

DRC #11**ORDINANCE NO. 2022 - 01****PZ22-13000004****03/01/2023**

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 A 12.1 ACRE PORTION OF THE CITI CENTRE MALL SITE LOCATED AT THE SOUTHWEST CORNER OF COPANS ROAD AND FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 27, 2021; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on January 27, 2021, on the proposed amendment 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, said amendment proposes to change a Land Use Plan map designation of a 12.1 acre portion of the Citi Centre Mall from Commercial (C) to Residential Irregular 29.5 units per acre (356 units) ; as legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, pursuant to Section 163.3187, F.S., the City Commission held at least one duly noticed public hearings on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11)(b), F.S., this matter has been advertised at least seven days prior to the first hearing and advertised at least five days prior to the second public hearing pursuant to the requirements of Section 166.041 F.S.

DRC**PZ22-13000004****10/19/2022**

DRCPZ22-13000004
03/01/2023

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 that future residential use of a portion of the Citi Centre Mall site will be in the best interests of the City; now, therefore,

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

SECTION 1. 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. A duly noticed public hearing was held on January 27, 2021 by the Local Planning Agency in compliance with Chapter 163, F.S., to consider the referenced Future Land Use Map Amendment.

SECTION 3. The City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Commercial to Residential Irregular 29.5 units per acre (356 units) with 15% of those units set-aside for moderate income families having income no higher than 120% of Broward County's median income by family size, for the parcel legally described in Exhibit A attached hereto and made a part hereof.

SECTION 4. The Department of Development Services is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council along with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

DRCPZ22-13000004
10/19/2022

DRC

SECTION 6. 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. All Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

SECTION 8. 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 23rd day of February, 2021.

PASSED SECOND READING this 12th day of October, 2021.

DocuSigned by:

Rex Hardin

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REX HARDIN, MAYOR**ATTEST:**

DocuSigned by:

Asceleta Hammond

62AB0835850F4A1

ASCELETA HAMMOND, CITY CLERK

DocuSigned by:

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PZ22-13000004

10/19/2022

DRC

PZ22-13000004

03/01/2023

EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF PARCEL "A", "POMPANO CITI CENTRE PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 174, PAGES 45 THRU 52, INCLUSIVE, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 07°35'43" EAST ON THE WESTERLY LINE OF SAID PARCEL "A" 768.57 FEET; THENCE SOUTH 83°08'37" EAST 470.80 FEET; THENCE SOUTH 38°08'37" EAST 96.01 FEET; THENCE SOUTH 06°51'23" WEST 354.55 FEET; THENCE SOUTH 38°08'37" EAST 44.46 FEET; THENCE SOUTH 83°08'37" EAST 327.24 FEET; THENCE SOUTH 38°08'37" EAST 40.55 FEET; THENCE SOUTH 06°51'23" WEST 418.45 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "A"; THENCE NORTH 48°54'35" WEST ON SAID SOUTH LINE 340.83 FEET; THENCE NORTH 88°19'09" WEST ON SAID SOUTH LINE 656.86 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, AND CONTAIN 528,390 SQUARE FEET (12.1302 ACRES) MORE OR LESS.

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PZ22-13000004

10/19/2022