



Plan It! Pompano

FUTURE LAND USE ELEMENT

Purpose and Direction: The intent of the Future Land Use Element is to encourage sustainable development and meet the City's vision for its future built environment and meet the requirements of the Broward County Land Use Plan. The goals, objectives and policies, along with the Future Land Use Map, guide the distribution and intensity of future land uses, while meeting social, economic and environmental needs, provide for adequate services and facilities, and ensure compatibility of adjacent land uses.

The goals, objectives and policies promote transit oriented development along the major corridors; support access to a comprehensive local and regional multi-modal transportation network that moves the City toward a balanced system that accommodates the pedestrian and transit users as well as drivers; recognize that capital investments must support future growth while accommodating the anticipated sea level rise; and contribute to a sustainable environment and a high quality of life.

Goals, Objectives, and Policies

Goal 1: The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Objective 01.01.00 – Future Land Use Plan and Levels of Service

Maintain the City's Future Land Use Map consistent with the Broward County Land Use Plan to ensure and all development permits issued are consistent with the City and County land use plans and the adopted level of service requirements for the availability of facilities and services can be met. The adopted levels of service standards will be adjusted over time as necessary to address the impacts of sea level rise and climate change.

Policy 01.01.01

Adopt and maintain community services based on the level of service standards contained in the various Elements of the City's Comprehensive Plan which may be adjusted over time to address the impacts of sea level rise and climate change.

Policy 01.01.02

Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards which may be adjusted over time to address the impacts of sea level rise and climate change.

Policy 01.01.03

Phase development concurrent with the availability or phasing of infrastructure, potable water, wastewater, transportation, solid waste, schools and drainage capacity.

Policy 01.01.04

Maintain public and private recreation and open space facilities at a level of five (5) acres for each 1,000 residents.

Policy 01.01.05

Review proposals for new development, including future land use plan amendments, to identify the cumulative impacts of the proposed development on public services and facilities.

Policy 01.01.06

All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer)

Policy 01.01.07

All site plan applications shall identify existing facilities and provide, where deficient, transit improvements, such as but not limited to bus shelters, benches, hardened surface for loading and unloading, garbage cans, bicycle racks and appropriate pedestrian connections along bus route, subject to coordination with Broward County Mass Transit.

Policy 01.01.08

Those facilities which are subject to concurrency requirements include: transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer facilities and public schools.

Policy 01.01.09

To ensure the adequate provision of public services and facilities, the City shall take into consideration the tourist population and the seasonal demands placed upon the City's infrastructure.

Policy 01.01.10

The City shall utilize the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.

Policy 01.01.11

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

Policy 01.01.12

The City's Future Land Use Map will be in conformance with the County's Land Use Plan and will implement the County's regional vision including provision of essential public services and facilities, enhanced sustainability and livability and give priority to protecting public beach access sites.

Policy 01.01.13

The City shall utilize flexibility units and redevelopment units to increase residential densities within the flex receiving area when consistent with the community character; adjacent land uses; and public school capacity both within Pompano and affected contiguous municipalities; and has undergone a compatibility review relative to potential impacts on Environmentally Sensitive Lands and County or regional parks in accordance with Policy 2.10.01 of the Broward County Land Use Plan.

Policy 01.01.14

A studio or efficiency housing unit, no greater than 500 SF in size may be counted as 0.5 units for residential density calculations.

Policy 01.01.15

The City will continue to differentiate on the adopted Future Land Use and Zoning Maps, the commercial and industrial land use categories and zoning designations which are consistent with but more specific than the County's Commerce land use category in regard to intensity, permitted uses and compatibility with adjacent and surrounding land uses.

Policy 01.01.16

Future Land Use Plan amendments that contain golf courses will be reviewed in accordance with County policy 2.5.5.

Policy 01.01.17

Building permits will not be granted unless the property has an approved plat or platting exemption per County policy 2.13.1.

Policy 01.01.18

Future Land Use Plan amendments that create 100 additional residential units or more will be reviewed in conformance with County policy 2.16.2 in regard to affordable housing.

Objective 01.02.00 – Right-of-Way Protection and Accessibility

Protect the existing and future right-of-way from building encroachments and ensure proper accessibility with the roadway and transit network.

Policy 01.02.01

Require a traffic impact analysis for development projects when necessary to determine post-development conditions of adjacent roadways and the local multimodal transportation system.

Policy 01.02.02

Approve site plans, plats and other development approvals on the condition that the applicant will dedicate right-of-way according to the requirements of the Broward County Trafficways Plan and the City's street standards in Chapter 100 of the City's Code of Ordinances.

Policy 01.02.03

The City shall not issue building permits or development orders for construction within identified rights-of-way in order to protect the transportation corridors identified on the Broward County Trafficways Plan and to meet the street right-of-way standards in Chapter 100 of the City's Code of Ordinances.

Policy 01.02.04

All property to be platted, or newly created lots are encouraged to be directly accessible from a publicly dedicated and improved road, which satisfies the right-of-way requirements of the Broward County Trafficways Plan and/or the street right-of-way standards in Chapter 100 of the City's Code of Ordinances.

Policy 01.02.05

Where appropriate, approve site plans, plats and other development on the condition the applicant will dedicate additional right-of-way for bus shelters and sidewalks connecting to mass transit facilities including community shuttle buses, car sharing, on-demand transport and other modes of emerging transportation options.

Objective 01.03.00 – Inconsistent Land Uses

Annually review and periodically update adopted land development regulations and established procedures that encourage the elimination or reduction of uses inconsistent with the City's character and Future Land Use Plan.

Policy 01.03.01

Eliminate or reduce nonconforming uses which are inconsistent with the land development regulations and the designations of the Future Land Use Plan map.

Policy 01.03.02

Require residential densities of zoning districts to be consistent with the densities on the Future Land Use Map.

Policy 01.03.03

Encourage property owners to rezone the subject properties when initiating development and/or redevelopment proposals to be consistent with the designations on the Future Land Use Map.

Policy 01.03.04

Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

Policy 01.03.05

All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.06

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

Policy 01.03.07

Require the provision of building height transitions and decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses.

Policy 01.03.08

Establish criteria to protect residential areas and other land uses that are adjacent to industrial and commercial areas from excessive, odors, traffic and parking impacts.

Policy 01.03.09

Discourage Future Land Use Map amendments, rezonings or other methods that would place residential units into or adjoining industrial land use designations.

Policy 01.03.10

Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

Policy 01.03.11

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.03.12

The following criteria may be used in evaluating rezoning requests:

- A. Density;
- B. Design;
- C. Distance to similar development;
- D. Existing adjoining uses;
- E. Proposed adjoining uses;
- F. Readiness for redevelopment of surrounding uses; and
- G. Proximity to mass transit.

Policy 01.03.13

Future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.

Policy 01.03.14

The Future Land Use map and site plans prepared in conformance with the designated land uses will address compatibility with the existing and planned greenways identified on the Broward County Greenways System Map.

Objective 01.04.00 – Major Corridor Land Use

Support and promote the intermix of residential and commercial uses along major traffic corridors.

Policy 01.04.01

The Planning Department shall support and promote the intermix of residential and commercial uses along major traffic corridors, where mass transit is available, through the allocation of flex and redevelopment units and approval of land use plan map amendments allowing for mixed use and residential developments.

Policy 01.04.02

The City of Pompano Beach shall amend its land development regulations to reduce parking requirements for residential and commercial uses along major corridors where it can be shown that pedestrian and transit amenities are provided, shared parking is provided, or sufficient public parking is nearby.

Policy 01.04.03

Except for schools, regional and community facilities shall be located close to major traffic corridors and mass transit routes adequate to carry the volume of traffic generated by such facilities.

Policy 01.04.04

Special exception uses on major corridors including the city's gateway streets (Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard and NW 31st Avenue) will be required to provide landscaping and beautification in excess of standard code requirements along all major street frontages.

Objective 01.05.00 – Flood Protection

Require all substantial improvement, new development and redevelopment to be consistent with the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM); Chapter 152 of the City's Code and future maps being prepared to determine appropriate finished floor elevations and crown of road elevations based on projected sea level rise by 2060.

Policy 01.05.01

Continue to require all substantial improvement, new development and redevelopment to be consistent with the minimum finished floor elevations as specified in the Federal Emergency Management Agency Flood Insurance requirements, the South Florida Building Code, Chapter 152 of the City's Code of Ordinances and future maps being prepared to determine appropriate finished floor elevations and crown of road elevations based on 2.5-feet of sea level rise by 2060.

Policy 01.05.02

Continue to enforce the land development regulations in Chapter 152 of the City's Code of Ordinances which require finished floor elevations be above the highest point of the adjacent road crown elevations for all new development and substantial improvement in areas that are not identified as flood zones on the FEMA FIRM or where the required finished floor elevation would otherwise be lower.

Policy 01.05.03

The City of Pompano Beach shall require redevelopment within identified 1 percent chance floodplains and areas subject to flooding with sea level rise to address existing and potential flooding problems, as may be identified on-site and in the adjacent street network.

Policy 01.05.04

The City shall regulate development on flood prone soil, as defined by the U.S. Soil Conservation Service, consistent with the criteria and mapping of the Federal Emergency Management Administration.

Policy 01.05.05

The City shall continue to participate in National Flood Insurance Program Community Rating System through the annual recertification process which enables residents and businesses to receive a discount on flood insurance policies.

Policy 01.05.06

The City shall continually strive to maintain and upgrade the community rating under the CRS program requirements to enable residents and businesses to receive an additional discount on their flood insurance policies while producing a more sustainable, flood resilient community.

Policy 01.05.07

The City shall maintain the National Flood Insurance Program maps and future maps being prepared which identify appropriate base flood elevations and crown of road elevations based on 2.5-feet of sea level rise by 2060 in GIS format which enables users to easily identify individual properties.

Policy 01.05.08

The City shall participate in various processes which seek to update the existing 1 percent chance flood plain maps.

Policy 01.05.09

The City will amend the Zoning Code as necessary to ensure that properties proposing to build with a sustainable finished floor elevation that accommodates the necessary freeboard to accommodate 2.5-feet of sea level rise will not be penalized in relation to maximum building height.

Objective 01.06.00 – Natural Resources & Historic/Cultural Preservation

Protect natural resources and historic/cultural properties in all land use considerations.

Policy 01.06.01

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

Policy 01.06.02

Through the activities of the Historic Preservation Committee, identify and encourage property owners to list their historic and culturally significant structures on the local, state and/or national registers of historic places, as appropriate.

Policy 01.06.03

Refer to the Local Register of Historic Places for buildings and houses worthy of continued preservation prior to issuance of any building or demolition permits.

Policy 01.06.04

The City shall maintain a map and current list of culturally, historically, archaeologically and architecturally significant properties and encourage the property owners to protect these resources.

Policy 01.06.05

Promote the acquisition, retention and management of unique natural areas in the City to preserve their environmental, recreational and other public benefits.

Policy 01.06.06

Require permits for new development/redevelopment to include landscape plans for native vegetation, reestablishment or creation of tree canopy, and require the removal of exotic vegetation species.

Policy 01.06.07

Enforce the procedures for compliance with the County Wellfield Protection Ordinance in areas of the City that fall within Zone 3 as depicted on the County's natural resource map series, at all levels of development, including Land Use Plan Amendments and Site Plans.

Policy 01.06.08

Review all proposals for development with consideration to the County's Natural Resource Map Series and discourage activities which would have a detrimental impact on significant natural resource areas which may or may not be designated by Broward County as Local Areas of Particular Concern.

Policy 01.06.09

Require all development on the barrier island lying partially on or seaward of the Coastal Construction Control line to comply with the provisions as set forth in Chapter 161 Florida Statutes.

Policy 01.06.10

Protect the integrity of the two wellfields by designating wellfield sites with a suitable land use designation which restricts inappropriate development.

Policy 01.06.11

Protect the integrity of the two wellfields by City ownership of the wellfield sites or restrictive easements on the wellfield sites and the water lines from the wells.

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

Policy 01.06.13

Work with Broward County and interested stakeholders to study and recommend incentives to preserve designated environmentally sensitive lands that are privately controlled.

Objective 01.07.00 – New Land Use Regulations

Encourage the adoption of innovative land development regulations. Adopt new land use designations as strategies continue to evolve to implement for Residential, Mixed Use, Transportation Oriented Districts and Transportation Oriented Corridors and amend the land development regulations, including the creation of new zoning districts for these land use designations to facilitate sustainable and resilient redevelopment and support adaptation strategies in the build environment that accommodate the projected 2.5-feet of sea level rise by 2060.

Policy 01.07.01

Continue to evaluate and improve the City's land development regulations to facilitate sustainable and resilient redevelopment and support adaptation strategies in the build environment that reduce greenhouse gas emissions and accommodate the projected 2.5-feet of sea level rise by 2060.

Policy 01.07.02

Continually review and amend new land use designations for Residential, Mixed Use and Transportation Oriented Districts.

Policy 01.07.03

Evaluate and revise the land use regulations to conform to current development practices as to housing types and mixed use developments.

Policy 01.07.04

Through the ongoing updates to the land development regulations consider the development of various housing units types and residential lots including single family, cluster homes, zero lot line, staggered setbacks and zipper lots, coach houses, townhouses, stacked townhouses, courtyard buildings, terraced buildings and sculptured towers.

Policy 01.07.05

Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the zoning code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.

Policy 01.07.06

Through ongoing updates to the land development regulations revise prohibited and permitted uses in the mixed use, commercial, industrial and non-residential zoning districts.

Policy 01.07.07

Through ongoing updates to the land development regulations provide standards for the upgrading and redevelopment of existing strip commercial areas to meet current code requirements such as access, landscaping, parking and setbacks.

Policy 01.07.08

Through ongoing updates to the land development regulations develop new zoning districts that encourage redevelopment, including mixed use along major highway corridors.

Policy 01.07.09

Through ongoing updates to the land development regulations revise parking codes and design criteria to include incentives for mass transit use and other transportation alternatives that don't require parking spaces.

Policy 01.07.10

Through ongoing updates to the land development regulations revise parking codes to allow for parking space credit for onsite accommodation for transportation options that do not require parking.

Policy 01.07.11

Through ongoing updates to the land development regulations revise parking codes to require the provisions of on-street parking where appropriate.

Policy 01.07.12

Through ongoing updates to the land development regulations provide criteria/uses specific standards for the approval of new outdoor storage uses and a list of acceptable uses.

Policy 01.07.13

Through ongoing updates to the land development regulations provide incentives for hotel development.

Policy 01.07.14

Through ongoing updates to the land development regulations provide criteria/ use specific standards for places of assembly in commercial shopping centers.

Policy 01.07.15

Through ongoing updates to the land development regulations, review landscape codes to encourage the planting of the most appropriate type and location of landscaping which provide the maximum benefits to structures and pedestrians, decrease debris collection, and recognize that sea level rise will require salt tolerate landscaping in areas subject to flooding from high tides and in areas subject to saltwater intrusion into the groundwater.

Policy 01.07.16

Through ongoing updates to the land development regulations provide criteria/use specific standards for accessory dwelling units and exempt these units from density calculations.

Policy 01.07.17

The maximum intensity of development within the following nonresidential land use categories will be determined as follows:

Category		Maximum Lot Coverage	Maximum Building Height
C	Commercial	60%	105 feet
		100% Lot Coverage permitted in Downtown Historic Core Area and Downtown Historic Transitional Overlay Districts.	
		Additional lot coverage and building height permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
		Additional building height and lot coverage may be permitted in Planned Development Zoning Districts.	
CF	Community Facility	25%	60 feet
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
CR	Commercial Recreation	50%	105 feet
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
I	Industrial	65%	45 feet
OR	Recreation and Open Space**	N/A	Determined at Rezoning
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
U	Utilities**	N/A	Determined at Rezoning
RAC	Regional Activity Center	N/A	Determined at Rezoning
LAC	Local Activity Center	N/A	Determined at Rezoning
T	Transportation**	N/A	Determined at Rezoning

** No lot coverage and height specified for these public use districts.

Policy 01.07.18

Continue to implement the incentives for providing affordable housing per the policies in the Broward County Land Use Plan and/or in the City's land development regulations including the use of density bonuses, flex and redevelopment units for affordable housing and the expedited permit review process for developments primarily aimed at providing affordable housing.

Policy 01.07.19

The City's land development code shall include provisions to encourage or enable a variety of housing opportunities in varying price ranges, including housing for low and moderate income families in large scale residential developments.

Policy 01.07.20

Amend the Land Development Code and Chapter 100 to adopt consistent street sections based on adopted right-of-way standards to ensure that all streets developed within the City provide an optimal Complete Street section and support the "One Pompano" theme.

Policy 01.07.21

Amend the Land Development Code to require special exception uses on major corridors including the city's gateway streets (Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard and NW 31st Avenue) to provide landscaping and beautification in excess of standard code requirements along all major street frontages.

Objective 01.08.00 – Community Redevelopment Areas

Amend the Land Use Plan map and Zoning map to support new development and redevelopment in the Community Redevelopment Areas.

Policy 01.08.01

Follow the recommendation of the Community Redevelopment Plans in all Land Use Plan amendments and rezonings.

Policy 01.08.02

Develop a schedule for the expansion of infrastructure facilities such as roadway, sidewalks, drainage, water and sewer services in the Community Redevelopment areas in conjunction with the phasing and timing of the Redevelopment Plans and plans for the Innovation District within the Downtown TOC.

Policy 01.08.03

Continue the construction of facilities such as roadway, drainage, water and sewer facilities and enhanced medians and other street section beautification efforts in the northwest Dr. Martin Luther King Jr. Blvd, NW 31st Avenue and Atlantic Boulevard corridors. Encourage auto-oriented and industrial development along these gateway corridor to provide an enhanced roadway frontage for both the building facades and the landscaping visible from the roadway to beautify the corridor.

Policy 01.08.04

All streetscape design associated with the redevelopment efforts in the Northwest CRA area will be implemented consistent with the "One Pompano" theme identified in the 2018 Northwest Community Building and Empowerment study which speaks to consistent city-wide design, construction and performance standards for street lighting, paved public roadways, sidewalks, landscaping and bus stop shelters.

Policy 01.08.05

The City, in coordination with the NWCRA, will identify areas that have developed without the benefit of platting to establish property lines and dedicated right-of-way for access and will work with existing property owners to ensure that public street right-of-way is delineated and public streets are constructed consistent with the "One Pompano" theme and that the Future Land Use Map and Zoning Map are consistent and appropriate for these areas.

Objective 01.09.00 – Hurricane Preparedness

Continue City-wide emergency management, mitigation, preparedness and responsive actions to protect residences and businesses from hurricanes and other weather related events.

Policy 01.09.01

Continue to reject future land use plan amendments for increased density in the coastal area unless a consistency determination can be made with the Broward County Hurricane Evacuation Plan, or unless a finding can be made that the amendment will not increase current evacuation times and/or exceed emergency shelter capacities.

Policy 01.09.02

Adhere to the City's Unified Flex Zone which does not contain a receiving area located east of the Intracoastal Waterway.

Policy 01.09.03

Adhere to Broward County/State of Florida requirements mandating high rise buildings of 75 feet or higher to maintain a working generator and fuel for elevator usage. Maintain an annual inspection program to ensure compliance.

Policy 01.09.04

Encourage homeowners to retrofit and fortify homes in accordance with Florida Building Code and recommendations to insure that they can withstand tropical or hurricane force winds and water associated with storms.

Policy 01.09.05

Cooperate with Broward County and other partners with mitigation research to identify methods to retrofit existing structures to be more hurricane resistant.

Policy 01.09.06

Collaborate with Broward County through participation with updates and adoption of the Enhanced Local Mitigation Strategy (ELMS).

Policy 01.09.07

Evaluate the feasibility of retrofitting/reconstructing existing city buildings and facilities to make them more hurricane resistant and build all new City buildings and facilities to be power ready with a transfer switch and generator.

Policy 01.09.08

Discourage new uses, such as, mobile home parks, community homes and other special needs facilities from locating in Hurricane Evacuation Zones, which require mandatory evacuation during hurricane or tropical storm warnings

Policy 01.09.09

Maintain a public emergency notification system to ensure the public is notified of known emergency situations.

Policy 01.09.10

Maintain a public education campaign utilizing through emergency management's outreach and community education presentations, maintenance of the emergency management webpage on city's website as well as through the Pompano Beach Citizens Corps and Community Emergency Response Team (CERT) training program.

Policy 01.09.11

City departments will maintain contracts with emergency primary and secondary vendors to including but not limited to: communications, fuel, emergency power equipment, debris removal, emergency food, water and ice, equipment including forklifts, portable toilets, etc. City departments shall maintain contracts to ensure access to services and supplies.

Policy 01.09.12

Periodically update the Enhanced Local Mitigation Strategy documents by adding new resilience-related capital projects.

Policy 01.09.13

Maintain a Comprehensive Emergency Operations Plan (CEOP) to include annexes for hurricane, natural, man-made and pandemic events as well as a point of distribution plan.

Policy 01.09.14

Implement regulations that mandate gasoline stations, food stores, and other critical facilities be power ready with generators.

Policy 01.09.15

Evaluate the feasibility of retrofitting intersection lights for power readiness.

Policy 01.09.16

Develop a program to make city lift stations, community centers and other critical facilities power ready.

Policy 01.09.17

Cooperate with Broward County and FDOT in replacing span wire traffic lights with mast arm traffic lights.

Policy 01.09.18

In coordination with Broward County, maintain the vulnerable population and special needs registries.

Policy 01.09.19

Coordinate with Broward County in the preparation of a post disaster redevelopment plan and a long-term recovery and redevelopment strategy. Both plans should include the reestablishment of the tree canopy as a primary consideration.

Objective 01.10.00 – Utility Facilities

Ensure the availability of suitable land for utility facilities required to serve the existing and future development of the City.

Policy 01.10.01

Continue to re-evaluate the need for additional property adjacent to existing utility plants or utility facilities in order to meet future development needs.

Policy 01.10.02

Continue to require the dedication of sites, easements, and rights-of-way for utilities which are needed to serve the proposed projects and surrounding land uses, as a condition of the approval of development plans.

Policy 01.10.03

Continue to require site plan review and screening at proposed sites for electric substations and switching stations, wastewater pumping stations, water storage facilities, and other utility land uses in all land use categories and zoning districts.

Policy 01.10.04

The city shall require existing development on septic tanks and private wells to hook up to centralized sewer and water facilities as they become available and will make extension of and connection to centralized sewer facilities in proximity to surface waters a priority.

Policy 01.10.05

Electric lines will be installed underground to the maximum extent feasible to minimize electric service disruptions during natural disasters.

Policy 01.10.06

Encourage the installation of solar ready and electric vehicle ready infrastructure in all development and redevelopment projects and encourage battery storage to the maximum extent feasible to create opportunities for off-the-grid facilities that can maintain service during power-grid outages.

Objective 01.11.00 – Dredge Spoil Sites

The City of Pompano Beach shall identify and ensure the availability of dredge spoil sites.

Policy 01.11.01

The City shall coordinate with Broward County Department of Natural Resource Protection, Florida Inland Navigation District (FIND) and the Army Corp of Engineers to maintain the development status of existing FIND parcels to allow for use as dredge spoil sites in cases of emergency.

Policy 01.11.02

Limit activity on the identified FIND parcels by submitting improvement plans to FIND for approval.

Policy 01.11.03

Prior to each Evaluation and Appraisal Report preparation, contact FIND to ensure that existing sites are adequate or to ascertain if new sites have been acquired or are needed.

Policy 01.11.04

The following criteria are established for dredge spoil site selection:

- A. The site(s) are in near proximity to the Intracoastal Waterway or connecting waterways.
- B. The site(s) are not located in established residential neighborhoods.
- C. The site(s) are located with access to roadway systems to allow vehicular access to the site.

Objective 01.12.00 – Broward County School Board

The City of Pompano Beach shall cooperate with the Broward County School Board on the selection of sites for new schools, redevelopment and or expansion of existing school sites and encourage the collocation of libraries and park and recreation facilities where possible.

Policy 01.12.01

Coordinate the site selection for any new school or redevelopment and/or expansion of an existing school with representatives of the City Planning, Parks and Recreation and Police Departments, together with representatives of the School Board, Broward County Comprehensive Planning and Library departments to identify potential sites and/or issues concerning redevelopment of the site, including the acquisition of adjoining properties.

Policy 01.12.02

Schools shall be allowed on properties with Residential or Community Facilities Land use designations

Policy 01.12.03

Consider the collocation of libraries and parks and recreation sites at proposed site locations for new schools.

Policy 01.12.04

The following criteria pertain to the location of new schools:

- A. Locate proposed school sites away from industrial uses, major arterials roadways (e.g. freeways), railroads, airports and similar land uses to avoid noise, odors, dust and traffic impacts and hazards.
- B. Provide buffers to shield the impacts from incompatible land uses such as industrial uses, major arterials roadways (e.g. freeways), railroads, airports and similar land uses to avoid noise, odors, dust and traffic impacts and hazards as part of the redevelopment of existing school sites.
- C. Consider surrounding land uses such as hospitals, adult communities, nursing homes and similar land uses that may be disrupted by school activities and traffic during the selection of new sites or redevelopment of existing sites.

- D. Centrally locate proposed new schools within their intended attendance zones, to the extent possible, and be consistent with walking and bus travel time standards.
- E. Ensure that the proposed site for a new school shall be of sufficient size so that buildings and ancillary facilities and future expansions can be located away from flood plains, flood prone areas, wetlands and other environmentally sensitive areas, coastal high hazard areas, and will not interfere with historic or archaeological resources.
- F. Make public utilities (e.g. water, sewer, storm drains) readily available to the site.
- G. Access to the proposed school site should be from a collector road (minor collector or local road for an elementary school) and avoid the need for slow down zones, if possible.
- H. The ingress and egress to the proposed school site, should not create detrimental impacts on adjacent roads, provide safe approaches for pedestrians, bicyclists, cars and buses, and mass transit or community shuttle stop should be located nearby.
- I. Implement the “safe routes” program to make schools and parks more accessible for children, including those with disabilities.

Policy 01.12.05

The City will support the Broward County School Board, as appropriate, in implementation of the criteria for expansion of existing school sites in accordance with the adopted Interlocal Agreement between the cities and the School Board for school concurrency

Policy 01.12.06

The City in collaboration with the School Board and Broward County shall implement concurrency management systems consistent with the policies included in the Broward County and the City’s Public School Facility Element with procedures and requirements included within the City of Pompano Beach’s land development regulations and the Interlocal Agreement for Public School Facility Planning.

Objective 01.13.00 – Local Activity Center

Encourage compact development reflecting characteristics which include a mixture of community serving uses such as commercial, office, employment, civic and institutional, recreation and open space and residential, characterized by an efficient infrastructure, close-knit neighborhood and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Local Activity Center land use category

Policy 01.13.01

Local Activity Centers will support the location of uses in a manner oriented around the five-minute (i.e. quarter mile) walk. Multiple nodes of activity oriented five-minute (i.e. quarter mile) walk may be included within the one Local Activity Center.

Policy 01.13.02

Local Activity Centers will support the location of uses and internal circulation such that pedestrian mobility is a priority. All land uses in a Local Activity Center shall be directly accessed via pedestrian ways, and accessible to existing or future alternate public transportation modes, including bicycle and transit.

Policy 01.13.03

Park Land and/or open space that is accessible to the public must be included as a functional component within a Local Activity Center.

Policy 01.13.04

Housing opportunities must be included as a functional component with a Local Activity Center.

Policy 01.13.05

Encourage affordable housing opportunities, through various mechanisms such as the utilization of reduced lot size for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, the allowance of accessory dwelling units, or through other mechanisms proven effective in increasing the affordable housing stock.

Policy 01.13.06

Promote the rehabilitation and use of historic buildings within a Local Activity Center.

Policy 01.13.07

The City shall adopt design guidelines that incorporate pedestrian and bicycle paths and greenways to accomplish fully connected routes to all destinations within the Local Activity Center. The paths should be spatially defined by buildings, trees and lighting, and should incorporate designs which discourage high-speed traffic.

Policy 01.13.08

The City ensures convenient access to mass transit or multi-modal facilities within a Local Activity Center.

Policy 01.13.09

The City's community shuttle shall serve the residents and employees within the Local Activity Center.

Policy 01.13.10

The City shall adopt local design guidelines that require mass transit shelters to provide safe and comfortable service and to encourage mass transit usage.

Policy 01.13.11

The City shall promote development of key intersections or major transit stops to create nodes of development that could be implemented with a Local Activity Center land use designation.

Policy 01.13.12

The City shall review existing zoning and land development regulations and adopt changes necessary to implement the Local Activity Center land use designation.

Policy 01.13.13

Applications for the LAC land use designation must address the height transition to adjacent properties, include a volumetric plan showing the building sizes necessary to accommodate the requested entitlements that reflect the design standards in the City's land development code, to ensure the mixed use development is compatible with adjacent land uses and adjacent Future Land Use designations.

Objective 01.14.00 – Smart Growth Initiative

The City will promote "Smart Growth" type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

Policy 01.14.01

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

Policy 01.14.02

The City will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled and sustainably sourced building materials.

Policy 01.14.03

The City will encourage and implement energy conservation and the reduction of greenhouse gasses by encouraging land developers and builders to implement the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED), or equivalent standards, which generally include the following:

- A. Use of compact building design; energy efficient street lighting; energy efficient automobiles/transit;

- B. Priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines mass transit or green space;
- C. Use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens, bioswales and cisterns;
- D. Use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids. and/or use of wind/solar/natural gas energy;
- E. Use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials; and,
- F. Use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.
- G. Use of pedestrian scale and appropriately shielded lighting that limits excess light, reduces glare, and creates a safe and pedestrian scale lit environment, utilizing Night Friendly Lighting or Dark Sky principles for the purpose of creating appropriate outdoor lighting standards that reduce energy use, increase public safety, and protect human health and wildlife.

Policy 01.14.04

Take advantage of "smart city" initiatives as these continue to evolve and become more affordable to small and medium size cities.

Policy 01.14.05

Investigate the use of a monthly subscription app to enable easy access to city services such as: paying for parking; water taxi; community bus and/or on-demand shuttle services; as well as other city services and event notifications. Strive to make the app available at a discount for residents and available to visitors for download.

Policy 01.14.06

The preservation and proper maintenance of significant tree groupings, efforts to relocate trees that cannot be accommodated in redevelopment projects and specific incentives for the reestablishment or creation of tree canopy should be a primary consideration of infill and redevelopment projects.

Policy 01.14.07

All site plans will be reviewed for Crime Prevention Through Environmental Design (CPTED) design principles such as lighting, street design, natural surveillance, natural access control, and territorial reinforcement. CPTED infrastructure such as security lighting, security cameras, bollards and other access control methods will be required based on the specific needs of the project.

Objective 01.15.00 – Regional Activity Center

The Regional Activity Center Land Use Category encourages attractive and functional mixed living, working, shopping, education and recreational activities.

Policy 01.15.01

The Planned Development Land Development Regulations shall provide the zoning district that facilitates attractive and functional mixed living, working, shopping, education and recreational activities for application to Regional Activity Centers.

Policy 01.15.02

Regional Activity Centers shall include a mix of land uses that are regionally significant and should include residential uses when they are complimentary to other uses within the RAC. The application for a RAC land use designation will include a purpose statement for the nonresidential uses based on the scale and identity for the activity center district.

Policy 01.15.03

Applications for the RAC land use designation must address the height transition to adjacent properties, include a volumetric plan showing the building sizes necessary to accommodate the requested entitlements that reflect the design standards in the City's land development code to ensure the mixed use development is compatible with adjacent land uses and adjacent Future Land Use designations.

Policy 01.15.04

The Land Development Regulations shall encourage redevelopment within Regional Activity Centers by reducing the number of required off-street parking spaces proportionate to the parking efficiency achieved with various mixes of uses, as well as greater modal shift to transit, walking and bicycling. In addition to providing for shared parking standards, the Land Development Regulations shall provide for off-site and on-street parking allowances, the use of centralized parking, and other innovative urban parking strategies within Regional Activity Centers.

Policy 01.15.05

Regional Activity Centers should provide substantial housing opportunities in order to allow people to both live and work within the area.

Policy 01.15.06

Quality, affordable housing opportunities shall be included as a functional component of Regional Activity Centers that allow for residential use.

Policy 01.15.07

The Land Development Regulations shall require that Regional Activity Centers provide safe and convenient pedestrian access to transit stops, and safe and secure bicycle parking facilities.

Policy 01.15.08

To enhance pedestrian movement and safety, the Land Development Regulations shall provide for separation of pedestrian and vehicular traffic within the Regional Activity Centers.

Policy 01.15.09

Urban public or publically accessible park land and/or open space shall be included as a functional component of Regional Activity Centers.

Policy 01.15.10

The City shall adopt design guidelines that require transit shelters in the Regional Activity Center to provide safe and comfortable service and to encourage transit usage.

Policy 01.15.11

The City shall adopt performance and design standards within its land development regulations that provide for an interconnected street network, a safe and attractive pedestrian environment and multi-modal transit connections for Regional Activity Centers.

Policy 01.15.12

The City shall maintain design standards within its land development regulations to ensure compatibility between existing and planned land uses within and adjacent to Regional Activity Centers.

Objective 01.16.00 – Transit Oriented Corridor (TOC) Activity Center

Facilitate mixed use development with access to transit stations or stops along existing and planned high performance transit service corridors (such as bus rapid transit or rapid bus) designated in the Pompano Beach Comprehensive Plan Transportation Element; the Broward County Transit Master Plan; the Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan; and the Broward County Transit Development Plan, through the establishment of a Transit Oriented Corridor (TOC) land use category.

– Land Use Criteria**Policy 01.16.01**

The City may designate a Transit Oriented Corridor within an area approximately ¼ mile on either side of the mainline transit corridor. The area may extend beyond ¼ mile around all major intersections, activity nodes and in locations served by existing or funded community shuttle service.

Policy 01.16.02

Residential use is required as a principal component within a Transit Oriented Corridor (TOC). Maximum residential density will be specified by the City and may vary along the corridor. Densities and intensities for the TOC will be described in the permitted uses section of the Pompano Beach Future Land Use Element. Residential densities will be specified as a maximum number of permitted units (e.g. pool of units such as in the “Local Activity Center” (LAC) and “Regional Activity Center” (RAC) designations).

Policy 01.16.03

At least two non-residential uses must be permitted in the designated area as a principal use: e.g. retail, office, restaurants and personal services, hotel/motel, light industrial (including “live work” buildings), research business, civic and institutional.

Policy 01.16.04

Nonresidential intensities may vary along the corridor and will be specified as an overall maximum square footage by use [e.g. pool of square footage by permitted use (retail, office etc.) or land use category (commercial)]. The application for a TOC land use designation will include a purpose statement for the nonresidential uses based on the scale and identity for the activity center district.

Policy 01.16.05

Additional or expanded stand-alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; “big box”/warehouse; single-family detached dwelling units; carwashes; and drive-through facilities are discouraged and will be prohibited or limited unless designed in a manner to encourage pedestrian and transit usage and may be further restricted in the City’s TOC Zoning District regulations.

– Design Guideline Principles**Policy 01.16.06**

Applications for the TOC land use designation must address the height transition to adjacent development, include a volumetric plan showing the building sizes necessary to accommodate the requested entitlements that reflect the design standards in the City’s land development code to ensure the mixed use development is compatible with adjacent land uses and adjacent Future Land Use designations.

Policy 01.16.07

Public plazas, urban open space or green space/pocket park uses that are accessible to the public must be provided as an integrated component within a Transit Oriented Corridor.

Policy 01.16.08

Areas designated as Transit Oriented Corridors must include design features that promote and enhance pedestrian mobility, including connectivity to transit stops and stations, based on the following characteristics which are detailed further in the City’s TOC Zoning District regulations:

- A. Integrated transit stop with shelter, or station (within the TOC area).
- B. Wide (the minimum shall be consistent with ADA requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- C. Buildings should front the street (zero or minimal setbacks are encouraged).
- D. Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).
- E. Streets (internal and adjacent to the TOC) should be designed to discourage isolation and provide connectivity (such as streets in the grid pattern).

Policy 01.16.09

Development within the TOC land use designation must include internal pedestrian and transit amenities to serve the residents and employees within the area (such as seating on benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) and other amenities that can be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food and refreshment vendor areas.)

Policy 01.16.10

Applications seeking a Transit Oriented Corridor land use designation will demonstrate consistency with the design elements described above and with the implementation strategies in the City's TOC zoning ordinance to ensure the proposal accomplishes the design objectives of the TOC.

– Review Process Considerations**Policy 01.16.11**

The transportation impact analysis for a proposed Transit Oriented Corridor designation shall be reviewed and approved by Broward County as part of the County's Land Use Plan amendment process and shall consider the modal shift provided through the provision of transit and the transit oriented design. In addition, the transportation impact analysis shall consider the effects of internal capture as applicable to transit oriented mixed use projects.

Policy 01.16.12

In consideration of non-residential land uses in areas proposed for designation as a Transit Oriented Corridor, the impact analysis for the designation may be based on the amount of non-residential development which could be permitted as per the intensity standards rather than the alternative 10,000 square feet per gross acre utilized for non-residential impact analysis.

Policy 01.16.13

An interlocal agreement between the City and Broward County must be executed no later than six months from the effective date of the adoption of a Transit Oriented Corridor which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the City.

Objective 01.17.00 – Transit Oriented Development (TOD) Activity Center

Encourage mixed use development in areas served by regional transit stations, such as Tri-Rail stations, major transit hubs, and neighborhood and regional transit centers as designated in the Pompano Beach Comprehensive Plan Transportation Element; the Broward County Mass Transit Master Plan; Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan; and the Broward County Transit Development Plan, through the establishment of a Transit Oriented Development (TOD) land use category.

The TOD land use category must incorporate design criteria to provide pedestrian connectivity to regional transit stations to and from development that is mixed use with a "sense of place" and is transit supportive.

– Land Use Criteria**Policy 01.17.01**

Residential use is required as a principal component within a Transit Oriented Development.

Policy 01.17.02

Maximum Residential Density may vary in the Transit Oriented Development and must be described in the permitted uses section of the Pompano Beach Future Land Use Element. Residential densities will be specified as a maximum number of permitted units (e.g. pool of units like in the "Local Activity Center" (LAC) and "Regional Activity Center" (RAC) designations).

Policy 01.17.03

At least two non-residential uses must be permitted in the designated area as principal uses: e.g. retail, office, restaurants and personal services, hotel/motel, light industrial (including "live work" buildings), research business, civic and institutional. The application for a TOD land use designation will include a purpose statement for the nonresidential uses based on the scale and identity for the TOD district.

Policy 01.17.04

Additional or expanded, stand-alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; "big box"/warehouse; single-family detached dwelling units; carwashes; and drive-through facilities are discouraged and may be prohibited or limited, unless designed in a manner to encourage pedestrian and transit usage.

Policy 01.17.05

Applications for a TOD land use designation will include a volumetric plan which shows building height transitions, the building volumes necessary to fit the requested entitlements on the subject property, and reflect the design standards in the City's land development code, to ensure the mixed use development is compatible with adjacent land uses and adjacent Future Land Use designations.

– Design Guideline Principles**Policy 01.17.06**

Transit Oriented Development must include design features that promote and enhance pedestrian mobility, including connectivity to regional transit stations, based on the following characteristics which are detailed further in the City's TOD Zoning District Regulations:

- A. Integrated transit stop with shelter, or station (within the TOD area).
- B. Public plazas, urban open space or green space/pocket park uses that are accessible to the public must be provided as an integrated component within a Transit Oriented Development.
- C. Wide (the minimum shall be consistent with ADA Requirements) pedestrian and bicycle paths that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.
- D. Buildings should front the street (zero or minimal setbacks are encouraged).
- E. Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).
- F. Streets (internal and adjacent to the TOD) should be designed to discourage isolation and provide connectivity (such as streets in the grid pattern).

Policy 01.17.07

Internal pedestrian and transit amenities are required to serve the residents and employees within the Transit Oriented Development (such as seating on benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, bicycle parking) or other amenities that could be incorporated into adjacent publicly accessible areas and plazas (such as clocks, fountains, sculpture, drinking fountains, banners, flags and food and refreshment vendor areas).

Policy 01.17.08

Applications seeking a Transit Oriented Development land use designation will demonstrate consistency with the design elements described above and with the implementation strategies in the City's TOC zoning ordinance to ensure the proposal accomplishes the design objectives of the TOD.

– Review Process Considerations**Policy 01.17.09**

The transportation impact analysis for a proposed Transit Oriented Development designation shall consider the modal shift provided through the provision of transit and the transit oriented design. In addition, the transportation impact analysis shall consider the effects of internal capture as applicable to transit oriented mixed use projects.

Policy 01.17.10

In consideration of nonresidential land uses in areas proposed for designation as a Transit Oriented Development, the impact analysis for the designation may be based on the amount of non-residential development which could be permitted based on the proposed intensity, rather than the alternative 10,000 square feet per gross acre standard utilized for nonresidential impact analysis.

Policy 01.17.11

An interlocal agreement between the City and Broward County must be executed no later than six months from the effective date of the adoption of a Transit Oriented Development which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the affected municipality.

Objective 01.18.00 – Mixed Use Residential (MUR) Activity Center

Promote mixed use land development patterns which combine residential and nonresidential uses to achieve an attractive, well integrated, and pedestrian and transit friendly environment through the establishment of a residential mixed land use category.

Policy 01.18.01

The mixed use residential activity center designation allows a combination of residential, commercial, employment-based and other appropriate uses as described in the permitted uses section of the Future Land Use Element. The application for a MUR land use designation will include a purpose statement for the nonresidential uses based on the scale and identity for the mixed use activity center district.

Policy 01.18.02

Mixed Use Residential designations shall be described as a pool of uses including the number of residential units and the total square footage of nonresidential development.

Policy 01.18.03

The Mixed Use Residential designation shall promote an urban form which creates well integrated land use combinations, balances intensity and density, and promotes the safe, interconnectivity of vehicular, pedestrian and other nonmotorized movement while integrating the public realm, through open space, urban public plazas and/or recreational areas.

Policy 01.18.04

Applications for the Mixed Use Residential designation shall include a volumetric plan which show building height transitions, the building volumes necessary to fit the requested entitlements on the subject property and reflect the design standards in the City's land development code, to ensure the mixed use development is compatible with adjacent land uses and adjacent Future Land Use designations.

Objective 01.19.00 – Activity Centers

The City shall adopt the flexibility offered through Broward Next to allow additional development rights in an activity center land use category, limited to the TOC, RAC, LAC, and TOD activity center districts, without a Broward County Land Use Plan amendment.

Policy 1.19.10

Permitted residential densities and hotel rooms within areas designated "Activity Center" on the Broward County Land Use Plan (except for any "Activity Center" located east of the Intracoastal Waterway) and TOC, RAC, LAC or TOD on the City's Land Use Plan Map may be increased by 20% or 500 dwelling units and/or hotel rooms, whichever is less, no earlier than every five (5) years via a local land use plan amendment and recertification by the Broward County Planning Council, and/or permitted non-residential intensities within areas designated "Activity Center" on the Broward County Land Use Plan and TOC, RAC, LAC or TOD on the City's Land Use Plan Map may be increased by 20% or 200,000 square feet, whichever is less, every five (5) years via a local land use plan amendment and recertification by the Broward County Planning Council, subject to the following:

- A. No more than 10% of permitted residential units and/or non-residential intensities proposed for increase are available for allocation at the time the local land use plan amendment is heard by the P&Z board.
 - B. "Every five (5) years" means starting from the date the 2017 Broward County Land Use Plan is effective for "Activity Centers" included in that Plan, or when a new or revised "Activity Center" is adopted by the County Commission and is effective.
 - C. An application for a Broward County Land Use Plan amendment may be submitted at any time for "Activity Center" proposals which would exceed the above referenced residential and non-residential density/intensity increases.
 - D. The local land use plan shall include policies addressing the affordable/workforce housing needs of "Activity Centers."
 - E. The local land use plan shall demonstrate sufficient capacity for public facilities and services, including coordination with public schools.
-

Objective 01.20.00 – Broward County Planning Council Recertification

The City will continue to maintain a Land Use Plan certified by Broward County as implemented by the procedures in the Administrative Rules Document: Broward County Land Use Plan by incorporating the relevant Objectives and Policies of the Broward County Land Use Plan into the City's Land Use Element to facilitate Certification of the City's Comprehensive Plan.

Policy 01.20.01

The Future Land Use Element includes by reference the following other Comprehensive Plan Objectives and Policies: Transportation (02.02.02, 02.02.04, 02.02.05, 02.02.06, 02.04.04); Housing (03.01.00, 03.01.04); Coastal Zone Management (11.01.00, 11.01.03, 11.01.07, 11.03.01, 11.04.02); Conservation (10.01.00, 10.01.01, 10.02.01, 10.04.00); Potable Water (07A.05.05); Solid Waste (09.01.04); PSFE (Objective 05A.02.00, 05A.03.01, 05B.01.05); Plan Implementation Requirements 3.02.A.9.a, 3.02.B.8)

Policy 01.20.02

The City's land use plan amendments will successfully complete the Chapter 163, F.S. local comprehensive plan amendment review process prior to their recertification by the Broward County Planning Council.

Objective 01.21.00 – Conservation Use

Designate Conservation areas on the City of Pompano Beach Future Land Use Map for natural areas and other lands such as sanctuaries, preserves, archeological sites or historic sites, open spaces, ecological communities and/or designated wildlife management areas that warrant additional protections provided by a Conservation designation.

Policy 01.21.01

Promote the acquisition, retention and management of unique natural, historic and archaeological areas in order to preserve their environmental, recreational, historical, educational and other public benefits.

Policy 01.21.02

Permit within designated conservation areas only those uses which are identified in the Conservation Permitted Uses subsection of the Plan Implementation Requirements section of this comprehensive plan.

Objective 01.22.00 – Equitable Neighborhoods

Ensure equitable outcomes result from public and private investment in all Pompano Beach neighborhoods.

Policy 01.22.01

Adopt the "One Pompano" theme through the creation, adoption and implementation of standard Complete Street sections based on right-of-way availability and purpose so all streets have consistently connected sidewalks, appropriate lighting, street trees and sheltered transit stops.

Policy 01.22.02

All neighborhoods should be equally protected from crime, trash accumulation, speeding traffic, and have equal access to transportation options, parks and open spaces, clean drinking and surface water, sanitary sewer collection and treatment, healthy food, quality schools, and employment opportunities.

Policy 01.22.03

All neighborhoods should have accurate and consistent planning in regard to the Future Land Use and Zoning Map designations and be adequately served by well-planned urban infrastructure.

Policy 01.22.04

The City will seek opportunities in all neighborhoods to increase resiliency by incentivizing the retrofitting of existing homes and nonresidential buildings for impact windows and doors, insulated roofs, solar panels to reduce fossil fuel use; installation of gutters and rain barrels to collect roof runoff and allow for its use when needed to mitigate dry periods; enhance on-site stormwater storage areas to reduce flooding; enhance tree canopy to attenuate carbon in the atmosphere, reduce heat island effects, enhance air quality, utilize available ground water and provide shade and beautification.

Policy 01.22.05

The City will work with the community to identify “food deserts” within neighborhoods and encourage quality food stores that meet the needs of the community to locate on appropriate sites in proximity to a majority of the area’s residents.

Policy 01.22.06

The City will seek opportunities to support the public school system and attract educational facilities such as charter schools and institutions for higher education to supplement the educational offerings so that all neighborhoods have access to quality education.

Objective 01.23.00 – Economic Development

Expand the economic based by attracting Class A office space and higher education institutional uses, continuing to support the industrial and manufacturing sectors while protecting tourism as well as the quality of life and delivery of services to local residents.

Policy 01.23.01

To create balanced communities, encourage the expansion of neighborhood-serving retail and office uses in areas dominated by the industrial, and manufacturing sectors if appropriate to better serve the local community.

Policy 01.23.02

Activities intended to diversify the economy should not adversely impact the quality of life of the City’s permanent, seasonal and tourist populations.

Policy 01.23.03

Address the integration of tourism into any cultural, historical, archaeological, and park and recreation plans.

Policy 01.23.04

Consider the effects of land use and zoning decisions on the marine industry and consider developing incentives to retain marine-related uses.

Policy 01.23.05

Discourage rezonings that permit additional self-storage and warehouse uses along the City’s gateway corridors which include Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard and NW 31st Avenue.

Land Use Plan Implementation Requirements**Section 1. Definitions**

"**Accessory use**" shall mean a use naturally and customarily incidental, subservient or subordinate to the principal use.

"**Accommodations**" means any apartment, condominium or cooperative unit, cabin, lodge, hotel or motel room, campground, or other private or commercial structure which is situated on real property and designed for occupancy or use by one or more individuals.

"Adaption Action Areas" means a designation in the coastal management element of a local government's comprehensive plan which identifies one or more areas that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning.

"Administration Commission" means the Governor and the Cabinet of the State of Florida.

"Administrative Rules Document" means a publication containing rules, guidelines, procedures, and methodologies reviewed, revised, adopted and amended by the Broward County Planning Council and Board of County Commissioners for the purpose of providing assistance and guidance to local governmental entities and providing direction to Council staff in implementing the Broward County Land Use Plan.

"Affected Persons" includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; and adjoining local governments that can demonstrate that adoption of the plan as proposed would produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdictions. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written objections during the local government review and adoption proceedings.

"Affordable Housing" means housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.

"Agricultural Uses" means activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas.

"Airport Clear Zone" means a designated area of land which is subject to peak aircraft noise and on which there is the highest potential of danger from airport operations.

"Airport Facility" means any area of land or water improved, maintained or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, or other airport facilities or rights-of-way.

"Airport Obstruction" means any structure, object of natural growth, existing condition or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increases the risk of danger to aircraft operations.

"Alley" means a right-of-way providing a secondary means of access and service to abutting property.

"Amendment" means any change to an adopted comprehensive plan, except corrections, updates and modifications of the capital improvements element concerning costs, revenue services, acceptance of facilities or facility construction dates consistent with the plan as provided in Subsection 163.3177(3)(b), Florida Statutes, and corrections, updates or modifications of current costs in other elements, as provided in Section 163.3187(2) Florida Statutes.

"Annexation" means the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

"Aquatic Vegetation" means a plant characteristically growing wholly or partly submerged in water.

"Area or Area of Jurisdiction" means the total area of Broward County including all of the lands lying within the limits of an incorporated municipality, and the unincorporated lands within the county.

"Areas Subject to Coastal Flooding" see "hurricane vulnerability zone".

"Arterial Road" means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

"Auto-Oriented Use"— auto-oriented uses include, but are not limited to, large surface parking lots (other than park and ride facilities for transit connections), gas stations, auto repair/service, car washes, auto/truck/trailer/boat sales, auto/truck/trailer/boat storage, auto/truck/trailer/boat rentals/leasing, self/equipment storage; "big box"/warehouse, single family detached dwelling units; drive-through or drive-in facilities and similar uses that, by their nature, are built with special accommodations for service directly to the automobile or the occupants of automobiles and require the extensive use of automobiles as part of their primary function.

"Beach" means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to line of permanent vegetation, usually the effective limit of storm waves.

"Beach", as used in the coastal management element requirements, is limited to oceanic and estuarine shorelines.

"Bicycle and Pedestrian Ways" means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

"Broward County Coastal Area" means the land and water eastward of U.S. Highway 1 to the Atlantic Ocean.

"Broward County Coastal High Hazard Area" means the land and water eastward of the Atlantic Intracoastal Waterway to the Atlantic Ocean including any coastal protection structures.

"Broward County Land Use Plan" means the future land use plan element for all of Broward County adopted by the Broward County Commission in conformance with the requirements of the Broward County Charter

"Broward County Trafficways Plan" means the plan promulgated by the Broward County Planning Council pursuant to Chapter 59-1154, Laws of Florida, as amended, and the Broward County Charter, which depicts a network of roads for Broward County (also known as the Broward County Planning Council Trafficways Plan).

"Building" means any structure having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

"Building Permit" means:

1. Any permit for the erection or construction of a new building required by Section 301.1 of the Florida Building Code, as amended.
2. Any permit for an addition to an existing building which would:
 - a. create one or more dwelling units, or
 - b. involve a change in the occupancy of a building as described in Section 104.7 of the Florida Building Code, as amended.
3. Any permit which would be required for the nonresidential operations included in Section 301.1(a) of the Florida Building Code, as amended.

"Capital Budget" means the portion of the City's government's budget which reflects capital improvements scheduled for a fiscal year.

- "Capital Improvement"** means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.
- "Certified Land Use Plan"** means the City of Pompano Beach land use plan which has been certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan and which has been adopted by the City in conformance with the applicable requirements of Chapter 163. F.S.
- "Climate Change"** means a change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onwards and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels.
- "Coastal Construction Control Line"** means the line established by the Florida Department of Natural Resources after a determination, through comprehensive engineering study and topographic survey, that the establishment of such control line is necessary for the protection of upland properties and the control of beach erosion, pursuant to Section 161.053, Florida Statutes.
- "Collector Road"** means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.
- "Commercial Uses"** means activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services.
- "Community Cultural Facility"** means a facility that is readily accessible to all segments of the community for cultural activities (performing, visual and literary arts). The center should include classroom and workshop space, exhibit and performance space and cultural programming by professional artists for all age groups.
- "Community Park"** means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by local government entities to meet the community parks requirement of the Broward County Land Use Plan.
- "Community Shopping Center"** means a shopping center which typically ranges from approximately 100,000 to 300,000 square feet of gross leasable area and is generally built around a junior department store or variety store and supermarket as the major tenants. Community shopping centers typically range in area from approximately 10 acres to 30 acres and serve trade areas ranging from roughly 40,000 people to 150,000 people.
- "Complete Street"** means a street where the entire right-of-way is planned, designed, and operated for all modes of transportation and all users regardless of age or ability. Pedestrians, bicyclists, transit riders, and motorists of all ages and abilities must be able to safely move along and across a Complete Street. Complete Streets make it easy to cross the street, walk to shops, catch the bus, bike to work, and enjoy many other healthy activities.
- "Comprehensive Plan"** means a plan that meets the requirements of ss 163.3177 and 163.3178, Florida Statutes.
- "Concurrency"** means public facilities and services needed to support development shall be available consistent with concurrency requirements as per Section 163.3180 Florida Statutes.

"Concurrency Management System" means the provisions in the local government comprehensive plan including implementation regulations, encompassing the restrictions, methods, resources, timing and solutions intended to be compatible with and further compliance with the statutory requirement to provide public facilities and services needed to support development consistent with concurrency requirements and Section 163.3180 Florida Statutes.

"Cone of Influence" (Zone of Influence) means an area around one or more major waterwells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on ground water travel or drawdown depth.

"Conservation Uses" means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

"Context Sensitive Roadways" means roadways that are planned and developed with improvements that are considerate of the character and environment of the corridor and the surrounding neighborhood, are responsive to multiple transportation modes, and maintain safety and mobility.

"Contiguous" means in close proximity, touching or adjacent.

"Contraction" means the reversion of real property within municipality boundaries to an unincorporated status.

"County Commission" means the Board of County Commissioners of Broward County, Florida.

"County Land Planning Agency" means the agency designated to prepare the comprehensive plan for the County or in case of Chartered Counties, the agency which has the planning responsibility between the County and the municipalities as stipulated in the Charter.

"County Land Use Plan" means the effective Broward County Land Use Plan adopted by the County Commission.

"Dashed-Line Area" means an area on the Pompano Beach Future Land Use Plan Map bordered by a dashed line and designated as having a particular maximum overall density of dwelling units for all land and land uses within the area, and/or a particular total number of dwelling units permitted within the area.

"Designated Redevelopment Area" are those areas identified by the City of Pompano Beach which are included in a community redevelopment plan pursuant to Chapter 163, Part III, F.S.. These areas are identified pursuant to criteria set forth in the Broward County Land Use Element Plan Implementation Requirements section.

"Developer" means any person, including a governmental agency, undertaking development.

"Development" means:

1. The carrying out of any building activity or mining operation, the making of any material change in the use of appearance of any structure or land, or the dividing of land into two or more parcels.
2. The following activities or uses shall be taken for the purposes of this section to involve "development," as defined in this section:
 - a. A reconstruction, alteration of the size or material change in the external appearance of a structure or land.
 - b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
 - c. Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in ss.161.021.
 - d. Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of

- land.
 - e. Demolition of a structure.
 - f. Clearing of land as an adjunct of construction.
 - g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
3. The following operations or uses shall not be taken for the purpose of this section to involve "development" as defined herein:
- a. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad tract, if the work is carried out on land within the boundaries or the right-of-way.
 - b. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purposes of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.
 - c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
 - d. The use of any structure or land devoted to dwelling uses or any purpose customarily incidental to enjoyment of the dwelling.
 - e. The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
 - f. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
 - g. A change in the ownership or form of ownership of any parcel or structure.
 - h. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.
4. "Development," as designated in an ordinance, rule, or development rule includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing and the resulting development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of subsection (1).

"Development Order" means any order granting, denying, or granting with conditions an application for a development permit.

"Development Permit" includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development.

"Disaster" means a sudden event, such as an accident or a natural catastrophe that causes great damage or loss of life.

"Downtown Development Authority" means a local governmental agency established under part III of Chapter 163 or created with similar powers and responsibilities by special act for the purpose of planning, coordinating, and assisting in the implementation, revitalization, and redevelopment of a specific downtown area of a city.

"Downtown Revitalization" means the physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment.

"Drainage Basin" means the area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

"Drainage Facilities" means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

- "Dune"** means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and extending inland to the landward toe of the dune which intercepts the 100-year storm surge.
- "Dwelling Unit"** means a house, apartment, or condominium unit, trailer, group of rooms, or a single room intended for occupancy as separate living quarters with direct access from the outside of the building or through a common hall and with complete kitchen facilities for the exclusive use of the occupants, including the rental units contained in a multi-unit structure or complex which are licensed by the State Department of Business Regulation, Division of Hotels and Restaurants, as "apartments", "rental condominiums" and "retirement housing" or live-aboard vessels located in multi-family "residential" designated areas which are required to hookup to marine sanitation systems.
- "Easement"** means any land for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.
- "Ecological Community"** means a distinctive combination of two or more ecologically related species, living together and interacting with each other in a characteristic natural habitat.
- "Educational Uses"** means activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.
- "Electrical Power Plant"** means an electrical generating facility where electricity is produced for the purpose of supplying twenty-five mega watts (MW) or more to utility power systems.
- "Enhancement"** shall mean the alteration of an existing wetland to increase the fundamental value.
- "Environmentally Sensitive Land"** means those areas containing Natural Resources, as depicted in the Natural Resource Map Series of the Broward County Land use Plan, which have been determined to be environmentally sensitive by the Broward County Board of County Commissioners. The criteria for designation of Environmentally Sensitive Land are contained within the Plan Implementation section of the Broward County Land Use Plan.
- "Estuary"** means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. "Estuaries" include bays, embayments, lagoons, sounds and tidal streams.
- "Evacuation Routes"** means routes designated by county emergency management authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.
- "Existing Urban Service Area"** means built-up areas where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas are already in place.
- "Fabrication and Assembly"** means the manufacturing from standardized parts of a distinct object differing from the individual components involving materials with form and substance (as opposed to liquid or gas), with a physical, as opposed to chemical, mating or joining of the individual parts.
- "Flexibility Zone"** corresponds to the municipal boundaries upon the adoption of BrowardNext.
- "Floodplains"** means areas inundated during an identified flood event as identified by the National Flood Insurance Program Flood Insurance Rate Maps (FIRM).

"Floor Area" generally means the total square footage of all floors measured to the outside surface of the building or portion of the building. This may include hallways, stairways, elevators, storage and mechanical rooms whether internal or external to the structure. Floor area may also be limited to what is considered leasable space. The specific definitions are determined by local government development regulations.

"Floor Area Ratio (FAR)" means the square footage of the floor area of a building divided by square footage of the lot (net site area) on which the building is located.

"Freshwater Marsh" means a wetland having more than 25 percent vegetative cover by terrestrial herbs but 40 percent or less cover by woody plants, occasionally or regularly flooded by fresh water (e.g., sawgrass).

"Freshwater Swamp" means a wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

"Future Broward County Land Use Plan Map (Series)" means the series of maps adopted by the Broward County Board of County Commissioners as part of the Broward County Land Use Plan.

"Goal" means the long term end toward which programs and activities are ultimately directed.

"Governing Body" means the City Commission of City Pompano Beach, Florida.

"Governmental Agency" means:

1. The United States or any department, commission, agency, or other instrumentality thereof;
2. The State of Florida or any department, commission, agency, or other instrumentality thereof;
3. Any local government, or any department, commission, agency, or other instrumentality thereof;
4. Any school board or other special district, authority, or other governmental entity.

"Gross Acre" means the total number of acres within a parcel of land generally to the centerline of adjacent streets, roadways, alleys, canals and waterways (exclusive of expressways and the primary drainage system).

"Gross Density" means the number of dwelling units constructed or proposed to be constructed within a parcel of land, divided by the gross acreage of the parcel of land. In determining the gross acreage of the parcel, the area encompassed by an extension of the parcel's boundaries to the centerline of adjacent public right-of-ways such as streets, roadways, alleys, canals and waterways (exclusive of expressways and the primary drainage system) can be added to the parcel area.

"Group Home" means a licensed facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

"Hammock" means a dense growth of broad-leaved trees on a slight elevation, not considered wet enough to be a swamp.

"Hardwood" means a broad-leaved angiosperm (flowering plant) tree having wood characterized by the presence of specialized cells called vessels.

"Hazardous Liquid Pipeline" means a pipeline, a right-of-way, or a facility, used or intended to be used in transporting petroleum or petroleum products.

"Hazardous Waste" means solid waste, or combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

"Historic Resources" means all areas, districts or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

"Hurricane Shelter" means a structure designated by County officials as a place of safe refuge during a storm or hurricane.

"Hurricane Vulnerability Zone" (also "areas subject to coastal flooding") means the areas delineated by the regional or local hurricane evacuation plan as requiring evacuation in the event of any category hurricane threat.

"Improvements" may include, but are not limited to street pavement, curbs and gutters, sidewalks, alley pavement, walkway pavement, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monuments, permanent control points, or any other improvement required by a governing body.

"Industrial Uses" means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products or materials.

"Infrastructure" means those man-made structures which serve the common needs of the population, such as; sewage disposal systems; potable water systems; potable water wells serving a centralized system; solid waste disposal sites or transfer areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bullwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

"Lake" means a large retention area that always contains water or a natural depression fed by one or more streams and from which a stream may flow; occurs due to widening or natural blockage of a river or stream or occurs in an isolated natural depression that is not part of a surface river or stream; usually too deep to permit the growth of rooted plants from shore to shore.

"Land" means the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

"Land Development Code" means various types of regulations relating to development within the City when combined in a single document.

"Land Development Regulation" means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

"Land Use" means the development that has occurred on the land, the development that is proposed by a developer on the land, or the use that is permitted or permissible on the land under an adopted comprehensive plan land use map or element or portion thereof, land development regulations, or a land development code, as the context may indicate.

"Land Use Plan" means the Future Land Use Element and Map for the City of Pompano Beach, Florida, adopted as the Future Land Use Element in accordance with Sections 163.3161 - 163.3211, Florida Statutes, and certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan pursuant to Article VI of the Broward County Charter.

"Level of Service" means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. "Light Manufacturing" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

"Limited Access Facility" means a roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

"Littoral" means that portion of a body of water extending from shoreline toward the middle of the water to the limit of occupancy by rooted plants.

"Live-Aboard Vessel" means any vessel which is a habitable vessel on which habitation is occurring and which is used as a person's primary legal residence or temporary or seasonal residence even though it is not used solely as a residence but is also used for other purposes. A person's primary legal residence is a vessel where a person is presently living with the present intention of making it his or her permanent abode. A temporary or seasonal residence means habitation aboard a floating home or a vessel occupied by one (1) or more persons, while the home or vessel is moored or docked. Habitable vessel means a vessel that is equipped with an on-board toilet. The term live-aboard vessel shall not include commercial fishing boats. Nothing within this definition shall be construed to prohibit or regulate the anchorage of non-live-aboard vessels engaged in the exercise of rights of navigation.

"Local Area of Particular Concern" means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be environmentally sensitive. Those areas are subject to environmental impact report provisions of the Broward County Land Development Code.

"Local Comprehensive Plan" means any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the applicable sections of Chapter 163 F.S. which may be amended from time-to-time.

"Local Government Entity" means a unit of government or any officially designated public agency or authority of a unit of government with less than statewide jurisdiction, or any officially designated public agency or authority of such a governmental entity. The term includes a county, an incorporated municipality, a consolidated city-county government, a metropolitan planning organization, an expressway or transportation authority, a turnpike project, a regional planning council, or a school board or other special district.

"Local Planning Agency" means the agency designated to prepare the comprehensive plan required by Ch.163, Florida Statutes.

"Local Road" means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements and provides land access for abutting property.

"Lot" includes tract or parcel - means the least fractional part of subdivided lands having limited fixed boundaries and an assigned number, letter, or other name through which it may be identified.

"Lot or Parcel of Record" means a quantity of real property as a single unit described and identified in a deed and/or plat recorded in the public records of a county in the State of Florida.

"Low and Moderate Income Families" means "lower income families" as defined under the Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term "families" includes "households."

- "Low-Income Person"** means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 80 percent of the median annual income adjusted for family size for the county.
- "Major Trip Generators or Attractors"** means concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.
- "Marine Habitat"** means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algae beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster bars or flats, mud flats, coral reefs, worm reefs, artificial reefs, offshore springs, nearshore mineral deposits, and offshore sand deposits.
- "Marine Resources"** means living oceanic or estuarine plants or animals, such as mangroves, seagrasses, algae, coral reefs, and living marine habitat; fish, shellfish, crustacea and fisheries; and sea turtles and marine mammals.
- "Marine Wetlands"** means areas with a water regime determined primarily by tides and the dominant vegetation is salt tolerant plant species including those species listed in Subsection 17-4.02(17), Florida Administrative Code, "Submerged Marine Species."
- "Mass Transit"** means passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, community shuttle bus and local fixed route bus.
- "Mean High Water"** means the average height of the high waters over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of mean 19-year value.
- "Mean High Water Line"** means the intersection of the tidal plane of mean high water with the shore.
- "Mean Low Water"** means the average height of the low waters over a 19-year period. For shorter periods of observation, "mean low water" means the average height of low waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of mean 19-year value.
- "Mean Low Water Line"** means the intersection of the tidal plane of mean low water with the shore.
- "Minerals"** means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.
- "Mining"** means the removal of minerals from their site, solely for commercial purposes which may include crushing, batching, mixing and forming of mined materials.
- "Mobile Home"** means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained herein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards.
- "Moderate-Income Person"** means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 120 percent of the median annual income adjusted for family size for households within the county. "Municipality" means any incorporated city, town, or village.

- "Native Vegetative Communities"** means those areas which contain ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, native vegetation and animals.
- "Natural Drainage Features"** means the naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands.
- "Natural Reservations"** means areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters.
- "Natural Resources"** means natural vegetation and wildlife habitat as well as existing and planned waterwells and cones of influence; beaches and shores, including estuarine systems; rivers, bays, lakes, floodplains, and harbors; wetlands; minerals and soils.
- "Neighborhood Park"** means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.
- "Neighborhood Shopping Center"** means a shopping center typically ranging from 30,000 to 100,000 square feet of gross leasable area for the sale of convenience goods (food, drugs and sundries) and personal services which meet the daily needs of an immediate neighborhood. Neighborhood shopping centers range in area from approximately 3 acres to 10 acres and generally require a minimum market support population ranging from 2,500 to 40,000 people.
- "Net Site Area"** means the entire acreage of the site located inside the parcel boundary.
- "Newspaper of General Circulation"** means a newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area within which it circulates, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.
- "Nonpoint Source Pollution"** means any source of water pollution that is not a point source.
- "Objective"** means a specific, measurable, intermediate end that is achievable and marks progress towards a goal.
- "Ocean Waters"** means waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida, but does not include bays, lagoons, or harbors.
- "Open Space"** means undeveloped lands suitable for community gathering, passive recreation or conservation uses.
- "Parcel of Land"** means any quantity of land capable of being described with such definiteness that its location and boundaries may be established which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.
- "Park"** means a neighborhood, community, or regional park.
- "Person"** means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.
- "Planning Act"** means the Community Planning Act, Sections 163.3161 et.seq., Florida Statutes.

"Planning Council" means the Broward County Planning Council.

"Plat" means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this chapter and of any local ordinances, and may include the terms "replat", "amended Plat", or "revised Plat."

"Playground" means a recreation area with play apparatus.

"Point Source Pollution" means any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Policy" means the way in which programs and activities are conducted to achieve an identified goal.

"Pollution" is the presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

"Pond" means a small, quiet body of standing water, usually sufficiently shallow to permit the potential growth of rooted plants from shore to shore.

"Port Facility" means harbor or shipping improvements used predominantly for commercial purposes including channels, turning basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and all other property or facilities necessary or useful in connection with commercial shipping.

"Potable Water Facilities" means a system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

"Principal Building" means a building which is occupied by, or devoted to, a principal use or an addition to an existing principal building which is larger than the original existing building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one principal building on a parcel.

"Principal Use" means the primary or main use of a parcel of land as distinguished from an accessory use. There may be more than one principal or main use on a parcel of land.

"Private Recreation Sites" means sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use.

"Protected Potable Water System" means a community water supply which has been given a consumptive use permit by the South Florida Water Management District and which is protected by the Broward County wellfield protection program.

"Public Access" means the ability of the public to physically reach, enter or use recreation sites including beaches and shores.

"Public Building and Grounds" means structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

- "Public Facilities"** means major capital improvements, including, but not limited to, transportation, sanitation, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.
- "Public Notice or Due Public Notice"** as used in connection with the phrase "public hearing" or "hearing to be held after due public notice" means publication of notice of the time, place, and purpose of such hearing in a newspaper of general circulation in the area not less than 7 days prior to the date of the hearing.
- "Public Recreation Sites"** means sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.
- "Public Utility"** includes any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.
- "Recertification"** means a local land use plan which has previously been certified by the Broward County Planning Council, but because of amendments, decertification, or amendment to the Broward County Land Use Plan, is no longer in conformity, and must be recertified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan.
- "Recreation"** means the pursuit of leisure time activities occurring in an indoor or outdoor setting.
- "Recreation Facility"** means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.
- "Recreational Uses"** means activities within areas where recreation occurs.
- "Recreational Vehicle Park"** means a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owners, lessor or operator of such place, for the parking and accommodation of six or more recreational vehicles or tents utilized for sleeping or eating; and the term also includes buildings and sites set aside for group camping and similar recreational facilities.
- "Redevelopment Units"** means additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2017 Broward Next Broward County Land Use Plan.
- "Regional Park"** means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by the Broward County Board of County Commissioners to meet the regional level parks requirement of the Broward County Land Use Plan.
- "Regional Planning Agency"** means the regional planning council created pursuant to ss. 186.501-186.515 to exercise responsibilities under ss.186.001-186.031 and 186.801- 186.911 in a particular region of the state.
- "Regional Roadway Network"** means the roads contained within the Broward County Metropolitan Planning Organization's adopted Year 2015 Highway Network, except for those roads functionally classified as city collector roads.
- "Regional Shopping Center"** means a shopping center which typically ranges from approximately 300,000 square feet to 1,000,000 square feet or more of gross leasable area and provides a full range of shopping goods, general merchandise, apparel, furniture and home furnishings. Such center is usually built around a full-line department store as the major drawing power. Regional shopping centers are approximately 30 acres in size or larger and generally require a minimum market support population in excess of 150,000 people and a trade area extending 10 to 15 miles or more modified by such factors as competitive facilities and travel time over access highways.

- "Regulated Plant Index"** means the total number of species native to the State of Florida that are listed as commercially exploited plants, endangered plants, and threatened plants.
- "Remnant Natural River"** means a naturally occurring watercourse or riverine system, or a portion or segment thereof, whose channel has remained unaltered over time as evidenced by historical surveys or other appropriate documentation. Examples of remnant natural rivers in Broward County include portions of the following: South Fork of the Middle River, North Fork of the New River, New River, Tarpon Creek, South Fork of the New River and Whiskey Creek.
- "Resident Population"** means inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population or inmate population.
- "Residential Uses"** means activities within land areas used predominantly for housing.
- "Retail Shopping Area"** means a miscellaneous collection of individual stores which stand on separate lot parcels along streets and highways or which are clustered as a concentrated business district, with or without incidental off-street parking (as distinguished from a shopping center).
- "Research Laboratory"** means an establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.
- "Revetment"** means a facing of resistant material such as stone or concrete that is built to protect a scarp, embankment, or other shoreline feature against erosion.
- "Right-of-Way"** means land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access or ingress, or other purpose by the public, certain designated individuals, or governing bodies.
- "Roadway Capacity"** means the maximum volume of traffic which can be accommodated on a roadway at a given level of service.
- "Roadway Functional Classification"** means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.
- "Saltwater Marsh"** means a wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).
- "Saltwater Swamp"** means a wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).
- "Sanitary Sewer Facilities"** means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.
- "Seasonal Population"** means part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors.
- "Septic Tank"** means an on-site sewage disposal system, consisting of a watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

- "Services"** means the program and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.
- "Shopping Center"** means a group of architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.
- "Shoreline or Shore"** means the interface of land and water and, as used in the coastal management element requirements, is limited to oceanic and estuarine interfaces.
- "Solid Waste"** means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.
- "Solid Waste Facilities"** means structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes and includes transfer stations, processing plants, recycling plants, and disposal systems.
- "Solid Waste Processing Plant"** means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.
- "State Comprehensive Plan"** means the goals and policies contained within the state comprehensive plan, s. 187.201, F.S.
- "State Land Planning Agency"** means the Department of Economic Opportunity and may be referred to in this part as "DEO"
- "Stormwater"** means the flow of water which results from a rainfall event. "Stream" means any mass of water with an unidirectional flow.
- "Street"** includes any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.
- "Structure"** means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.
- "Subdivision"** means the platting of real property into two or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land, and includes establishment of new streets and alleys, additions, and resubdivisions and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.
- "Substantial Conformity"** refers to the Broward County Charter requirement contained in Article VIII, Section 8.05 D and E that local government future land use plans shall be materially and pertinently compatible with and further the Broward County Land Use Plan in order to be certified or recertified.

- "Support Documents"** means any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan.
- "Surface Waters"** means lakes or ponds excavated to generate fill material for a development and/or to provide stormwater retention/detention and/or recreational and aesthetic amenities. Other water upon the surface of the earth, contained in bounds created naturally or diffused, including water from natural springs, is defined as "lake," "pond" or "stream."
- "Threatened Species"** means any species of fish and wildlife naturally occurring in Florida which may not be in immediate danger of extinction, but which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modification of its environment.
- "Tide"** means the periodic rising and falling of the waters of the earth that result from the gravitational attraction of the moon and the sun acting upon the rotating earth.
- "Time-Share Period"** means that period of time when a purchaser of a time-share plan is entitled to the possession and use of the accommodations or facilities, or both, of a time-share plan.
- "Time-Share Plan"** means any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives ownership rights in or a right to use accommodations or facilities, or both, for a period of time less than a full year during any given year, but not necessarily for consecutive years, and which extends for a period of more than 3 years.
- "Time-Share Property"** means one or more time-share units subject to the same time-share instrument, together with any other property or rights to property appurtenant to those units.
- "Time-Share Unit"** means an accommodation of a time-share plan which is divided into time-share periods.
- "Tourist Unit"** means a house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as a separate living quarter which is licensed, or intended for license as a "hotel" or "motel" by the State Department of Business Regulation, Division of Hotels and Restaurants.
- "Urban Agriculture"** refers to the practice of cultivating, processing, and distributing food in or around a village, town, or city. Urban agriculture can also involve animal husbandry, aquaculture, agroforestry, urban beekeeping, and horticulture.
- "Urban Character"** means an area used intensively for residential, urban recreational, commercial, industrial, institutional, or governmental purposes or an area undergoing development for any of these purposes.
- "Urban Infill"** means the development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place.
- "Urban Purposes"** means that land is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated green space.
- "Urban Redevelopment"** means the demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill or existing urban service areas.
- "Urban Services"** means services offered by a municipality, either directly or by contract, to any of its present residents.
- "Vegetative Communities"** means ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals.

"Very Low-Income Person" means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 50 percent of the median annual income adjusted for family size for households within the county.

"Vested Rights" means rights which have so completely and definitely accrued to or settled in a person or property, to the extent that it is right and equitable that government should recognize and protect, as being lawful in themselves, and settled according to then current law.

"Water Conservation Area" means designated Conservation areas on the Future Broward County Land Use Plan Map (Series) including reserve water supply areas such as the 790 square miles of Broward County west of Levees 33, 35A, 36, L-37 and L-35 and includes the natural reservations.

"Water Dependent Uses" means activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply.

"Water Recharge Areas" means land or water areas through which groundwater is replenished.

"Water-Related Uses" means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

"Water Wells" means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

"Wetlands" means those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 2. General Requirements

- 2.01 The Land Use Plan shall be implemented by the adoption and enforcement of appropriate land development regulations and no development shall be permitted within the City's jurisdiction unless the development is consistent with the Land Use Plan.
- 2.02 The City shall initiate and actively process the adoption of land development regulations, a land development code or amendments thereto, and the rezoning of all parcels of land within the City's jurisdiction as to permitted uses and densities as may be necessary to comply with the Land Use Plan within a reasonable time after its adoption.
- 2.03 Following the effective date of the Land Use Plan, the City may not grant a development permit unless:
- A. The proposed development would be consistent with the Land Use Plan;
 - B. The proposed development would be in compliance with applicable City land development regulations; which are consistent with the Land Use Plan; and
 - C. The development permit is granted in compliance with the requirements of Section 4 of this chapter (Development Review Requirements).
- 2.04 After the effective date of this Plan, the City shall not grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the County Commission subsequent to June 4, 1953 and recorded in the official records of Broward County. Such platting requirement shall not apply to applications for a building permit which meets any of the criteria in Broward County Land Use Policy 2.13.1.

Section 3. Zoning as to Permitted Uses and Densities

- 3.01 City zoning as to permitted uses and densities must be in compliance with or be more restrictive than the requirements of the Land Use Plan. For purposes of this section "more restrictive" means zoning which permits less than all of the uses permitted by the Land Use Plan on a parcel of land, or, for a parcel of land designated residential by the Land Use Plan Map, a lower residential density than permitted by the Land Use Plan.
- 3.02 City zoning as to permitted uses and densities shall be in compliance with the City's Land Use Plan if the following requirements are met:
- A. Residential
- Each parcel of land within an area which is designated in a Residential land use category by the Land Use Plan must be zoned in a zoning district which permits any one or more of the following uses, but not other uses:
1. Residential dwelling units at a maximum density that does not exceed the maximum gross residential density designated for the parcel of land by the Land Use Plan Map.
 - a. Accessory dwelling units are permitted in single-family residential areas per and subject to Florida Statutes Chapter 163.31771 without the need to calculate density.
 - b. A studio or efficiency unit no greater than 500 square feet in size is considered a half-unit for density calculation purposes.
 2. Agriculture
 3. Home occupations and other activities and uses accessory to a dwelling unit.
 4. Hotels, motels and similar lodging. The maximum number of hotel, motels or similar lodgings units permitted on any parcel designated for residential uses is double the maximum number of dwelling units designated for the parcel of land by the City's Land Use Plan Map.
 5. Parks, golf courses and other outdoor recreational facilities and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site.
 6. Community facilities designed to serve the residential area, such as schools, day care centers, churches, clinics, nursing homes, governmental administration, police and fire protection facilities, libraries and civic centers.
 7. Public utilities, including water and wastewater treatment plants, pumping stations, power plant substations and transmission facilities and solid waste disposal and transfer stations.
 8. Communication facilities.
 9. Office and/or neighborhood retail sales of merchandise or services, subject to the following limitations and provisions:
 - a. No more than a total of five percent (5%) of the area designated for residential use on the Future Broward County Land Use Plan Map within Pompano Beach may be used for offices and/or neighborhood retail sales of merchandise or services.
 - b. No contiguous area used for offices and/or retail sales of merchandise or services may exceed ten (10) acres. For the purpose of this provision, contiguous is defined as: attached; located within 500 feet; or separated only by streets and highways, canals and rivers, or easements.

- c. Regardless of a and b above, space within residential buildings in areas designated for Medium-High (25) Residential or High (46) Residential density may be used for offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purpose.
 - d. Space within residential buildings in areas designated for Medium (16) Residential density may be used for offices, as long as no more than 50% of the floor area is used for offices.
10. Special Residential Facilities; subject to: meeting one of the Category definitions as contained in the Special Residential Facilities Permitted Uses subsection (Section 2) of the Broward County Land Use Plan; meeting density provisions by Category type stated below; the provisions regarding the use and allocation of flexibility units, redevelopment units or bonus sleeping rooms as contained in the "Administrative Rules Document" of the Broward County Planning Council.

Density Provisions:

- a. Special Residential Facility Category (1) development shall count as one dwelling unit each.
 - b. Special Residential Facility Category (2) development shall count as two dwelling units each.
 - c. Special Residential Facility Category (3) development shall count as one dwelling unit per every two sleeping rooms regardless of the number of kitchens or baths.
11. Residential Density
- a. Density Standards

Residential areas are shown on the Pompano Beach Land Use Map according to the following residential classifications:

 - Low permits up to five dwelling units per gross acre.
 - Low - Medium permits up to ten dwelling units per gross acre.
 - Medium permits up to sixteen dwelling units per gross acre.
 - Medium - High permits up to twenty-five dwelling units per gross acre.
 - High permits up to forty-six dwelling units per gross acre.

The following other land use categories and land uses are subject to density standards as provided within Section 3. Zoning as to Permitted Uses and Densities

 - Special Residential Facilities.
 - Recreational vehicle sites.
 - Hotels, motels and similar lodging.
 - Accessory dwelling units permitted in single-family residential areas per and subject to Florida Statutes Chapter 163.31771 shall not be included in density calculations. Local governments shall report to the Planning Council the number of accessory dwelling units granted building permits on an annual basis.
 - Efficiency and studio apartments that are 500 square feet or less are considered a half-unit for density purposes.
 - b. Density Calculation

All references to density within the City of Pompano Beach Land Use Plan mean gross density. Gross density means the number of dwelling units constructed or proposed within an area, divided by the gross acreage of the area. Gross acreage means the total number of acres in the area including to the centerline of adjacent dedicated street rights-of-way, and including acreage used or proposed for internal streets, lakes, waterways, and other proposed land uses permitted in residential areas by the Broward County Land Use Plan. Calculations of acreage covered by different land use categories on the Broward County Land Use Plan Map will necessarily be approximate, due to the scale of the map. Where edges of land use categories are close to property lines, streets, transmission lines or other existing lines, edges should be construed to follow these lines.

c. Arrangement of dwelling Units

Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the City Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not exceeded. For example, the City Land Use Plan does not regulate whether a developer uses 100 acres of land designated for Low (5) Residential density to build 500 single family homes or if only 80 acres is used with the balance of the land maintained as permanent open space. The distribution of units will be determined by City zoning and land development regulations.

d. Dashed-Line Areas

Some areas have been marked on the City Land Use Plan Map by dashed lined circumscribing their edges. For some of these areas, the maximum overall density in dwelling units per acre is the number which appears in the circle inside the dashed line or in some cases, the total number of units allowed is included inside the circle. The dwelling units that are permitted within areas circumscribed by a dashed line may only be applied within the boundaries of the circumscribed area and may not be transferred.

e. Flexibility Units

"Flexibility units" mean the difference between the number of dwelling units permitted by the Future Broward County Land Use Plan Map and the number of dwelling units permitted by the City's certified Future Land Use Plan map.

Since the certified City land use Plan map may be more restrictive than the Future Broward County Land Use Plan Map (Series), available flexibility units may be utilized by the City of Pompano Beach to rearrange residential densities consistent with County Land Use Plan provisions.

The boundaries of the area that can receiving flexibility units is the entire City west of the Intracoastal Waterway. Rules governing the allocation of flexibility is established within the Broward County Planning Council's "Administrative Rules Document".

f. Redevelopment in Coastal High Hazard Area

Redevelopment of residentially designated areas, including hotel uses, located within the Coastal High Hazard Area which were subject to past decreases in density resulting from adoption of the 1977 or 1989 Broward County Land Use Plan are permitted up to the actual built density/intensity (number of dwelling units and building square footage). All public safety codes in effect at the time of redevelopment, including the building code, finished floor elevation, and hurricane evacuation standards must be met. Building square footage can be increased by 1% for every 2% reduction in the number of units subject to zoning code limitations on building bulk, shadow and form. The redevelopment must comply with all natural resource protection policies addressing the protection of beaches and marine resources in the County and City land use plans.

12. Recreational vehicle park sites in the Low-Medium (10), Medium (16), Medium-High (25) and High (46) Residential density ranges. The maximum number of recreational vehicle park sites permitted is:

- a. Equal to the maximum number of dwelling units designated for that parcel on the land use plan map if the local land development regulations allow permanent location of recreational vehicles on the sites; or
- b. Double the maximum number of dwelling units designated for that parcel on the land use plan map if the local land development regulations prohibit permanent location of recreational vehicles on the sites.

B. Commercial

Each parcel of land within an area designated in a Commercial land use category by the City's Land Use Plan Map must be zoned in a zoning district which permits any one or more of the following uses, but no other uses:

1. Retail uses, including gas stations with retail stores.
2. Office and business uses.
3. Wholesale, storage, light fabricating and warehouses uses, if deemed appropriate by the City.
4. Hotels, motels, time shares and similar lodging.
5. Recreation and open space, cemeteries, and commercial recreation uses.
6. Community facilities and utilities.
- 7.a. Special Residential Facility Category (2) development as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.
- 7.b. Special Residential Facility Category (3) development as defined in the Special Residential Facilities permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan
8. In accordance with Broward County Administrative Rule 3.5(A)(4) Residential uses, up to 10 acres (up to 20 acres for projects that include a minimum of 15% affordable housing restricted to such use for a minimum of 15 years) are permitted via City Commission allocation of "flexibility units" and/or "redevelopment units," provided that the total residential uses do not exceed 20% of the land area designated "Commerce" on the County's Land Use Plan.
9. Transportation and communication facilities.
10. Residential units within the same structure as commercial uses for the owner, manager or caretaker of the commercial uses are permitted.
11. Agriculture
12. Recreational vehicle park sites at a maximum density of ten (10) sites per gross acre if permanent location of recreational vehicles on the site is permitted by the local land development regulations, or twenty (20) sites per gross acre if such permanent location is prohibited by the local land development regulations.

C. Commercial Recreation

Each parcel of Land within an area designated in a Commercial Recreation category by the City's Land Use Plan Map must be zoned in a zoning district which permits one or more of the following uses:

1. Outdoor and indoor recreation facilities such as active recreation complexes, marinas, stadiums, jai-alai frontons, bowling alleys, golf courses, and dog and horse racing facilities.
2. Accessory facilities, including outdoor and indoor recreation facilities that are determined by the City to be an integral part of and supportive to the primary recreation facility (excluding residential uses).
3. Hotels, motels, time shares and similar lodging ancillary to the primary commercial recreation uses.

4. Recreational vehicle sites at a maximum density of ten (10) sites per gross acre if permanent location of recreational vehicles on the site is permitted by the local land development regulations, or twenty (20) sites per gross acre if such location is prohibited by the local land development regulations; subject to the allocation by the local government of available flexibility or redevelopment units.
5. Accessory facilities, including outdoor and indoor recreation facilities that are determined by the local government to be an integral part of and supportive to the primary recreation facility (excluding residential uses).
6. Other active and passive recreation uses.

D. Community Facility

Each parcel of Land within an area designated in a Community Facility category by the City's Land Use Plan Map must be zoned in a zoning district which permits one or more of the following uses:

1. Community facilities, including schools, churches, hospitals, governmental administration, police and fire stations, libraries, civic centers, nursing homes, cemeteries, utilities, and parks and recreation facilities.
- 2.a. Special Residential Facility Category (2) Development as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan
- 2.b. Special Residential Facility Category (3) development as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan
3. Communication facilities.
4. Non-residential agricultural uses.
5. Other uses determined to be ancillary to the civic and utilities uses described above.

E. Park and Recreation

Each parcel of land within an area designated in a Park and Recreation land use category by the City's Land Use Plan Map must be zoned in an open space or park and recreation zoning district which permits one or more of the following uses, but no other uses:

1. Passive recreational uses, including, but not limited to: nature centers and trails, scenic areas, wildlife sanctuaries and feeding stations, aquatic preserves, and picnic areas.
2. Golf courses which are intended to remain permanent open space.
3. Campground and facilities.
4. Cemeteries.
5. Active recreational uses, including, but not limited to: tennis courts, playgrounds, swimming pools, athletic fields and courts, beaches and bikeways.
6. Boat ramps and docks.
7. Outdoor cultural, educational and civic facilities, including, but not limited to: animal exhibits, habitats, bandshells and outdoor classrooms.
8. Concessions only when accessory to the above uses. Examples of such concession stands are refreshment stands, pro shops, souvenir shops and rental facilities.

9. Civic and cultural buildings may be permitted if they are ancillary to the primary recreation use of the site.
10. Community facilities and utility uses, up to five (5) acres, provided that the:
 - a. Community facility and/or utility uses are publicly owned and intended to serve a public purpose to promote health, safety and welfare;
 - b. The local government can demonstrate that it will continue to meet the minimum open space requirement of 3 acres per 1,000 existing and projected permanent residents;
 - c. The proposed community facility or utility use is limited to no more than 5 acres and the municipality must demonstrate that sufficient and functional open space serving the area residents will be retained.

F. Industrial

Each parcel of land within an area designated in an Industrial land use category by the City's Land Use Plan Map must be zoned in an industrial zoning district which excludes electrical power plants but permits one or more of the following uses, but no other uses:

1. Light and heavy industrial uses.
2. Heavy commercial uses including new and used automobile, truck, motorcycle, boat and trailer display, sales, and service which include gas stations with retail stores; newspaper, magazine, and printing plants; bakeries, carpentry, cabinet shops and other trade shops; motion picture studios; ice houses; propane gas sales and repair; and salvage yards.
3. Educational, scientific and industrial research facilities, research laboratories, and medical or dental laboratories.
4. Office uses.
5. Transportation and communication facilities.
6. Recreation and open space, cemeteries, and commercial recreation uses, as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for industry.
7. Community facilities and utilities.
8. Ancillary commercial uses within buildings devoted to primary industrial uses.
9. Wholesaling uses.
10. The following uses may also be permitted if certified by the Broward County Planning Council in the City land use plan as long as the location of these uses do not preclude or adversely affect the future use of surrounding areas for industrial uses:
 - a. Commercial and retail business uses.
 - b. Hotel, motel and similar lodging.
11. Vocational Schools
12. Residential units within the same structure as industrial uses for the owner, manager or caretaker of the industrial uses are permitted.

G. Transportation

Each parcel of Land within an area designated in a Transportation Land use category by the City's Land Use Plan Map must be zoned in a Transportation zoning district which permits one or more of the following uses, but no other uses:

1. Air transportation areas designed primarily to serve the needs of airport users and airport employees, airport and aircraft operation and maintenance facilities, cargo and distribution terminals, transit warehousing, other compatible uses and those land uses permitted in the recreation and open space and commercial recreation land use categories (except for any type of residential use).
2. Expressways, expressway ramps, interchanges or arterial roadways adjacent to an interchange area.
3. Railroad corridors

H. Special Residential Facilities

This type of development includes group homes and foster care facilities as defined by category type below and the limitations as expressed by the certified land use plan map; and if applicable, the provisions regarding the use and allocation of flexibility units or bonus sleeping rooms as contained in the "Administrative Rules Document" of the Broward County Planning Council. Special Residential Facilities are not specifically designated on the Future Land Use Plan Map (series) as a special Land use category but are permitted within the residential land use category.

Definitions of Special Residential Facilities Categories:

Special Residential Facility, Category (1) means a housing facility which is licensed by the State of Florida for no more than eight individuals who require treatment, care, rehabilitation or education. The facility is usually referred to as a group home. This includes individuals who are elderly, dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others. The facility provides a family living environment including supervision and care necessary to meet the physical, emotional and social needs of the individuals. It may or may not provide education or training. There may be more than one kitchen within the housing facility. There may be more than one Special Residential Facility Category (1) on a parcel.

Special Residential Facility, Category (2) means a housing facility which is licensed by the State of Florida for nine to sixteen non-elderly individuals who require treatment, care, rehabilitation or education. The facility is usually referred to as a group home. This includes individuals who are dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others. The facility provides a family living environment including supervision and care necessary to meet the physical, emotional and social needs of the individuals. It may or may not provide education or training. There may be more than one kitchen within the housing facility. There may be more than one Special Residential Facility Category (2) on a parcel.

Special Residential Facility, Category (3) means

1. Any housing facility which is licensed by the State of Florida for more than sixteen (16) non-elderly individuals who require treatment, care, rehabilitation or education. This includes individuals who are dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others; or
2. Any housing facility which is licensed by the State of Florida for more than eight (8) unrelated elderly individuals; or
3. Government subsidized housing facilities entirely devoted to the care of the elderly, dependent children, the physically handicapped, developmentally disabled or individuals not overtly of harm to themselves or others; or

4. Any not-for-profit housing facility for unrelated elderly individuals; or
5. Any housing facility which provides a life-care environment. A life-care environment shall include, but is not limited to, creation of a life estate in the facility itself and provision of off-site or on-site medical care.

I. Utility

Each parcel of land within an area designated in a Utility Land use category by the City's Land Use Plan Map must be zoned in a utility zoning district which permits one or more of the following uses, but no other uses. These uses are also allowed in areas designated residential, commercial or industrial:

1. Utilities such as but not limited to water and wastewater treatment plants, pumping stations, electrical substations, solid waste disposal and transfer stations.
2. Other uses determined to be ancillary to the primary uses described in (1.).

J. Water

Each parcel of land within an area designated in a Water land use category by the City's Land Use Plan Map can be zoned in any zoning district. The permitted uses for the water land use category are lakes, waterways, rivers, and canals. No residential units or non-residential development can be located on areas designated as water. Water acreage cannot be used in determining the number of residential units or the amount of other development which can be located on land adjacent to water except when located in an irregular land use category.

K. Regional Activity Center

The Regional Activity Center land use designation is reserved for areas of regional significance and is intended to encourage development and redevelopment. Examples of areas which may be appropriate for the Regional Activity Center designation include: downtown and redevelopment areas; Areawide Developments of Regional Impact; and areas surrounding regional community facilities such as airports, convention centers or governmental complexes.

1. In order to qualify as a Regional Activity Center, the following criteria must be met:
 - a. The Regional Activity Center land use designation shall not be approved where other land use designations within the Broward County Land Use Plan provide sufficient flexibility for the existing or proposed land uses.
 - b. The density and intensity of land uses permitted within each Regional Activity Center shall be specified within the Broward County Land Use Plan.
 - c. Regional Activity Centers shall include mixed land uses of regional significance.
 - d. Regional Activity Centers shall either be the subject of an Areawide Development of Regional Impact, or provide direct access to existing or proposed airports, ports, and rail and/or other mass transportation facilities.
 - e. Each Regional Activity Center shall be a defined geographical area, delineated on the Future Broward County Land Use Plan Map.
2. Pompano Park North Regional Activity Center

The Pompano Park North Regional Activity Center consists of the Arvida/Pompano Park Development of Regional Impact (DRI). The RAC is located south of Atlantic Boulevard and north of Racetrack Road, between Powerline Road and the CSX Railroad and comprises approximately 169 gross acres. The area encompassed by the RAC must be zoned in a mixed zoning district that limits the density and intensity of land uses to the following:

Type of Use	Square footage/ Residential units
Office Land Uses	248,867 SF
Industrial Land Uses	1,013,250 SF
Commercial Land Uses	301,273 SF

3. LIVE! Resorts Pompano Regional Activity Center

The LIVE! Resorts Pompano RAC is located south of Racetrack Road, between Powerline Road and the CSX Railroad, and comprises approximately 230 gross acres. The LIVE! Resorts Pompano RAC will continue to be developed as a center of regional tourism and employment that provides direct access to mass transportation facilities. The area encompassed by the RAC must be zoned in a mixed-use zoning district that limits the density and intensity of land uses to the following:

Type of Use	Square footage/ Residential units
Commercial Recreation	1,000,000 SF
Commercial	300,000 SF
Office	2,000,000 SF
Multi-Family Residential	4,100 Units

The Residential uses may consist of stand-alone residential as well as residential units as part of mixed use commercial and office development. Residential unit types may be re-allocated subject to a voluntary mitigation agreement with the Broward County School Board in the event of inadequate student capacity, and provided that the total number of residential units shall remain at 4,100.

Building Heights: The Applicant will coordinate with the FAA and City of Fort Lauderdale Executive Airport for any required aviation obstruction permitting per City Code Section 155.2422;

Affordable Housing:

The land use plan amendment adopted in 2010 for this RAC created 1,300 new residential units and the LIVE! Resorts Pompano RAC land use plan amendment adopted in 2020 created 2,800 new residential units and a minimum of 15% of the total 4,100 units (615 units) are required to be affordable or the project may otherwise contribute to the implementation of the city's policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing in the City. The City may apply to new housing projects one or a combination of the following affordable housing strategies, without limitation:

- a. Each residential development may be required to set aside a minimum of 15% of their proposed units as affordable housing to provide all or a portion of the required 615 affordable housing units as vertically integrated affordable housing; or
- b. Until such time as all 615 affordable housing units have been provided, each residential development shall contribute in-lieu-of fees per City Ordinance 2014-19, as may be amended from time-to-time.

These funds will be used to promote one or more of the following:

- programs that facilitate the purchase or renting of the existing affordable housing stock;
- programs which facilitate the maintenance of the existing supply of affordable housing;
- programs which facilitate the use of existing public lands, or public land-banking, to facilitate an affordable housing supply;
- other programs or initiatives designed and implemented by the city to address specific affordable housing market needs and challenges in the City that may arise, including but not limited to, strategies that reduce the cost of housing production; promote affordable housing development; prevent displacement; prevent homelessness; promote economic development; and promote transit amongst low- income populations.

L. Local Activity Center

The intent of the Local Activity Center land use designation is to support a balanced mix of land use characterized by compactness, pedestrian friendly design, neighborhood-scale and framed by architecture and landscape design appropriate to local history and ecology. Development patterns within Local Activity Centers shall generally reflect planning and design principles such as walkable neighborhoods oriented around the five-minute walk, primary orientation towards public transit systems, a centrally located community-serving land use or land uses and greater integration of housing, employment, shopping and recreation at the neighborhood level.

For an area to qualify as a Local Activity Center, the following criteria must be met:

1. A Local Activity Center shall be a specific geographic area not exceeding 160 gross contiguous acres, unless located within an approved Chapter 163, Florida Statutes, Redevelopment Area. At such time as 75% of the originally designated Local Activity Center is developed/redeveloped, consistent with Objective 01.15.00, an expansion to a subject Local Activity Center up to 100% may be proposed.
2. The density and intensity of land uses permitted within a proposed Local Activity Center shall be specified for inclusion within the Plan Implementation Requirements section of the Broward County Land Use Plan.
3. Uses proposed within a Local Activity Center shall include residential uses and park land and/or open space. One or more other uses such as commercial, civic, institutional, or employment-based activity shall also be included within a Local Activity Center.
4. Park land must reflect no net loss of acreage of existing and designated parks within the proposed Local Activity Center. Park and open space land may include squares, greenbelts, greenways and playgrounds; ill-defined residual areas such as buffers and berms, for purposes of this criteria, are not considered park land or open space.
5. A proposed Local Activity Center must have a geographic configuration of appropriate depth and frontage to support the location of uses in a manner oriented around the five-minute (i.e. quarter-mile) walk may be included within one Local Activity Center.
6. Seventy-five (75%) of the land within a Local Activity Center must be located within a quarter mile of mass transit or multi-modal facilities or are included within an adopted plan to be located within a quarter mile of mass transit or multi-modal facilities upon buildout of the Local Activity Center. Local governments shall ensure convenient access to mass transit, community shuttle or multi-modal facilities where such facilities are in place or planned to be in place at the time the Local Activity Center is proposed. Where such facilities are not in place or planned to be in place at the time of the proposal, the local government shall require design standards in the local land use element for a Local Activity Center that ensure that the primary priority is a safe, comfortable and attractive pedestrian environment that will allow for convenient interconnection to transit, will reduce the number of automobile trips internally and will ultimately support an integrated multi-modal transportation system.
7. A proposed Local Activity Center shall demonstrate consistency with the goals, objectives and policies and other requirements of the Broward County Land Use Plan
8. An interlocal agreement between the municipality and Broward County must be executed no later than six months from the effective date of the adoption of a Local Activity Center which provides that monitoring of development activity and enforcement of permitted land uses densities and intensities shall be the responsibility of the affected municipality.

9. John Knox Village Local Activity Center shall have the following development rights:

Type of Use	Density / Intensity
Residential	1,224 dwelling units*
Commercial Uses	70,000 SF
Recreation and Open Space	4.28 acres

* Consisting of 674 high rise units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments

- Acreage: Approximately 68.5 gross acres, or 64.42 net acres
- General Location: South of SW 3rd Street, west of South Dixie Highway, east of I-95 and north of SW 6th Court.

M. Electrical Generation Facilities

Electrical Generation Facilities Uses are designated on the Future Broward County Land Use Plan Map, consistent with County policy 2.11.9 and 10, to ensure the availability of land for electrical power plants and associated ancillary uses are adequate to meet the current and future needs of Broward County's population.

Uses permitted in the areas designated Electrical Generation Facilities are as follows:

1. Electrical power plants as defined in the City's Future Land Use Element, Plan Implementation Requirements, Definitions.
2. Other uses determined to be ancillary to the primary uses described in (1).
3. Recreation and open spaces uses may also be permitted in the areas designated electrical generation facility as long as the location of the uses do not preclude or adversely affect the future use of the surrounding areas for electrical generation facilities.

N. Transit Oriented Corridor

1. Downtown Pompano Transit Oriented Corridor (Text Amendment Ordinance 13-14 and Map Amendment Ordinance 13-15). The densities and intensities of permitted uses within the designated Downtown Pompano Transit Oriented Corridor (DPTOC) are as follows:

Type of Use	Density / Intensity
Residential	1,368 dwelling units (143 Single Family, 236 Townhouse and 989 Multifamily)
Commercial/General Business	4,387,220 square feet (including 300 room hotel)
Office	2,835,557 SF
Utility	95,832 SF
Community Facility	1,459,260 SF
Recreation and Open Space	2.1 acres

a. Guiding Design Principles and Procedures:

All Applicants with development proposals in the DPTOC will be required to attend a mandatory pre-design workshop with the CRA and City's urban design staff prior to Site Plan or Master Plan submittal for official review. Ensuring compatibility with adjacent properties in regard to both zoning designation and existing development will be the focus of the preliminary design meeting. In all cases, the best approach to respecting and designing for the existing context and optimizing compatibility with adjacent properties will be identified. Guiding principles will include specific focus on the following:

- i. Land Use Compatibility:
 - Compatibility of adjacent uses by incorporating berms, fences, walls or other appropriate edge treatments along with building design elements that respect existing development.
 - Building setbacks that increase compatibility between proposed and existing development.
 - Service areas that do not impact adjacent residential development.
 - All land uses, including institutional and utility uses, must be designed to be compatible with adjacent properties.
- ii. Connectivity:
 - Pedestrian connectivity which results in sidewalks that connect to an adjacent sidewalk or street crosswalk and do not dead-end at property lines.
 - Incorporation of the principles of Complete Streets, subject to the limitations of right-of-way.
- iii. Historic Resources:
 - Protection of designated historic resources including buildings and historic and specimen trees.
- iv. Affordable Housing:

All new residential construction in the DPTOC which does not meet the definition of affordable housing will be required to implement the city's policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing in the DPTOC using 15% of the total units proposed in that development as the "base" upon which the affordable housing implementation strategy will be applied.
- b. The City may apply to new housing projects one or a combination of the following affordable housing strategies, without limitation:
 - i. a specific set-aside of all or a portion of the 15% base units as vertically integrated affordable housing;
 - ii. contribute, through in-lieu-of fees multiplied by the number of base units (15% of total units proposed in the project):
 - to programs that facilitate the purchase or renting of the existing affordable housing stock;
 - to programs which facilitate the maintenance of the existing supply of affordable housing;
 - to programs which facilitate the use of existing public lands, or public land-banking, to facilitate an affordable housing supply;
 - to other programs or initiatives designed and implemented by the city to address specific affordable housing market needs and challenges in the DPTOC that may arise including but not limited to, strategies that reduce the cost of housing production; promote affordable housing development; prevent displacement; prevent homelessness; promote economic development; and promote transit amongst low-income populations.
- c. Existing Auto-Oriented Uses – Existing auto-oriented uses within the TOC boundaries on the date of adoption of this land use plan amendment ordinance will be treated as any other permitted use within the TOC and will be allowed to remain, rebuild and expand and otherwise continue business operations regardless of present or future ownership. New auto-oriented uses, however, will not be allowed within the TOC except under the limited circumstances described in the Goals, Objectives and Policies for the TOC land use category.

- d. Auto-Oriented Use Definition – auto-oriented uses include, but are not limited to, large surface parking lots (other than park and ride facilities for transit connections), gas stations, auto repair/service, car washes, auto/truck/trailer/boat sales, auto/truck/trailer/boat storage, auto/truck/trailer/boat rentals/leasing, self/equipment storage; “big box”/warehouse, single family detached dwelling units; drive-through or drive-in facilities and similar uses that, by their nature, are built with special accommodations for service directly to the automobile or the occupants of automobiles and require the extensive use of automobiles as part of their primary function.
2. East Transit Oriented Corridor (ETOC) - This designation has been applied to the Future Land Use Map for the East Transit Oriented Corridor (Text Amendment Ordinance 2018-38 and Map Amendment Ordinance 2018-39). The densities and intensities of permitted uses within the designated East Transit Oriented Corridor (ETOC) are as follows:

Type of Use	Density / Intensity
Residential	3,718 dwelling units (maximum with 86 units unrestricted and the remainder multifamily)
Nonresidential (Retail, Office, Hotel, Institutional, Utility, etc. as per the Zoning Code permitted uses)	7,000,000 SF
Community Facility	5.0 acres (minimum)
Recreation and Open Space	5.5 acres (minimum)

- a. Guiding Design Principles and Procedures:
All Applicants with development proposals in the ETOC will be required to attend a mandatory pre-application conference with staff prior to major Site Plan submittal for official review. Ensuring compatibility with adjacent properties in regard to both zoning designation and existing development will be the focus of the pre-application conference. In all cases, the best approach to respecting and designing for the existing context and optimizing compatibility with adjacent properties will be identified. Guiding principles will include specific focus on the following:
- i. Land Use Compatibility:
 - Compatibility of adjacent uses by incorporating appropriate edge treatments along with building design elements that respect existing development but do not impede safe and efficient pedestrian access.
 - Building setbacks and heights that address compatibility between proposed and existing development and FAA height limits, if applicable. Maximum height for residential and mixed use projects will be 80 feet transitioning down to 55 feet and 35 feet as properties approach single-family neighborhoods as defined in the TO/EOD Zoning Regulations on the Sub-Areas/Building Heights Regulating Plan, Diagram155.3709.D.
 - Service areas that do not impact adjacent residential development.
 - All land uses, including institutional and utility uses, must be designed to be compatible with adjacent properties.
 - ii. Connectivity:
 - Pedestrian connectivity which results in sidewalks that connect to an adjacent sidewalk or street crosswalk and do not dead-end at property lines.
 - Incorporation of the principles of Complete Streets, subject to the limitations of right-of-way.
 - iii. Historic Resources:
 - Protection of designated historic resources.

iv. Affordable Housing:

The ETOC land use plan amendment created 2,399 new residential units and a minimum of 15% of those units (360 units) are required to be affordable or to contribute to the implementation of the city's policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing in the City.

b. The City may apply to new housing projects one or a combination of the following affordable housing strategies, without limitation:

- i. Each residential development may be required to set aside a minimum of 15% of their proposed units as affordable housing to provide all or a portion of the required 360 affordable housing units as vertically integrated affordable housing; or
- ii. Until such time as all 360 affordable housing units have been provided, each residential development shall contribute in-lieu-of fees per City Ordinance 2014-19, as may be amended from time-to-time. These funds will be used to promote one or more of the following:
 - programs that facilitate the purchase or renting of the existing affordable housing stock;
 - programs which facilitate the maintenance of the existing supply of affordable housing;
 - programs which facilitate the use of existing public lands, or public land-banking, to facilitate an affordable housing supply;
 - other programs or initiatives designed and implemented by the city to address specific affordable housing market needs and challenges in the City that may arise, including but not limited to, strategies that reduce the cost of housing production; promote affordable housing development; prevent displacement; prevent homelessness; promote economic development; and promote transit amongst low-income populations.

O. Transit Oriented Development

The densities and intensities of permitted uses within designated Transit Oriented Development will be included in this section upon approval through the Future Land Use Plan Amendment process.

P. Mixed Use Residential

1. Within the Mixed Use Residential category, urban form could include several variations; vertical mixed use, where commercial/retail uses are located with residential uses in the same building. It may also include horizontal mixed use where separate uses are located in separate buildings within the same site. There is a minimum of two (2) uses required within the development and residential development is a required use. The MUR district's entitlements will be described as a total number of units and square footage in a pool of rights in the same manner as the other activity center land use categories.

2. Design Guidelines

The design guidelines for Mixed Use Residential shall promote an urban form which creates well integrated land use combinations, balances intensity and density, promotes the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement and promotes the public realm. These guidelines may include:

- Buildings should front the street. (zero or minimum setbacks are preferable).
- Vehicle parking strategies which lessen conflicts with bicycles and pedestrians and promote transit usage. (i.e. parking structures, off-site parking, reduced parking ratios, shared parking facilities and parking which does not front the street).
- Other design features which promote transit (e.g. integrated transit stop, shelter or station on site).
- A circulation system designed to strengthen bicycle and pedestrian connectivity to all areas of the site/area, including recreation areas, parks, adjacent uses, transit facilities and activity nodes.

- Integration of the public realm through open space or urban public plazas and/or recreational areas.
- The physical separation, such as walling off neighborhoods from adjacent development or roadways, is discouraged where it disrupts the connectivity of compatible uses, pedestrian and/or bicycle access. If a buffer is necessary, adequate landscaping could be used in place of a continuous wall.

Design guidelines shall ensure a mixed use development is compatible with surrounding land uses and/or adjacent adopted Future Land Use Plan designations. These guidelines should address the following:

- Complement and support adjacent existing land uses and/or adopted Future Land Use Plan designations through the effective use of density, massing and other design elements.
- Protect the integrity of existing single family neighborhoods through design elements which maintain consistency and/or improve the aesthetic quality of the neighborhood. (i.e. maintaining an architectural style or quality of building materials and construction predominant in the neighborhood).
- Promote connectivity, open space, pedestrian and other non-motorized networks and landscaped streetscapes.
- Incorporate designs which are environmentally sensitive (i.e. reduction of impervious surfaces, alternative material for spillover parking).

3. Uses permitted under the Mixed Use Residential category:

a. Hidden Harbour MUR Land Use Category:

- General Location: East side of Federal Highway/US 1, between NE 14 Street and NE 17 Street
- Density and Intensity of Land Uses: No more than 1,377 peak hour traffic trips based on ITE Trip Generation Manual, 9th Edition
- List of Permitted Uses*:

Type of Use	Density / Intensity
Residential	323 multi-family units
Marina use (including boat storage, boat repair and slips)	75,000 maximum SF of buildings and 15 wet slips
Commercial floor area maximum	510,000 SF
All Uses floor area maximum	650,000 SF

* Subject to Declaration of Restrictions recorded as Instrument #115931649 and attached to City Ordinance 2019-12.

Q. Conservation

Each parcel of land within an area designated in a Conservation Land Use category by the City's Land Use Plan Map must be zoned in a conservation zoning district which permits one or more of the following uses, but no other uses:

1. Natural Reservations, historic and archaeological sites including public lands which are conservation areas operated by contractual agreement with or managed by federal, state, regional, local government or non-profit agency.
2. Uses permitted in areas designated for conservation are as follows:
 - a. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.
 - b. Uses which do not impair the natural environment or disturb the natural ecosystem of the area and which are not in conflict with any applicable contractual agreement or management policies

of the federal, state, regional, county, municipal or non-profit agency which manages the Natural Reservation.

- c. Uses appropriate for historic or archaeological sites for education, preservation and other activities which are not in conflict with historical or archaeological management and preservation practices and do not impair or degrade the designated historic or archaeological resource.

Section 4. Development Review Requirements

- 4.01 After the effective date of the Broward County Land Use Plan, the City may grant an application for a development permit consistent with the Broward County Land Use Plan or a certified City land use plan when it has determined that the following requirements are met:
- A. Traffic circulation, recreational, drainage and flood protection, potable water, solid waste and sanitary sewer public facilities and services will be available to meet established level of service standards, consistent with Chapter 163.3202(g) Florida Statutes and the concurrency management policies in the Broward County Land Use Plan.
 - B. Local streets and roads will provide safe, adequate access between buildings within the proposed development and the trafficways identified on the Broward County Trafficways Plan prior to occupancy.
 - C. Fire protection service will be adequate to protect people and property in the proposed development.
 - D. Police protection service will be adequate to protect people and property in the proposed development.
 - E. School sites and school buildings will be adequate to serve the proposed development
 - F. Development does not include a structure, or alteration thereof, that is subject to the notice requirements of Federal Aviation Regulations (FAR), Part 77, Subpart B, unless the Federal Aviation Administration issues, or has issued within the previous ninety (90) days, a written acknowledgement that said structure or alteration would not constitute a hazard to air navigation and does not require increases to minimum instrument flight altitudes within a terminal area, increases to minimum obstruction clearance altitudes, or other operational modifications at any existing airport or heliport or any planned or proposed airport as described in FAR Part 77.21(c)(2).

Section 5. Reporting Requirements

- 5.01 Following the effective date of the Land Use Plan, no land development regulation, land development code, or amendment thereto shall be adopted by the City Commission until such regulation, code or amendment has been referred to the City's local planning agency for review and recommendation as to the relationship of such proposal to the Land Use Plan.
- 5.02 The following shall be provided to the Broward County Planning Council: A yearly summary regarding the allocation of various forms of flexibility provisions of the Broward County Land Use Plan and the certified Pompano Beach Land Use Plan as described within the Permitted Uses subsection of those plans, which include the allocation of flex and/or redevelopment units; Residential uses in Commercial/Commerce land use designations; and Commercial uses in Residential land use designations). A yearly summary of development activity within Pompano's "Activity Centers" will also be provided.
- 5.03 In any legal action in which the validity of the Land Use Plan or a portion thereof is in issue, the City shall notify the County Commission and provide copies of all papers in connection therewith.
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Section 6. Amendments

6.01 Future Land Use Map.

- A. The City shall submit to the Planning Council for certification all proposed amendments to the City's Future Land Use Map. A proposed amendment to the Future Land Use Map must be certified by the Planning Council prior to it becoming effective.
- B. All amendments to the Future Land Use Map shall be adopted in the manner prescribed by the applicable sections of Chapter 163 F.S. and other applicable provisions of law.

6.02 County Land Use Plan. Any person may request the City to submit to the Planning Council a proposal for an amendment to the County Land Use Plan. The City shall submit such a proposal in writing to the Planning Council and shall include the City's recommendation regarding the proposal and the reasons therefore.