

Legislation Text

File #: 22-583, **Version:** 2

P.H. 2022-88: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.26, "PUBLIC NUISANCES," TO CLARIFY CERTAIN DEFINITIONS; AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2414., "ZONING USE CERTIFICATE," TO PROVIDE ADDITIONAL STANDARDS FOR APPROVAL, AND BY AMENDING SECTION 155.8402., "CIVIL REMEDIES," TO PROVIDE ADDITIONAL GROUNDS FOR REVOCATION OF ZONING USE CERTIFICATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 13, 2022

(Staff Contact: Jennifer Gomez/David Recor)

Summary Explanation/Background:

Development Services staff and the City Attorney's office have prepared a text amendment that provides the City with additional tools to respond to new business uses that have significant code enforcement violations and/or that were established without prior city approval. The text amendment amends the definition of "blighting influence," and allows the City the ability to deny Zoning Use Certificate applications when a business has been deemed a blighting influence and/or a chronic nuisance. The ordinance also proposes a Cease and Desist procedure that would give the Development Services Director the authority to require a business or commercial operation to cease a use, activity or conduct, if it was established prior to city approval and met one or more specified criteria (i.e. immediate risk to health, safety, welfare). The Cease and Desist notice shall state the specific use, activity or conduct that must be ceased, the specific reason, and the action necessary to lawfully resume such use, activity or conduct.

Origin of request for this action: Development Services/ City Attorney's Office

Fiscal impact and source of funding: N/A