

**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 155.2414., "ZONING USE CERTIFICATE," TO PROVIDE ADDITIONAL STANDARDS FOR APPROVAL; 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 155.2414., "Zoning Use Certificate," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

**§ 155.2414. ZONING USE CERTIFICATE**

...

**D. ZONING USE CERTIFICATE REVIEW STANDARDS**

A Zoning Use Certificate shall be approved only on a finding that ~~the proposed new use complies with all applicable standards in this Code.~~ there is competent substantial evidence in the record that the new use, as proposed:

1. complies with all applicable standards of this Code;
2. does not constitute an unsafe structure or a fire hazard as defined in Sections 116.2.1.1 -116.2.1.3 of Chapter 1, Broward County Administrative Provisions for The Florida Building Code, as amended from time to time;
3. does not constitute a hazard or pose immediate danger to the occupants as determined by the Fire Chief in accordance with Section 95.01(C) of this Code, as amended from time to time; and
4. does not constitute a public nuisance as defined within Sections 33.130, 96.26 or 132.38 of this Code.

...

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
2/25/2020  
L:ord/ch155/2020-145