

ORDINANCE NO. 2019-_____

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF A1A AND NE 16TH STREET COMMONLY KNOWN AS 1508 N. OCEAN BLVD. FROM RM-45 (MULTIPLE-FAMILY RESIDENCE 45) TO PD-I (PLANNED DEVELOPMENT-INFILL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, pursuant to Section 155.2305.C. of the Pompano Beach Code of Ordinances, notice has been mailed notifying owners of real property within 500 feet of the subject parcel of the first City Commission public hearing on this proposed Ordinance; and

WHEREAS, a public hearing before the City Commission was held pursuant to such notice, at which hearing the parties in interest and all other citizens so desiring, had an opportunity to be, and were, in fact, heard; now, therefore,

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

SECTION 1. - FINDINGS: The City Commission finds as follows: that the rezoning of the property described in Exhibit “A,” attached and made part of this Ordinance (“Subject Parcel”), is consistent with the Comprehensive Plan; that the rezoning complies with City Code Section 155.3602., General Standards for All Planned Development Districts, as well as all other requirements of the Zoning Code; that the rezoning does not have a potentially injurious effect on

land adjacent to the Subject Parcel; and that rezoning is reasonably related to the public health, safety and welfare.

SECTION 2. - REZONING AND APPROVAL OF PLANNED DEVELOPMENT

PLAN: The Subject Parcel is rezoned from a present zoning classification of RM-45 (Multiple-Family Residence 45) to PD-I (Planned Development Infill) as that zoning classification is defined by Chapter 155 of the City of Pompano Beach Code of Ordinances.

Pursuant to the requirements of Sections 155.3602 and 155.3607 of the City of Pompano Beach Code of Ordinances, the Planned Development Plan ("Plan") submitted for the Subject Parcel, attached and made a part of this Ordinance as Exhibit "B," is adopted. All development of the Subject Property shall proceed in accordance with the Plan, as approved, the Development Agreement, and Section 155.3607 of the City of Pompano Beach Code of Ordinances.

SECTION 3. - EFFECTIVE PERIOD OF APPROVAL: Pursuant to Section 155.2405.I, Expiration, approval of this rezoning shall automatically expire if an application for a Site Plan (Major or Minor) for any part of the development shown on the approved Plan is not submitted within two years after approval of the PD-I, or an extension of this time period authorized in accordance with Section 155.2308.B.2, Extension of Expiration Time Period.

SECTION 4. - SEVERABILITY: If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. - RECORDATION: This Ordinance shall be recorded with Broward County Records in accordance with Section 155.2405.F, Recordation.

SECTION 6. - **EFFECTIVE DATE:** This Ordinance shall become effective upon passage.

PASSED FIRST READING this ____ day of _____, 2019.

PASSED SECOND READING this ____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm:jes:jmz

6/7/19

L:ord/2019-200