

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING TWELVE RESIDENTIAL FLEXIBILITY UNITS TO THE PROPERTY LOCATED AT 817 NORTH DIXIE HIGHWAY WITH AN UNDERLYING COMMERCIAL LAND USE DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, flexibility units allow the City to revise and rearrange residential density within a municipal unified flexibility zone, where consistent with Broward County administrative rules, without a formal Land Use Plan Amendment; and

WHEREAS, the Parents Information & Resource Center, Inc. (“Applicant”) requests an allocation of twelve (12) residential flexibility units to convert an office building, located at 817 North Dixie Highway, to a residential use. An allocation of the same twelve flexibility units was made to this Property on September 23, 2003 by the City Commission in Resolution 2003-296; however, the allocation expired. The site is legally described in Exhibit “A,” attached and incorporated in this Resolution; and

WHEREAS, the land use designation of the subject property is Commercial; and

WHEREAS, Section 154.61(D), City of Pompano Beach Code of Ordinances, authorizes the City Commission, as a legislative action, the discretion to issue flex/redevelopment units and commercial flexibility, where the following standards are met: (1) consistency with applicable goals, objectives and policies of the city's Comprehensive Plan and Chapter 154 of the City Code of Ordinances; (2) the use of the redevelopment and flexibility units and/or the establishment of nonresidential development within a residential land use designation will produce a reasonable

development pattern, in light of the compatibility of adjacent land uses and suitability of the parcel for various development patterns; and (3) a commitment to provide affordable housing units as outlined in the Code or pay an “in lieu of” fee, unless exempt from such commitment; and

WHEREAS, advertisements have been published in a newspaper of general circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of a public hearing on this proposed Resolution, consistent with Section 154.61(C)(4), City of Pompano Beach Code of Ordinances; and

WHEREAS, notice has been mailed notifying residents within 500 feet of the subject property of one public hearing on this proposed Resolution, in accordance with Section 154.61(C)(4) of the Pompano Beach Code of Ordinances; and

WHEREAS, the 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 RESOLVED BY THE CITY COMMISSION OF CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach, in review of the Applicant’s request for twelve (12) residential flexibility units from the unified flex zone for the property legally described in Exhibit “A,” and the Planning and Zoning Board’s recommendation to approve the allocation, finds the following:

- a. The allocation is consistent with applicable goals, objectives and policies of the City's Comprehensive Plan and Chapter 154 of the City Code of Ordinances;
- b. The use of the redevelopment and flexibility units will produce a reasonable development pattern, in light of the compatibility of adjacent land uses and suitability of the parcel for various development patterns; and
- c. The Applicant commits to provide affordable housing units as outlined in the Code or pay an “in lieu of” fee, unless otherwise exempted by Chapter 154 of the City Code of Ordinances.

SECTION 2. That the number of flex units in the unified flex zone shall be reduced by the number of units necessary for the proposed housing project, not to exceed twelve (12) units.

SECTION 3. That the proposed building conversion project constitutes a “change of use” and will require significant modifications to the site plan, attached in Exhibit “B” showing the existing condition of the property as well as the interior and exterior of the existing building, including, but not necessarily limited to:

- (a) a Retroactive Landscape Plan;
- (b) a site plan with tabular data that demonstrates compliance with all applicable zoning regulations; (lot coverage, pervious, impervious area, minimum unit sizes, etc.);
- (c) an approved Broward County drainage permit;
- (d) utility plans showing internal and external utility infrastructure and connections approved by the City Utility Department;
- (e) a Life Safety Plan;
- (f) a CPTED Plan;
- (g) approval of a change of use permit;
- (h) all fencing must be brought up to code;
- (i) all trash management must be code compliant;
- (j) all unnecessary pavement must be removed;
- (k) the right-of-way dedication for NW 8th Court must be completed to provide the required 50’ width (25’ to the centerline of the roadway);
- (l) include a sidewalk along NW 8th Court;
- (m) plans that meet all code requirements including DRC comments issued for this flex unit allocation.

SECTION 4. If the requested twelve (12) units cannot be accommodated on site based on all applicable code requirements, the density of the site must be reduced accordingly which may result in some of the flex units being returned to the City’s pool of flex units.

SECTION 5. Failure of the Applicant to obtain a principal building permit for this building conversion project as shown in Exhibit “B,” and to perform the required modifications listed in Section 4 above, within two (2) years of the date of this Resolution shall render the allocation of the flex units null and void.

SECTION 6. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2026.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

JES/mcm
3/4/26
L:reso/2026-100

**EXHIBIT A
LEGAL DESCRIPTION**

LOTS 1 THROUGH 5 BLOCK 1 OF COLE ADDITION TO TOWN OF POMPANO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 100 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID LAND SITUTATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL;

A PORTION OF LOTS 1, 2 AND 3 OF PLAT COLE ADDITION TO POMPANO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 100, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED LOT 1, THENCE EASTERLY ALONG THE SOUTHERNLY LINE OF THE AFOREMENTIONED LOT 1, A DISTANCE OF 48.44 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE POINT OF CURVATURE OF A 30 FOOT RADIUS CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 38.92 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTHEASTERLY ALONG A LINE 80 FEET WEST OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF THE F.E.C. RAILROAD, A DISTANCE OF 135.18 FEET TO A POINT OF THE NORTH LINE OF THE AFOREMENTIONED LOT 3; THENCE EASTERLY TO THE NORTHEAST CORNER OF THE AFOREMENTIONED LOT 3; THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1 THROUGH 3 TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 1; THENCE WESTERLY TO THE POINT OF BEGINNING.

EXHIBIT "B"
CURRENT SITE PLAN