

Ord. 31

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.2412., "TEMPORARY USE PERMIT," TO MODIFY PROCEDURES TO OBTAIN TEMPORARY USE PERMITS FOR PROPOSED TEMPORARY USE OF BUILDINGS OR LANDS BY THE CITY AND BY THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY; 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 155.2412., "Temporary Use Permit," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

155.2412. TEMPORARY USE PERMIT

...

B. APPLICABILITY

There are two types of Temporary Use Permit authorized by this Code: Major Temporary Use Permits and Minor Temporary Use Permits.

Applications for Temporary Use Permits by the City of Pompano Beach (City) or the Pompano Beach Community Redevelopment Agency (CRA) for properties owned or leased by the City and CRA, or for use of private property by the City and CRA for any proposed temporary use of buildings or lands in the city set forth in Part 4 (Temporary Uses and Structures) of Article 4: Use Standards, or any temporary use that does not comply with the standards in Chapter 155 Zoning Code, will be processed as Minor Temporary Use Permits. If applicable, prior to submitting a Temporary Use Permit application the applicant must obtain other necessary governmental approvals and submit proof of the approval(s) with the Temporary Use Permit application.

1. Major Temporary Use Permits

A development order for a Major Temporary Use Permit in accordance with this section is required for any proposed temporary use of buildings or lands in the city set forth in Part 4 (Temporary Uses and Structures) of Article 4: Use Standards, or any temporary use that does not comply with the standards in Chapter 155 Zoning Code.

2. Minor Temporary Use Permits

A development order for a Minor Temporary Use Permit in accordance with this section is required for any proposed temporary use set forth in Part 4 (Temporary Uses and Structures) of Article 4: Use Standards, that the Development Services Director determines would have only minor impacts on neighboring properties. Proposed temporary uses not set forth in Article 4: Part 4 are not eligible for a Minor Temporary Use Permit, except as provided for in Section 155.2412.B., Applicability.

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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 14th day of January, 2020.

PASSED SECOND READING this 28th day of January, 2020.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

MEB/jrm
9/23/19
L:ord/ch155/2019-323