

ORDINANCE NO. 2020- 62

**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 POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.4223., "COMMERCIAL SELF-SERVICE STORAGE UNITS," TO MODIFY THE PROCEDURES AND APPROVALS REQUIRED TO LOCATE SELF-STORAGE UNITS; AND TO MODIFY REQUIREMENTS FOR SELF-STORAGE UNITS LOCATED IN B-4 AND I-1 ZONING DISTRICTS; BY AMENDING APPENDIX A: CONSOLIDATED USE TABLE, TO CONFORM TO CHANGES IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission determines that it is in the best interest of its residents, businesses and visitors to enact sufficient regulations to protect the public health, safety and welfare to ensure that the city residents are best served by an appropriate distribution of businesses throughout the city; and

WHEREAS, the city engaged a consultant to analyze the supply and demand of self-storage facilities within the city to provide a report; and

WHEREAS, the consultant's report advised that there was an overabundance of self-storage facilities within the city based upon the city's current and projected population (per capita) as compared to other southeast Florida municipalities; and

WHEREAS, the City, in response to the consultant's initial report, studied the Zoning Code and analyzed the findings of the report to seek solutions to mitigate the inundation of self-storage facilities; and

WHEREAS, the temporary moratorium adopted by the City Commission (Ordinance 2019-108) on the processing of applications for, and the issuance of building permits, development permits, site plan approvals or any other official action of the City of Pompano Beach permitting or having the

effect of allowing the construction of self-storage facilities within the city’s control for a period of six months is set to expire on March 24, 2020; and

WHEREAS, the City Commission declare these text amendments “Zoning in Progress,” in accordance with Section 155.2309 of the city’s Zoning Code; and

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 155.4223., "Commercial: Self-Service Storage Uses," of Chapter 155, "Zoning Code," of the Code of Ordinances of the City of Pompano Beach is hereby amended to read as follows:

§ 155.4223. COMMERCIAL: SELF-SERVICE STORAGE USES

A. SELF-STORAGE OR MINI-WAREHOUSE FACILITY

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
															P <u>S</u>

M -1	C R	I-1	I- I X	OIP	M-2	T O	PR	CF	PU	T	BP	RPUD	PC D	PD- TO	LA C	PD-1
		P <u>S</u>	P	P <u>S</u>									P			

...

3. Standards

A self-storage or mini-warehouse facility shall comply with the following standards:

a. Site Layout

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b. Operation

- i. The only commercial uses permitted on-site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage and the incidental sales or rental of moving supplies (e.g., boxes) and equipment (e.g., dollies). Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.

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- iii. Hours of public access to a self-storage use abutting a residential zoning district or existing residential use shall be restricted to the hours between 6:00 a.m. and 10:00 a-p.m.

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e. Building Appearance

In addition to the General Commercial, Institutional, and Mixed-Use Design Standards of Section 155.5602, the following design standards are applicable for self-storage uses in B-4 and I-1 Zoning districts.

- i. Garage doors or overhead doors serving individual storage units, or similar architectural treatment shall be perpendicular to a public or private street so as to not be visible from adjacent streets. When overhead doors are within a building, they must be setback a minimum of 15 feet from any window facing a public right-of-way (this shall not include opaque glass or false windows, where the interior space is not visible from the right-of-way).
- ii. The exterior facades of all structures shall receive uniform architectural treatment, including masonry, stucco, and painting of surfaces. Colors used shall be compatible with the character of the surrounding area, abutting residential neighborhoods. Perimeter or

~~exterior walls visible from a public street or detached residential dwelling shall not include metal as a primary material.~~

- iii. Regardless of the number of stories, buildings greater than 24 feet in height shall include a clearly recognizable base, middle and top configured in accordance with the standards of Section 155.5602.C.4.
- iv. Each story above the ground level must provide at least 30 percent of the street-facing facade area as glass treatment (measured from the story line denoting the lower floor to the underside of the eave, top of the parapet, or the story line denoting the upper floor).
- v. When a self-storage facility is proposed along an arterial or collector roadway, the building must be designed to accommodate a commercial liner. The liner building may be in the same building or separate from the self-storage facility; however, when it is integrated into the same building at minimum the ground floor must be designed to allow for active commercial use(s) fronting the street, independent from the self-storage facility.

SECTION 2. 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

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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 26th day of May, 2020.

PASSED SECOND READING this 23rd day of June, 2020.

DocuSigned by:
Rex Hardin
502CB780EB3E480

REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Asceleta Hammond
775D4290316A490

ASCELETA HAMMOND, CITY CLERK



MEB/jrm
5/12/2020
[3/10/2020]
L:ord/ch155/2020-156