

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 LYING SOUTH OF RACE TRACK ROAD (SW 3RD ST), EAST OF S POWERLINE ROAD (SW 26TH AVE), WEST OF THE TRI-RAIL RAILROAD TRACK, AND NORTH OF N CYPRESS BEND DRIVE FROM B-3/PCI (GENERAL BUSINESS/PLANNED COMMERCIAL/INDUSTRIAL DISTRICT), I-1/PCI (GENERAL INDUSTRIAL/PLANNED COMMERCIAL/INDUSTRIAL DISTRICT), AND CR (COMMERCIAL RECREATION) TO PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT); PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 166.041(3)(c)2, Florida Statutes, advertisements were published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

WHEREAS, two public hearings were held as published and the parties in interest and all other persons desiring to speak had the opportunity to be, and were, in fact, heard; now therefore,

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

SECTION 1. - FINDINGS: Based upon the application materials, proposed documents to be recorded in the public records, and information provided at the public hearing, and all other publicly available information:

A. The City Commission finds 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 155.3604, Planned Commercial/Industrial Development District, as well as all other requirements of the Zoning Code; and that rezoning is reasonably related to the public health, safety and welfare.

B. The Subject Parcel consists of approximately 232.05 gross acres in area, and is well suited to the flexibility and diversity envisioned by Section 155.3604 of the Code of Ordinances of the City of Pompano Beach, Florida; and

C. Under the Subject Parcel's current land use designation of Regional Activity Center, until the land use is amended, the Applicant will be permitted to develop up to 951,000 sq. ft. of office space and 1,300 dwelling units, not including its current Commercial Recreation and Commercial entitlements that are reflected on the PCD Master Plan. Once amended, as reflected in the PCD Master Plan, the Applicant will be permitted to develop a total of 1,400,000 sq. ft. of office space and 4,100 residential units, and such amendment becomes effective as provided by law.

SECTION 2. – REZONING AND APPROVAL OF MASTER PLAN: The Subject Parcel is rezoned from its present zoning classifications of B-3/PCI (General Business/Planned Commercial/Industrial District), I-1/PCI (General Industrial/Planned Commercial/Industrial District), and CR (Commercial Recreation) to PCD (Planned Commercial/Industrial District) with all conditions and limitations as provided in Section 155.3604 of the Code of Ordinances of the City of Pompano Beach.

Pursuant to the requirements of Section 155.3604 of the Cod of Ordinances of the City of Pompano Beach, Florida, the PCD Master Plan submitted for the Subject Parcel, which is attached and made a part this Ordinance as Exhibit "B," is adopted, subject to any conditions to the proposed

development's implementation including, but not limited to, those listed in Exhibit "C," attached and made a part of this Ordinance.

SECTION 3. - DEVELOPMENT STANDARDS AND REQUIREMENTS: Pursuant to the provisions of Section 155.3604 of the Code of Ordinances of the City of Pompano Beach, Florida, all development of the Subject Parcel shall be limited to the uses, intensity and density, configuration and all other elements and conditions set forth in the PCD Master Plan, as approved, and any conditions to the proposed development's implementation including, but not limited to, those listed in Exhibit "C." Any deviations from the PCD Master Plan that would have a material effect on the character of the approved development shall require amendment of the Planned Development in accordance with Section 155.2308 of the Zoning Code.

SECTION 4. - EFFECTIVE PERIOD OF APPROVAL: 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 PCD Master Plan is not submitted within two years after approval of the Planned Development, or an extension of this time period authorized in accordance with Section 155.2308.B, Extension of Expiration Time Period.

SECTION 5. - 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 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

JES/MEB/jmz
8/26/19
l:ord/2019-276