

ORDINANCE NO. 2021-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A PROPERTY RIGHTS ELEMENT IN THE COMPREHENSIVE PLAN; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 25, 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 August 25, 2021 on the Property Rights Element and subsequently recommended approval to the City Commission; and

WHEREAS, said Property Rights Element includes the listed four statements of rights per amended Section 163.3177(6), F.S.; and

WHEREAS, pursuant to Section 163.3184 (11), F.S. the City Commission held a duly noticed public hearing on the proposed new element; and

WHEREAS, pursuant to Section 163.3184 (11), F.S. the first public hearing shall be held at the transmittal stage at least seven days after the day that the first advertisement is published, pursuant to the requirements of Chapter 166, F.S., and the second public hearing shall be held at the adoption stage at least five days after the day that the second advertisement is published pursuant to the requirements of Chapter 166, F.S.; 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 a duly noticed public hearing was held on August 25, 2021, by the Local Planning Agency in compliance with Chapter 163, F.S., to consider the addition of the Property Rights Element to the Comprehensive Plan.

SECTION 3. That the City Commission hereby adopts the new Property Rights Element provided as Exhibit “A,” attached hereto and made a part hereof.

SECTION 4. That the Development Services Department is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required state agencies for review under the appropriate section of Section 163.3184, F.S.

SECTION 5. 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 6. That all Ordinances or parts of Ordinances in conflict herewith are, to the extent of said conflict, hereby repealed.

SECTION 7. This Ordinance shall take effect immediately upon its passage, adoption and completion of the State post-adoption review process.

PASSED FIRST READING this ____ day of _____, 2021.

PASSED SECOND READING this ____ day of _____, 2021.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB:jrm
7/15/21
L:ord/2021-259