

1 A bill to be entitled
 2 An act relating to Broward County; creating the Pompano
 3 Beach Entertainment and Economic Zone; providing a short
 4 title; providing intent; providing definitions; providing
 5 applicability; providing geographic boundaries; providing
 6 regulations for off-street parking; providing regulations
 7 relating to building height; providing regulations
 8 relating to alcoholic beverages; providing sound level
 9 standards; providing requirements for signage, the
 10 application of business tax receipts, and review and
 11 approval of special events and temporary use permits and
 12 of developments; providing for liberal construction;
 13 providing severability; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Short title.--This act may be cited as the
 18 "Pompano Beach Entertainment and Economic Zone Act."

19 Section 2. Intent.--The Pompano Beach Entertainment and
 20 Economic Zone is hereby created in order to stimulate economic
 21 growth and encourage revitalization and redevelopment, which
 22 will attract businesses that complement and build on the zone's
 23 unique entertainment and recreational identity.

24 Section 3. Definitions.--The following words or phrases,
 25 as used in this act, shall have the following meanings:

- 26 (1) "City" means the City of Pompano Beach.
 27 (2) "Commercial establishments" means those establishments
 28 that conduct activities within land areas which are

29 predominantly connected with the sale, rental, and distribution
 30 of products; the performance of services; or that provide
 31 entertainment.

32 (3) "dBA" is the abbreviation designating the unit of
 33 sound level as measured by a sound level meter using the A-
 34 weighting.

35 (4) "dBC" is the abbreviation designating the unit of
 36 sound level as measured by a sound level meter using the C-
 37 weighting.

38 (5) "Off-premises signage" means a sign, relating in
 39 subject matter to the business activity, commodity,
 40 accommodation, service, or activities, which is not located on
 41 the premises on which the sign is located.

42 (6) "Pari-mutuel facility" means those facilities
 43 regulated pursuant to chapters 550 and 551, Florida Statutes.

44 (7) "Retail establishments" means those establishments
 45 where goods are displayed and offered for purchase directly by
 46 the intended consumer or user of said goods.

47 Section 4. Applicability.--All governmental planning,
 48 environmental, and land development laws, regulations, and
 49 ordinances of the city shall apply to all development of land
 50 within the Pompano Beach Entertainment and Economic Zone, except
 51 as provided in this act.

52 Section 5. Boundaries.--The boundaries of the Pompano
 53 Beach Entertainment and Economic Zone shall include a portion of
 54 Sections 32 and 33, Township 48 South, Range 42 East, together
 55 with a portion of Sections 3 and 4, Township 49 South, Range 42
 56 East, said portions lying within the City of Pompano Beach,

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57 Broward County, Florida, said portions being more particularly
58 described as follows:

59 BEGIN at the intersection of the north line of said
60 Section 33 and the easterly right-of-way line of the
61 Florida Turnpike; thence easterly along said North
62 line also being the centerline of Martin Luther King
63 Boulevard, to an intersection with the centerline of
64 NW 27th Avenue; thence southerly along said centerline
65 to an intersection with the centerline of NW 13th
66 Street; thence westerly along said centerline and a
67 prolongation thereof to the northwest corner of Tract
68 A of SCHOOL SITE 3220, recorded in Plat Book 149, Page
69 50, Broward County Records; thence south along the
70 west line of said Tract A to the southwest corner
71 thereof, also being an corner on the north line of
72 Parcel A of ROGER BROWN'S MINIATURE HORSE FARM,
73 recorded in Plat Book 97, Page 49, Broward County
74 Records; thence south 50 feet to an angle point in
75 said north line; thence west along said north line to
76 the west line of said Parcel A, also being the east
77 line of Atlantic Boulevard Extension; thence southerly
78 along said west line to the southwest corner thereof;
79 thence east along the southerly line of said Parcel A,
80 also being the north line of Tract A of FLOWERS
81 DISTRIBUTION CENTER, as recorded in Plat Book 139,
82 Page 42, Broward County Records, to an intersection
83 with the west line of the east 25 feet of said Tract
84 A; thence south along said west line and along the

85 east line of Parcel A of NAJADA SENIOR HOUSING PLAT,
86 recorded in Plat Book 174, Page 192, Broward County
87 Records, and a southerly prolongation thereof to an
88 intersection with the centerline of NW 8th Street;
89 thence west along said centerline to an intersection
90 with a northerly prolongation of the west line of Lot
91 70 of COLLIER CITY ADDITION NO. 3, as recorded in Plat
92 Book 74, Page 50, Broward County, Records; thence
93 south along said prolongation and said west line, and
94 along the west line of the east 60 feet of West-half
95 (1/2) of the South two-fifths (2/5) of the Southeast
96 one-quarter (SE1/4) of the Southwest one-quarter
97 (SW1/4) of the Northwest one-quarter (NW1/4), in the
98 aforesaid Section 33, Township 48 South, Range 42
99 East, to an intersection with the centerline of NW 7th
100 Street; thence west along said centerline to an
101 intersection with a northerly prolongation of the east
102 line of Parcel A of S.H. PLAT, as recorded in Plat
103 Book 131, Page 6, Broward County Records; thence south
104 along said prolongation and said east line and a
105 southerly prolongation thereof to an intersection with
106 the centerline of NW 6th Court; thence east along said
107 centerline to an intersection with a northerly
108 prolongation of the east line of Parcel A of HORN PLAT
109 NO. 2, as recorded in Plat Book 129, Page 47, Broward
110 County Records; thence south along said prolongation
111 and said east line and a southerly prolongation
112 thereof to an intersection with the centerline of NW

113 6th Street; thence west along said centerline to an
 114 intersection with a northerly prolongation of the
 115 easterly line of Parcel B of said HORN PLAT NO. 2;
 116 thence south along said prolongation and said easterly
 117 line 127.69 feet to an angle point in said easterly
 118 line; thence east 100 feet along said easterly line to
 119 an angle point; thence south along said easterly line
 120 and a prolongation thereof to an intersection with the
 121 centerline of NW 5th Street; thence east along said
 122 centerline to an intersection with the west line of
 123 the east 335 feet of the South one-half (S1/2) of the
 124 North two-fifths (N2/5) of the Southeast one-quarter
 125 (SE1/4) of the Northwest one-quarter (NW1/4) of the
 126 Southwest one-quarter (SW1/4) of said Section 33;
 127 thence south along said west line to an intersection
 128 with the centerline of NW 4th Court; thence west along
 129 said centerline to an intersection with west line of
 130 the east 535 feet of the South two-fifths (2/5) of the
 131 Southeast one-quarter (SE1/4) of the Northwest one-
 132 quarter (NW1/4) of the Southwest one-quarter (SW1/4);
 133 thence south along said west line to an intersection
 134 with the centerline of NW 4th Street; thence east
 135 along said centerline to an intersection with the
 136 northerly prolongation of the easterly line of Parcel
 137 C of the aforesaid HORN PLAT NO. 2; thence south along
 138 said prolongation and said easterly line 127.71 feet
 139 to an angle point in said easterly line; thence west
 140 50 feet along said easterly line to an angle point;

141 thence south along said easterly line and a
142 prolongation thereof to an intersection with the
143 centerline of NW 3rd Street; thence continue south
144 along said prolongation and along the east line of
145 Parcel A of G.C. 201 PLAT, as recorded in Plat Book
146 127, Page 38, Broward County Records, and along a
147 prolongation thereof to the centerline of NW 2nd
148 Street; thence west along said centerline to an
149 intersection with the west line of the east 535 feet
150 of the South one-fifth (S1/5) of the Northeast one-
151 quarter (NE1/4) of the Southwest one-quarter (SW1/4)
152 of the Southwest one-quarter (SW1/4) of said Section
153 33; thence south along said west line to an
154 intersection with the south line of said south one-
155 fifth (S1/5); thence east along said south line to an
156 intersection with the centerline of NW 30th Avenue;
157 thence south along said centerline to an intersection
158 with the westerly prolongation of the north line of
159 Parcel A of ENGSTROM PLAT, as recorded in Plat Book
160 152, Page 45, Broward County Records; thence easterly
161 along said prolongation and said north line to the
162 northeast corner thereof; thence north along the west
163 line of the East one-half (E1/2) of the South one-
164 third (S1/3) of the North three-fifths (N3/5) of the
165 Southwest one-quarter (SW1/4) of the Southeast one-
166 quarter (SE1/4) of the Southwest one-quarter (SW1/4)
167 of said Section 33 to the northwest corner thereof;
168 thence east along the north line said East one-half

169 (E1/2) and along the north line West one-half (W1/2)
 170 of the South one-third (S1/3) of the North three-
 171 fifths (N3/5) of the Southeast one-quarter (SE1/4) of
 172 the Southeast one-quarter (SE1/4) of the Southwest
 173 one-quarter (SW1/4) of said Section 33 to the
 174 northeast corner thereof; thence south along the east
 175 line of said West one-half (W1/2) to an intersection
 176 with the centerline of NW 1st Street; thence east
 177 along said centerline to the centerline of NW 27th
 178 Avenue; the east to the northwest corner of Lot 1 of
 179 DIAMOND'S PLAT, as recorded in Plat Book 98, Page 49,
 180 Broward County Records; thence easterly along the
 181 northerly line of Parcels 1 and 2 as described in
 182 Special Warranty Deed recorded in Official Records
 183 Book 35518, Page 906, Broward County Records, to the
 184 northeast corner of said Parcel 2; thence easterly
 185 across NW 26th Avenue to the Northwest corner of
 186 Parcel B of G & W PROPERTIES PLAT, as recorded in Plat
 187 Book 102, Page 4, Broward County Records; thence north
 188 along the west line of Parcels B and A of said Plat to
 189 the northwest corner of said Parcel A; then east along
 190 the north line of said Parcel A and a prolongation
 191 thereof to the centerline of Powerline Road; thence
 192 southerly along said centerline to and intersection
 193 with the centerline of Atlantic Boulevard; thence east
 194 along the centerline of Atlantic Boulevard to an
 195 intersection with the northerly prolongation of the
 196 easterly line of Tract A of ATLANTIC COMMERCIAL

197 CENTER, as recorded in Plat Book 170, Page 102,
198 Broward County Records; thence southerly along said
199 prolongation and said easterly line to the southeast
200 corner of said Tract A; thence south perpendicular to
201 the south line of said Tract A, to the centerline of
202 Race Track Road; thence east along said centerline to
203 an intersection with the west right-of-way line of
204 Seaboard Coastline Railroad; thence southerly along
205 said west right-of-way line to an intersection with
206 the south line of the North one-half (N1/2) of the
207 aforesaid Section 3, Township 49 South, Range 42 East;
208 thence westerly along said south line also being the
209 north line of CYPRESS BEND, as recorded in Plat Book
210 104, Page 20, Broward County Records, to an
211 intersection with the centerline of Powerline Road;
212 thence northerly along said centerline to an
213 intersection with the centerline of North Course
214 Drive; thence westerly along the centerline of North
215 Course Drive to an intersection with the centerline of
216 NW 27th Avenue; thence northerly along the centerline
217 of said NW 27th Avenue to an easterly prolongation of
218 the north line of the South 744.32 feet of Tract A of
219 PALM-AIRE NORTH COURSE ESTATES 3rd SECTION, as
220 recorded in Plat Book 114, Page 39, Broward County
221 Records; thence westerly along said prolongation and
222 said north line to an intersection with the west line
223 of the East 450 feet of said Tract A; thence northerly
224 along said west line and a prolongation thereof to the

225 centerline of Atlantic Boulevard; thence westerly
226 along the centerline of said Atlantic Boulevard to an
227 intersection with the west line of the aforesaid
228 Section 33; thence northerly along said west line and
229 along the west line of the Plat of TEXACO POMPANO,
230 recorded in Plat Book 124, Page 10, Broward County
231 Records, and the west line of the Plat of PANTON
232 FARMS, recorded in Plat Book 89, Page 9, Broward
233 County Records, to the southwest corner of Parcel G of
234 GIBSON'S PLAT, as recorded in Plat Book 99, Page 45,
235 Broward County Records; thence continue north along
236 the westerly line of said Parcel G, 127.50 feet to an
237 angle point; thence easterly along said westerly line,
238 333.55 feet to an angle point in said line; thence
239 northerly continuing along said westerly line of
240 Parcel G, also being the west line of the East one-
241 half (E1/2) of the West one-half (W1/2) of the
242 Northwest one-quarter (NW1/4) of the Southwest one-
243 quarter (SW1/4) of the aforesaid Section 33, to the
244 northwest corner of said Parcel G; thence continue
245 north along the west line of the said East one-half
246 (E1/2), and along the west line of Parcel A of C.C.H.
247 SUBDIVISION, as recorded in Plat Book 84, Page 41,
248 Broward County Records, and along the west line of
249 Tract A of LLOYD E OLSON PLAT, as recorded in Plat
250 Book 103, Page 9, Broward County Records, to the
251 northwest corner of said Tract A; thence easterly
252 along the north line of said Tract A, also being the

253 | south line of Tract A of GOLFVIEW MOBILE HOME PARK, as
 254 | recorded in Plat Book 111, Page 31, Broward County
 255 | Records, to the southeast corner of Tract A of said
 256 | GOLFVIEW MOBILE HOME PARK; thence northerly along the
 257 | east line of said Tract A, also being the west right-
 258 | of-way line of Atlantic Boulevard Extension, to the
 259 | northeast corner of said Tract A; thence westerly
 260 | along the north line of said Tract A and a westerly
 261 | prolongation thereof to the southeast corner of Parcel
 262 | A of BARDING PLAT, as recorded in Plat Book 167, Page
 263 | 32, Broward County Records; thence northerly along the
 264 | easterly boundary of said Parcel A, 12.45 feet to
 265 | point of curvature of a 2259.86 foot radius curve
 266 | concave to the east; thence continue northerly along
 267 | said curve being the east line of Parcel A and also
 268 | being 300 feet west of and concentric with the West
 269 | Right-of-way line of Atlantic Boulevard Extension, an
 270 | arc distance of 581.46 feet to the northeast corner of
 271 | said Parcel A; thence continue north on a prolongation
 272 | of the last described course to the north line of said
 273 | BARDING PLAT; thence west along said north line also
 274 | being the centerline of a 100 foot wide canal right-
 275 | of-way to the northwest corner of said Plat being on
 276 | the East right-of-way line of the Florida Turnpike;
 277 | thence Northerly along said East Right-of-way line to
 278 | the POINT OF BEGINNING.
 279 | Said lands contain 453 acres, more or less.
 280 | Section 6. Off-street parking requirements.--In order to

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281 encourage a walkable, pedestrian-friendly environment and to
282 reduce the disruption of vehicular and pedestrian traffic, the
283 following off-street parking requirements shall apply within the
284 Pompano Beach Entertainment and Economic Zone:

285 (1) All commercial establishments serving meals or
286 beverages shall provide one parking space for each 50 square
287 feet of floor area devoted to customer service, including
288 lounge, unless valet parking is provided. If valet parking is
289 provided, only one parking space for each 75 square feet of
290 floor area devoted to customer service, including lounge, shall
291 be required.

292 (2) All retail establishments shall provide one parking
293 space for each 300 square feet, or fraction thereof, of gross
294 floor area, unless valet parking is provided. In the event that
295 valet parking is provided, only one parking space for each 350
296 square feet, or fraction thereof, of gross floor area shall be
297 required.

298 (3) All pari-mutuel facilities shall provide one parking
299 space for each 500 square feet, or fraction thereof, of gross
300 floor area for the principal pari-mutuel facility structure,
301 unless valet parking is provided. In the event that valet
302 parking is provided, only one parking space for each 1,000
303 square feet, or fraction thereof, of gross floor area shall be
304 required.

305
306 Parking shall be based on the principal use for the principal
307 structure. Ancillary uses and structures shall not be calculated
308 separately towards the overall parking requirement.

309 Section 7. Height.--The maximum height of structures
 310 within the Pompano Beach Entertainment and Economic Zone shall
 311 be 105 feet. Notwithstanding the foregoing, if the city deems it
 312 appropriate, the city commission may permit structures to exceed
 313 the maximum height.

314 Section 8. Alcoholic beverages.--To help attract
 315 businesses that complement and build on the Pompano Beach
 316 Entertainment and Economic Zone's entertainment and tourism
 317 identity, the Legislature deems it appropriate to extend the
 318 hours of operations for establishments to sell, offer for sale,
 319 deliver, or otherwise distribute alcoholic beverages for
 320 consumption on the premises. Notwithstanding any county or
 321 municipal ordinance to the contrary, alcoholic beverages shall
 322 be permitted to be sold, consumed, served, or permitted to be
 323 served or consumed in any establishment within the Pompano Beach
 324 Entertainment and Economic Zone that holds a license under the
 325 Division of Alcoholic Beverages and Tobacco of the Department of
 326 Business and Professional Regulation, except between the hours
 327 of 4 a.m. and 7 a.m. of the same day.

328 Section 9. Sound level standards.--Given the unique
 329 geographic location and character of the Pompano Beach
 330 Entertainment and Economic Zone, sound pressure levels from
 331 indoor or outdoor activities or outdoor operations within the
 332 zone as measured outdoors at the property line of the site from
 333 which the noise emanates shall not exceed the maximum levels set
 334 forth below. The measurement shall be taken from the property
 335 line, or individual lease boundary in the case of property that
 336 has been subdivided by the execution of individual leases, of

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337 the noise-generating property for a duration between 10 and 20
338 seconds, using a sound-level meter. The measurement shall not
339 exceed the following maximum levels:

340 (1) Eighty-five dBA or eighty-seven dBC between the hours
341 of 8:00 a.m. and 11:00 p.m.

342 (2) Sixty-five dBA or seventy-five dBC between the hours
343 of 11:01 p.m. and 7:59 a.m.

344 Section 10. Signage.--Notwithstanding any municipal or
345 county ordinance to the contrary, all signage, including, but
346 not limited to, off-premises signage, shall be permitted subject
347 to city commission approval.

348 Section 11. Business tax receipts.--Business tax receipts
349 shall only be required for principal use. Ancillary uses shall
350 not be required to obtain and shall not be assessed a separate
351 business tax receipt. In the case of pari-mutuel facilities,
352 slot machines shall be deemed to be an ancillary use.

353 Section 12. Special events and temporary use permits.--All
354 special events and temporary use permit applications within the
355 Pompano Beach Entertainment and Economic Zone shall be reviewed
356 and approved solely by the city manager within 10 days after the
357 city's receipt of the application.

358 Section 13. Approvals.--All development approvals within
359 the Pompano Beach Entertainment and Economic Zone shall be
360 reviewed solely by the city commission. All development
361 approvals within the Pompano Beach Entertainment and Economic
362 Zone shall not be subject to chapter 380, Florida Statutes.

363 Section 14. Liberal construction.--The provisions of this
364 act shall be liberally construed to effect its purposes and

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365 shall be deemed cumulative, supplemental, and alternative
366 authority for the exercise of the powers provided herein.

367 Section 15. Severability.--If any section, clause,
368 sentence, or provision of this act or the application of such
369 section, clause, sentence, or provision to any person or bodies
370 or under any circumstances shall be held to be inoperative,
371 invalid, or unconstitutional, the invalidity of such section,
372 clause, sentence, or provision shall not be deemed, held, or
373 taken to affect the validity or constitutionality of any of the
374 remaining parts of this act, or the application of any of the
375 provisions of this act to persons, bodies, or circumstances.

376 Section 16. This act shall take effect upon becoming a
377 law.