

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING CHAPTER 100, "STREETS," TO REFERENCE MODIFICATIONS TO STREET STANDARDS INCLUDED IN THE TRANSIT-ORIENTED (TO)/EAST OVERLAY DISTRICT (EOD) DISTRICT AND OTHER OVERLAY DISTRICTS THAT INCLUDE STREET REGULATING PLANS AND DIAGRAM; PROVIDING FOR THE AMENDMENT OF CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3501., "TRANSIT-ORIENTED (TO) SPECIAL BASE ZONING DISTRICT," TO MODIFY THE PURPOSE OF THE DISTRICT AND TO ADD AND DELETE TYPICAL LOT DIAGRAMS; TO PROVIDE A REVISED PROCESS FOR CREATING A TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; CLARIFYING THAT SAID ZONING DISTRICT MUST ALSO BE CONCURRENTLY ZONED WITH AN OVERLAY DISTRICT WITH DISTRICT-SPECIFIC REGULATING PLANS; DEFINING TRANSIT-ORIENTED (TO) DISTRICT STREET STANDARDS; BY INCLUDING ADDITIONAL PARKING STANDARDS INCLUDING VALET AND TANDEM PARKING, SHARED USE PARKING, OFF-SITE PARKING AND LOADING STANDARDS; BY ADDING STANDARDS FOR SURFACE PARKING LOTS AND PARKING GARAGES; BY ADDING ADDITIONAL STREET TREE REQUIREMENTS; BY INCLUDING ADDITIONAL TYPES OF OPEN SPACES; BY CLARIFYING SCREENING, FENCES AND WALL REQUIREMENTS; BY INCLUDING MAXIMUM HEIGHT ENCROACHMENTS; BY MODIFYING BUILDING LENGTH, SEPARATION AND BUILDING BREAK REQUIREMENTS FOR PROPERTIES SUBJECT TO FAA HEIGHT LIMITATIONS; BY INCLUDING ACTIVE USE STANDARDS AND FAÇADE ARTICULATION, ARCHITECTURAL TREATMENT AND COLONNADE STANDARDS; BY CLARIFYING STANDARDS RELATED TO LIVE-WORK UNITS; BY RELOCATING AND MODIFYING THE BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS AND RELATED SETBACKS AND LOT STANDARDS PREVIOUSLY INCLUDED IN SECTION 155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," INTO THE TRANSIT-ORIENTED (TO) DISTRICT REGULATIONS; BY AMENDING SECTION 155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY REFERENCES TO THE DPOD REGULATING PLANS; BY ADDING MINIMUM COMMERCIAL GROUND FLOOR HEIGHT STANDARDS AND REQUIRING ALL BUILDINGS OVER SIX STORIES**

TO BE DEVELOPED UNDER THE TOWER BUILDING TYPE STANDARDS; DELETING ACCESSORY STRUCTURE AND COLONNADE DESIGN STANDARDS; REMOVING TABLE 155.3708.F.1, WHICH REPEATED THE DENSITIES SHOWN ON THE DENSITY REGULATING PLAN AND RENUMBERING SUBSEQUENT TABLES ACCORDINGLY; ELIMINATING REGULATIONS RELATED TO THE TOWER AND OTHER BUILDING TYPES, WHICH ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; ADDING TABLE 155.3708.G.2.a MINIMUM AND MAXIMUM FRONT AND STREET-SIDE SETBACKS; MODIFYING LOT STANDARDS TO REFER TO THE BUILDING TYPOLOGIES IN THE TRANSIT ORIENTED (TO) BASE ZONING DISTRICT; REMOVING REGULATIONS FOR FENCES, WALLS AND HEDGES THAT ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT REGULATIONS; REMOVING PUBLIC OPEN SPACE CLASSIFICATIONS THAT ARE NOW INCLUDED IN THE TRANSIT ORIENTED (TO) BASE ZONING DISTRICT REGULATIONS; REMOVING STREET DESIGN STANDARDS THAT ARE NOW INCLUDED IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT; TO CLARIFY THE AFFORDABLE HOUSING REQUIREMENTS; TO DELETE THE BUILDING TYPOLOGY AND PLACEMENT REGULATING DIAGRAMS, AND TO DELETE THE PREVIOUS VERSIONS OF TABLES 155.3709.G.2.a AND 155.3708.G.3.; BY CREATING SECTION 155.3709., "EAST OVERLAY DISTRICT (EOD)" TO ESTABLISH THE OVERLAY ZONING DISTRICT REGULATIONS, REGULATING PLANS, EAST OVERLAY DISTRICT (EOD) USE TABLE AND EAST OVERLAY DISTRICT (EOD) STREET DEVELOPMENT REGULATING DIAGRAMS AND ALL PROVISIONS RELATING THERETO TO GOVERN DEVELOPMENT AND REDEVELOPMENT OF PROPERTIES WITHIN THE EAST TRANSIT ORIENTED CORRIDOR (ETOC) LAND USE CATEGORY; BY AMENDING CHAPTER 155, ARTICLE 9, PART 4, "MEASUREMENT, EXCEPTIONS AND VARIATIONS," TO INCLUDE PARKING GARAGE SHADE STRUCTURES IN THE MAXIMUM HEIGHT EXCEPTION REQUIREMENTS FOR THE EAST OVERLAY DISTRICT (EOD) AND CITYWIDE; BY AMENDING CHAPTER 155, ARTICLE 9, PART 5, "TERMS AND USES DEFINED," TO CREATE OR REVISE VARIOUS DEFINITIONS RELATED TO THE TRANSIT-ORIENTED (TO) BASE DISTRICT AND EAST OVERLAY DISTRICT (EOD) OVERLAY DISTRICT REGULATIONS; BY AMENDING CHAPTER 155, ARTICLE 4, SECTION 155.4222., "RETAIL SALES AND SERVICES USES – RETAIL SALES," TO SEPARATE GROCERY AND CONVENIENCE STORE DEFINITIONS AND USE STANDARDS TO REGULATE PERMITTED USES IN THE EAST OVERLAY DISTRICT (EOD) AND RENUMBERING THE LIST OF USES ACCORDINGLY; BY AMENDING CHAPTER 155, ARTICLE 4, SECTION 155.4303., "STANDARDS FOR SPECIFIC

**ACCESSORY USES AND STRUCTURES,” TO INCLUDE THE EAST OVERLAY DISTRICT (EOD) IN THE EXCEPTIONS FOR OUTDOOR SEATING DISTANCE REQUIREMENTS FROM SINGLE-FAMILY HOMES OR SINGLE-FAMILY (RS) ZONING DISTRICTS; AND TO ADD THE EAST OVERLAY DISTRICT (EOD) TO TABLE 155.4501.B EXCEPTIONS TO THE MINIMUM SEPARATION OF USES INVOLVING THE SALE OF ALCOHOLIC BEVERAGES FROM CERTAIN EXISTING USES; BY AMENDING CHAPTER 155, ARTICLE 2, TABLE 155.2421.B.1, TO ALLOW ADMINISTRATIVE ADJUSTMENTS TO CERTAIN REGULATIONS IN THE TRANSIT-ORIENTED (TO) BASE ZONING DISTRICT AND THE EAST OVERLAY DISTRICT (EOD); BY CREATING CHAPTER 155, ARTICLE 5, SECTION 155.5605., “PARKING DECK OR GARAGE DESIGN STANDARDS,” TO CREATE DESIGN STANDARDS FOR PARKING DECKS AND GARAGES APPLICABLE TO PARKING FACILITIES IN THE EAST OVERLAY DISTRICT (EOD) AND CITY-WIDE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Pompano Beach ("City Commission") found it necessary to revise its Zoning Code of Ordinances ("Code") in order to update its zoning regulations and procedures; and

**WHEREAS**, the City Commission finds it now necessary to revise the City of Pompano Beach Zoning Code; and

**WHEREAS**, the Planning and Zoning Board has reviewed and approved the revised Zoning Amendments; and

**WHEREAS**, in accordance with Florida Statutes, Section 166.041(3)(c)2, advertisements in accordance with said statute have been published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

**WHEREAS**, two public hearings have been held pursuant to said published hearings and all persons so desiring had the opportunity to be, and were, in fact, heard; and

**WHEREAS**, the City Commission finds that adoption of the amendments to Zoning Code through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies of the City's Comprehensive Plan; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

**SECTION 2.** That the City of Pompano Beach Zoning Code is hereby amended as provided in Exhibit "A," attached hereto and made a part hereof.

**SECTION 3.** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any 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 4.** This Ordinance shall become effective immediately upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
1/30/17  
L:ord/ch155/2018-73