

ORDINANCE NO. 2020- 05

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

CITY OF POMPANO BEACH,
BROWARD COUNTY, FLORIDA
I HEREBY CERTIFY that the foregoing is a true and
correct copy of Ordinance 2020-05
as filed in the office of City Clerk
WITNESS my hand and official Seal in the CITY OF
POMPANO BEACH, FLORIDA, this 31 day of
October A.D. 2019
Kevin S. Sirey Deputy/City Clerk

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO MODIFY LAND USE CATEGORY INTENSITY POLICY 1.07.20 RELATED TO HEIGHT AND LOT COVERAGE STANDARDS FOR CERTAIN LAND USE CATEGORIES; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 26, 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, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on June 26, 2019, 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), F.S., the City Commission held two duly noticed public hearings on the proposed amendment to policy 1.07.20 of 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 as shown in Exhibit A, by amending policy 1.07.20 to remove the building height and lot coverage standards for the Regional Activity Center (RAC), Local Activity Center (LAC), Transportation (T) and Open Space Recreation (OR) land use categories which will continued to be determined by the zoning code; 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.

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 June 26, 2019 by the Local Planning Agency in compliance with Chapter 163, F.S., 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 change the text of the Future Land Use Element of the Comprehensive Plan by amending policy 1.07.20 to remove the building height and lot coverage limitations for the RAC, LAC, OR and Transportation land use categories and recognizes the continuing practice to control these aspects of future development within these land use categories though the zoning code in effect at the time of development approval;

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 amendment process defined in Section 163.3184, F.S.

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

PASSED FIRST READING this 23rd day of July, 2019.

PASSED SECOND READING this 22nd day of October, 2019.



REX HARDIN, MAYOR

ATTEST:



ASCELETA HAMMOND, CITY CLERK

jrm
7/3/19
L:ord/2019-232

EXHIBIT A
AMENDMENT TO POLICY 0.07.20

CITY OF POMPANO BEACH COMPREHENSIVE PLAN
FUTURE LAND USE ELEMENT

Policies:

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01.07.20 ~~Revise the Land Development Regulations to establish a~~ The maximum intensity of development within by limiting the height of building in the following non-residential land use categories will be determined as follows:

Category		Maximum Lot Coverage	Maximum Building Height
C	Commercial	60%	105 feet
		100% Lot Coverage permitted in Downtown Historic Core Area and Downtown Historic Transitional Overlay Districts.	
		Additional lot coverage and building height permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
		Additional building height and coverage <u>may be</u> permitted in Planned Development Zoning Commercial/Industrial Districts provided special Zoning Code requirements are met.	
CF	Community Facility	25%	60 feet
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
CR	Commercial Recreation	50%	105 feet
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
I	Industrial	65%	45 feet
OR	Recreation and Open Space**	N/A	30 feet <u>Determined at Rezoning</u>
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
U	Utilities**	N/A	Determined at Rezoning
RAC	Regional Activity Center	N/A	105 feet <u>Determined at Rezoning</u>
LAC	Local Activity Center	60% <u>N/A</u>	105 feet <u>Determined at Rezoning</u>
T	Transportation**	N/A	105 feet <u>Determined at Rezoning</u>

** No lot coverage and height specified for these public use districts.