

September 24, 2024

Zoning Letter Number: 24-02000176

Dexter Stewart
21 Concessions
8341 NW 24th Court
Sunrise, FL 33322
Sent via Camino email only: dexter@21concessions.com

Re: 551 S Dixie Highway | Folio Number(s): [494202220410](#)

Dear Dexter Stewart,

The City of Pompano Beach Development Services Department has received your Zoning Letter request dated 09/03/2024 which requests the following information on the above referenced property:

1. What is the future land use designation for the property?

The subject property has a future land use designation of C- Commercial.

2. We'd like to create a food truck lot in this parcel and just want to confirm that based on zoning this is ok.

This property is located in the B-4 (Heavy Business) zoning district, where mobile vendors are permitted on private property in accordance with the standards set forth in § 115.18, "Mobile Vendor, Itinerant Merchant, or Peddler." One of the most important requirements is that off-street parking spaces designated for existing uses by the zoning code cannot be utilized by vendors in a manner that reduces parking availability for the principal use of the building. Additionally, mobile vendors are not allowed to store any equipment or apparatus associated with their business on the property unless it is kept within a completely enclosed, permanent structure.

While mobile vending is allowed in this district, it is important to note that the way the activity is conducted is critical information. Any permanent alteration that affects the function of the site will require site planning or building permit approval. For your immediate reference, the applicable standards are provided in the attachment. To ensure compliance, staff recommends submitting a draft proposal outlining the intended use for more specific feedback.

Please contact Saul Umana, Planner at Saul.Umana@copbfl.com or 954-786-4662 when you are ready to advance this proposal.

Please be advised that a Zoning Verification Letter is not considered an official Zoning approval for a business use or development approval. To obtain approval for a business use, please submit a Zoning Use Certificate (ZUC) to the City's [Business Tax Receipt \(BTR\) Division](#) through our Camino application portal. Instructions are attached. Zoning Use Certificates are typically reviewed by a Planner within 10 business days from the date routed for review by BTR staff. For additional questions, please contact the BTR Division at 954.786.4668 or businesstaxreceipt@copbfl.com. Depending on the scope of work, a site plan or other Zoning approval may also be required. Please contact the [Zoning Department](#) at 954.786.4679 or zoning@copbfl.com. For questions regarding building permits, please contact the Building Division at 954.786.4670. Should you need further assistance on this request, please contact our office 954.786.4679.

Yours truly,

THE CITY OF POMPANO BEACH

Max Wemyss, AICP
Principal Planner

MW/su
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155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

VV. Mobile Vendors on Private Property

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
															A	

CR	I-1	I-1X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
	A	A	A												

2. Definition

A person, corporation, company or business which sells or offers for sale goods, wares, merchandise, beverages or foodstuffs of any kind or nature whatsoever from a mobile vending vehicle or from his person and not from an enclosed structure. This term does not apply to accessory structures that are approved for use to augment the operation of a permanent restaurant on the same lot.

3. Standards

- A mobile vendor on private property shall comply with the standards provided for in § 115.18, Mobile Vendor, Itinerant Merchant, or Peddler.
- A mobile vendor on private property may be permitted in any required yard setback or in front of the principal structure.

§ 115.18 MOBILE VENDOR, ITINERANT MERCHANT, OR PEDDLER.

(A) Definitions.

(1) **MOBILE VENDOR.** A person, corporation, company, or business which sells or offers for sale goods, wares, merchandise, beverages, or foodstuffs of any kind or nature whatsoever from a mobile vending vehicle or from his person and not from an enclosed structure. This term does not apply to accessory structures that are approved for use to augment the operation of a permanent restaurant on the same lot. The term **MOBILE VENDOR**, for the purposes of this section, shall include itinerant merchants and/or peddlers.

(2) **MOBILE VENDING VEHICLE.** Any vehicle, cart, bicycle wagon or similar apparatus used for displaying, storing, or transporting articles for sale by a mobile vendor.

(3) **PUBLIC STREET** or **PUBLIC SIDEWALK.** Any street, right-of-way, or sidewalk owned by, dedicated to or an easement granted to the public.

(B) Intent. It is found and declared that:

- The purpose of the public street and sidewalk is for use by vehicles and pedestrian traffic.
- The prohibition or restriction of street and sidewalk vending is necessary to protect the public health, safety, and welfare of the traveling public.
- The regulations contained in this section do not restrict the pure speech rights of organizations, but merely regulate the activities of organizations which are commercial in nature or which present safety hazards to the general public.

(4) The regulations contained in this section are not applicable to Pier Area vending concessionaires approved to operate pursuant to § 115.19, Pier Area Vending.

(C) Mobile vendor(s) on private property shall be governed by the following requirements and restriction. All required documentation related to health inspection, licensing, and insurance must be made available upon request by Law Enforcement, Code Enforcement or other authorized officials.

- In order to prevent cars from stacking in the city's right-of-way, there must be off-street parking availability (parking required by the zoning code for existing uses may not be used by vendor);
- Mobile vendors using private property to vend shall not be permitted to store equipment or apparatus associated with the vending business unless said equipment or apparatus is stored within a totally and permanently enclosed building.
- Sales shall be limited to individuals located on the private property where the mobile vendor is located.

(4) Any other documents as may be required by other provisions of this chapter or other chapters of the city Code of Ordinances.

(5) Written consent from the property owner or lawfully authorized agent is required.

(6) Mobile vendors that do not set up permanently shall be exempt from the limitations and provisions of § 115.18(C)(1) and (C)(2) provided the mobile vendor stops only to make an immediate sale and remains stationary no longer than necessary to comply with the requirements of this section but in no event shall the mobile vendor remain stationary for more than ten minutes after the last sales transaction.

(D) Mobile vendor(s) on public streets shall be governed by the following requirements and restrictions. All required documentation related to health inspection, licensing and insurance must be made available upon request by Law Enforcement, Code Enforcement or other authorized officials.

(1) Proof of an insurance policy issued by an insurance company properly authorized and approved to do business in the state protecting the mobile vendor and the city from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the subsection; such insurance shall be at least the amount of \$300,000 for each occurrence and \$100,000 per person; and

(2) Mobile vending vehicles shall not be permitted to be stationary and shall stop only to make an immediate sale. A mobile vending vehicle shall be deemed stationary in the event the mobile vendor allows the mobile vending vehicle to remain in any location for more than necessary to comply with the requirements of this section but in no event to remain stationary longer than ten minutes after the last sales transaction.

(3) Mobile vendors may make sales from vehicles on the right-of-way only to occupants of abutting property but not in roadway areas paved or otherwise designated for vehicular traffic, and shall comply with all other provisions of this section.

(4) This section shall not affect any constitutionally protected First Amendment rights and in no way will prohibit the vending of books, magazines, newspapers, pamphlets, maps, printed matter, and other constitutionally protected material.

(5) No mobile vendor shall be located within 50 feet of any bus stop. The distance restrictions shall be measured from the nearest point of any structure(s) associated with the bus stop or from an area designated as a bus stop, whichever is greater.

(6) No mobile vendor shall be located on a public sidewalk or interfere with the free passage of pedestrian traffic on a public sidewalk.

(7) No mobile vendor shall interfere or restrict the ingress or egress of the abutting property owner or tenant or obstruct access to fire, police, emergency, or sanitation vehicles or personnel.

(8) Mobile vendors may operate during daylight hours or otherwise at dusk or night in areas directly illuminated by street lighting for safety of motorists, pedestrians and vendors.

(9) No mobile vendor shall stop, stand, or park a vending vehicle in order to make a sale within 25 feet of any intersection including, but not limited to, private drives, accessways, or intersecting rights-of-way.

(10) No mobile vendor shall stop, stand, or park a vending vehicle at a metered parking space for the purpose of selling or sell on any street under any circumstances during the hours where parking, stopping, or standing has been prohibited by signs or curb markings or is prohibited by state statute or ordinance when such metered parking spaces, signs, or curb markings have been located on public streets, public property, or private property.

(11) When requested by law enforcement, code enforcement or other authorized personnel, mobile vendors shall provide any other documentation as may be required by other provisions of this section or other applicable provisions of the Code of Ordinances.

(E) In addition to the restrictions and requirements contained in subsections (C) and (D) of this section, no mobile vendor located on public or private property shall:

(1) Vend within 500 feet of any kindergarten, nursery, elementary, middle, or high school;

(2) Vend within 500 feet of any public park, public parking facility, or other public institution;

(3) Allow any items related to the operation of the vending business to be placed anywhere other than in or on the vending vehicle;

(4) Sell food stuff or beverages for immediate consumption without providing a litter receptacle available for patron's use;

(5) Leave any location without first picking up, removing and properly disposing of all trash, materials, or refuse remaining from any sales, transactions, or the conduct of the operation;

(6) Allow any fluids to be discharged from the vending vehicle;

(7) Set up, erect, maintain, or permit the use of any chair(s), table(s), crate(s), carton(s), rack(s), or other device(s) to increase the selling or display capacity of the vending vehicle or to be used in any other way by the vendor or the vendor's patrons;

(8) Set up, erect, maintain, or permit any signs or advertising devices except the posting of prices or to identify the name of the product or the name and address of the vendor provided the sign(s) is/are attached to the mobile vending vehicle;

(9) Maintain a clear distance of at least five feet from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required where necessary to ensure use of the public or emergency access feature. Mobile vending shall comply with all applicable fire, life safety, and ADA Requirements and cannot create a hazardous condition.

(10) The provisions of this section shall not apply to those vendors which obtain a business tax receipt under the provisions of § [113.40](#), temporary holiday sales vendors; and

(11) In addition to the provisions contained in this section, all mobile vendors must adhere to all traffic laws or other applicable laws.

(F) Violations. Any person in violation of this section shall first receive a warning to immediately cease the conduct which is in violation from law enforcement, code enforcement or other authorized personnel. Persons who fail to comply with the lawful request to cease the unlawful conduct or who repeat the same violation at the same or at any other location in the city, may then be charged with violation of that specific unlawful conduct pursuant to § [10.99](#) of this Code.



City of Pompano Beach
Department of Development Services
Planning & Zoning Division

100 W. Atlantic Blvd Pompano Beach, FL 33060

Phone: 954.786.4679 Fax: 954.786.4666

Zoning Letter Request

Zoning Letter Fee: The first two questions are free of charge and \$70.00 per additional question (single- family exempt).

B4	09/03/2024
Agent Name	Date
Dexter Stewart	954-940-8578
Company Name	Phone Number
21 Concessions	dexter@21concessions.com
*Mailing Address (Street Address)	Email Address
8341 NW 24th Court	
*Mailing Address (City/ State/ Zip)	
*The address provided, is the location where the letter be addressed.	

To Whom it May Concern:

Please accept this as a request for property information on the below- mentioned property.

551 S Dixie Hwy, Pompano Beach

Property of Address being researched	Folio Number	
Subdivision (If Acreage, attach legal description)	Block	Lot(s)

Please provide us with a zoning letter which answers the following questions: (Check all that apply)

☐ What is the current zoning designation for the property?

☐ What are the permitted uses?

☒ What is the future land use designation for the property?

☐ Confirm that there are no outstanding zoning code violations issued to the property.

☐ Confirm if the Zoning Division has an approved site plan on file.

☐ Confirm the general parking requirements for a particular use (select one):

☐ Is the property located in any special, restrictive or overlay district?

☐ Other: The property is currently zoned B4 which I am told can have mobile food vendors, we'd like to create a food truck lot in this parcel and just want to confirm that based on zoning this is ok. Thank you!

☐ Other: _____

☐ Other: _____

☐ Other: _____