

ORDINANCE NO. 2015- 01

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

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303, "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO PROVIDE DEFINITION, STANDARDS AND PERMITTED DISTRICTS FOR LIMITED MENTAL HEALTH TREATMENT FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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

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

SECTION 1. That Section 155.4303, "Standards for Specific Accessory Uses and Structures," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.4303 STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

...

RR. LIMITED MENTAL HEALTH TREATMENT FACILITY

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPU-D	PC-D	PD-TO	LA-C	PD-1
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2. Definition

A limited mental health treatment facility is an accessory use for the practice of mental health counseling, practice of marriage and family therapy, and/or practice of clinical social work, as defined in Fla. Stat. §491.003, on an out-patient basis only. This use strictly prohibits the on-site dispensing of both medicinal and non-medicinal drugs. This use strictly prohibits the written order or prescription for any medicinal and non-medicinal drugs.

3. Standards

A limited mental health treatment facility shall comply with the following standards:

- a. The facility shall be located adjacent to either a collector or arterial roadway, and within ¼ mile of a mass-transit stop.
- b. In accordance with §155.4302.B.1.c., the applicant shall submit a floor plan which clearly demonstrates the aggregate gross floor area of this use is less than 49% of the total gross floor area of the principal use.

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 23rd day of September, 2014.

PASSED SECOND READING this 14th day of October, 2014.



LAMAR FISHER, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
9/25/14
L:ord/ch155/2014-355