

**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 155.5704, "FRONTAGE AND ACCESS," TO PLACE RIGHT-OF-WAY MINIMUM WIDTH REQUIREMENTS WITHIN SECTION 100.01 OF THE CITY CODE OF ORDINANCES AND TO REVISE MINIMUM DISTANCE A STRUCTURE MAY BE PLACED TO RIGHT-OF-WAY; BY AMENDING SECTION 155.9401, "MEASUREMENT," TO PROVIDE FOR SETBACK FOR STRUCTURES ON A CUL-DE-SAC AND TO PROVIDE REFERENCE TO SECTION 100.01 OF THE CITY CODE OF ORDINANCES WHEN MEASURING YARD SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

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

SECTION 1. That Section 155.5704., "Frontage and Access," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.5704. FRONTAGE AND ACCESS

...

C. All local, collector, minor arterial and principal arterial streets ~~which are within or abutting a residential base zoning district, including Residential Planned Unit Development,~~ shall have a minimum width of 50 feet per § 100.01(A) or (B), as applicable.

1. All property with a residential zoning district including ~~Residential Planned Unit Development,~~ which abuts a local, collector, minor arterial and principal arterial street(s) shall not erect a building or structure closer than 25 feet half of the applicable right-of-way width to the center line of the street(s).

2. All lots subject to a Plat, Rezoning, or Major Site Plan approval, as well as lots not subject to Major Site Plan approval but are developing a new structure or increasing an existing structure by 50% of the existing gross floor area, shall dedicate the required right-of-way.

~~D. All local, collector, minor arterial and principal arterial streets which are within or abutting a non-residential base zoning district shall have a minimum width of 60 feet.~~

~~1. All property with a nonresidential zoning district which abuts a local, collector, minor arterial and principal arterial street(s) shall not erect a building or structure closer than 30 feet to the center line of the street(s).~~

~~2. All lots subject to a Plat, Rezoning, or Major Site Plan approval, as well as lots not subject to Major Site Plan approval but are developing a new structure or increasing an existing structure by 50% of the existing gross floor area, shall dedicate the required right of way.~~

SECTION 2. That Section 155.9401., "Measurement," of Chapter 155, "Zoning Code,"

of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

...

155.9401. MEASUREMENT

...

H. YARD SETBACK

...

3. Measured from Future Street Right-of-Way

Where city-adopted plans, including § 100.01 of the Code of Ordinances, call for the future widening of the street right-of-way abutting a lot and identify the future right-of-way boundary (e.g., by delineating the boundary or establishing its distance from the street's centerline), the minimum front yard setback on the lot shall be measured from the future right-of-way boundary (See Figure 155.9401.H.3, Front Yard Abutting Future Right-of-Way.).

...

5. Cul-De-Sac Setback.

Where a cul-de-sac occurs at the end of a street, buildings fronting thereon shall be set back from the extended center line a distance equal to half the amount of the width of the ultimate right-of-way plus the distance of the minimum required front yard.

SECTION 3. 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 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this 10th day of March, 2015.

PASSED SECOND READING this 24th day of March, 2015.



LAMAR FISHER, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

GBL/jrm
2/4/15
L:ord/ch155/2015-198