

1 Act; and is in the best interests of the health, safety, and welfare of the residents of
2 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 Section
5 163.3187(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 17-11 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 or
13 unconstitutional by any court of competent jurisdiction, then said holding shall in no way
14 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 Opportunity
20 or the Administration Commission finding the amendment to be in
21 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, the
4 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
12 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

13
14 By /s/ Maite Azcoitia 09/28/17
15 Maite Azcoitia (date)
16 Deputy County Attorney

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22 MA/gmb
23 09/28/17
#17-401.17
24 PC 17-11 City of Pompano Beach.SmallScaleOrd.

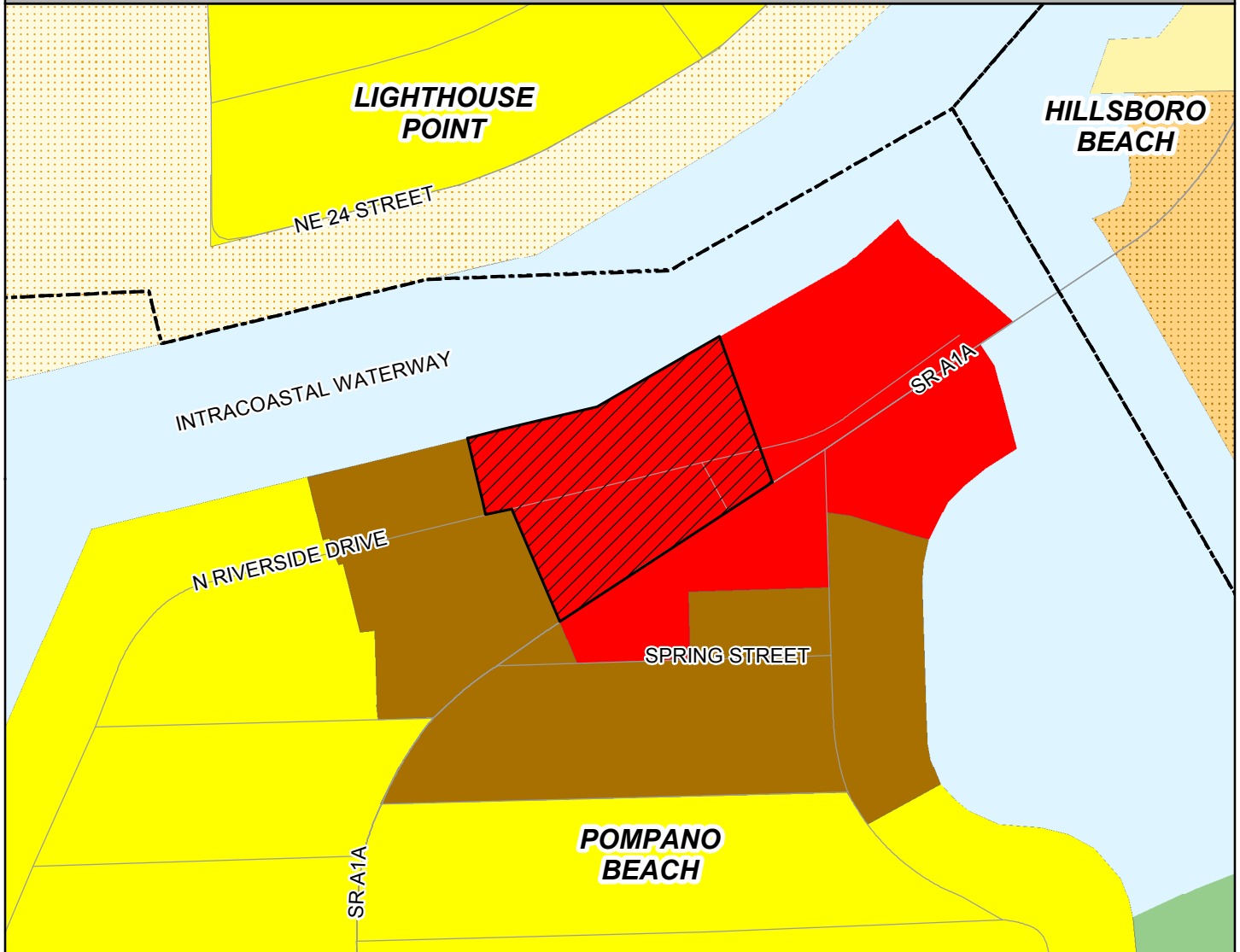
EXHIBIT A











BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 17-11

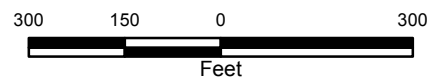
Current Land Use: Commerce

Proposed Land Use: Irregular (35.9) Residential

Gross Acres: Approximately 3.4 acres



- | | |
|---|--|
|  Site |  Medium (16) Residential |
|  Municipal Boundary |  Medium-High (25) Residential |
|  Low (2) Residential |  Commerce |
|  Low (3) Residential |  Recreation and Open Space |
|  Low (5) Residential |  Water |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 17-11
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Recommendation August 15, 2017

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

Further, the applicant and City of Pompano Beach's confirmation regarding its commitment relative to storm water management, tidal flooding and sea level rise is memorialized in its correspondence dated August 9, 10 and 14, 2017. See Attachments 15, 16 and 17.

II. Planning Council First Public Hearing Recommendation August 24, 2017

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 13-0; Blackwelder, Blattner, DiGiorgio, Ganz, Gomez, Graham, Grosso, Rosenof, Rosenzweig, Ryan, Seiler, Williams and Stermer)

III. Planning Council Staff Second Public Hearing Recommendation September 19, 2017

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

Further, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the "conditional" recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in Appendix 3 of the Administrative Rules Document: Broward County Land Use Plan. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

RECOMMENDATIONS/ACTIONS (continued)

DATE

IV. Planning Council Second Public Hearing Recommendation

September 28, 2017

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 14-0; Blackwelder, Brunson, Castillo, DiGiorgio, Gomez, Good, Graham, Grosso, Rosenof, Rosenzweig, Seiler, Udine, Williams and Stermer)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-11

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Pompano Beach
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 3.4 acres
- B. Location: In Section 29, Township 48 South, Range 43 East; generally located between State Road A1A and the Intracoastal Waterway at Riverside Drive.
- C. Existing Uses: Marina, parking and vacant
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Commerce
- B. Proposed Designation: Irregular (35.9) Residential
- C. Estimated Net Effect: Reduction of 3.4 acres of commerce use
Addition of 122 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:* Intracoastal Waterway
East: Multi-family residential
South: Retail
West: Multi-family residential
- B. Planned Uses: *North:* Water
East: Commerce (developed at 60.9 dwelling units per acre)
South: Commerce
West: Medium-High (25) Residential (developed at 59.5 dwelling units per acre)

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

- A. *Applicant:* CG Hillsboro Shores, LLC
- B. *Agent:* Dunay, Miskel and Backman, LLP
- C. *Property Owner:* CG Hillsboro Shores, LLC

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 September of 2017.