



Pompano Beach

**ECONOMIC
RESPONSE TEAM**

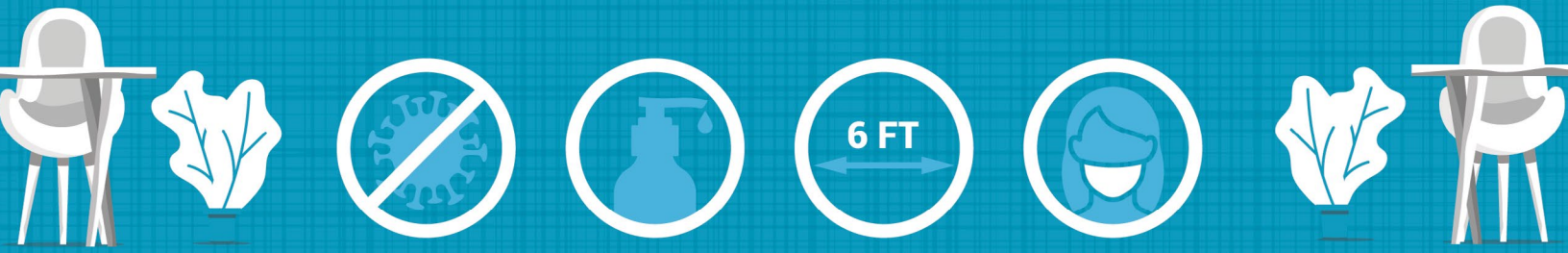
COVID-19

PHASE 1 **RELAUNCH**
DINE & SHOP



The City of Pompano Beach and Community Redevelopment Agency (CRA) are helping businesses get back up and running, provide social distancing, and enjoy some fresh air. The City of Pompano Beach has established this program to ensure businesses have the greatest ability to operate successfully during the COVID-19 economic recovery. This program includes leveraging available private and public space to be used as expanded areas for restaurant and retail activity while maintaining public safety requirements.

Restaurants will be allowed to utilize additional supplemental outdoor customer service areas, provided the dining areas comply with public safety standards. The City is currently suspending all outdoor application requirements for restaurants and retail businesses to expand operating space into portions of privately owned and public rights-of-way. Please note, certain written approvals and building permits are required, as noted in this brochure.



PROGRAM

In concert with the Governor's Executive Order, and Broward County orders, the City of Pompano Beach has enacted Emergency Proclamation # 20-07, which created guidelines to temporarily allow restaurants and retail businesses to expand their business footprint onto public rights-of-way or in privately owned parking lots without meeting certain City Code and application requirements. All capacity restrictions included with the State, County, and Local Orders will apply.

Temporary Outdoor Areas on Private Property:

Restaurants and retail establishments with access to private sidewalks or private parking may utilize these areas for outdoor dining and retail merchandise display areas, in accordance with the public safety standards outlined within this brochure. Written consent from the landlord is required.

Temporary Outdoor Areas on Public Property:

Restaurants and retail establishments with access to public sidewalks or on-street parking may utilize these areas for outdoor dining and retail merchandise display areas, in accordance with the public safety standards outlined within this brochure, including the supplemental standards for business uses in the public right-of-way. Written consent from the landlord is required. Some instances require written approval from the City Manager or CRA Director, see below.

Public Safety Standards

In the interest of public safety, the following requirements will be applicable to all restaurants and retail businesses in the City of Pompano Beach that utilize any City rights-of-way for outdoor seating or display.



Temporary Outdoor Seating and Retail Merchandise Display shall:

- Follow all provisions included in the City of Pompano Beach Emergency Proclamation # 20-07
- Be located on a hard, bonded and dustless surface.
- Any tents over 120 square feet require a Building Permit Application from the City of Pompano Beach.
- Provide five feet clearance for all walkways.
- No business, dining area, or merchandise display area entrance or exit can be blocked.
- Not exceed the currently allowed occupancy for the business.
- Shall be configured and maintained in a way that is in compliance with all Social Distancing guidelines as required by Federal, State, County and CDC requirements. Including but not limited to, six foot separation between patrons, staff to wear masks, and sanitize all seating areas between each use.
- No parking for disabled persons may be repurposed for restaurant or retail use.
- Retail establishments shall monitor the outdoor merchandise display areas so as to limit the number of patrons to not exceed the number of permitted people in one area per the Federal, State, County and CDC requirements.
- Provide temporary buffers (if proposed in parking areas, parking bays or parking lots) by way of potted plants, traffic cones, or otherwise distinguish between the parking area and temporary outdoor seating or merchandise display.
- No goods for sale nor food related items may be stored or remain outdoors overnight. Tables, chairs and any other furniture utilized for outdoor dining shall be gathered and secured each night in a manner to prevent their scattering about during any inclement weather and wind overnight and otherwise when not in use.
- Be directly in front of the tenant space containing the eating or drinking establishment or retail establishment, unless the owner of the property agrees in writing to an extension of the outdoor seating area to areas of adjoining tenants.
- If alcoholic beverages will be served outdoors, the business must have proof that the extended outdoor areas are included with their license from the State of Florida.
- No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in the outdoor area at a volume that is any louder than necessary for the convenient hearing of persons within the outdoor area, and that would disturb the peace, quiet, or comfort of adjoining properties.
- Hours of operation of the outdoor seating area and outdoor merchandise display area shall be the same as those for the eating or drinking establishment or retail store.
- Except in the Atlantic Overlay District, the number of outdoor seats shall not exceed the number of indoor seats.
- Maintain a clear distance of at least five feet from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required where necessary to ensure use of the public or emergency access feature.
- Dining or display areas cannot block access for Police and Fire Rescue vehicles.
- Must be kept clean and all garbage and debris associated with the outdoor use area must be contained to the area and removed for disposal.
- Any use of City and/or CRA rights-of-way, private parking areas, public parking areas or public open space for restaurant and retail use pursuant to this program shall comply with all applicable fire, life safety, and ADA requirements. Outdoor activity cannot create a hazardous condition.
- Hand washing or hand sanitizing stations shall be easily accessible.



Outdoor Kitchens:

- Outdoor kitchens are permitted only with written consent of the CRA Director or City Manager. Please call 954.786.4048 to receive approval.
- Restaurants that own or lease a building for operation of the restaurant can augment the operation of the restaurant by use of a temporary movable kitchen.
- Proof of ownership or leasehold interest in a building that houses or will house the restaurant is required in order to take advantage of this permission to utilize a temporary movable kitchen.
- To the extent possible, the outdoor kitchen structure shall be located adjacent to the building that houses the restaurant. If adjacency is not possible, the outdoor kitchen structure shall be located in as close proximity as possible to the building that houses the restaurant.
- All outdoor kitchens shall comply with all Department of Health regulations regarding mobile kitchens, as well as all other requirements of the Plan.

Supplemental standards for outdoor dining or retail merchandise display in the public right-of-way or open spaces:

- Outdoor uses are only permitted on property or rights-of-way owned by City of Pompano Beach or CRA. State and County roads are excluded from this program.
- No vehicular travel lane in the right-of-way may be obstructed unless authorized as part of an approved Road Closure and/or Special Event application.
- The City reserves the right to restrict or prohibit the use of City or CRA rights-of-way, use of private parking areas, use of public parking areas and use of public open space for restaurant and retail use otherwise permitted by this Proclamation if the City or CRA determines that such use endangers the public health, safety, or welfare, at the City's or CRA's sole and absolute discretion.
- Lounge seating or portable bars are prohibited in the City and CRA rights-of-way.
- The below listed activities require City Manager review and approval prior to commencing business activity in publicly owned spaces. Please call 954-786-4048 for more information.
 - Use of parking areas that contain parking meters.
 - Utilization of a public open space or public parking lot within the City and CRA.
 - Outdoor kitchens.

TIMEFRAMES:

These temporary provisions are valid only during the Declared Emergency Proclamation #20-07 by the City of Pompano Beach. The City will follow the occupancy allowances for restaurants as set by any Governor Executive Orders and any Broward County Orders.



Please call or email the City of Pompano Beach Economic Response Team
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