

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 155.3203., "SINGLE-FAMILY RESIDENCE 2 (RS-2)," SECTION 155.3208., "MULTIPLE-FAMILY RESIDENCE 7 (RM-7)," SECTION 155.3209., "MULTIPLE-FAMILY RESIDENCE 12 (RM-12)," SECTION 155.3210., "MULTIPLE-FAMILY RESIDENCE 20 (RM-20)," SECTION 155.3211., "MULTIPLE-FAMILY RESIDENCE 30 (RM-30)," SECTION 155.3212., "MULTIPLE-FAMILY RESIDENCE 45 (RM-45)," SECTION 155.3302., "LIMITED BUSINESS (B-1)," SECTION 155.3303., "COMMUNITY BUSINESS (B-2)," SECTION 155.3304., "GENERAL BUSINESS (B-3)," SECTION 155.3305., "HEAVY BUSINESS (B-4)," SECTION 155.3306., "MARINE BUSINESS (M-1)," AND SECTION 155.3501., "TRANSIT ORIENTED (TO)" TO MODIFY BUILDING HEIGHT AND SETBACK MEASUREMENTS;" BY AMENDING SECTION 155.5302., "FENCES AND WALLS" TO MODIFY FENCE HEIGHT MEASUREMENTS; BY AMENDING SECTION 155.9401, "MEASUREMENT," AND PART 5., "TERMS AND USES DEFINED" TO FURTHER CLARIFY MEASUREMENT REFERENCES FOR BUILDING HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board has reviewed and approved the revised Zoning Amendments; 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 Ordinance, in accordance with Section 166.041(3)(a), Florida Statutes; 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 Article 3, "Zoning Districts," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

155.3203. SINGLE-FAMILY RESIDENCE 2 (RS-2)

A. Purpose	
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C. Intensity and Dimensional Standards ¹	
Lot area, minimum (sq ft)	7,000
Lot width, minimum (ft)	70
Density, maximum (du/ac)	See Comprehensive Plan ³
Floor area per dwelling unit, minimum (sq ft)	1,250
Lot coverage, maximum (% of lot area)	40
Pervious area, minimum (% of lot area)	30
Height, maximum (ft)	35 ⁵
Front yard setback, minimum (ft)	25
Street side yard setback, minimum (ft)	15
Setback from a waterway or canal, minimum (ft)	25 ³
Interior side yard setback, minimum (ft)	7.5
Rear yard setback, minimum (ft)	20 ⁴
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50

Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 3. On existing lot where rear yard abuts waterway or canal, setback equals the existing rear yard depth if it is between 15 ft and 25 ft. 4. On existing lot, setback equals the existing rear yard depth if it is between 15 ft and 20 ft. 5. The maximum height may be increased to 40 feet where the lowest structural member of a building must be 14.5 feet or more above National Geodetic Vertical Datum of 1929 (N.G.V.D.)	

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155.3208. MULTIPLE-FAMILY RESIDENCE 7 (RM-7)

A. Purpose		
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C. Intensity and Dimensional Standards ¹		
Lot area, minimum (sq ft)	7,000 ²	
Lot width, minimum (ft)	60 ²	
Density, maximum (du/ac)	7 ^{2,3}	
Floor area per dwelling unit, minimum (sq ft)	SF	950
	2F	750
	MF	Efficiency units: 500
		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	

Height, maximum (ft)	35
Front yard setback, minimum (ft)	25
Street side yard setback, minimum (ft)	8 ^{2,4}
Setback from a waterway or canal, minimum (ft)	25
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	8 ^{2,4,5}
Rear yard setback, minimum (ft)	10 ⁴
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	8 ^{2,3}
Rear yard setback, minimum (ft)	10
Spacing between principal structures, minimum (ft)	25
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling; 2F = two-family dwelling; MF = multifamily dwelling; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional</u> 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height.	

5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

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155.3209. MULTIPLE-FAMILY RESIDENCE 12 (RM-12)

A. Purpose		
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C. Intensity and Dimensional Standards ¹		
Lot area, minimum (sq ft)	7,000 ²	
Lot width, minimum (ft)	60 ²	
Density, maximum (du/ac)	12 ^{2,3}	
Floor area per dwelling unit, minimum (sq ft)	SF	950
	2F	750
	MF	Efficiency units: 500
		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	35	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	8 ^{2,4}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	8 ^{2,4,65}	
Rear yard setback, minimum (ft)	10 ⁴	
Spacing between principal structures, minimum (ft)	25	

Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in <u>Article 4: Part 3</u> .
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre] 1. See measurement rules and allowed exceptions/variations in <u>Article 9: Part 4</u>. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional 4 ft</u> (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height. 5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.	

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155.3210. MULTIPLE-FAMILY RESIDENCE 20 (RM-20)

A. Purpose			
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C. Intensity and Dimensional Standards ¹			
Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	20 ^{2,3}		
Floor area per dwelling unit, minimum (sq ft)	SF	950	
	2F	750	
	MF	Efficiency units: 500	

		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	35	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	10 ^{2,4}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	10 ^{2,4,5}	
Rear yard setback, minimum (ft)	10 ⁴	
Spacing between principal structures, minimum (ft)	25	
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwelling only)	
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9:Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional 4 ft</u> (or major fraction thereof) <u>the height of the portion of the structure exceeds 20 ft of building height.</u>		

5. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

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155.3211. MULTIPLE-FAMILY RESIDENCE 30 (RM-30)

A. Purpose			
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C. Intensity and Dimensional Standards ¹			
Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	30 ^{2,3}		
Floor area per dwelling unit, minimum (sq ft)	SF	950	
	2F	750	
	MF	Efficiency units: 500	
		Other units: 650 + 100 per BR>1	
Lot coverage, maximum (% of lot area)	60 ²		
Pervious area, minimum (% of lot area)	25 ²		
Height, maximum (ft)	105 ⁴		
Front yard setback, minimum (ft)	25		
Street side yard setback, minimum (ft)	10 ^{2,5}		
Setback from a waterway or canal, minimum (ft)	25		
Setback from the historic dune vegetation line, minimum (ft)	25		
Interior side yard setback, minimum (ft)	10 ^{2,5,6}		
Rear yard setback, minimum (ft)	10 ⁵		

Spacing between principal structures, minimum (ft)	25
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling ; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom] 1. See measurement rules and allowed exceptions/variations in Article 9:Part 4 . 2. For townhouse development, applies only to the development site as a whole; individual townhouse lots must have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. On land classified Residential by the Land Use Plan, maximum gross residential density may not exceed that established for the particular land use classification. 4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707. 5. Those portions of a structure extending above a height of 20 feet shall be set back <u>from the property line</u> an additional 1 ft for each <u>additional 4 ft</u> (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height. 6. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.	

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155.3212. MULTIPLE-FAMILY RESIDENCE 45 (RM-45)

A. Purpose			
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C. Intensity and Dimensional Standards ¹			
Lot area, minimum (sq ft)	SF: 7,000	2F: 8,000	MF: 8,800 ²
Lot width, minimum (ft)	SF: 60	2F: 70	MF: 75 ²
Density, maximum (du/ac)	45 ^{2,3}		

Floor area per dwelling unit, minimum (sq ft)	SF	950
	2F	750
	MF	Efficiency units: 500
		Other units: 650 + 100 per BR>1
Lot coverage, maximum (% of lot area)	60 ²	
Pervious area, minimum (% of lot area)	25 ²	
Height, maximum (ft)	105 ^{4,5}	
Front yard setback, minimum (ft)	25	
Street side yard setback, minimum (ft)	10 ^{2,6}	
Setback from a waterway or canal, minimum (ft)	25	
Setback from the historic dune vegetation line, minimum (ft)	25	
Interior side yard setback, minimum (ft)	10 ^{2,6,7}	
Rear yard setback, minimum (ft)	10 ⁶	
Spacing between principal structures, minimum (ft)	25	
Required Front Yard, Pervious Area, minimum (% of Required Front Yard)	50 (for Single Family Dwellings only)	
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre; SF = single-family dwelling ; 2F = two-family dwelling ; MF = multifamily dwelling ; BR = bedroom]		
1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.		
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.		
3. On land classified Residential by the Land Use Plan, maximum gross residential density		

may not exceed that established for the particular land use classification.

4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.

5. Not applicable within a Multiple-Family Residence 45 High-Rise (RM-45 HR) Overlay district.

6. Those portions of a structure extending above a height of 20 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 20 ft of building height.

7. For developments with zero-lot-line single-family dwellings, 0 ft along the zero lot line and 15 ft for the opposite interior side lot line.

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155.3302. LIMITED BUSINESS (B-1)

A. Purpose	
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C. Intensity and Dimensional Standards ¹	
Lot area, minimum (sq ft)	7,000 ²
Lot width, minimum (ft)	70 ²
Density, maximum (du/ac)	20 ^{2,3}
Lot coverage, maximum (% of lot area)	35 ²
Pervious area, minimum (% of lot area)	20 ²
Height, maximum (ft)	50
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0
Setback from a waterway or canal, minimum (ft)	15
Interior side yard setback, minimum (ft)	0 ²
Rear yard setback, minimum (ft)	30

Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]		
1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.		
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.		
3. Residential development on land classified as Commercial by the Land Use Plan is subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.		
D. Intensity and Dimensional Standards for Free-Standing Residential Buildings ¹		
Free-standing Residential Buildings shall comply with the following dimensional standards. Standards not listed below, including lot coverage, pervious area, and building height , shall be as required in Section 155.3302.C above.		
Lot area, maximum (acre)	5 ²	
Lot area, maximum (acre) for properties within the NWCRA or AOD	10 ²	
Floor area per dwelling unit, minimum (sq ft)	Efficiency	500 – habitable living space
	1 Bedroom	650 – habitable living space
	Additional Bedroom	100 – habitable living space
Interior side yard setback, minimum (ft)	10 ²	
Rear yard setback, minimum (ft)	10	
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]		
1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.		
2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.		
Typical Development Configuration		

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155.3303. COMMUNITY BUSINESS (B-2)

A. Purpose	
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C. Intensity and Dimensional Standards ¹	
Lot area, minimum (sq ft)	10,000 ²
Lot width, minimum (ft)	100 ²
Density, maximum (du/ac)	30 ^{2,3}
Lot coverage, maximum (% of lot area)	45
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ⁴
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ⁵
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ^{2,5}
Rear yard setback, minimum (ft)	30 ⁵
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft. 3. Residential development on land classified as Commercial by the Land Use Plan is subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.	

4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.

5. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 50 ft of building height.~~

D. Intensity and Dimensional Standards for Free-Standing Residential Buildings ¹

Free-standing Residential Buildings shall comply with the following dimensional standards. Standards not listed below, including lot coverage, pervious area, and building height, shall be as required in Section 155.3303.C above.

Lot area, maximum (acre)	5 ²	
Lot area, maximum (acre) for properties within the NWCRA or AOD	10 ²	
Floor area per dwelling unit, minimum (sq ft)	Efficiency	500 – habitable living space
	1 Bedroom	650 – habitable living space
	Additional Bedroom	100 – habitable living space
Interior side yard setback, minimum (ft)	10 ^{2,3}	
Rear yard setback, minimum (ft)	10 ³	

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.

2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.

3. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) of building height.

Typical Development Configuration

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155.3304. GENERAL BUSINESS (B-3)

A. Purpose	
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C. Intensity and Dimensional Standards ¹	
Lot area, minimum (sq ft)	10,000 ²
Lot width, minimum (ft)	100 ²
Density, maximum (du/ac)	46 ^{2,3}
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ⁴
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ^{2,5}
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ^{2,5}
Rear yard setback, minimum (ft)	30 ⁵
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.	

3. Residential development on land classified as Commercial by the Land Use Plan is subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.

4. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.

5. Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) ~~the height of the portion of the structure exceeds 50 ft of building height.~~

D. Intensity and Dimensional Standards for Free-Standing Residential Buildings ¹

Free-standing Residential Buildings shall comply with the following dimensional standards. Standards not listed below, including lot coverage, pervious area, and building height, shall be as required in Section 155.3304.C above.

Lot area, maximum (acre)	5 ²	
Lot area, maximum (acre) for properties within the NWCRA or AOD	10 ²	
Floor area per dwelling unit, minimum (sq ft)	Efficiency	500 – habitable living space
	1 Bedroom	650 – habitable living space
	Additional Bedroom	100 – habitable living space
Interior side yard setback, minimum (ft)	10 ^{2,3}	
Rear yard setback, minimum (ft)	10 ³	

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.

2. For townhouse development, applies only to the development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.

3. Those portions of a structure extending above a height of 50 feet shall be set back from the

property line an additional 1 ft for each additional 4 ft (or major fraction thereof) of building height.

Typical Development Configuration

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155.3305. HEAVY BUSINESS (B-4)

A. Purpose

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C. Intensity and Dimensional Standards ¹

Lot area, minimum (sq ft)	10,000
Lot width, minimum (ft)	100
Density, maximum (du/ac)	n/a ⁴
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	105 ²
Front yard setback, minimum (ft)	0
Street side yard setback, minimum (ft)	0 ³
Setback from a waterway or canal, minimum (ft)	15
Setback from the historic dune vegetation line, minimum (ft)	25
Interior side yard setback, minimum (ft)	0 ³
Rear yard setback, minimum (ft)	30
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

1. See measurement rules and allowed exceptions/variations in Article 9: Part 4.

2. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707.

3. ~~Increased 1 ft for each 4 ft (or major fraction thereof) the structure's height exceeds 50 ft.~~
Those portions of a structure extending above a height of 50 feet shall be set back from the property line an additional 1 ft for each additional 4 ft (or major fraction thereof) of building height.

4. Mixed Use and Multi-family Residential Development along the NW 31st Avenue between Dr. MLK, Jr Blvd and Atlantic Blvd may be permitted in the same manner (intensity and dimensional standards, development standards) as a B-3 (155.3304) Zoned property, subject to allocation of flex or reserve units in accordance with Chapter 154, Planning or the allocation of residential units in accordance with County Affordable Housing Policy 2.16.3 (if less than 10-acres) or Policy 2.16.4 and Article 3, Use Standards.

If the B-4 zoned areas adjacent to the 11-acre park west of NW 31st Avenue and east of Luzano and the Golfview Estates MHP are redeveloped to residential or mixed use, ensure the future site plans for those properties provide access from NW 31st Avenue to the City's wellfield on the 11-acre park site, as deemed necessary by Water Utilities at the time of site plan approval.

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155.3306. MARINE BUSINESS (M-1)

A. Purpose	
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C. Intensity and Dimensional Standards ¹	
Lot area, minimum (sq ft)	10,000
Lot width, minimum (ft)	100
Density, maximum (du/ac)	n/a
Lot coverage, maximum (% of lot area)	60
Pervious area, minimum (% of lot area)	20
Height, maximum (ft)	40
Front yard setback, minimum (ft)	0

Street side yard setback, minimum (ft)	0
Setback from a waterway or canal.	10
Interior side yard setback, minimum (ft)	0 ²
Rear yard setback, minimum (ft)	10
Dimensional Standards for Accessory Structures	See Accessory Use -Specific standards in Article 4: Part 3.
NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre] 1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. 2. 10 ft from a waterway or canal	

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SECTION 2. That Section 155.3501., "Transit Oriented (TO)," and Section 155.5302., "Fences and Walls," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

155.3501. TRANSIT ORIENTED (TO)

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M. TO District Exterior Lighting Standards

Exterior lighting shall comply with the standards in Part 4 (Exterior Lighting) of Article 5: Development Standards as well as the following additional and/or modified standards:

1. Light poles shall not exceed a height of 17.5 feet above the ~~adjacent~~ finished grade;
2. On-site lighting poles shall be of a consistent architectural style and shall complement the predominant architectural theme of the project.

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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):

1. Exceptions

Properties within the TO District shall be exempted from the following standards:

- a. Section 155.5601.C.2.a (Maximum Building Size);

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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:

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h. Active Use Standards

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

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ii. Ground floor active use nonresidential or residential lobby;

Active uses located along the ground floor of a building typically contain retail uses, but can contain any use that generates pedestrian activity. Active uses shall be provided in compliance with the following standards:

- a) They shall be provided on the first floor of all mixed-use buildings;

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- e) Ground floor window sills shall be placed at a maximum height of 24 inches above finished grade; and

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155.5302. FENCES AND WALLS

A. Purpose

The purpose of this section is to regulate the location, height, and appearance of fences and walls to maintain visual harmony within neighborhoods and the city, protect adjacent properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

...

C. General Requirements for Fences and Walls

1. Fences Prohibited on Vacant Lots

...

6. Fences on Retaining Walls or Berms

Except as otherwise allowed in Section 155.5302.C.1.b.i, Fencing Allowed on Vacant Lots, if a fence is constructed on top of a wall or berm, the combined height of the fence and wall or berm shall not exceed the maximum height that would apply to the fence or wall alone. The total height of a fence on top of a retaining wall is measured from the finished grade on the interior side of the retaining wall.

...

D. Height Requirements for Fences and Walls

1. Applicability

a. General

Except for fences or walls exempted by subsection b below, a fence or wall shall comply with the height limits in this subsection. Fence or wall height is measured from ~~natural~~ finished grade on the interior side of the fence or wall.

...

b. Exemptions

...

v. Corner Lot Fences and Walls

Fencing or walls required to comply with the residential swimming pool barrier requirements of Section 454.2.17, Florida Building Code, and F.S. Chapter 515, may be waived by the Development Services Director from the height restrictions of this subsection, provided that the following conditions are met:

- (A) The height of the fence or wall does not exceed the maximum height requirement for fences and walls within the zoning district in which the lot is located, and
- (B) In no event shall fences or walls be permitted a higher maximum height than those permitted on abutting lot lines.

...

SECTION 3. That Section 155.9401., "Measurement," and Article 9, Part 5, "Terms and Uses Defined," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 155.9401 MEASUREMENT

A. Lot Area

Lot area shall be determined by measuring the total horizontal land area (in square feet) within the lot lines of the lot—excluding any area within existing or proposed public street rights-of-way or private street easements.

...

G. Height

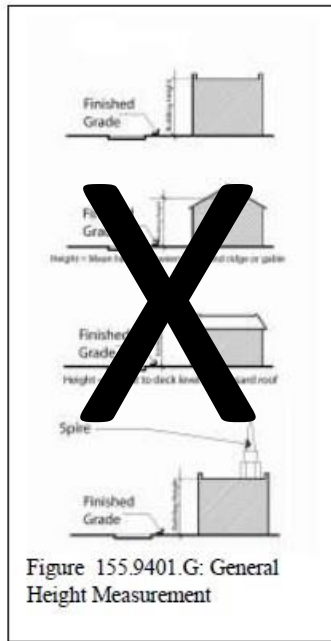


Figure 155.9401.G: General Height Measurement

The height of a habitable structure shall be determined by measuring the vertical distance from the average required finished floor elevation of the existing finished grade at the front of the structure to the top of the roof for a flat roof, to the deck line for a mansard roof, or to the mean height between eaves and ridge for a gable, hip, cone, gambrel, or shed roof (See Figure 155.9401.G: General Height Measurement.).

In no circumstance can fill be used to elevate the point from which the height of a habitable structure is measured to a point higher the required finished floor elevation of a property or development.

The height of an non-habitable structure shall be determined by measuring the vertical distance from the average elevation of the finished grade at the base of the structure to the top of the roof for a flat roof, to the deck line for a mansard roof, or to the mean height between eaves and ridge for a gable, hip, cone, gambrel, or shed roof.

...

ARTICLE 9, PART 5 TERMS AND USES DEFINED

The following words, terms, and phrases, when used in this Code, shall have the meaning ascribed to them in this section.

Accessory Dwelling Unit

An ancillary or secondary living unit to a single-family dwelling use that may contain a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit. For purposes of determining maximum density, an accessory dwelling unit shall be considered to be a half dwelling unit.

Accessory Structure

A nonhabitable structure that is detached from a principal structure within the same lot and is incidental and subordinate in use and size to the principal structure and the principal use of the lot.

Accessory Use

A use that is customarily incidental and subordinate to the principal use of land or a structure within the same lot.

...

Hedge

A group of shrubs planted in line or in groups that forms a compact, dense, visually opaque living barrier that demarcates and/or screens an area from on-site or off-site views.

Height

The vertical distance between the required finished floor elevation of a habitable structure or the average elevation of the ~~existing or proposed~~ finished grade at the ~~front~~ base of an non-habitable structure to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridge of a gable, hip, cone, gambrel, or shed roof.

Helicopter Landing Facility

An area, either on ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

...

SECTION 4. If any provision of this Ordinance or its application 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 _____ day of _____, 2025.

PASSED SECOND READING this _____ day of _____, 2025.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

JES/mcm

11/3/25

l:ord/ch155/2025-193