

§ 155.XXX Historic Downtown Transition Areas OVERLAY DISTRICT.

- (A) Intent and purpose. The Historic Downtown Transition Area Overlay District is a residential and commercial overlay with an emphasis on creating a pedestrian oriented mixed use environment. The district, while oriented to local residents and compatible with adjacent neighborhoods will also be a destination for residents from through out the community. **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 Historic Downtown Transition Area Overlay District area should be compatible to the adjacent Historic Downtown Core Overlay District, while introducing residential uses and providing for additional height for new developments.
- (B) Applicability. All properties located within the Historic Downtown Transition 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 Transition Mixed-Use Area Overlay District **prevail.**
- (C) Permitted uses.
- (1) All uses permitted in the underlying zoning district, unless prohibited by this section.
 - (2) Mixed-Use developments containing multi-family dwellings and commercial uses allowed within the underlying zoning district unless prohibited in this section are permitted.
 - (3) 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. The first floor height of all newly constructed buildings containing retail uses shall be at least 12 feet.
- (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 or residential 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. Retail stores and offices shall provide one parking space for each 500 square feet, or fraction thereof, of gross floor area. No parking is required for the first 1,000 square feet of gross floor area for any retail or office space within a building.
 - (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 shall be compatible with building design.

(4) Building placement and lot coverage:

- (a) The setbacks for the Historic Downtown Transition Area Overlay District shall conform to the following:
- i. Atlantic Boulevard, NE 1st Street, NE 2nd Street, NE 3rd Street, NE 1st Avenue– 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 Pompano Beach – Transition Mixed-Use Overlay District shall be permitted 100% lot coverage.

- (5) Landscaping: Landscaping in the Historic Downtown Pompano Beach – Transition Mixed Use 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 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.

- (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 Atlantic Boulevard, NE 1st Street, NE 2nd Street, NE 3rd Street or NE 1st Avenue. Buildings shall contain commercial uses on the first floor along Atlantic Boulevard, NE 1st Avenue. Along these streets, first floor commercial development must have a minimum of 70% transparent area as measured between three feet and nine feet above the sidewalk.
- (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 Transition Area Overlay District shall compliment the Mission Revival style and create consistency using compatible colors, materials, size and location.
 - (1) Principal buildings containing more than one tenant are permitted one directory sign. Directory signs may be a wall sign or freestanding sign located in an internal courtyard and shall not exceed 15 square feet or six feet in height.
 - (2) Signs located on the principal frontage shall not exceed 10% of the total square footage of the facade area or 50 square feet, whichever is smaller.
 - (3) Individual establishments within a principal building, shopping center or single tenant building are permitted one non-illuminated, primary identification sign and one secondary identification sign. The following sign types and dimensions shall be permitted:

- (a) Secondary signs shall not exceed 25% of the primary sign area in size and nine inches in letter size. Secondary signs shall be located at the rear or side.
 - (b) Awning Sign: One line of lettering shall be permitted.
 - (c) Under-Canopy Sign: Sign shall be mounted perpendicular to the face of the entrance. Identification sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.
 - (d) Occupant Nameplate Sign: Letters not to exceed three inches.
 - (e) Projecting Sign: Sign shall be mounted perpendicular to the face of the entrance. Sign shall not exceed five square feet in sign area. Sign shall be located at least eight feet above the grade of sidewalk or walkway under sign. Sign shall be located equal distance from establishment wall or entrance as adjacent business establishment signs. If no adjacent signs exist, sign shall not be located more than two feet from establishment wall or entrance.
 - (f) Wall Sign: Sign shall not exceed one square foot of sign area per two linear foot of tenant frontage.
- (4) Primary signs for individual establishments within a principal building or shopping center shall be of a homogenous sign type.
- (5) 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 Transition 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 Historic Downtown Transition Area Overlay District.