY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Florida Statutes, Section 166.041(3)(c)2, advertisements in accordance with said statute have been published in a newspaper of general paid 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 have been held pursuant to said published hearings and all persons 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 155.3501., "Transit Oriented (TO)," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

**§155.3501. TRANSIT ORIENTED (TO)**

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**J. TO DISTRICT DESIGN STANDARD**

The following standards shall apply to development in TO Districts in addition to any applicable standards in Part 6 (Design Standards) of Article 5 (Development Standards):

**1. Exceptions**

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**2. Building Configuration and Design**

**a. Building Length.** The maximum horizontal dimension of a building shall be 300 feet at any level for tower, liner, courtyard and flex building types. Townhouses building groups shall not exceed 240 feet in length at any level of the building.

**b. Building Separation.** For tower building types only, when a building is constructed at the maximum building length, a minimum 30 foot separation at the podium level shall be required between the subject building and any adjacent building within the same lot or adjacent lot. Townhouses shall provide a minimum of 15 feet between building groups.

**c. Building Break.** Any building frontage along a primary, secondary, or tertiary street that exceeds 160 feet shall incorporate a building break of at least 30 feet in width and 10 feet in depth, every 160 feet, at the ground level. The break shall be improved as a forecourt or open space and/or provide building access and occur on axis with the existing city street grid.

**a-d.** Projects with three or more distinctly separate buildings/building groups shall have substantially different front elevations. Substantially different front elevations shall include but not be limited to variations in fenestration, material, massing and color.

**b-e.** The primary entrance of a building shall provide access to a public right-of-way, greenway or an open space.

**e-f.** The primary entrance to the upper levels of mixed-use building shall be from a public right-of-way.

**d-g.** Porticoes, canopies, ~~and~~ colonnades and roofs shall be guttered, and drainage shall be deposited onsite.

**e-h.** Storefront Standards

Storefronts are habitable uses located along the first floor of a building. They typically contain retail uses, but can contain any use that generates pedestrian activity. Storefronts shall be provided in compliance with the following standards.

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**f.i.** Fenestration Standards

All building types, except single-family, shall comply with the following fenestration standards:

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**g.h.** Live-Work Units

A live-workunit shall have two components: a nonresidential use space and a residential unit and shall comply with the following standards:

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**SECTION 2.** 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 (DP) OVERLAY DISTRICT**

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**F. DENSITY REGULATING PLAN AND MODIFIED DENSITY STANDARDS.**

**1. Density Regulating Plan**

All new and existing development shall comply with the standards found within the Density Regulating Plan. The Density Regulating Plan separates the DPOD into twelve density areas. The density areas, along with their required minimum and maximum residential density are shown in Table 155.3708.F.1 (Minimum and Maximum Residential Densities). Density Areas with an (OR) signifies the density area does not require residential units; rather residential density is optional. However, if residential units are developed they shall comply with the minimum and maximum residential density per net acre requirements. In order to incentivize development around public transportation, Density Areas that fall within the Transit Core Area boundary shall be required to provide the minimum density as specified in the Density Regulating Plan, where

residential is required, and shall not be subject to a maximum number of dwelling units per acre. The maximum density for residential development within the Transit Core Area boundary shall be limited by only the building envelope, which is prescribed by the maximum permitted building height, tower floorplate sizes and building length. The maximum density for residential development outside of the Transit Core Area boundary shall be limited by both the maximum permitted density as specified in the Density Regulating Plan, and the building envelope, which is prescribed by maximum permitted building height, tower floorplate sizes, and building length.

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

**1. Building Typology**

Unlike other zoning districts, the DPOD is a form based district that includes a list of permitted building typologies. All new buildings shall conform to one of the permitted building typologies. The building typologies are demonstrated in the Building Placement Regulating Diagrams. The Building Placement Regulating Diagrams provide a schematic representation of the various building typologies, based on their sub-area. The diagrams demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in each sub-area. (For instance, the Tower and Liner building typologies are considered the most intense and are not permitted in the Edge sub-area.) Existing buildings ~~which~~ that do not fit a prescribed typology shall follow the standards required for the Flex building typology. Buildings over six floors in height shall be designed in accordance with the tower building typology configuration and shall adhere to the Tower Regulations below. The building typologies permitted in the DP Overlay District and their allowable sub-area locations are listed ~~below:~~ in Table 155.3708.G.1: Building Typologies and Sub-Area Locations.

**a. Tower Regulations**

**i. Tower Floorplate Standard.** For buildings greater than six stories in height, above the fifth floor, there shall be a maximum tower floorplate size. The floorplate size for a tower shall be calculated as an average of the total cumulative tower floorplate area of all levels divided by the number of tower stories. The maximum floorplate size is dependent upon the tower's primary use as follows:

(A) Office or Non-Residential – average of 35,000 square feet floorplate size for buildings with multiple towers and a 45,000 square feet

maximum floorplate size for buildings with a single tower;

(B) Residential, Mixed-Use, or Hotel – average of 20,000 square feet floorplate size for buildings with multiple towers and a 32,500 square feet maximum floorplate size for buildings with a single tower.

**ii. Tower Separation.** For buildings greater than six stories in height, the minimum allowable horizontal distance between two or more towers shall be 60 feet.

**iii. Tower Stepback.** For buildings greater than six stories in height, the minimum stepback for the tower shall be ten feet from the podium along interior side and rear property lines only.

**iv. Tower Orientation.** Tower Orientation shall be along Designated Greenways and Open Spaces, where applicable. The placement of the tower shall be such that it is near, fronting or adjacent to a specified Designated Greenway and/or Open Space in order to provide a continuous strong edge to the public realm, creating defined public spaces and continuity in the urban context.

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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	<del>450</del> 600	
		1 Bedroom	<del>575</del> 800	
		2 Bedroom	<del>850</del> 1,000	
		3 Bedroom	<del>1,000</del> 1,200	
	Additional Bedroom	100		

**H. Use Regulating Plan and Modified Use Standards.**

**1. Use Regulating Plan**

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**2. Principal Uses Regulating Table**

Table 155.3708.H.2 includes the principal uses permitted in the DPOD along with any required restrictions on such uses, for each of the use areas listed above. Principal uses not included in Table 155.3708.H.2. are not permitted in the DPOD. Principal uses in the DPOD shall be subject to the use-specific standards as provided for in Part 2, of Article 4, unless specifically noted otherwise in Section 155.3708.H.5 (Modified Use Standards).

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TABLE 155.3708.H.2: PRINCIPAL USES REGULATING TABLE																	
P = PERMITTED S = SPECIAL EXCEPTION BLANK = NOT PERMITTED 1 = 2nd Floor Only 2 = Not Permitted in Historic Core 3 = Not Permitted in Historic Transition																	
Use Types	Use Areas																
	MM1		MM2		MUR		MO	RM	RS	MUCP - All	CC1 - All Floors	CC2 - All Floors	RO	CF	PU	TR	
	1st & 2nd Floors	2nd Floor & above	1st floor	2nd Floor & above	1st & 2nd Floors	3rd Floor & above											
<b>INSTITUTIONAL USES</b>																	
Health Care Uses (155.4209)	Medical office	P(1)	P (1)	P	P	P		P			P	P	P				P
	Nursing home facility	P(1)	P (1)	P	P	P		P			P	P	P				

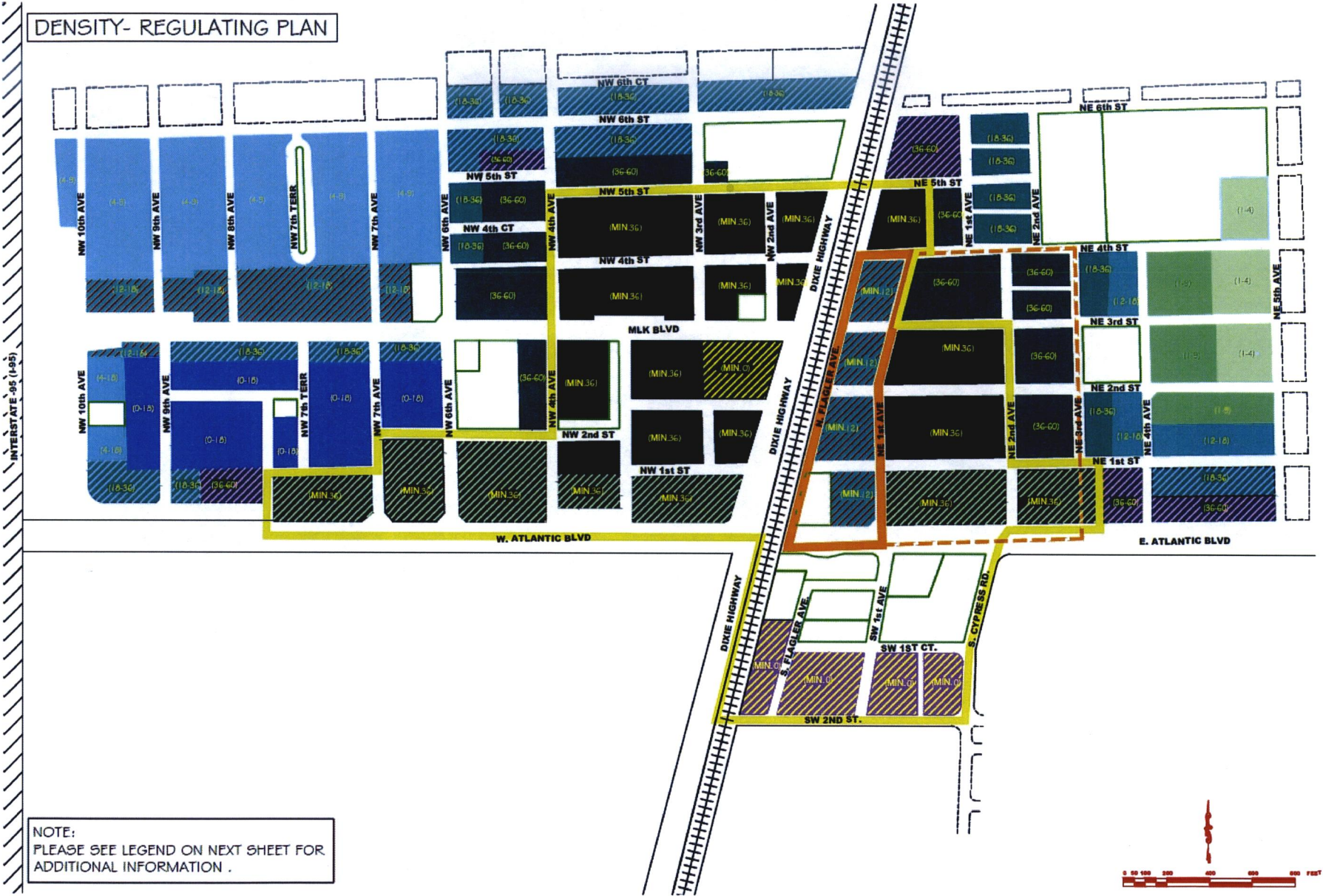
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**SECTION 3.** That the corresponding Density Regulating Plan Map in Section 155.3708., "Downtown Pompano Beach (DP) Overlay District," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby substituted to include the Transit Core Area Boundary and shall read as follows:

**Regulating Plans/Maps for DP Overlay District**

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# DENSITY- REGULATING PLAN



NOTE:  
PLEASE SEE LEGEND ON NEXT SHEET FOR  
ADDITIONAL INFORMATION .



LEGEND	
DENSITY- REGULATING PLAN	
(36-80) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 36 UNITS / ACRE NET, MAX. 80 UNITS / ACRE NET).(1)
(36-80)(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL : (MIN. 36 UNITS / ACRE NET, MAX. 80 UNITS / ACRE NET).(1)
(36-60) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 36 UNITS / ACRE NET, MAX. 60 UNITS / ACRE NET).
(36-60)(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 36 UNITS / ACRE NET, MAX. 60 UNITS / ACRE NET).
(18-36) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 18 UNITS / ACRE NET, MAX. 36 UNITS / ACRE NET).
(18-36)(O.R.) 	(O.R.) OPTIONAL RESIDENTIAL: (MIN. 18 UNITS / ACRE NET, MAX. 36 UNITS / ACRE NET).
(12-18) 	(R.R.) RESIDENTIAL REQUIRED: (MIN. 12 UNITS / ACRE NET, MAX. 18 UNITS / ACRE NET).
(12-18)(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

Note (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 building envelop which is prescribed by the maximum permitted building height, tower floorplates sizes, and building length.



**SECTION 4.** 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 5.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this 28th day of March, 2017.

**PASSED SECOND READING** this 11th day of April, 2017.

  
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**LAMAR FISHER, MAYOR**

**ATTEST:**

  
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**ASCELETA HAMMOND, CITY CLERK**

:jrm  
3/15/17  
L:ord/ch155/2017-159