

Ord. 28

ORDINANCE NO. 2020- 21

**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 CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.9402., "EXCEPTIONS AND VARIATIONS," TO AMEND EXCEPTIONS AND VARIATIONS FOR DEVELOPMENT OF TWO-FAMILY DWELLINGS; 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 155.9402., "Exceptions and Variations," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

155.9402. EXCEPTIONS AND VARIATIONS

A. REDUCTION OF MINIMUM LOT AREA OR WIDTH TO BLOCK FACE AVERAGE COMPATIBLE CONDITIONS

1. If the average area or width of existing lots located on the same block face and in the same zoning district is less than applicable minimum lot area or minimum lot width (as appropriate) established in Article 3: Zoning Districts, the minimum lot area or minimum lot width (as appropriate) required of a lot shall be reduced to that average lot area or average lot width (as appropriate).

2. Properties within the RD and RM Zoning Districts may apply to exceed the zoning density to develop a Two-Family Dwelling, in the following instances, as decided by the Development Services Director:

a. the block face for the subject property is compatible with two-family development and the character of the block face is not single-family; and

b. compliance with the applicable development standards including but not limited to parking, landscaping, and dimensional standards; and

c. subject to the allocation of Reserve or Flexibility Units if required for compliance with the density as prescribed by the Land Use.

...

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 10th day of December, 2019.

PASSED SECOND READING this 14th day of January, 2020.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

MEB/jrm
11/20/19
L:ord/ch155/2020-45