

ORDINANCE NO. 2016-_____

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

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO PROVIDE A DEFINITION OF AND STANDARDS GOVERNING LOCATION OF ATHLETIC COURTS OR FIELDS; BY AMENDING SECTION 155.5302, "FENCES AND WALLS," TO PROVIDE STANDARDS FOR FENCING PROVIDED AS PART OF A PERMITTED ATHLETIC COURT OR FIELD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Florida Statutes, Section 166.041(3)(c)2, advertisements in accordance with said statute have been published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

WHEREAS, two public hearings have been held pursuant to said published hearings and all persons so desiring had the opportunity to be, and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 155.4303., "Standards for Specific Accessory Uses and Structures," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.4303. STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES

...

VV. ATHLETIC COURT OR FIELD

1. Districts Where Permitted

<u>RS-</u> <u>1</u>	<u>RS-</u> <u>2</u>	<u>RS-</u> <u>3</u>	<u>RS-</u> <u>4</u>	<u>RS-</u> <u>L</u>	<u>RD-</u> <u>1</u>	<u>RM-</u> <u>7</u>	<u>RM-</u> <u>12</u>	<u>RM-</u> <u>20</u>	<u>RM-</u> <u>30</u>	<u>RM-</u> <u>45</u>	<u>MH-</u> <u>12</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>
<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

<u>M-1</u>	<u>CR</u>	<u>I-1</u>	<u>I-IX</u>	<u>OIP</u>	<u>M-2</u>	<u>TO</u>	<u>PR</u>	<u>CF</u>	<u>PU</u>	<u>T</u>	<u>BP</u>	<u>RPU</u> <u>D</u>	<u>PCD</u>	<u>PD-</u> <u>TO</u>	<u>LA</u> <u>C</u>	<u>PD-I</u>
	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>	<u>A</u>				<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

2. Definition

Athletic Court or Field as an accessory use is an area designed for tennis, handball, basketball, racquetball, or similar athletic activities on a property whose principal use is not Park or Plaza. This use does not include a basketball hoop.

3. Standards

An Athletic Court or Field may be located in a required interior side yard setback or required rear yard setback provided they are located at least five feet from any interior side or rear lot line.

SECTION 2. That Section 155.5302., "Fences and Walls," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§155.5302. FENCES AND WALLS

...

D. HEIGHT REQUIREMENTS FOR FENCES AND WALLS

1. **Applicability**

a. **General**

...

b. **Exemptions**

i. **Required Screening**

...

ii. ~~**Recreational Fencing**~~

~~Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this subsection.~~

...

6. Fences for Athletic Court or Field

Fences provided as part of a permitted Athletic Court or Field may be allowed to increase maximum fence height to fourteen (14) feet provided they comply with the following standards:

a. The fence is not located within a required front and/or street side yard;

b. The fence is located at least five feet from the interior side and rear property lines;

c. The fence is at least 75 percent see-through;

d. The fence is located outside of the Rear Yard Corner Triangle as described in §155.5302.D.5.a, Fences and Walls Adjacent to Waterways; and

e. Chain link fences visible from adjacent right-of-way shall be vinyl coated.

...

SECTION 3. 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 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2016.

PASSED SECOND READING this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
4/7/16
L:ord/ch155/2016-181