

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS.", BY AMENDING SECTION 100.09, "PLAT APPROVAL;" AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2101, "SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES," SECTION 155.2303., "APPLICATION SUBMITTAL AND ACCEPTANCE," SECTION 155.2304, "APPLICATION SUBJECT TO STAFF RECOMMENDATION," SECTION 155.2305, "PUBLIC HEARING SCHEDULING AND NOTICE," AND SECTION 155.2410, "PLAT," TO MODIFY PROCEDURES FOR APPROVAL OF PLATS CONSISTENT WITH NEWLY ENACTED STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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(3)(a), Florida Statutes; 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 100.09., "Plat Approval," of Chapter 100, "Streets and Sidewalks," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 100.09 PLAT APPROVAL.

(A) Before any plat shall be admitted to the City Commission for record in the city, the plat shall be first presented to the City Engineer or other designated official, and shall show the street profile, grade, and necessary storm drainage system on the plat to the satisfaction of the City Engineer or other official.

(B) The City Engineer shall record his approval on any plat submitted, as provided by division (A) above, after he has determined that the requirements for street profiles, grade, and necessary storm drainage have been met and that the legal description on the plat does not exceed the area actually platted thereon. The plat then shall be presented in the prescribed manner to the city ~~Planning Board~~ Development Services Director for further action as provided by state law and the City Code ~~Charter and ordinances of the city~~.

SECTION 2. That Section 155.2101., "Summary of Development Review Responsibilities," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 155.2101. SUMMARY TABLE

Table 155.2101, Summary of Development Review Responsibilities, identifies the city boards and staff responsible for making recommendations or decisions on applications for development permits reviewed under this Code, as well as the roles each plays in the city's review of the various development applications, whether it be review and comment (C), review and make a recommendation (R), review and make the final decision (D), or hear and decide an appeal of a decision (A). The table also identifies those applications that require a public hearing, and the type of public hearing (standard or quasi-judicial) involved.

§ TABLE 155.2101: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES

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TABLE 155.2101: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES C = COMMENT R = RECOMMENDATION D= DECISION A = APPEAL < > = STANDARD PUBLIC HEARING [] = QUASI-JUDICIAL PUBLIC HEARING							
APPLICATION REVIEW PROCEDURE	REVIEW AND DECISION-MAKING AUTHORITIES						
	DEVELOPMENT REVIEW COMMITTEE	DEVELOPMENT SERVICES DIRECTOR	HISTORIC PRESERVATION COMMITTEE	ARCHITECTURAL APPEARANCE COMMITTEE	PLANNING AND ZONING BOARD	ZONING BOARD OF APPEALS	CITY COMMISSION
AMENDMENTS AND PLANNED DEVELOPMENTS							
Planned Development (Sec. 155.2405)	C	R			[R]		[D]
PERMITS AND DEVELOPMENT APPROVALS							
Special Exception (Sec. 155.2406)		R				[D]	
Major Site Plan (Sec. 155.2407)	C	R			[D]		[A]
Minor Site Plan (Sec. 155.2407)	C	D					
Building Design (Sec. 155.2408)	C	R		[D]			[A]
Major Certificate of Appropriateness (Sec. 155.2409)		R	[D]				[A]
Minor Certificate of Appropriateness (Sec. 155.2409)		D	[A]				
Plat (Sec. 155.2410)	C	R <u>D</u>			[R]		[D]
Tree Permit (Sec. 155.2411)		D					
...							

SECTION 3. That Section 155.2303., "Application Submittal and Acceptance," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§155.2303. APPLICATION SUBMITTAL AND ACCEPTANCE

A. Authority to Submit Applications

1. Unless expressly stated otherwise in this Code, applications for a development permit reviewed under this Code shall be submitted by:

a. The owner, contract purchaser, or any other person having a recognized property interest in the land on which development is proposed; or

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F. Determination of Application Completeness

1. Completeness Review

On receiving an application for a development permit reviewed under this Code, the Development Services Director shall within ~~30~~ 7 calendar days, determine whether the application is complete or incomplete. A complete application is one that:

a. Contains all information and materials established by the Development Services Director as required for submittal of the particular type of application;

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SECTION 4. That Section 155.2304., "Application Subject to Staff Recommendation," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 155.2304. STAFF REVIEW AND ACTION

A. Referral of Application to DRC or Staff and Review Agencies

If a complete application is subject to review and comment by the DRC (See Table 155.2101, Summary of Development Review Responsibilities), the

application shall be referred to the DRC for review and comments. In all other cases, the application shall be referred to those city staff members and review agencies the Development Services Director deems appropriate for review and comment on the application (which may include the DRC).

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TABLE 155.2304.D: APPLICATIONS SUBJECT TO STAFF DECISION

TABLE 155.2304.D: APPLICATIONS SUBJECT TO STAFF DECISION
Minor Site Plan
Minor Certificate of Appropriateness
Tree Permit
Minor Temporary Use Permit
Nonconforming Certificate
Community Residence and Recovery Community Certificate
Zoning Compliance Permit
Zoning Use Certificate
Minor Administrative Adjustment
Interpretation
Takings or Vested Rights Determination
<u>Plat</u>

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SECTION 5. That Section 155.2305., "Public Hearing Scheduling and Notice," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 155.2305. PUBLIC HEARING SCHEDULING AND NOTICE

A. Required Public Hearings

Table 155.2305.A, Required Public Hearings, identifies the review bodies responsible for conducting public hearings on the different types of applications for a development permit reviewed under this Code, the types of applications that require a public hearing(s), and the type of required public hearing (standard or quasi-judicial).

TABLE 155.2305.A: REQUIRED PUBLIC HEARINGS

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TABLE 155.2305.A: REQUIRED PUBLIC HEARINGS S = STANDARD PUBLIC HEARING Q = QUASI-JUDICIAL PUBLIC HEARING					
APPLICATION TYPE ¹	BODY CONDUCTING PUBLIC HEARING				
	HISTORIC PRESERVATION COMMITTEE	ARCHITECTURAL APPEARANCE COMMITTEE	PLANNING AND ZONING BOARD	ZONING BOARD OF APPEALS	CITY COMMISSION
...					
Major Certificate of Appropriateness	Q				
Plat			Q		Q
Major Temporary Use Permit				Q	
Interim Use Permit				Q	
Variance				Q	
...					

SECTION 6. That Section 155.2410., "Plat," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is amended to read as follows:

§ 155.2410. PLAT

A. Purpose

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's requirement that local governments require compliance with the county's platting requirements and to ensure subdivisions of land within the city:

1. Provide for the orderly growth and development of the city;
2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;

3. Provide rights-of-way for streets and utility easements;
4. Avoid congestion and overcrowding of streets;
5. Ensure there is adequate access to development;
6. Ensure there are adequate utility facilities to serve development;
7. Ensure there is adequate open space and recreation facilities to serve development; and
8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

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C. Plat Procedure

1. Step 1: Pre-Application Meeting
Applicable (See Section 155.2301.).
- ~~2. Step 2: Neighborhood Meeting
Optional (See Section 155.2302.).~~
- 3.2. Step 32: Application Submittal and Acceptance
Applicable (See Section 155.2303.).
- 4.3. Step 43: Staff Review and ~~Action~~ Final Decision
Applicable to a recommendation by the Development Services Director following DRG review and comment (See Section 155.2304.).
- ~~5. Step 5: Public Hearing Scheduling and Notice
Applicable (See Section 155.2305.).~~
- ~~6. Step 6: Advisory Body Review and Recommendation
Applicable to a recommendation by the P&Z (See Section 155.2306.), following a quasi-judicial public hearing on the application conducted in accordance with Section 155.2307.B, Public Hearing.~~
- ~~7. Step 5: Decision-Making Body
Applicable to a final decision by the City Commission (See Section 155.2307.).~~

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G. ~~Deviations to/from Approved Plat~~

~~An approved Plat may be revised to include—and subsequent applications for a Zoning Compliance Permit for development authorized by a development order for a Plat may include—amendments from the approved Plat, conditions of approval, and plat notes.~~

1. ~~Minor Deviation~~

~~For all plat amendment applications and Findings of Adequacy (FOA) renewals authorized for administrative approval, the Development Services Director shall have the authority to issue final approval of said applications; however the Director has the discretion and authority to require City Commission review and approval for any plat amendment for which administrative approval is authorized. The following plat amendment applications, which may or may not be in conjunction with an FOA renewal application, may be authorized for administrative approval by the Development Services Director:~~

~~a. Plat note amendments with a decrease or no increase in the approved level of development.~~

~~b. Plat note amendments for developments under 100 units and/or 100,000 square feet of non-residential gross floor area that increase the approved level of approved development by no more than 20%.~~

~~c. Plat note amendments, which re-allocate nonresidential mixed uses that result in an increase in total gross floor area of up to 10% for developments of 100,000 or greater, or an increase in total gross floor area of up to 20% for developments under 100,000 gross floor area.~~

~~d. Plat note amendments which re-allocate residential and non-residential mixed uses (such as residential/commercial/office), which result in less than a 20% increase in residential units for an approved development of up to 100 units and/or total non-residential gross floor area for an approved development under 100,000 square feet; increases beyond the aforementioned thresholds shall correlate with a reduction in other approved uses to offset the impacts of the proposed amendment, as determined by the Development Services Director.~~

~~e. Amendments to the approved Non Vehicular Access Line subject to the inclusion in the application of a valid approval letter from the Florida Department of Transportation for plats located on a State Road, and subject to subsequent approval by Broward County.~~

~~f. Amendments to previously approved conditions of approval required by Broward County in conjunction with an amendment to the Non-Vehicular Access Line or a plat note amendment application.~~

~~2. Major Deviation~~

~~All other amendments Broward County determines would not require a new plat in accordance by the Broward County Administrative Rules shall be approved by Resolution.~~

H. Amendment

~~Any modifications of an approved Plat other than the deviations authorized in Section 155.2410.G, Minor Deviations to/from Approved Plat, shall require amendment of the Plat approval in accordance with Section 155.2308.G, Modification or Amendment of Development Order. Once a plat has been approved, applicants may request changes to the recorded plat or modifications of its conditions, including changes occasioned by a plat note and non-vehicular access lines. The Development Services Director shall have final authority to approve or deny such amendments.~~

SECTION 7. 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 8. 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

MEB/JES/mcm
10/22/25
l:ord/ch/155/2025-259