

**155.3709. EAST OVERLAY DISTRICT (EOD)****A. Purpose**

The East Overlay District (EOD) is established and intended to encourage an urban form that promotes transit usage and pedestrian oriented development in the area connecting the Downtown Pompano Beach Overlay District and the Atlantic Boulevard Overlay District. The purpose of the district standards is to stimulate economic revitalization, create a pedestrian-friendly environment and promote mixed-use development. It is also intended to help implement the Pompano Beach Transportation Corridor Study Transformation Plan and the Pompano Beach Community Redevelopment Plan for the East Pompano Beach Redevelopment District.

**B. Applicability****1. General**

- a. These standards apply to all land within the East Overlay District (EOD), as delineated on the Official Zoning Map.
- b. These standards replace or supplement the use, intensity, dimensional, and development standards applicable to the underlying base district. If EOD standards directly conflict with those governing an underlying base district, the EOD standards shall govern. If land within the district is classified as a planned development (PD) zoning district, the planned development district's regulations shall govern. New Planned Development Zoning Districts (PDs) shall not be permitted after the date of the adoption of this ordinance.

**2. Existing Uses**

- a. Permitted Auto-Oriented Uses
  - i. Notwithstanding the standards applicable in Transit Oriented (TO) District or in the EOD, the following auto-oriented/auto-centric uses and auto-oriented/auto-centric use categories shall be permitted in the EOD, provided they shall only be permitted at locations approved for such use prior to the date of the adoption of this ordinance:
    - (A) Section 155.4202.D: Dwelling, Single Family.
    - (B) Section 155.4202.F: Dwelling, Two-Family.
  - ii. The permitted auto-oriented uses shall be exempt from compliance with all TO and EOD Standards and can be redeveloped as the same principal use.
  - iii. Until such time that the permitted auto-oriented use converts to a new principal use, the permitted auto-oriented uses, including the structures and lots, shall be governed by the development standards for the previous zoning district, including but not limited to all applicable Application Specific Review Procedures in Article 2, Use Standards in Article 4, Development Standards in Article 5, Nonconformities Standards in Article 7, and Interpretation Standards in Article 9.
- b. Existing Structures and Lots Used for Places of Worship
  - i. Structures and lots approved for use as a place of worship, including lots approved for off-street parking for a place of worship, prior to the date of the adoption of this ordinance shall be exempt from compliance with all Transit Oriented (TO) and EOD Standards until such time that the place of worship converts to a new principal use type.
  - ii. Until such time that the place of worship converts to a new principal use type, the structures and lots approved for a place of worship shall be governed by the development standards for the previous zoning district, including but not limited to all applicable Application Specific Review Procedures in Article 2, Use Standards in Article 4, Development Standards in Article 5, Nonconformities Standards in Article 7, and Interpretation Standards in Article 9.
- c. Existing parks and recreational areas designated as PR in the Use-Areas/Density Regulating Plan shall be governed by the Parks and Recreation (PR) Zoning District regulations, Section 155.3502.

**C. Regulating Plans**

The Regulating Plans applied to the EOD are intended to govern development standards, designating the locations where the various standards apply. Unless otherwise noted, all development shall be in compliance with the Regulating Plans. The Regulating Plans for the EOD include the following:

1. The Sub-Areas/Building Heights Regulating Plan, Diagram 155.3709.D (Specified in Part D).
2. The Use-Areas/Density Regulating Plan, Diagram 155.3709.E (Specified in Part E).
3. The Street Network Connectivity Regulating Plan, Diagram 155.3709.F.1 and the Street Development Regulating Diagrams, Diagram 155.3709.F.2 (Specified in Part F).
4. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan, Diagram 155.3709.H (Specified in Part H).
5. The Building Typology and Placement Regulating Diagrams, Section 155.3501.O.4 (Specified in Part I).

**D. Sub-Areas/Building Heights Regulating Plan**

The Sub-Areas/Building Heights Regulating Plan is intended to delineate the areas where different types of development intensities are permitted in order to establish compatibility with the single-family neighborhoods.

**1. Sub-area Designations**

The area where the most intense development is permitted is within the core sub-area. The area where a transitional intensity is permitted is within the center sub-area. The area where the least intensity is permitted is within the edge sub-area.

**2. Building Height Designations**

All new and modifications to existing development shall comply with the building height standards found within the Sub-Areas/Building Heights Regulating Plan. When one property or parcel is regulated by two different height standards, the Sub-Areas/Building Heights Regulating Plan shall be referred to for the depth of each building height zone. In addition, the following shall apply:

- a. Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
- b. Buildings higher than 6 stories shall be developed according to the tower building type standards.

**E. Use-Areas/Density Regulating Plan**

The Use-Areas/Density Regulating Plan is intended to delineate the areas where different types of land uses and densities are permitted in order to establish compatibility with the single-family neighborhoods.

**1. Use-area Designations and Standards**

The designation of moderate- to high-intensity, compact, mixed-use, and pedestrian-oriented development, within walking distance of the commercial core and transit routes and facilities, is intended to provide a critical mass of housing and improve walkability of the district.

- a. The following is encouraged:
  - i. High-activity nonresidential uses such as retail shops and restaurants at street level along E Atlantic Blvd and Federal Hwy, to enable the appropriate natural surveillance of the public realm to ensure safety and activity along the corridors and create the sense of a vibrant and active urban center.
  - ii. A compatible transition between the district's commercial/mixed-use areas and lower-intensity residential neighborhoods and between the district and adjacent residential neighborhoods, where applicable.
- b. The following shall apply:
  - i. All new and existing development shall comply with the standards found within the Use-Areas/Density Regulating Plan and the Principal Uses Regulating Table 155.3709.E.2. The Use-Areas/Density Regulating Plan separates the EOD into use areas. Table 155.3709.E.1 lists the use areas and the requirements of residential and nonresidential uses within the two mixed-use use areas (MM and MUR) of the EOD.

**TABLE 155.3709.E.1: MIXED-USE USE AREAS WITH REQUIREMENTS FOR RESIDENTIAL AND NONRESIDENTIAL USES**

Note: This table is best viewed in PDF, click [HERE](#)

TABLE 155.3709.E.1: MIXED-USE USE AREAS WITH REQUIREMENTS FOR RESIDENTIAL AND NONRESIDENTIAL USES		
USE AREA	RESIDENTIAL	NONRESIDENTIAL
MM: Mixed Use Main Street	For buildings abutting East Atlantic Blvd or Federal Highway. Not permitted on the first 20-feet of depth on the 1st floor fronting East Atlantic Blvd and US-1 except residential lobby entrances can be up to 50% of frontage, optional on 2nd floor and above. For portions of buildings not abutting East Atlantic Blvd or Federal Highway optional on 1st floor and above.	For buildings abutting East Atlantic Blvd or Federal Highway. Required on the first 20-feet of depth on the 1st floor fronting East Atlantic Blvd or Federal Highway, optional on 2nd floor and above. For portions of buildings not abutting East Atlantic Blvd and US-1, optional on 1st floor and above.
MUR: Mixed Use Residential	Optional on 1st and 2nd floor Required on 3rd floor and above	Optional on 1st and 2nd floor

c. Principal Uses Regulating Table

Table 155.3709.E.2 includes the principal uses permitted in the EOD along with any required restrictions on such uses, for each of the use areas listed above. Principal uses not included in Table 155.3709.E.2 are not permitted in the EOD. Principal uses in the EOD shall be subject to the use-specific standards as provided for in Part 2, of Article 4, unless specifically noted otherwise in Section 155.3709.E.1.e (Modified Use Standards).

d. Permitted Accessory Uses and Structures

Accessory uses and structures in the EOD shall be subject to the use-specific standards as provided for in Part 3, of Article 4. The following accessory uses shall be allowed by right in the EOD:

- i. Walk-up window service as accessory to an eating or drinking establishment.
- ii. Outdoor display of merchandise for sale or rental as accessory to a retail sales and service use, in accordance with the standards in Section 155.4303.U, Outdoor Display of Merchandise, and the following:

- a. Outdoor display of merchandise is permitted only on private property and private sidewalks.
- iii. Outdoor seating as accessory to an eating or drinking establishment (including sidewalk cafes), in accordance with the standards in Section 155.4303.V.

e. Modified Use Standards

The following use-specific standards are modified for the EOD:

- i. Community center, library, and civic centers owned or operated by the city or CRA are permitted to have accessory use of outdoor musical performances (located not totally and permanently enclosed within a building) and are exempt from the requirements to obtain a permit in accordance with City Code Section 132.26 (Outdoor Musical Performance).
- ii. Civic centers shall be exempt from the requirement to be located on a lot with an area of at least five acres in accordance with Section 155.4211.A.3.a (Civic Center).
- iii. Arena, stadium, or amphitheater shall be exempt from the requirement to be located on a lot with an area of at least five acres in accordance with Section 155.4217.B.3.a (Arena, Stadium, or Amphitheater).
- iv. Parking deck or garage (as a principal use) shall be designed in a manner that encourages pedestrian and transit usage.
- v. In the core sub-area, eating and drinking establishments with outdoor seating, fronting on Atlantic Blvd and Federal Hwy only, shall be exempt from the restriction on sound production or reproduction machine or device in accordance with Section 155.4303.V.3.a (Outdoor Seating, including sidewalk cafes as accessory to an eating and drinking establishment).
- vi. A consignment boutique shall only be permitted outside of the first 20-feet of depth of a building that fronts on Atlantic Boulevard or Federal Hwy.
- vii. A medical office shall only be permitted provided it complies with the following standards:
  - a. Hours of operations open to the public for treatment are limited to 7:00 a.m. until 7:00 p.m.
  - b. Medical offices fronting on Atlantic Boulevard shall not have any space used for patient examination in the first 20-feet of depth of the building abutting Atlantic Boulevard.
- viii. A personal services establishment whose principal services are massage therapy shall only be permitted provided it complies with the following standards:
  - a. Hours of operations for treatment are limited to 7:00 a.m. until 7:00 p.m.
  - b. Public access is limited to a storefront abutting a street.
  - c. Special exception approval is required if the establishment is located less than 1,000 feet from another personal services establishment whose principal services are massage therapy. For purposes of this subsection, the distance shall be measured from the pedestrian building entrances.
- ix. Brewpubs may be permitted to produce up to 930,000 gallons of fermented malt beverage annually, provided they comply with the following standards:
  - a. No more than 75% of the total gross floor area of the brewpub shall be used for the brewery function including, but not limited to, the brew house, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
  - b. At least 10% of the total gross floor area or 1,000 square feet whichever is greater, shall be used for an accessory commercial component (i.e., tasting room and retail showroom); and
  - c. The brewery function shall be carried out so as to not allow the emission of objectionable or offensive odors or fumes in such concentration as to be readily perceptible at any point at or beyond the brewpub.

2. Density Area Designations and Standards

- a. All new and existing development shall comply with the standards found within the Use-Areas/Density Regulating Plan which separates the EOD into seven density areas.
- b. The density areas, along with their required minimum and maximum residential densities are shown on the Use-Areas/Density Regulating Plan. Density areas with a minimum density of 0 signifies the density area does not require residential units; rather residential density is optional. However, if residential units are developed they shall comply with the minimum and maximum residential densities in accordance with the net acre requirement.

c. Density Calculations:

- i. Parcels with two or more density area designations shall determine the number of units permitted on the parcel by calculating the number of units permitted in each density area separately.
  - a. For example, a parcel has 10 acres of which 5 acres are in the MM(0-24) density area and 5 acres are in the MM(0-60) density area.  
5 acres x 24 units/acre = 120 units

5 acres x 60 units/acre = 300 units

Total units permitted = 420 units

ii. Development parcels with two or more density area designations shall unify for development purposes and may cluster units within the most intense density area of the development parcel, provided:

- a. the total number of units built does not exceed the total number of units permitted for each parcel (see the example above), and including eligible density bonuses;
- b. the maximum permitted building height as shown in the Sub-Areas/Building Height Regulating Plan is not exceeded; and
- d. Density Bonus Options

In addition to the maximum densities demonstrated on the Use Areas/Density Regulating Plan, properties within the EOD may be eligible for a density bonus in accordance with Table 155.3709.E.3. In no case shall a property be permitted to utilize a density bonus option more than once, however, any combination of options shall be permitted. In no case shall a property be permitted to exceed 150 dwelling units per acre.

**TABLE 155.3709.E.3: Density Bonus Options**

**Note:** This table is best viewed in PDF, click [HERE](#)

TABLE 155.3709.E.3: Density Bonus Options			
Bonus Option	Sub-Area	Density Bonus	Requirement
#1	Core and Center	20 units/acre	All new non-residential, multi-family residential and mixed-use construction that provide public art using one or a combination of the following strategies: 1. A fee equal to 1% of the project's construction costs or \$250,000 whichever is less; 2. A piece of artwork valued at 1% of the project's construction costs or a maximum of \$250,000, whichever is less. a. The artwork shall be accessible to the public and may be displayed in public open spaces or areas along the street abutting the building. b. Public art shall be required to receive a recommendation by the Public Art Committee and approval from the City Commission. c. Funds, or an appropriate bonding instrument, shall be placed in escrow at the time of building permit and will be held until the art is approved after installation.
#2	Core and Center	20 units/acre	Properties that provide a designated public open space or publicly accessible open space a minimum of 4,800 square feet or a combination of up to three designated public open spaces or publicly accessible open space a total of 4,800 square feet
#3	Core and Center	20 units/acre	Development which achieves at least 28 points in accordance with Table 155.5802, Sustainable Development Options and Points or is designated LEED Gold or Platinum
#4	Core	10 units/acre	Properties that provide cross block connection through a pedestrian passage a minimum of 15 feet wide.
#5	Core	40 units/acre	Properties that provide public parking in accordance with the following: a. The minimum number of spaces required for off-street parking are provided using one or more of the off-street parking alternatives; b. A minimum of 10% of the parking spaces are reserved for public parking. The 10% of parking spaces shall be calculated by multiplying the required spaces for the total units including any density bonuses x 10%. (Total required parking spaces X 0.1 = public parking spaces). c. A lease agreement with the city, at a rate established by the city, shall be recorded for a term not less than 50 years
#6	Core	20 units/acre	Properties that provide structured parking to accommodate 100% of the total required parking need for the development.
#7	Core	20 units/acre	Properties that provide a minimum of 25% of residential units as small studio or 1 bedroom units. This shall be units that are 600 square feet or less.

#### F. Street Network Connectivity Regulating Plan and Street Design Standards

The Street Network Connectivity Regulating Plan is intended to show the approximate location of existing and required new streets needed to create the prescribed network of streets within the EOD. This plan also establishes the hierarchy of the streets within the EOD. All streets shall be located according to the Street Network Connectivity Regulating Plan for the EOD. The intent of the street design standards is to ensure that streets are improved based on street design parameters that enhance the streetscape and encourage walking and biking.

##### I. Modified Street Standards

The street standards specified in Section 155.3501.H shall apply except as modified herein:

a. Only specific existing alleys and tertiary streets, as specified in the Street Network Connectivity Regulating Plan, may be deleted for the purpose of assembling parcels for development. All other existing and new alleys/service roads and tertiary streets shall be required and may be modified with respect to alignment only. In addition, the following shall apply:

- i. The vacation of SE 3rd Avenue shall only be permitted to occur if the proposed development to the east of the existing public park provides the following:

(A) Building frontage and active uses along the ground floor for the first 20-feet of depth of the building fronting the public park, Atlantic Boulevard and waterway;

(B) Vehicular access off a new alley/service road located on the east side of the proposed development;

(C) Public parking: In addition to the minimum number of spaces required for off-street parking, the developer shall reserve a minimum of 10%, of the required off-street parking spaces, for public parking to serve the patrons of the park. A lease agreement with the city, at a rate established by the city, shall be recorded for a term not less than 50 years; and

(D) Service access for the South Florida Water Management Facility along the waterway.

## 2. Street Development Regulating Diagrams

All streets shall be designed according to the typical street sections and standards specified in the Street Development Regulating Diagrams to the extent possible in coordination with the City Engineer. Streets not specifically mentioned shall follow one of the typical sections that corresponds with the width of the right-of-way, the sub-area the building is within, and whether the street is a designated greenway.

### G. Block Requirements.

The following standards for blocks shall apply to property with a minimum area of 2.3 acres (100,000 sq ft):

- The maximum length of a block in the EOD shall be 530 feet for properties east of US1 and 630 feet for properties west of US1.
- The maximum perimeter of a block in the EOD shall be 1,560 feet for properties east of US1 and 1,760 feet for properties west of US1.
- The Director of Development Services or his/her designee shall have the authority to adjust administratively the requirements for maximum block length and/or perimeter, for up to 10% of the required measurement.

### H. The Designated Publicly Accessible Open Space and Greenway System Regulating Plan.

The Designated Publicly Accessible Open Space and Greenway System Regulating Plan is intended to locate existing public open spaces, the new designated publicly accessible greenway system, and the new designated publicly accessible waterway system which shall be shown in all development plans.

- The intent of the waterfront promenade design standards is to ensure continuous public access and open space along the waterfront as a public amenity.

### 2. General Waterfront Design Standards for Properties Abutting the Intracoastal Waterway

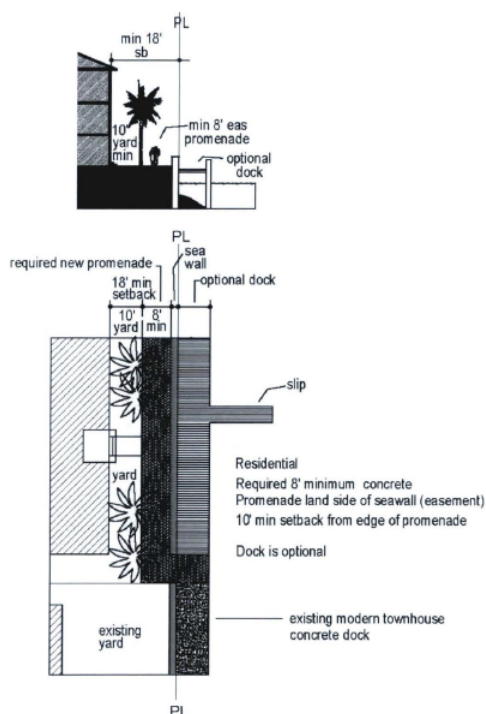
Development along the Intracoastal Waterway shall be required to provide the following:

- Pedestrian passageway providing access to the waterfront and the nearest sidewalk adjacent to public right-of-way, where applicable;
- Wayfinding signage shall be provided that indicates the public access point from the public R.O.W., where applicable;
- Public access along waterfront promenade;
- Pervious pavement and/or heat reducing pavement;
- Shading, either via landscaping or canopies or both;
- Lighting, including the use of solar lighting within the promenade, where practical; and
- Pedestrian features such as benches and trash receptacles.

### 3. Specific Waterfront Promenade Design Standards

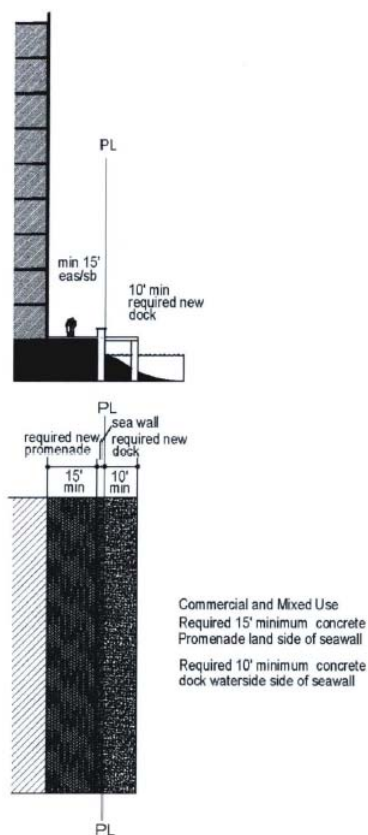
All waterfront promenades shall be designed according to the typical promenade sections and standards specified below.

- Residential waterfront promenade - The dedication and development of the residential waterfront promenade is applicable to any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 49% of the market value of the building or structure before the improvement or repair is started.



- An 8-foot easement shall be required on the waterfront, as redevelopment occurs, for the establishment of a concrete waterfront promenade along the land side of the seawall for residential development.
- The setback shall be a minimum of 18 feet from the waterfront property line.

- iii. Docks are optional on the water side of the seawall and shall not be required to be publicly accessible.
  - iv. One hundred percent of the easement/promenade shall be publicly accessible, clear and unobstructed for pedestrians.
  - v. Minimum building frontage (active-use) requirements for the first 20-feet of depth of the building fronting the promenade are 90% in the core, 80% in the center, and 70% in the edge sub-area.
- b. Commercial/Mixed-Use Waterfront Promenade



- i. A 15-foot setback/easement shall be required from the waterfront property line, as redevelopment occurs, for the establishment of a concrete waterfront promenade along the land side of the seawall for commercial and/or mixed-use development.
- ii. A 10-foot concrete dock shall be required on the water side of the sea wall.
- iii. One hundred percent of the easement/promenade and docks shall be publicly accessible, clear and unobstructed for pedestrians.
- iv. Minimum building frontage (active-use) requirements for the first 20-feet of depth of the building fronting the promenade are 90% in the core, 80% in the center, and 70% in the edge sub-area.

## I. Building Typology and Placement Regulating Diagrams and Modified Dimensional Standards

### 1. Building Typology

All new buildings shall conform to one of the permitted building typologies. The building typologies are demonstrated in the Building Placement Regulating Diagrams of the TO District, Section 155.3501.O.4 Building Placement Regulating Diagrams provide a schematic representation of the various building typologies, based on their sub-area. The diagrams demonstrate the required setbacks, lot standards, and profiles of structures. Not all building typologies are permitted in every sub-area of the EOD. (For instance, the tower and liner building typologies are considered the most intense and are not permitted in the edge sub-area.) Existing buildings that do not fit a prescribed typology shall follow the standards required for the flex building typology. The building typologies permitted in the EOD and their allowable sub-area locations are demonstrated on the Sub-Areas/Building Heights Regulating Plan.

### 2. Setbacks and Building Frontage

The interior side and rear side setback standards demonstrated on the Building Typology and Placement Regulating Diagrams shall apply. In addition, the following shall also apply in the EOD:

- a. Front and street side setbacks are determined based on the sub-area in which the building is located and the streetscape associated with the property as demonstrated on the Street Development Regulating Diagrams.

**Table 155.3709.I.2.a: Minimum and Maximum Front and Street Side Setbacks (1)**

**Note:** This table is best viewed in PDF, click [HERE](#)

Table 155.3709.I.2.a: Minimum and Maximum Front and Street Side Setbacks (1)			
	Minimum Setback (2)	Maximum Setback (2)	Exception
			See Street Development Regulating Diagrams for additional information on exceptions and specific and typical street designs
Core	0 feet	20 feet	I. In addition to the minimum setback, buildings along Atlantic Blvd (Section A) and Federal Hwy (Section B), where indicated on the Sub-Area/Building Heights Plan, shall provide a 20 foot setback of the building above the 5th floor.

Table 155.3709.I.2.a: Minimum and Maximum Front and Street Side Setbacks (1)

			<ol style="list-style-type: none"> <li>2. Federal Highway (Section B): 5-foot minimum setback, as an easement/dedication, may be required to accommodate expansion of the sidewalk.</li> <li>3. Atlantic Blvd (Section A): A 0-foot setback is required, where a 110-foot ultimate right-of-way exists. A 5-foot setback may be requested, where sufficient lot depth exists, to be consistent with abutting development and accommodate expansion of the sidewalk.</li> <li>4. Intersection with turning lane (Section T-5): 5-foot minimum setback, as an easement/dedication, may be required to accommodate expansion of the sidewalk.</li> <li>5. 50' ROW (Section F or T-2): 1-foot setback, as an easement/dedication, may be required to accommodate on-street parking.</li> </ol>
Center	0 feet	20 feet	<ol style="list-style-type: none"> <li>1. Federal Highway (Section B): 5-foot minimum setback, as an easement/dedication, may be required to accommodate expansion of the sidewalk.</li> <li>2. Intersection with turning lane (Section T-5): 5-foot minimum setback, as an easement/dedication, may be required to accommodate expansion of the sidewalk.</li> <li>3. 50' ROW: 1-foot (Section F or T-2) to 5-foot (Section H) setback, as an easement/dedication, may be required to accommodate on-street parking.</li> </ol>
Edge	10 feet	30 feet	<ol style="list-style-type: none"> <li>1. Intersection with turning lane (Section T-5): 5-foot minimum setback, as an easement/dedication, may be required to accommodate expansion of the sidewalk.</li> <li>2. 50' ROW (Section F or T-2): 1-foot setback, as an easement/dedication may be required to accommodate on-street parking.</li> </ol>
Note	<ol style="list-style-type: none"> <li>(1) Setbacks shall be measured from the property lines.</li> <li>(2) Minimum and maximum setback shall be as specified plus the dimension necessary for the exception.</li> </ol>		

b. The percentage of building frontage required is determined based on the sub-area in which the building is located and the street type the building fronts, and shown in Table 155.3709.I.2.b.

i. All buildings shall provide a minimum percentage of active use along the front and street side building frontages.

ii. Building facades along alley/service drives shall not be required to provide a minimum percentage of building frontage or active use.

**Table 155.3709.I.2.b: Minimum Building Frontage (Active Use) Percentage per Street Type**

Table 155.3709.I.2.b: Minimum Building Frontage (Active Use) Percentage per Street Type			
	Primary	Secondary	Tertiary
Core	90%	80%	70%
Center	80%	70%	60%
Edge	70%	60%	50%

### 3. Tower Regulations

The tower regulations demonstrated on the Building Typology and Placement Regulating Diagram shall apply. In addition, the following shall also apply in the EOD:

a. For properties with buildings greater than 6 stories in height that are abutting Atlantic Boulevard between NE 19th Avenue and NE 25th Avenue, the minimum stepback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The stepback shall begin above the fifth floor only, for all other properties abutting Atlantic Boulevard, there shall be no minimum stepback for the tower.

b. For properties with buildings greater than 6 stories in height that are abutting US1 between NE 4th Street and SE 4th Street the minimum stepback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The stepback shall begin above the fifth floor only, for all other properties abutting US1, there shall be no minimum stepback for the tower.

### 4. Lot Standards

Lot standards, including but not limited to lot width and lot coverage, are determined based on the selected building typology. The lot standards are demonstrated on the Building Typology and Placement Regulating Diagrams.

a. The Director of Development Services or his/her designee shall have the authority to adjust administratively the requirements for minimum lot depth and lot width, for up to 10% of the required measurement.

### 5. Minimum Unit Sizes for Residential Development

**Table 155.3709.I.5: Minimum Unit Sizes for Residential Development**

Table 155.3709.I.5: Minimum Unit Sizes for Residential Development		
Floor area per dwelling unit, minimum (square feet)		
SF	950	
MF	Efficiency Units	450
	1 Bedroom	575
	2 Bedroom	750
	3 Bedroom	850
	Additional Bedroom	100

## 6. Additional EOD Standards

In addition to the Regulating Plans, the following standards apply to properties within the EOD.

### a. Reduced and/or Modified Off-Street Parking Standards

i. Properties developed in full compliance with the Use-Areas/Density Regulating Plan and the Density Regulating Plan are eligible for reduced parking. However in no case shall a property be permitted to utilize one of the following parking reductions and a parking reduction found in Section 155.5102.K (Reduced Parking Requirements for Parking Demand Reduction Strategies) or Table 155.5803.A: Sustainability Bonuses.

(A) Multifamily dwellings in the core and center sub-area: No off-street parking spaces are required for any multifamily dwellings that are constructed by, or have a valid building permit as of, the adoption date of this ordinance. Multifamily dwellings permitted thereafter shall provide a minimum of one off-street parking space per unit or one off-street parking space per 1,000 square feet of gross floor area or fraction thereof, whichever is greater.

(B) Multifamily dwellings in the edge sub-area shall refer to Table 155.5102.D.1: Minimum Number of Off-Street Parking Spaces for parking requirement.

(C) Selected off-street parking reductions for retail sales and service uses, eating and drinking establishments, professional office, or hotel uses constructed by or having a valid building permit as of January 4, 2021.

(1) Retail sales and service use: off-street parking is reduced only for the following.

(a) No additional off-street parking spaces are required for a change in use of an existing building.

(2) Eating and drinking establishments: off-street parking is reduced as follows:

(a) No additional off-street parking spaces are required for a change in use of an existing building.

(b) One parking space per eight persons of maximum occupancy capacity of customer service area is required for a new principal or accessory structure located on property greater than one acre.

(c) New principal or accessory structures located on property one acre or less shall refer to Table 155.5102.D.1: Minimum Number of Off-Street Parking Spaces for parking requirement.

(d) The above reductions in (a) and (b) are not applicable to nightclub or hall for hire.

(3) Professional office use: No additional off-street parking spaces are required for a change in use of an existing building.

(4) Hotel use: Off-street parking is reduced as follows:

(a) No additional off-street parking spaces are required for a change in use of an existing building.

(D) Selected off-street parking reductions for residential uses vertically integrated within a mixed-use development constructed by or having a valid building permit as of January 4, 2021.

(1) For purposes of this subsection, mixed use development shall mean developments that vertically integrate residential uses with retail sales and service uses, professional office uses, bar or lounges, brewpubs, restaurants, or specialty eating or drinking establishments.

(2) The off-street parking requirement for the residential use is reduced as follows:

(a) No additional off-street parking spaces are required for a change in use of an existing building.

(E) No Nonconforming Site Feature

The temporary waiver of off-street parking requirements provided in subsections (A) and (B) above shall not be deemed to create any nonconforming site feature with respect to the lack of parking spaces that otherwise would have been required of a development during the waiver period.

## 7. Modified Perimeter Buffer Standards

Development that is required to obtain Major Site Plan or Minor Site Plan approval shall provide a perimeter buffer to separate it from abutting property that is a less intensive use or inconsistent use, including developed or vacant property in accordance with Table 155.5203.F.3 Required Buffer Types and Standards with the following modifications:

(a) A Type B Buffer is required between a proposed non-residential or mixed-use development and land designated as "RS: Residential Single Family" or "RM: Residential Multi-family." However, if an alley/service road is provided, the buffer may be reduced to five feet and the location of the wall or semi-opaque fence and associated landscaping within the buffer will be at the discretion of the Development Services Director. Consideration will be given to the location of existing fencing, curb cuts, and existing development patterns.

## 8. Modified Residential Compatibility Standards

Residential compatibility standards throughout the TO and EOD supersede the residential compatibility standards found in Section 155.5604 which do not apply.

## J. Traffic Analysis Requirements

The traffic study requirements shall be based on trip generation thresholds. The traffic study requirements are as follows:

1. If the proposed development is expected to generate less than 100 external trips per hour during the a.m. or p.m. peak hour of the adjacent street, a traffic study is not required unless the city determines that a traffic study is necessary due to special circumstances. If the proposed development is expected to generate more than 100 external trips per hour during the a.m. or p.m. peak hour of the adjacent street then a traffic study is required. Cost recovery fees will be charged to the applicant for evaluation of the required traffic analyses.

a. Prior to initiating a traffic study, the applicant's traffic engineer must schedule a methodology meeting with the city and the city's consultant to determine:

- Study time periods and intersections

- Data to be collected

- Methodology for trip generation, trip generation factors, trip distribution, and growth rate

- Programmed roadway improvements and committed developments to be considered in the study

- Traffic analysis software/level of service standards and analysis factors to be utilized in the analyses and any other pertinent analyses to be included on site-specific basis (entry gate, queueing, neighborhood impact, etc.)

- The results of this meeting should be summarized in a memorandum by the applicant's traffic engineer to be submitted to the city for review and approval prior to initiating the traffic study.

b. A traffic study prepared and signed and sealed by a licensed professional engineer should include:

i. Cover Page

ii. Executive Summary

iii. Table of Contents

iv. Introduction including:

- Development details including location, uses and size, build out year

- Project location map/figure

- Reference to a site plan to be included in an appendix

- Reference to approved methodology memorandum to be included in an appendix
- v. Project Traffic
  - Description of project access and access diagram (to scale) depicting ingress and egress access for the site and internal circulation routes.
  - Trip generation calculations.
  - Description of trip distribution and assignment procedures including distribution and assignment figures. Note that assignment must account for neighborhood streets.
- vi. Data Collection
- vii. Existing conditions including existing volume figure
- viii. Future background conditions (buildout year without project) including background volume figure
- ix. Future total conditions (buildout year with project) including total volume figure
- x. Capacity analyses
- xi. Intersection approach queueing
- xii. Mitigation strategies (if necessary)
- xiii. Maneuverability analyses for loading areas/parking garages (if necessary)
- xiv. Consistency with any adopted city neighborhood protection and enhancement plans
- xv. Bicycle and pedestrian facility inventory in the surrounding area
- xvi. Any other items to be included per the approved methodology
- xvii. Conclusions

#### **K. 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.

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

1. 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
2. Until such time as all 360 affordable housing units have been provided, each residential development shall contribute in-lieu-of fees per Code of Ordinances, Chapter 154 (Planning). These funds will be used to promote one or more of the following:
  - (a) programs that facilitate the purchase or renting of the existing affordable housing stock;
  - (b) programs which facilitate the maintenance of the existing supply of affordable housing;
  - (c) programs which facilitate the use of existing public lands, or public land-banking, to facilitate an affordable housing supply;
  - (d) 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.

#### **Regulating Plans/Maps for East Overlay District [\[PDF\]](#)**

#### **Diagram 155.3709.D. Sub-Areas/Building Heights Regulating Plan [\[PDF\]](#)**