

ORDINANCE NO. 2021- 09

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 155.2408., "BUILDING DESIGN," TO PROVIDE FOR ALTERNATIVES TO BUILDING DESIGN STANDARDS IN THE TRANSIT-ORIENTED (TO) DISTRICT; BY AMENDING SECTION 155.2421., "ADMINISTRATIVE ADJUSTMENT," TO MODIFY TABLE 155.2421.B.1, "ALLOWABLE ADMINISTRATIVE ADJUSTMENT," TO REFLECT MODIFICATIONS TO THE ZONING CODE; AND BY AMENDING SECTION 155.3501., "TRANSIT ORIENTED (TO)," TO AUTHORIZE THE DIRECTOR OF DEVELOPMENT SERVICES TO ADMINISTRATIVELY ADJUST ACTIVE USE STANDARDS AT CERTAIN SPECIFIC LOCATIONS; 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 155.2408., "Building Design," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

...

E. Building Design - Vernacular or Superior Design Alternative

1. In conjunction with approval of an application for Building Design, the AAC may grant requested deviations for buildings

and development which, due to their vernacular or superior design, may not be able to comply with the strict application of the design standards listed in Sections 155.3501 O., 155.3703.F.7, 155.5601, 155.5602, and 155.5603. Except for as it applies to developments within the Transportation (T) and Public Utilities (PU) Zoning Districts, the AAC shall not grant a deviation from the following standards:

a. Multifamily Residential Design Standards

...

d. 155.5604, Residential Compatibility Standards

e. 155.3501 Transit Oriented Design Standards

i. 155.3501 O. 2. k. Live-Work Units

ii. 155.3501 O. 3. Block Requirements

iii. 155.3501 O. 4. Building Typology and Placement Regulating Diagrams and Dimensional Standards

...

SECTION 2. That Section 155.2421., "Administrative Adjustment," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

155.2421. ADMINISTRATIVE ADJUSTMENT

...

B. APPLICABILITY

1. General

Administrative Adjustments may be requested to the standards identified in Table 155.2421.B.1, Allowable Administrative Adjustments , up to the limit set forth in the table for the type of standard, the type of Administrative Adjustment (Major or Minor), and the zoning district within which the adjustment is requested.

TABLE 155.2421.B.1: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS

Standard	Maximum Allowable Extent of Adjustment		
	Minor Administrative Adjustment (All Zoning Districts)		Major Administrative Adjustment (AOD, TO, CRAO, and Non-Residential Districts)
	Development Within Atlantic Boulevard Overlay District or Redevelopment of Brownfield Site Within Designated Brownfield Area	Other Development	
Minimum yard setback or minimum lot width	30%	20%	40%
Maximum lot coverage	n/a	20%	40%
...
TO: Ground floor active use liner minimum depth (20-feet)	10%	10%	20%
TO: Maximum building length of 300-feet	10%	10%	20%
<u>TO: Active use required on secondary streets in the core and center</u>	<u>10%</u>	<u>10%</u>	<u>20%</u>
TO/EOD: Active use required on tertiary streets in the core and center	N/A <u>20%</u>	N/A <u>20%</u>	20% <u>30%</u>
TO/EOD: Minimum open space size of 4,800 SF (not applicable to density bonus provision)	N/A	N/A	20%
...

...

SECTION 3. 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)

...

O. TO District Design Standards

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):

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2. Building Configuration and Design

a. Building Length.

Unless further restricted on the Building Typology and Placement Regulating Diagrams, the maximum horizontal dimension of a building shall be 300 feet at any level. For buildings within the FAA height restricted zones (as demonstrated on the Building Heights Regulating Plan of the Overlay District) only, the maximum horizontal dimension of a building may exceed 300-feet in length at any level and the following shall apply:

...

h. Active Use Standards

Active uses shall be required along all building frontages as specified within the Overlay District and the following shall apply:

i. Ground floor active use, liner.

- a) The minimum depth of an active use liner is measured generally perpendicular to the building frontage. The minimum depth of the active use liner shall be 20 feet.

...

- iii. Ground floor active use, residential units;

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

...

- iv. The Director of Development Services or his/her designee shall have the authority to adjust administratively the requirements for active uses fronting on secondary streets and tertiary streets (refer to Table 155.2421. B. 1. Allowable Administrative Adjustments).

...

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 27th day of October, 2020.

PASSED SECOND READING this 10th day of November, 2020.

DocuSigned by:

Rex Hardin

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REX HARDIN, MAYOR

ATTEST:

DocuSigned by:

Asceleta Hammond

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ASCELETA HAMMOND, CITY CLERK

MEB/jrm
9/24/2020
L:ord/ch155/2020-324

DocuSigned by:

