

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 POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3703., “ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD),” BY EXPANDING PERMITTED USES IN THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board has reviewed and approved the revised Zoning Amendments; and

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

WHEREAS, two public hearings before the City Commission were held pursuant to the published notice described above, at which hearings 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 155.3703, "Atlantic Boulevard Overlay District (AOD)," of Chapter 155, “Zoning Code,” of the Pompano Beach Code of Ordinances is amended as follows:

§ 155.3703. ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)

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C. Modified use standards

1. Permitted Uses

Uses in the Atlantic Boulevard Overlay district shall be subject to the use standards applicable in the underlying base zoning district except as otherwise provided below.

a. Permitted Principal Uses

Irrespective of the use standards applicable in the underlying base zoning district, and except as otherwise provided in subsection 2 below, the following modified use standards shall apply to principal uses in the Atlantic Boulevard Overlay district:

i. A hotel or motel shall be a permitted use in any underlying multifamily residential (RM-) or commercial base district.

ii. A consignment boutique shall only be permitted provided no portion of the use fronts on Atlantic Boulevard.

iii. Any mixed-use development combining commercial and residential uses shall be a permitted use if it complies with the standards in Section 155.3703.C.3, Standards Specific to Commercial/ Residential Mixed-Use Developments.

iv. 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.

v. A medical office 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) Medical offices located in a multistory building fronting Atlantic Boulevard shall not have any space used for treatment on the first floor.

(C) Medical offices located in a single story building fronting Atlantic Boulevard shall not have any space devoted to treatment in the portion of the building abutting Atlantic Boulevard.

vi. 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 public entrances.

vii. A museum shall be a permitted use in any underlying commercial base district.

viii. The “Other Indoor Commercial or Membership Recreation/Entertainment Use” shall be a permitted use in any underlying commercial base district.

b. Permitted Accessory Uses

Irrespective of the use standards applicable in the underlying base zoning district, and except as otherwise provided in subsection 2 below, the following accessory uses shall be allowed by right in the Atlantic Boulevard Overlay district:

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.

iii. Outdoor seating as accessory to an eating or drinking establishment (including sidewalk cafes), in accordance with the standards in Section 155.4303.V, Outdoor Seating (as accessory to an eating and drinking establishment), except that the outdoor seating area need not be located at least 100 feet from any Single-Family Residential (RS-) zoning district.

2. Prohibited Uses

a. Prohibited Principal Uses

Irrespective of subsection 1 above and the use standards applicable in the underlying base zoning district, the following principal uses shall be prohibited in the Atlantic Boulevard Overlay district:

- i. Auction house
- ii. Specialty medical facility
- iii. Urgent care facility - 24 hours
- iv. Specialty hospital
- v. General hospital
- vi. Medical or dental lab
- vii. Day labor service
- viii. Flea market
- ix. Fortune-telling establishment
- x. Sexually oriented business
- xi. Tattoo or body piercing establishment
- xii. Retail sales establishment, large
- xiii. Showroom, wholesale
- xiv. All use types within the Motor Vehicle Sales and Service Uses category, except Parking deck or garage and Parking lot.
- xv. Thrift shops
- xvi. Check cashing or pay day loan store

b. Prohibited Accessory Uses

Irrespective of subsection 1 above and the use standards applicable in the underlying base zoning district, the following accessory uses shall be prohibited in the Atlantic Boulevard Overlay district:

- i. Drive-through service

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SECTION 2. If any provision of this Ordinance or its application 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 _____ day of _____, 2025.

PASSED SECOND READING this _____ day of _____, 2025.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

JES/mcm
4/1/2025
l:ord/ch155/2025-151