

Legislation Details (With Text)

File #: 18-404 **Version:** 2 **Name:**

Type: Ordinance / Regular Agenda **Status:** Failed

File created: 5/30/2018 **In control:** City Commission

On agenda: 7/24/2018 **Final action:** 7/24/2018

Title: P.H. 2018-86: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,
AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF
ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO PROVIDE RESTRICTIONS
FOR THE SALE OF NEW OR USED MERCHANDISE AND/OR GOODS ON CERTAIN CITY
PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

Sponsors:

Indexes:

Code sections:

Attachments: 1. PZ_ApprovalMemo_18-020, 2. CRA MEMO (PENDING) REQUESTED 6-14, 3.
CityAttorneyCommunication_Memo2018-839, 4. Ordinance, 5. PZ_Report_TextAmendment, 6.
Pg23fromPZB(5 MAY)MINUTES_DRAFT

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|------------------------|--------|
| 7/24/2018 | 2 | City Commission | DENIED | Fail |
| 7/10/2018 | 1 | City Commission | APPROVED FIRST READING | Pass |

P.H. 2018-86: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,
AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF
ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO PROVIDE RESTRICTIONS FOR
THE SALE OF NEW OR USED MERCHANDISE AND/OR GOODS ON CERTAIN CITY PROPERTY;
PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

(Staff Contact: Daniel Keester-O'Mills/ David Recor)

Summary Explanation/Background:

Staff is recommending a text amendment in order to add a use-specific standard that would be applicable to all uses. The new standard applies city-wide to City and CRA owned/leased property, ensuring that these publicly owned spaces are open, safe and accessible to people of all ages. Currently, the codes do not impose any additional restrictions for activities on property owned/leased by the City - whether the use is considered principal, accessory or temporary. The proposed text amendment, would prevent those uses that are regulated by the state from being allowed to operate on City and CRA owned/leased property, if the specified use restricts the activity or access to adults. Although, the sale of alcoholic beverages is limited to adults (over the age of 21), this would not include special events approved by the City that offer to sell or distribute alcoholic beverages lawfully to adults for consumption on premise. At the May 2018, Planning & Zoning Meeting, the

Board unanimously recommended approval of the proposed text amendment.

Origin of request for this action: Mayor Fisher

Fiscal impact and source of funding: N/A