

**ORDINANCE NO. 2021- 29**

**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 POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3709., "EAST OVERLAY DISTRICT (EOD)," BY MODIFYING DEVELOPMENT REQUIREMENTS FOR BUILDINGS IN THE EAST OVERLAY DISTRICT (EOD), BY RELOCATING STEPBACK REQUIREMENTS IN THE CODE AND MODIFYING THE DIAGRAM TO REFLECT CHANGES IN THE CODE; 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 155.3709., "East Overlay District (EOD)," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

**§ 155.3709. EAST OVERLAY DISTRICT (EOD)**

**A. Purpose**

The East Overlay District (EOD) is established and intended to encourage an urban form that promotes transit usage and pedestrian oriented development in the area connecting the Downtown Pompano

Beach Overlay District and the Atlantic Boulevard Overlay District. The purpose of the district standards is to stimulate economic revitalization, create a pedestrian-friendly environment and promote mixed-use development. It is also intended to help implement the Pompano Beach Transportation Corridor Study Transformation Plan and the Pompano Beach Community Redevelopment Plan for the East Pompano Beach Redevelopment District

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**D. Sub-Areas/Building Heights Regulating Plan**

The Sub-Areas/Building Heights Regulating Plan is intended to delineate the areas where different types of development intensities are permitted in order to establish compatibility with the single-family neighborhoods.

**1. Sub-area Designations**

The area where the most intense development is permitted is within the core sub-area. The area where a transitional intensity is permitted is within the center sub-area. The area where the least intensity is permitted is within the edge sub-area.

**2. Building Height Designations**

All new and modifications to existing development shall comply with the building height standards found within the Sub-Areas/Building Heights Regulating Plan. When one property or parcel is regulated by two different height standards, the Sub-Areas/Building Heights Regulating Plan shall be referred to for the depth of each building height zone. In addition, the following shall apply:

- a. Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
- b. Buildings higher than ~~6~~ 8 stories shall be developed according to the tower building type standards.

c. For properties with buildings greater than 6 stories in height that are abutting Atlantic Boulevard between NE 19<sup>th</sup> Avenue and NE 25<sup>th</sup> Avenue, the minimum setback along the front and street side property lines shall be 20 feet from the face of the building. The setback shall begin above the fifth floor only, for all other properties abutting Atlantic Boulevard, there shall be no minimum setback required.

d. For properties with buildings greater than 6 stories in height that are abutting US1 between NE 4th Street and SE 4th Street the minimum setback along the front and street side property lines shall be 20 feet from the face of the building. The setback shall begin above the fifth floor only, for all other properties abutting US1, there shall be no minimum setback required.

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**I. Building Typology and Placement Regulating Diagrams and Modified Dimensional Standards**

**1. Building Typology**

All new buildings shall conform to one of the permitted building typologies. The building typologies are demonstrated in the Building Placement Regulating Diagrams of the TO District, Section 155.3501.O.4 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 every sub-area of the EOD. (For instance, the tower and liner building typologies are considered the most intense and are not permitted in the edge sub-area.) Existing buildings that do not fit a prescribed typology shall follow the standards required for the flex building typology. The building typologies permitted in the EOD and their allowable sub-area locations are demonstrated on the Sub-Areas/Building Heights Regulating Plan.

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**3. Tower Regulations**

The tower regulations demonstrated on the Building Typology and Placement Regulating Diagram shall apply. In addition, the following shall also apply in the EOD:

- (a) For properties with buildings greater than 6 stories in height that are abutting Atlantic Boulevard between NE 19<sup>th</sup> Avenue and NE 25<sup>th</sup> Avenue, the minimum stepback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The stepback shall begin above the fifth floor only, for all other properties abutting Atlantic Boulevard, there shall be no minimum front and street side stepback for the tower.
- (b) For properties with buildings greater than 6 stories in height that are abutting US1 between NE 4th Street and SE 4th Street the minimum stepback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The stepback shall begin above the fifth floor only, for all other properties abutting US1, there shall be no minimum stepback for the tower.

**4. 3. Lot Standards**

Lot standards, including but not limited to lot width and lot coverage, are determined based on the selected building typology. The lot standards are demonstrated on the Building Typology and Placement Regulating Diagrams.

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

**Table 155.3709.I.54: Minimum Unit Sizes for Residential Development**

<b>Table 155.3709.I.54: Minimum Unit Sizes for Residential Development</b>		
<b>Floor area per dwelling unit, minimum (square feet)</b>		
SF		950
MF	Efficiency Units	450
	1 Bedroom	575
	2 Bedroom	750
	3 Bedroom	850
	Additional Bedroom	100

**6. 5. Additional EOD Standards**

In addition to the Regulating Plans, the following standards apply to properties within the EOD.

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**7. 6. Modified Perimeter Buffer Standards**

Development that is required to obtain Major Site Plan or Minor Site Plan approval shall provide a perimeter buffer to separate it from abutting property that is a less intensive use or inconsistent use, including developed or vacant property in accordance with Table 155.5203.F.3 Required Buffer Types and Standards with the following modifications:

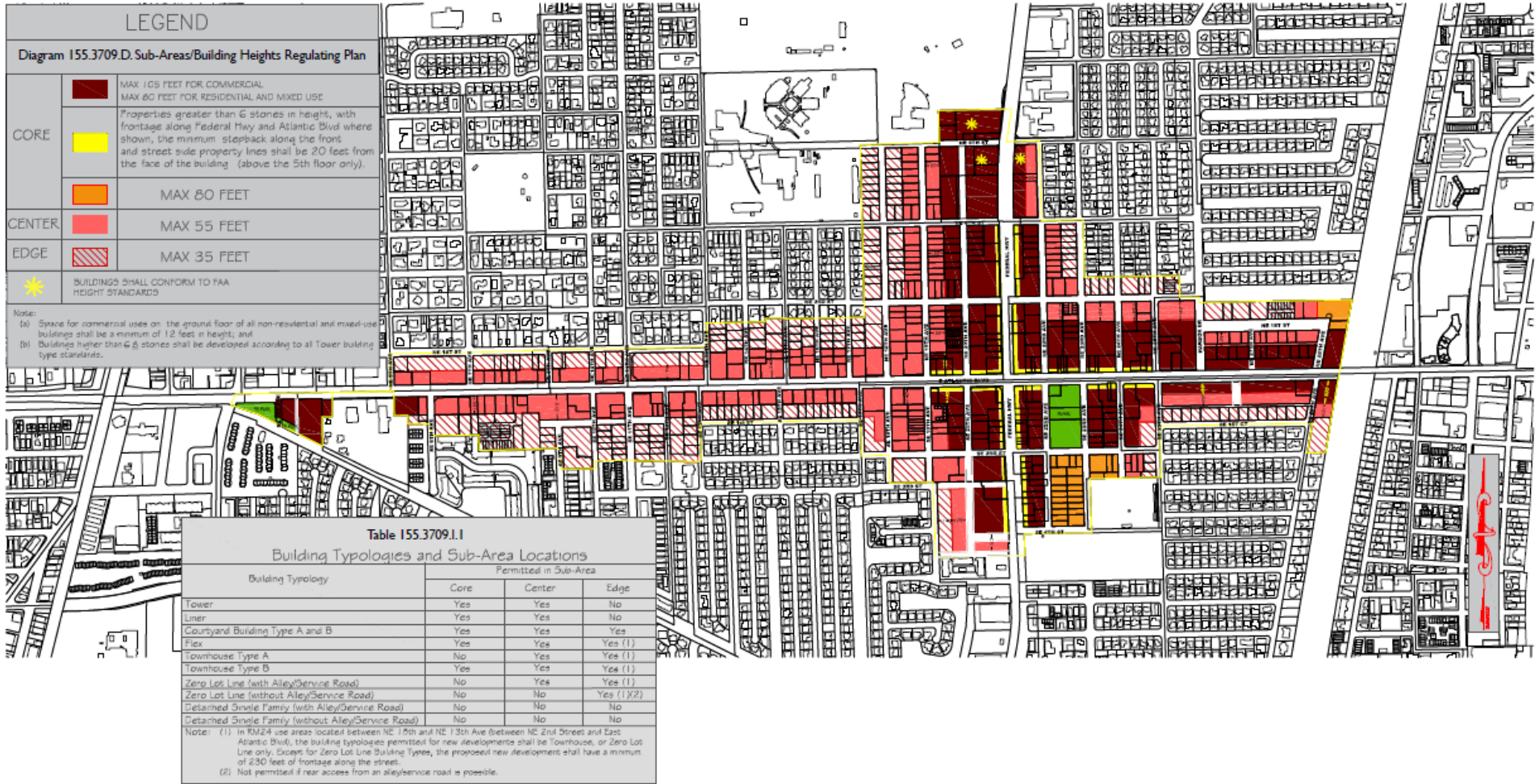
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**8. 7. Modified Residential Compatibility Standards**

Residential compatibility standards throughout the TO and EOD supersede the residential compatibility standards found in Section 155.5604 which do not apply.

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### Diagram 155.3709.D. Sub-Areas/Building Heights Regulating Plan



**LEGEND**

Diagram 155.3709.D. Sub-Areas/Building Heights Regulating Plan

CORE		MAX 105 FEET FOR COMMERCIAL MAX 80 FEET FOR RESIDENTIAL AND MIXED USE  Properties greater than 6 stories in height, with frontage along Federal Hwy and Atlantic Blvd where shown, the minimum setback along the front and street side property lines shall be 20 feet from the face of the building (above the 5th floor only).
		MAX 80 FEET
CENTER		MAX 55 FEET
EDGE		MAX 35 FEET
		BUILDINGS SHALL CONFORM TO FAA HEIGHT STANDARDS

Note:  
 (a) Space for commercial use on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and  
 (b) Buildings higher than 6 stories shall be developed according to all Tower building type standards.

**Table 155.3709.I.1**  
 Building Typologies and Sub-Area Locations

Building Typology	Permitted in Sub-Area		
	Core	Center	Edge
Tower	Yes	Yes	No
Liner	Yes	Yes	No
Courtyard Building Type A and B	Yes	Yes	Yes
Flex	Yes	Yes	Yes (1)
Townhouse Type A	No	Yes	Yes (1)
Townhouse Type B	Yes	Yes	Yes (1)
Zero Lot Line (with Alley/Service Road)	No	Yes	Yes (1)
Zero Lot Line (without Alley/Service Road)	No	No	Yes (1)(2)
Detached Single Family (with Alley/Service Road)	No	No	No
Detached Single Family (without Alley/Service Road)	No	No	No

Note: (1) In RM24 use areas located between NE 15th and NE 13th Ave (between NE 2nd Street and East Atlantic Blvd), the building typologies permitted for new developments shall be Townhouse, or Zero Lot Line only. Except for Zero Lot Line Building Types, the proposed new development shall have a minimum of 230 feet of frontage along the street.  
 (2) Not permitted if rear access from an alley/service road is possible.

**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 November, 2020.

**PASSED SECOND READING** this 8th day of December, 2020.

DocuSigned by:  
*Rey Hardin*  
502CB780EB3E480  
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**REX HARDIN, MAYOR**

**ATTEST:**

DocuSigned by:  
*Asceleta Hammond*  
775D4290316A490  
\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
7/7/2020  
L:ord/ch155/2020-231

