

§ 155.XXX Historic Downtown Residential Area OVERLAY DISTRICT.

- (A) Intent and purpose. The Historic Downtown Residential Area Overlay District is a residential overlay with an emphasis on pedestrian scale neighborhoods. The purpose of this district is to promote cohesive development and redevelopment that will create a safe, attractive and pedestrian oriented area through incentives and guidelines related to parking, and landscaping requirements. Additionally, these regulations seek to recapture and/or preserve some of the existing elements of the district and its historic development pattern. The HDPB-RTA OD area should be compatible with the adjacent HDPB Transition Mixed Use Area and to adjacent residential districts.
- (B) Applicability. All properties located within the Historic Downtown Residential Area Overlay District, as defined by the adopted Historic Downtown Overlay map. To the extent that conflicts occur between standards of the overlay district and other regulations, the provisions set forth in The Historic Downtown Residential Area Overlay District prevail.
- (C) Permitted uses
- (1) All uses permitted in the underlying zoning district, unless prohibited by this section.
 - (2) Multiple family dwellings
- (D) Prohibited uses.
- (1) Adult bookstore, adult entertainment lounge, adult motion picture theater, adult video store, adult domination/submission, encounter/modeling studio.
 - (2) Auction house.
 - (3) Automobile care center.
 - (4) Automobile parts store.
 - (5) Automobile, truck or trailer sales and/or rental.
 - (6) Blood donation centers.
 - (7) Filling stations.
 - (8) Fortune telling and kindred trades or professions.
 - (9) Labor pools.
 - (10) Showrooms with wholesaling and sampling.
 - (11) Tattoo parlors/body piercing.
 - (12) Thrift/consignment shops.
 - (13) Drive-thrus
 - (14) Single family homes
 - (15) Duplexes
- (E) Development regulations.

- (1) All utilities shall be located underground, including those located to the rear of developments.
- (2) All new or rehabilitated structures in the Historic Downtown Transition Area Overlay District that are limited to 45 feet shall be regulated by the provisions within § 155.XXX (E)-(H). Buildings which exceed 45 feet shall follow all regulations contained within the underlying district.
- (3) Parking, loading, trash collection and storage:
 - (a) Surface and structured parking as well as all loading and service areas shall be placed to the rear or to the side of buildings. All surface parking and loading areas shall be screened from public areas, public sidewalks, and adjacent residentially zoned properties by landscaping and a four (4) foot high solid wall. When parking is provided at or above grade within a structure, a façade treatment which is consistent (in terms of materials and design) with the building façade shall be provided for the parking area. Parking structures shall be constructed so that commercial uses occupy the ground level floor on all street fronts.
 - (b) Automobile parking space is to be provided as follows: There shall be required for every apartment unit, condominium unit, or cooperative unit one and one-fifth parking spaces for each efficiency apartment, one-bedroom apartment, and two-bedroom apartment units. Where the apartment units provide for three or more bedroom units, therein, two parking spaces shall be required for every unit. Each duplex unit shall provide, on the same lot in connection therewith, garage parking or storage space or open-air off-street parking space or a combination of both for not less than four automobiles.
 - (c) Direct pedestrian access shall be provided from rear parking areas to ground floor uses. Connections can be interior throughways with rear or side entrances. Pedestrian throughways may also be exterior, located adjacent or between buildings. Interior and exterior throughways shall be a minimum of five feet unless located between buildings, in which case, throughways shall be a minimum of ten feet.
 - (d) Exterior throughways and outside areas shall provide a minimum .5 foot candle of illumination. Lighting fixtures, placement and design shall be approved by the Planning and Zoning Board.
- (4) Building placement and lot coverage:
 - (a) The setbacks for the Historic Downtown Residential Area Overlay District shall conform to the following:
 - i. NE 1st Street, NE 2nd Street and NE 3rd Street– Buildings shall be set back zero feet from the right of way where adequate sidewalks exist. Where adequate sidewalks do not exist and when deemed appropriate a sidewalk shall be required either on or off site and be dedicated to the public. Specifications and

setbacks shall be determined by the Planning and Zoning Board and as directed in § 155.XXX (E) (6).

- ii. Side street setback: Building walls shall be setback zero feet from the right-of-way if a sidewalk exists. Where adequate sidewalks do not exist and when deemed appropriate a sidewalk shall be required either on or off site and be dedicated to the public. Specifications and setbacks shall be determined by the Planning and Zoning Board and as directed in § 155.XXX (E) (6).
- iii. Side setback: Buildings shall be setback zero feet from any side property line unless a walkway, plaza or courtyard is provided adjacent to buildings to provide access to rear parking areas and to create outside areas. If such spaces are provided, setbacks shall be a minimum of ten feet from property line.
- iv. Permitted uses in front/side setback: Arcades, walkways and pedestrian plazas/courtyards, landscaping, lighting, street furniture, and outdoor seating that does not obstruct pedestrian movement.

(b) New development under the Historic Downtown Residential Area Overlay District shall be permitted 100% lot coverage.

- (5) Landscaping: Landscaping in the Historic Downtown Residential Area Overlay District will compliment the design of adjacent structures, using native plant materials. In addition, public safety will be a priority using the principles of Crime Prevention Through Environmental Design (CPTED), to create high visibility areas and natural access control.
- (6) Streetscape: The periphery of any site fronting on a public right-of-way shall be improved by the provision of sidewalk, street light, street furniture, street trees and other elements, covering the entire area from face of curb to face of building. Sidewalks shall consist of six feet of clear pedestrian space and five feet of /streetscape space. Street trees and other streetscape elements (street lighting, street furniture, trash receptacles, etc.) may be placed in the streetscape space. Street trees shall be placed in tree pits covered with grates and must be a minimum of 8 feet long. Street trees shall be placed 30 feet apart as measured from the center of the tree. The area between street trees shall be paved with a semi-permeable paver. Street corners shall be improved by pedestrian nubs. Additionally, paver or textured crosswalks shall be installed at all corner pedestrian crossings. Where there is insufficient area for the streetscape improvements within the existing right-of-way, the City of Pompano Beach may require an easement at its discretion. All streetscape designs shall be approved by the Planning and Zoning Board. All streetscape designs shall be approved by the Planning and Zoning Board.
- (7) First Floor and Building entrances: First floor entrances to new developments shall be placed at street corners when possible. Buildings

shall be accessible from NE 1st Street, NE 2nd Street, NE 3rd Street and NE 4th Street.

- (F) Design theme. The general design theme of the district is that of Mission Revival. The building designs should be asymmetrical in shape and consists of a masonry/concrete block type of material with a smooth or rough stucco exterior surface. Windows should be recessed and roof types are usually flat and not visible behind the parapet which may be shaped. Residential structures may include a porte cochère and tile coping could be used along the parapet. For mixed use and commercial buildings, public safety will be a priority using the principles of CPTED, to create high visibility areas and natural access control. Funding assistance for façade, sign and landscaping improvements may be available through the City of Pompano Beach and all new or improved structures, site improvements and appurtenances must comply with the standards in this section.
- (G) Sign regulations. Signage in the Historic Downtown Pompano Beach – Transition Mixed-Use Area Overlay District shall compliment the Mission Revival style and create consistency using compatible colors, materials, size and location.
- (1) One temporary, non-illuminated real estate sign, erected by the property owner or his agent, not more than 12 square feet in sign area per street frontage, not to exceed a height of six feet.
 - (2) One temporary, non-illuminated construction or one temporary non-illuminated development sign not more than 32 square feet in sign area, not to exceed a height of nine feet.
 - (3) In addition to the above, any two of the following signs are allowed per street frontage: a flat sign; an awning sign; a marquee sign; or a projecting sign.
 - (a) The total sign area per street frontage shall not exceed 25 square feet.
 - (b) All signs shall comply with the following design elements:
 - i. Light source shall be limited to white;
 - ii. Illumination shall be limited to internal, indirect or spotlight; and
 - iii. The number of colors shall be limited to two plus the building wall, if wall mounted.
 - (4) Nonconforming Signs: Nonconforming signs are required to conform to this section if there is any destruction. Modification or improvement to a structure, site characteristic or appurtenance that is more than 25% of the replacement value, in accordance with division (G) of this section. All nonconforming signs shall be removed or made to conform within ten years of the effective date of this section. Nonconforming signs shall not be:
 - (a) Structurally altered to extend its useful life.
 - (b) Demolished, modified or improved by more than 25% of its replacement value.
 - (c) Re-established if there is a change in use.

(d) Re-established after a business has been abandoned for more than 90 days.

- (H) Nonconforming uses, structures and site characteristics. Any use, structure, site characteristic or appurtenance established prior to the effective date of this section, which does not comply with, or is prohibited by this section, is considered nonconforming. These uses, structures, site characteristics or appurtenances shall not be required to comply with the Historic Downtown Residential Area Overlay District regulations until partial destruction or modification occurs, in which case the following provisions apply:

A nonconforming structure which is destroyed, improved or modified by more than 50% of its assessed value shall be required to conform to all of the regulations of the Historic Downtown Pompano Beach – Residential Transition Area Overlay District.