

ORDINANCE NO. 2022 - 51**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 27.3 GROSS ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF SAMPLE ROAD AND THE FLORIDA TURNPIKE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON MAY 25, 2022; 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 May 25, 2022, 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 27.3 gross acre site currently occupied by the Festival Flea Market from Commercial (C) to Industrial (I) ; the net acreage of which is 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.; 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 that future industrial use of the site will be compatible with the area and beneficial to 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 May 25, 2022 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 Industrial.

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.

SECTION 5. 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. 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 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 14th day of June, 2022.

PASSED SECOND READING this 28th day of June, 2022.

DocuSigned by:

Rex Hardin

502CB780EB3E480...

REX HARDIN, MAYOR

ATTEST:

DocuSigned by:

Asceleta Hammond

62AB0835850F4A1...

ASCELETA HAMMOND, CITY CLERK

DocuSigned by:



EXHIBIT A LEGAL DESCRIPTION

TRACTS "A" AND "B", POMPAÑO INDUSTRIAL PARK THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH ALL OF VACATED NORTHWEST 29TH AVENUE AND A PORTION OF VACATED NORTHWEST 34TH PLACE ADJOINING SAID TRACTS "A" AND "B", BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT "A"; THENCE ALONG THE WEST BOUNDARY OF SAID TRACT "A", NORTH 00° 17' 02" EAST, 580.11 FEET; THENCE ALONG THE NORTHWEST BOUNDARY OF SAID TRACT "A", NORTH 45° 46' 47" EAST, 136.71 FEET; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACT "A", NORTH 85° 27' 59" EAST, 292.89 FEET; THENCE CONTINUING ALONG SAID NORTH BOUNDARY, THE NORTH BOUNDARY OF NORTHWEST 29TH AVENUE VACATED BY ORDINANCE NO. 85-11 OF THE CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA, AND RECORDED IN OFFICIAL RECORDS BOOK 12186, PAGE 68, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THE NORTH BOUNDARY OF SAID TRACT "B", NORTH 89° 41' 47" EAST, 1285.19 FEET; THENCE ALONG THE NORTHEAST BOUNDARY OF SAID TRACT "B", SOUTH 44° 59' 28" EAST, 49.77 FEET; THENCE ALONG THE EAST BOUNDARY OF SAID TRACT "B" AND THE EAST BOUNDARY OF NORTHWEST 34TH PLACE VACATED BY SAID ORDINANCE NO. 85-11 OF THE CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA, AND RECORDED IN OFFICIAL RECORDS BOOK 12186, PAGE 68, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SOUTH 00° 19' 17" WEST 661.16 FEET; THENCE SOUTH 89° 41' 47" WEST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VACATED NORTHWEST 34TH PLACE, AND ALONG THE SOUTH BOUNDARY OF SAID TRACT "A", 1709.51 FEET TO THE POINT OF BEGINNING.

LESS THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGIN AT THE NORTHERNMOST NORTHEAST CORNER OF AFORESAID TRACT "B"; THENCE ALONG THE NORTHEAST BOUNDARY OF SAID TRACT "B", SOUTH 44°59'28" EAST, 49.77 FEET; THENCE ALONG THE EAST BOUNDARY OF SAID TRACT "B" SOUTH 00°19'17" WEST 292.43 FEET; THENCE SOUTH 89°46'56" WEST 427.06 FEET; THENCE NORTH 00°18'13" EAST 327.15 FEET; THENCE ALONG A NORTH BOUNDARY OF SAID TRACT "B" NORTH 89°41'47" EAST 395.24 FEET TO THE POINT OF BEGINNING.

THE ABOVE SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPAÑO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 1,040,519 SQUARE FEET (23.887 ACRES) MORE OR LESS.