

ORDINANCE NO. 2022-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO PROVIDE DEVELOPMENT RIGHTS WITHIN THE 3100 WEST ATLANTIC BOULEVARD PROJECT AREA LOCATED SOUTH OF ATLANTIC BOULEVARD, NORTH OF THE POMPANO CANAL, EAST OF THE TURNPIKE AND WEST OF NW 31ST AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JULY 27, 2022; PROVIDING THAT TWO PUBLIC HEARINGS WILL BE HELD INCLUDING AN ADOPTION PUBLIC HEARING; 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 July 27, 2022, on the proposed amendment to the Future Land Use Element of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

WHEREAS, pursuant to Section 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 proposed amendment changes the text of the Future Land Use Element of the Comprehensive Plan by creating the limited commercial recreation land use category for the property legally described in **Exhibit A**, and providing development rights for said designation; 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 compatible with the area and will benefit 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.

SECTION 2. That a duly noticed public hearing was held on July 27, 2022 by the Local Planning Agency in compliance with Chapter 163, Florida Statutes, to consider the referenced Future Land Use Text Amendment and the City Commission approved the proposed text amendment.

SECTION 3. That the City Commission hereby approves and adopts the proposed amendment to change the text of the Future Land Use Element of the Comprehensive Plan for the property legally described in **Exhibit A**, allowing the development rights listed herein:

**Future Land Use Element
Land Use Plan Implementation Requirements**

...

3.02 City zoning as to permitted uses and densities shall be in compliance with the City's Land Use Plan if the following requirements are met:

...

C. Commercial Recreation Land Use

(a) Each parcel of Land within an area designated in a Commercial Recreation category by the City's Land Use Plan Map must be zoned in a zoning district which permits one or more of the following uses:

1. Outdoor and indoor recreation facilities such as active recreation complexes, marinas, stadiums, jai-alai frontons, bowling alleys, golf courses, and dog and horse racing facilities.
2. Accessory facilities, including outdoor and indoor recreation

facilities that are determined by the City to be an integral part of and supportive to the primary recreation facility (excluding residential uses).

3. Hotels, motels, time shares and similar lodging ancillary to the primary commercial recreation uses.
4. Recreational vehicle sites at a maximum density of ten (10) sites per gross acre if permanent location of recreational vehicles on the site is permitted by the local land development regulations, or twenty (20) sites per gross acre if such location is prohibited by the local land development regulations; subject to the allocation by the local government of available flexibility or redevelopment units.
5. Accessory facilities, including outdoor and indoor recreation facilities that are determined by the local government to be an integral part of and supportive to the primary recreation facility (excluding residential uses).
6. Other active and passive recreation uses.

(b) 3100 West Atlantic Boulevard Project

The 3100 West Atlantic Boulevard project is located south of Atlantic Boulevard and north of the Pompano Canal, between the Florida Turnpike and NW 31st Avenue and is approximately 9.02 gross acres. The area encompassed by this project will be zoned in the Commercial Recreation (CR) zoning district and will be limited to the intensity below based on the impact analysis submitted for the land use plan amendment for the Commercial Recreation land use:

<u>Type of Use</u>	<u>Square footage</u>
<u>Commercial Recreation Land Uses</u>	<u>982,278 SF</u>

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

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 Future Land Use Element as consistent with the County Land Use Plan.

PASSED FIRST READING this _____ day of _____, 2022.

PASSED SECOND READING this _____ day of _____, 2022.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB:jrm
8/3/22
L:ord/2022-250

EXHIBIT A
Legal Description

A PORTION OF SECTION 32, TOWNSHIP 48 SOUTH, RANGE 42
EAST, BROWARD COUNTY, FLORIDA,
MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 88°48'29" WEST, ON THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 666.75 FEET; THENCE NORTH 01°20'37" WEST, A DISTANCE OF 45.12 FEET; THENCE SOUTH 88°55'15" WEST, A DISTANCE OF 666.73 FEET; THENCE SOUTH 01°19'28" EAST, A DISTANCE OF 46.43 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 32; THENCE SOUTH 88°48'29" WEST, ON SAID SOUTH LINE, A DISTANCE OF 401.70 FEET; THENCE NORTH 02°42'34" WEST, ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SECTION 4, TOWNSHIP 49 SOUTH, RANGE 42 EAST, A DISTANCE OF 62.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES AND DISTANCES; 1.) NORTH 88°55'15" EAST, A DISTANCE OF 50.57 FEET TO A POINT OF CURVE; 2.) THENCE EASTERLY ON SAID CURVE TO THE LEFT, WITH A RADIUS OF 2,351.83 FEET, A CENTRAL ANGLE OF 09°34'34" AN ARC DISTANCE OF 393.07 FEET TO A POINT OF TANGENCY; 3.) THENCE NORTH 81°43'56" EAST, A DISTANCE OF 224.69 FEET; 4.) NORTH 73°54'34" EAST, A DISTANCE OF 182.75 FEET; 5.) NORTH 76°39'36" EAST, A DISTANCE OF 218.02 FEET; 6) NORTH 77°44'19" EAST, A DISTANCE OF 264.67 FEET; 7) NORTH 88°06'27" EAST, A DISTANCE OF 286.60 FEET TO A POINT ON A CURVE; 8) THENCE EASTERLY ON SAID CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 07°04'52" WEST, WITH A RADIUS OF 1,467.89 FEET, A CENTRAL ANGLE OF 11°35'07" AN ARC DISTANCE OF 94.84 FEET TO THE TERMINATION OF SAID EIGHT (8) COURSES AND DISTANCES AND TO A POINT ON THE EAST LINE OF SECTION 32; THENCE SOUTH 01°21'47" EAST, ON SAID SOUTH LINE, A DISTANCE OF 242.77 FEET TO THE POINT OF BEGINNING.