

ORDINANCE NO. 2018-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE EAST AND WEST SIDES OF A1A, APPROXIMATELY 500 FEET NORTH OF TERRA MAR DRIVE, COMMONLY KNOWN AS 1380 SOUTH OCEAN BOULEVARD, FROM RM-45 HR (MULTIPLE-FAMILY RESIDENCE 45 HIGH-RISE OVERLAY) TO PD-I (PLANNED DEVELOPMENT-INFILL); PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, pursuant to Section 155.2305.C, of the Pompano Beach Code of Ordinances, notice in accordance with said section has been mailed notifying owners of real property within 500 feet of the subject parcel of the first City Commission public hearing on this proposed Ordinance; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

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

SECTION 1. - FINDINGS: The City Commission finds as follows: that the rezoning of the property described herein is consistent with the Comprehensive Plan; that the rezoning complies with Section 135.3602., General Standards for All Planned Development Districts, as

well as all other requirements of the Zoning Code; that the rezoning does not have a potentially injurious effect on land adjacent to the rezoned parcel; and that rezoning is reasonably related to the public health, safety and welfare.

SECTION 2. - REZONING AND APPROVAL OF PLANNED DEVELOPMENT

PLAN: The property more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property"), which is hereby rezoned from a present zoning classification of RM-45 HR (Multiple-Family Residence 45 High-Rise Overlay) zoning classification to PD-I (Planned Development-Infill) as said zoning classification is defined in Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida.

Pursuant to the requirements of Section 155.3602 and Section 155.3607 of the Code of Ordinances of the City of Pompano Beach, Florida, the Planned Development Plan ("Plan") submitted for the Property, attached hereto and made a part hereof as Exhibit "C," is hereby adopted. All development of the Property shall proceed in accordance with the Plan, as approved, and Section 155.3607 of the Code of Ordinances of the City of Pompano Beach.

SECTION 3. – CONDITION OF IMPLEMENTATION: This Ordinance is subject to conditions as set forth in Exhibit "B," attached hereto and made a part hereof.

SECTION 4. – EFFECTIVE PERIOD OF APPROVAL: Pursuant to Section 155.2405.I, Expiration, approval of this rezoning shall automatically expire if an application for a Site Plan (Major or Minor) for any part of the development shown on the approved Plan is not submitted within two years after approval of the PD-I, or an extension of this time period authorized in accordance with Section 155.2308.B.2, Extension of Expiration Time Period.

SECTION 5. - SEVERABILITY: 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 6. - RECORDATION: This Ordinance shall be recorded with Broward County Records in accordance with Section 155.2405.F., Recordation.

SECTION 6. - EFFECTIVE DATE: This Ordinance shall become effective upon passage.

PASSED FIRST READING this ____ day of _____, 2018.

PASSED SECOND READING this ____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm:jmz
3/26/18
l:ord/2018-49