

CITY OF POMPANO BEACH  
Broward County, Florida

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE CG HILLSBORO SHORES, LLC REQUEST OF PROPERTIES LOCATED AT 2507 N. OCEAN BLVD. AND 2629 N. RIVERSIDE DRIVE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON SEPTEMBER 28<sup>TH</sup>, 2016; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ch. 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on September 28, 2016 on the proposed amendments to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

**WHEREAS**, pursuant to Ch. 163.3184.11.b.1 & 2, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Element of the adopted City of Pompano Beach Comprehensive Plan; and

**WHEREAS**, said amendment proposes to change a Land Use Plan map designation of 4.2079 gross acres of C (Commercial) land use to High Residential (H) – Irregular 29 land use designation for the property legally described in Exhibit A; and.

**WHEREAS**, pursuant to Ch. 163.3187, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

**WHEREAS**, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

**WHEREAS**, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

**WHEREAS**, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

**SECTION 1:** That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

**SECTION 2:** That duly noticed public hearing was held on September 28, 2016 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Map Amendment.

**SECTION 3:** That the City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from C (Commercial) land use to High Residential (H) – Irregular 29 land use designation for the property legally described in Exhibit A attached hereto and made a part hereof with the conditions of project implementation described in Exhibit B.

**SECTION 4:** That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required State Agencies for review under the Small Scale amendment process allowed by Ch. 163.

**SECTION 5:** The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

**SECTION 6:** That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

**SECTION 7:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**SECTION 8:** That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016

PASSED SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 201\_.

\_\_\_\_\_  
LAMAR FISHER, MAYOR

ATTEST:

\_\_\_\_\_  
ASCELETA HAMMOND  
CITY CLERK

## Exhibit A - Legal Description

LOTS 14 AND 15, BLOCK 19, OF "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE WEST 60 FEET OF SAID LOT 14. TOGETHER WITH:

LOTS 19, 20, 21, 22 AND 23, BLOCK 20, OF "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH:

THAT PORTION OF NORTH RIVERSIDE DRIVE RIGHT-OF-WAY BEING LOCATED WITHIN "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 23, BLOCK 20, OF THE AFOREMENTIONED "HILLSBORO SHORES SECTION "B"", THENCE SOUTH 76°49'08" WEST (BASIS OF BEARING), ALONG THE SOUTH LINE OF THE AFOREMENTIONED BLOCK 20, ALSO BEING THE NORTH RIGHT OF WAY LINE OF NORTH RIVERSIDE DRIVE, A DISTANCE OF 53.12 FEET TO THE POINT OF BEGINNING, ALSO BEING THE POINT OF CURVATURE OF A 75.00 FOOT RADIUS CURVE TO THE LEFT CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 117.81 FEET TO THE POINT OF CUSP OF A 25.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE OF SAID POINT BEARS NORTH 76°49'08" EAST, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 76°49'08" WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF NORTH RIVERSIDE DRIVE, ALSO BEING THE NORTH LINE OF BLOCK 19, A DISTANCE OF 245.52 FEET; THENCE NORTH 23°29'23" WEST, A DISTANCE OF 0.75 FEET TO THE POINT OF CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE LEFT CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°41'29", FOR AN ARC DISTANCE OF 83.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE AFOREMENTIONED NORTH RIVERSIDE DRIVE, ALSO BEING THE SOUTH LINE OF THE AFOREMENTIONED BLOCK 20; THENCE NORTH 76°49'08" EAST, ALONG THE AFOREMENTIONED NORTH RIGHT OF WAY LINE, A DISTANCE OF 404.69 FEET TO THE POINT OF BEGINNING. THE SITE CONTAINS 108,656 SQUARE FEET (2.4944 ACRES NET).

## **Exhibit B - Conditions of Project Implementation**

- 1) No Building permits shall be issued until the affordable housing units shall be provided in accordance with the requirements of Broward County Land Use Plan Policy 1.07.07., which can be accommodated through the Pompano Beach “In-Lieu Fee” for Affordable Housing.
- 2) As part of any future rezoning, the applicant must address the existing Declaration of Restrictive Covenants that are on the property.