

ORDINANCE NO. 2014- 140

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, ADOPTING AN AMENDMENT TO THE LAND USE PLAN OF THE CITY OF COCONUT CREEK COMPREHENSIVE PLAN, AMENDING THE LAND USE DESIGNATION OF A PARCEL OF LAND LYING IN TRACT 41 BLOCK 83 ACCORDING TO THE PLAT OF PALM BEACH FARMS PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, FROM EST 1.0 (RESIDENTIAL ESTATE 1 DU/AC) TO LOW 5.0 (RESIDENTIAL 5 DU/AC); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD OCTOBER 8, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, require adoption of a Municipal Comprehensive Plan; and

WHEREAS, the City of Coconut Creek, pursuant to said Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been submitted to and reviewed by the applicable agencies authorized by Chapter 163, Florida Statutes, and has been found in compliance with Chapter 163, Florida Statutes, Chapter 9J-5, Florida Administrative Code, and has been certified by the Broward County Planning Council; and

WHEREAS, the City Commission of the City of Coconut Creek has determined that adoption of an amendment to the Land Use Plan of the City of Coconut Creek changing a parcel of land lying in Tract 41 Block 83 according to the plat of Palm Beach Farms Plat No. 3 as recorded in Plat Book 2, Page 45 of the Public Records of Palm Beach County, Florida, and more particularly described in Exhibit "A", attached hereto

and made a part hereof, from EST 1.0 (Residential Estate 1 DU/Ac) to Low 5.0 (Residential 5 DU/Ac), is in the best interests of the residents of the City of Coconut Creek; and

WHEREAS, a public hearing was held October 8, 2014, by the City of Coconut Creek Local Planning Agency in compliance with Chapter 163, Florida Statutes, to consider the above referenced Land Use Plan Amendment; and

WHEREAS, this amendment furthers the goals, objectives and policies of the City's Comprehensive Plan; and

WHEREAS, the local governing body shall hold at least one public hearing on the proposed amendment; in compliance with Chapter 163.3187, Florida Statutes; and

WHEREAS, all staff reports, minutes of meetings, findings of fact, and support documents are hereby incorporated as referenced; and

WHEREAS, the City Commission has considered the application in its entirety, including 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 ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, 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 the amendment to the text of the City's Comprehensive Plan to amend the permitted uses for the land use category entitled Residential 5 DU/Ac, as described in Exhibit "A", attached hereto and made a part hereof, having been recommended for approval by the Local Planning Agency on October 8, 2014 is hereby adopted as an amendment to the Land Use Plan by the City Commission of the City of Coconut Creek, Florida.

Section 3: That the public hearing was held on October 8, 2014 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the above referenced Land Use Plan Amendment.

Section 4: That the architectural design guidelines and conceptual site plan submitted with this application are adopted by reference.

Section 5: That the City Land Use Plan Map and Land Use Plan are hereby amended to include the small-scale amendment and re-designation described herein.

Section 6: That the City Clerk is directed to transmit a certified copy of this amendment to the Broward County Planning Council with a request that the County amend its Land Use Plan to make it consistent with the City's amended Land Use Plan and that the Planning Council then recertify the City Comprehensive Land Use Plan.

Section 7: That the City Clerk is directed to transmit a certified copy of this Ordinance to the Florida Department of Economic Opportunity pursuant to Chapter 163, Florida Statutes.

Section 8: That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 9: That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 10: That this Ordinance shall take effect immediately upon its passage and adoption, but the small-scale land use amendment shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Land Use Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 11th DAY OF December, **2014.**

PASSED SECOND READING THIS 23rd DAY OF July, **2015**

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May
City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Welch	<u>Nay</u>	<u>Nay</u>
Rydell		<u>Aye</u>

WSS:jw

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Waldman LUPA.docx
12-11-14

EXHIBIT "A"

Legal Description:

A Parcel of land lying in Tract 41 Block 83 according to the Plat of Palm Beach Farms Plat No. 3 as recorded in Plat Book 2, Page 45 of the Public Records of Palm Beach County, Florida.