

**ORDINANCE NO. 2019 - \_\_\_\_\_**

**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 DESIGNATION OF THE DOWNTOWN POMPANO TRANSIT ORIENTED CORRIDOR (DPTOC); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 28, 2019; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the proposed amendment changes the text of the Future Land Use Element of the Comprehensive Plan by revising the development rights for the Downtown Pompano Transit Oriented Corridor (DPTOC) land use category, legally described in Exhibit A, as shown below; and

<b>Type of Land Use</b>	<b>FROM:</b>	<b>TO:</b>
Residential Units	1,368	3,368
Commercial/General Business	4,387,220 SF	4,051,220 SF
Office	2,835,557 SF	2,835,557 SF
Hotel Rooms	300 Rooms	420 Rooms
Community Facility	1,459,260 SF	1,459,260 SF
Utilities	95,832 SF	95,832 SF
Parks and Recreation	2.1 Acres	2.1 Acres

**WHEREAS**, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on August 28, 2019, on the proposed text 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 Ch. 163.3184.11.b.1 & 2, Florida Statutes, the City Commission held a duly noticed public hearing on September 24, 2019, to adopt on first reading and transmit the text amendment to the Future Land Use Element 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 the request is in the best interests of 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 and transmitted.

**SECTION 2.** That a duly noticed public hearing was held on August 28, 2019 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Text Amendment and the City Commission approved and transmitted the proposed text amendment.

**SECTION 3.** That the City Commission hereby approves and adopts the proposed amendment to modify the text of the Future Land Use Element of the Comprehensive Plan for the

property legally described in **Exhibit A** as shown below in strike-through and underline format from the text in the Future Land Use Element,

O. Transit Oriented Corridor

This designation has been applied to the Future Land Use Map for the Downtown Pompano Transit Oriented Corridor (Text Amendment Ordinance 13-14 and Map Amendment Ordinance 13-15) as amended by Text Amendment Ordinance 19-  . The densities and intensities of permitted uses within the designated Downtown Pompano Transit Oriented Corridor (DPTOC) are as follows:

- Residential: ~~1,368~~ 3,368 dwelling units (143 Single Family, 236 Townhouse and ~~989~~ 2,989 Multifamily)
- Commercial/General Business: ~~4,387,220 square feet (including 300 room hotel)~~ 4,051,220 square feet
- Hotel: 420 rooms
- Office: 2,835,557 square feet
- Utility: 95,832 square feet
- Community Facility: 1,459,260 square feet
- Parks & Recreation: 2.1 acres

**SECTION 4.** The City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required State Agencies for review under the expedited review process allowed by Ch. 163.

**SECTION 5.** The City Clerk 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 6.** 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 7.** All Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**SECTION 8.** 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 \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**REX HARDIN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

**EXHIBIT A**  
**LEGAL DESCRIPTION OF DPTOC**

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTIONS 34 AND 35, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND ALSO BEING A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST, SITUATE, LYING AND BEING WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35, TOWNSHIP 48 SOUTH, RANGE 42 EAST;

THENCE NORTH 01°25'33" WEST, ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 35, SAID EAST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.E. 5th AVENUE, A DISTANCE OF 1977.36 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35, SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.E. 6th STREET;

THENCE SOUTH 88°12'52" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1920.44 FEET TO A POINT ON THE CENTERLINE OF CONSTRUCTION OF NORTH DIXIE HIGHWAY (STATE ROAD 811), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86170-2508;

THENCE NORTH 13°59'07" EAST, ALONG SAID CENTERLINE OF CONSTRUCTION, A DISTANCE OF 168.72 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35;

THENCE SOUTH 88°08'56" WEST ALONG SAID NORTH LINE, A DISTANCE OF 788.89 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35; SAID WEST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 3rd AVENUE;

THENCE SOUTH 88°09'11" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35, (SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 6th COURT) A DISTANCE OF 666.45 FEET TO A POINT ON THE WEST LINE OF THE EAST ONE-HALF (E. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35; SAID WEST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 4th AVENUE;

THENCE NORTH 01°26'41" WEST, ALONG SAID WEST LINE, A DISTANCE OF 10.94 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 8, BLOCK 1, PINWOOD HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE SOUTH 88°05'11" WEST, ALONG SAID EASTERLY EXTENSION, ALONG THE NORTH LINE OF LOTS 8 AND 13, OF SAID BLOCK 1, AND ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 250.85 FEET TO A POINT ON THE CENTERLINE OF N.W. 5th AVENUE;

THENCE NORTH 01°27'04" WEST, ALONG SAID CENTERLINE OF N.W. 5th AVENUE, A DISTANCE OF 3.71 FEET TO POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 10, BLOCK 2, PINWOOD HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE SOUTH 88°13'12" WEST, ALONG SAID EASTERLY EXTENSION, ALONG THE NORTH LINE OF LOTS 10 AND 15, OF SAID BLOCK 2, AND ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 249.00 FEET TO A POINT ON THE CENTERLINE OF N.W. 6th AVENUE;

THENCE SOUTH 01°27'01" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 175.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35, SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 6th STREET;

THENCE SOUTH 88°13'12" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1499.42 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE SOUTH 89°19'42" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 34, A DISTANCE OF 270.46 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95 (STATE ROAD 9), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86070-2413;

THE FOLLOWING SIX (6) COURSES BEING COINCIDENT WITH SAID EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95;

THENCE SOUTH 03°31'58" EAST, A DISTANCE OF 421.66 FEET TO A POINT ON THE SOUTH LINE OF LOT 9, SCOTTS PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 38 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH 89°23'49" EAST, ALONG SAID SOUTH LINE OF LOT 9, A DISTANCE OF 69.34 FEET TO A POINT ON A LINE 185.98 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE SOUTH 01°28'42" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 490.00 FEET TO A POINT ON THE CENTERLINE OF HAMMONDVILLE ROAD;

THENCE NORTH 89°23'48" EAST, ALONG SAID CENTERLINE OF HAMMONDVILLE ROAD, A DISTANCE OF 3.48 FEET, TO A POINT ON A LINE 182.50 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE SOUTH 01°28'42" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 624.19 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;

THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 93°17'42" AND A RADIUS OF 145.23 FEET FOR AN ARC DISTANCE OF 236.47 FEET TO A POINT OF TANGENCY AND TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD (STATE ROAD 814), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86130-2520;

THE FOLLOWING SIX (6) COURSES BEING COINCIDENT WITH THE SAID NORTHERLY RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD;

THENCE NORTH 89°01'24" EAST, ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 236.77 FEET; SAID TANGENT LINE BEING 219.76 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE SOUTH 00°59'16" EAST, A DISTANCE OF 20.00 FEET TO A POINT ON A LINE 199.76 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°01'24" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 129.96 FEET;

THENCE SOUTH 89°52'02" EAST, A DISTANCE OF 309.87 FEET;

THENCE SOUTH 00°58'36" EAST, A DISTANCE OF 90.00 FEET TO A POINT ON A LINE 101.35 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°01'24" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 245.01 FEET;

THENCE SOUTH 01°27'52" EAST, A DISTANCE OF 100.44 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°01'24" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 153.78 FEET TO THE NORTH ONE-QUARTER CORNER (N. 1/4) OF SAID SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST;

THENCE CONTINUE NORTH 89°01'24" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1623.79 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°00'03" EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35, A DISTANCE OF 236.24 FEET TO A POINT ON THE BASELINE OF SURVEY OF SOUTH DIXIE HIGHWAY (STATE ROAD 811), AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF ATLANTIC BOULEVARD (STATE ROAD 814) SECTION 86130-2512;

THENCE SOUTH 13°57'49" WEST, ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 830.89 FEET TO A POINT ON THE CENTERLINE OF S.W. 2nd STREET;

THENCE NORTH 88°24'00" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 1161.32 FEET TO A POINT ON THE CENTERLINE OF SOUTH CYPRESS ROAD;

THE FOLLOWING TWO (2) COURSES BEING COINCIDENT WITH SAID CENTERLINE OF SOUTH CYPRESS ROAD;

THENCE NORTH 00°37'59" EAST, A DISTANCE OF 349.83 FEET;

THENCE NORTH 18°17'16" EAST, A DISTANCE OF 467.06 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°00'03" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1317.02 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA CONTAINING 269.06 ACRES, MORE OR LESS.