

1 Planning Act; and is in the best interests of the health, safety, and welfare of the
2 residents of Broward County; and

3 WHEREAS, the proposed amendment constitutes a Broward County permitted
4 small scale amendment to the Broward County Comprehensive Plan pursuant to
5 Subsection 163.3187(1), Florida Statutes.

6 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
7 BROWARD COUNTY, FLORIDA:

8 Section 1. The Broward County Land Use Plan is hereby amended by
9 amendment PC 15-5 in the City of Pompano Beach, set forth in Exhibit "A," attached
10 hereto and incorporated herein.

11 Section 2. SEVERABILITY.

12 If any section, sentence, clause or phrase of this Ordinance is held to be invalid
13 or unconstitutional by any court of competent jurisdiction, then said holding shall in no
14 way affect the validity of the remaining portions of this Ordinance.

15 Section 3. EFFECTIVE DATE.

16 1. The effective date of the plan amendment set forth in this Ordinance shall
17 be the latter of:

18 (a) Thirty-one (31) days after the adoption of this Ordinance;

19 (b) The date a final order is issued by the Department of Economic
20 Opportunity or the Administration Commission finding the amendment to
21 be in compliance;

22 (c) If the Department of Economic Opportunity or the Administration
23 Commission finds the amendment to be in noncompliance, pursuant to
24 Section 163.3184(8)(b), Florida Statutes, the date the Board of County

1 Commissioners nonetheless, elects to make the plan amendment effective
2 notwithstanding potential statutory sanctions; or

3 (d) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B,
4 the date the Declaration of Restrictive Covenants is recorded in the Public
5 Records of Broward County.

6 2. This Ordinance shall become effective as provided by law.
7

8 ENACTED

9 FILED WITH THE DEPARTMENT OF STATE

10 EFFECTIVE

11 Approved as to form and legal sufficiency:
12 Joni Armstrong Coffey, County Attorney

13
14 By Maite Azcoitia 01/22/15
15 Maite Azcoitia (date)
16 Deputy County Attorney
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22 MA/gmb
23 01/22/15
#15-401.05
24 PC 15-5 Pompano Beach.SmallScaleOrd.

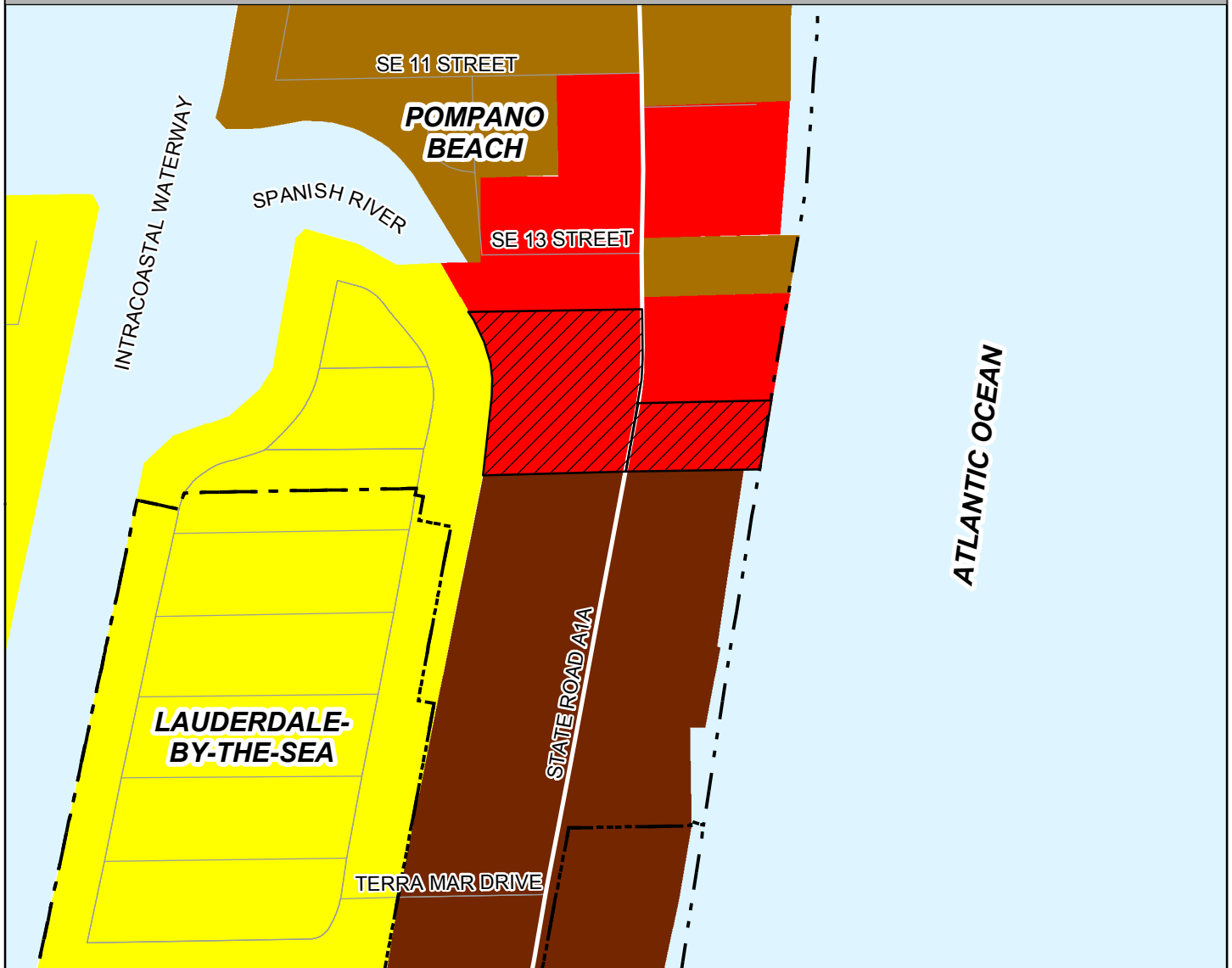
EXHIBIT A

BROWARD COUNTY LAND USE PLAN
FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 15-5

Current Land Use: COMMERCIAL

Proposed Land Use: IRREGULAR (46) RESIDENTIAL

Acreage: Approximately 6.6 Acres



Low (5)
Residential

High (50)
Residential

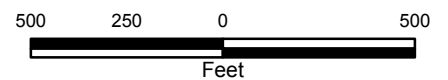
Water

Municipal
Boundary

Medium-High (25)
Residential

Commercial

Site



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 15-5
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

- I. Planning Council Staff Recommendation January 13, 2015

Planning Council staff finds that the proposed amendment is generally consistent with the goals, objectives and policies of the Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved. Further, the applicant's commitments regarding 1) an in-lieu-of payment for affordable housing, 2) a Phase I Archaeological Reconnaissance Survey and 3) a hurricane contingency plan are recognized. It is also recommended that any approval be conditioned on the execution of a legally enforceable mechanism to the satisfaction of Broward County.

- II. Planning Council First Public Hearing Recommendation January 22, 2015

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 15-0; Blattner, Castillo, Gomez, Good, Graham, Hobby, Kaplan, Kiar, Long, Mack, McCartney, Ryan, Steffens, Stermer and Castro.)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 15-5

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Pompano Beach
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 6.6 acres
- B. Location: In Sections 5 and 6, Township 49 South, Range 43 East; generally located on both sides of State Road A1A, between Southeast 13 Street and Terra Mar Drive.
- C. Existing Use: Vacant
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Commercial
- B. Proposed Designation: Irregular (46) Residential
- C. Estimated Net Effect: Reduction of 6.6 acres of commercial use
Addition of 303 dwelling units [Zero (0) dwelling units currently permitted by the Broward County Land Use Plan]
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses: *North:* Hotel and multi-family residential
East: Multi-family residential and Atlantic Ocean
South: Multi-family residential
West: Single-family residential
- B. Planned Uses: *North:* Commercial
East: Commercial and Water
South: High (50) Residential
West: Low (5) Residential

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

- A. *Applicant:* Dev Motwani, Merrimac Ventures
- B. *Agent:* Leigh R. Kerr, AICP, Leigh Robinson Kerr & Associates, Inc.
- C. *Property Owner:* WH Pompano, LP

VII. Recommendation of
Local Governing Body:

The City of Pompano Beach recommends approval of the proposed amendment. The City anticipates adopting the corresponding local amendment in July of 2015.