

ORDINANCE NO. 2022- 50

**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 IDI INDUSTRIAL AREA AT 2900 WEST SAMPLE ROAD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON MAY 25, 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 May 25, 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 industrial land use category for the property known as IDI Industrial, legally described and depicted 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 May 25, 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:

F. Industrial Land Use

(a) Each parcel of land within an area designated in an Industrial land use category by the City's Land Use Plan Map must be zoned in an industrial zoning district which excludes electrical power plants but permits one or more of the following uses, but no other uses:

1. Light and heavy industrial uses.
2. Heavy commercial uses including new and used automobile, truck, motorcycle, boat and trailer display, sales, and service which include gas stations with retail stores; newspaper, magazine, and printing plants; bakeries, carpentry, cabinet shops and other trade shops; motion picture studios; ice houses; propane gas sales and repair; and salvage yards.
3. Educational, scientific and industrial research facilities, research laboratories, and medical or dental laboratories.
- ...
12. Residential units within the same structure as industrial uses for the owner, manager or caretaker of the industrial uses are permitted.

(b) IDI Industrial – 2900 West Sample Road

The IDI Logistics/Festival Flea Market Industrial property (IDI Industrial) is part of the original Pompano Industrial Park (PIP) DRI and was

previously home to the Festival Flea Market. IDI Industrial is located south of Sample Road and north of the PIP DRI retention area (lake tract), between the Florida Turnpike and NW 27th Avenue and is approximately 127.3 gross acres. The area encompassed by IDI Industrial will be zoned in the I-1 zoning district and will be limited to the intensity below based on the impact analysis submitted for the land use plan amendment for the industrial land use:

Type of Use	Square footage
Industrial Land Uses	773,000 SF

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 14th day of June, 2022.

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

DocuSigned by:

Rex Hardin

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REX HARDIN, MAYOR

ATTEST:

DocuSigned by:

Asceletha Hammond

62AB0835850F4A1...

ASCELETA HAMMOND, CITY CLERK

:jrm
5/16/22
L:ord/2022-212

DocuSigned by:



**EXHIBIT A
LEGAL DESCRIPTION:**

TRACTS "A" AND "B", POMPANO 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 POMPANO 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 POMPANO 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 POMAPNO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 1,040,519 SQUARE FEET (23.887 NET ACRES) MORE OR LESS.