

ORDINANCE NO. 2018-_____

**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 CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, BY AMENDING SECTION 155.4219., "COMMERCIAL: MOTOR VEHICLE SALES AND SERVICES USES," TO PROVIDE DEFINITION, STANDARDS AND PERMITTED LOCATIONS FOR LIMITED AUTO DEALERSHIP - FLEET AUTOMOBILE SALES; BY AMENDING PART 5, "TERMS AND USES DEFINED," BY PROVIDING A DEFINITION FOR FLEET AUTOMOBILES, AND LIMITED AUTO DEALERSHIP – FLEET AUTOMOBILE SALES; BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO CONFORM TO AMENDMENTS MADE BY THIS ORDINANCE; 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 155.4219., "Commercial: Motor Vehicle Sales and Service Uses," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.4219. COMMERCIAL: MOTOR VEHICLE SALES AND SERVICE USES

...

V. LIMITED AUTO DEALERSHIP - FLEET AUTOMOBILE SALES

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
														S	S

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

2. Definition

A Limited Auto Dealership - Fleet Automobile Sales use consists of premises on which fleet automobiles owned by a corporate entity for short-term rental purposes, are offered for sale.

3. Standards

A Limited Auto Dealership - Fleet Automobile Sales use shall comply with the following standards:

- a. The minimum parcel size for such use shall be 0.75 acres;
- b. Fleet automobiles offered for sale shall not be more than two (2) model years old;
- c. Fleet automobiles offered for sale shall have less than thirty five thousand (35,000) miles on the odometer;
- d. Fleet automobiles offered for sale shall be in good working condition such that they and shall not be in any need of mechanical or auto body repair;
- e. A 1,750 square foot minimum interior showroom area shall be provided for the display of fleet vehicles in addition to any outside display;
- f. A Limited Auto Dealership, Fleet Automobile Sales use shall be located within one-half (1/2) mile of a New Automobile and Light Truck Sale use;

- g. The use shall not be permitted within the Community Redevelopment Agency (CRA) boundaries as established by Ordinance No. 90-9 and Resolution No. 2002-11. This prohibition shall survive the life of said CRA and shall be applicable currently, and in the future, to all areas that are located within said boundaries;
- h. The use shall not be permitted within the Atlantic Boulevard Overlay (AOD) District boundaries as established by Ordinance No. 99-27 and amended;
- i. The use shall not be permitted within the proposed East Transit Oriented Corridor (ETOC) land use designation boundaries, as approved at first reading during the June 28, 2016 City Commission meeting;
- j. Accessory Car Washing, Auto Detailing, Automotive Repair, or Automotive Maintenance is subject to Special Exception approval. This requirement applies in addition to the Special Exception requirement for the principal use in the B-3 and B-4 districts; and
- k. The use shall not be located within 2 miles of another Limited Auto Dealership - Fleet Automobile Sales use.

SECTION 2. That Article 9, Definitions and Interpretation, of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

ARTICLE 9: DEFINITIONS AND INTERPRETATION

PART 5 TERMS AND USES DEFINED

The following words, terms, and phrases, when used in this Code, shall have the meaning ascribed to them in this section.

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Flea Market

A market held in an area that is not totally and permanently enclosed or that is located within a structure where individual sellers offer goods for sale to the public.

Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. The use does not include a farmers' market, where food items predominate, or a garage sale or yard sale that is conducted on a residentially developed lot by members of a household, or civic groups selling primarily donated items. This use does not include an indoor mall or marketplace where lessees rent partitioned space on a permanent basis for the sale of new merchandise.

Fleet Automobiles

Vehicles which are part of a total statewide fleet exceeding five thousand (5,000) vehicles, that have never been re-sold for consideration to another person or entity, except to a related corporate entity such as a direct or indirect parent, subsidiary, or affiliate.

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Lighting Fixtures, Projecting or Free-Standing

A complete lighting unit consisting of the lamp, lens, optical reflector, housing and an electrical components necessary for ignition and control of the lamp, which may include a ballast, starter and/or photo control.

Limited Auto Dealership - Fleet Automobile Sales

Premises on which fleet automobiles that were purchased by a corporate entity for short-term leasing purposes are offered for sale.

...

SECTION 3. That Appendix A, "Consolidated Use Table," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

...

APPENDIX A: CONSOLIDATED USE TABLE P = PERMITTED PRINCIPAL USE S = USE ALLOWED AS A SPECIAL EXCEPTION A = PERMITTED ACCESSORY USE T = TEMPORARY USE ALLOWED WITH A MAJOR TEMPORARY USE PERMIT t = TEMPORARY USE ALLOWED WITH A MINOR TEMPORARY USE PERMIT = TEMPORARY USE ALLOWED WITHOUT TEMPORARY USE PERMIT I = INTERIM USE ALLOWED WITH AN INTERIM USE PERMIT BLANK CELL = PROHIBITED USE						
USE CATEGORY (PRINCIPAL USES) AND/OR USE TYPE	RESI DEN TIAL DIST RICT S	COMMERCIAL DISTRICTS	INDUSTRIAL DISTRICTS	SPECIAL DISTRICTS	PLANNED DEVELOPME NT DISTRICTS	USE-SPECIFIC STANDARDS

		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	CR	I-1	I-X	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I			
Principal Uses																																					
Commercial Uses																																					
Motor Vehicle Sales and Service Uses	Automotive painting or body shop																P			P	P										P				155.42 19.B		
	Automotive parts sales without installation															P	P			P				P							P	P	P	P	155.42 19.C		
	Automotive parts sales with installation															S	P			P	P										P				155.42 19.D		
	Automotive repair and maintenance facility															S	P			P	P										P				155.42 19.E		
	Automotive wrecker service																P			P	P										P				155.42 19.F		
Motor Vehicle Sales and Service Uses	Battery exchange station															S	P			P	P										P				155.42 19.G		
	Car wash or auto detailing															S	S														P				155.42 19.H		
	Gasoline filling station														P	P	P			P	P	P									P		P		155.42 19.I		
	New Automobile and Light Truck sales															P	P			P	P										P				155.42 19.J		
	Used Automobile and Light Truck sales with indoor display only																P			P	P										P				155.42 19.K		
	Used Automobile and Light Truck sales with outdoor display																S			S	P										S				155.42 19.L		
	Automobile and Light Truck rental															P	P			P	P										P				155.42 19.M		
	Muffler/transmission sales and installation															S	P			P	P										P				155.42 19.N		
	Park deck or garage (as principal use)															P	P			P	P	P		P	P					P	P	P	P		155.42 19.O		
Motor Vehicle Sales and Service Uses	Parking lot (as principal use)															P	P			P	P	P		P	P				P	P	P	P	P	P	155.42 19.P		
	Taxi or limousine service facility																P			P	P										P				155.42 19.Q		

