

ORDINANCE NO. 2020-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ADOPTING AN AMENDMENT TO THE FUTURE LAND USE PLAN OF THE CITY OF COCONUT CREEK COMPREHENSIVE PLAN, AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, BEING GENERALLY LOCATED AT 5011 WEST HILLSBORO BOULEVARD PURSUANT TO THE PROVISIONS OF SECTION 13-31, "LAND USE PLAN MAP AMENDMENTS," OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES AND CHAPTER 163, FLORIDA STATUTES, FROM OFFICE PROFESSIONAL (OP) TO COMMERCIAL (C); PROVIDING FOR SUBMITTAL TO BROWARD COUNTY; PROVIDING FOR SUBMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR CONFLICTS; 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, 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 the property legally described in Exhibit "A," attached hereto and made a part hereof, being generally located at 5011 West Hillsboro Boulevard, from OP (Office Professional) to C (Commercial), is in the best interests of the residents of the City of Coconut Creek; and

WHEREAS, a public hearing was held September 11, 2019, by the City of Coconut Creek Planning and Zoning Board as 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 City Commission has considered the application in its entirety and determined that the above described land use plan amendment is in the best interest of the City and serves a public purpose based upon all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. 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: Approval. That the small scale amendment to the Land Use Plan of the City of Coconut Creek, changing the Future Land Use Plan designation for the property legally described in Exhibit "A," attached hereto and made a part hereof, generally located at 5011 West Hillsboro Boulevard, from OP (Office Professional) to C (Commercial), having been recommended for approval by the Local Planning Agency on September 11, 2019, is hereby adopted as an amendment to the Land Use Plan by the City Commission of the City of Coconut Creek, Florida.

Section 3: Amendment of Land Use Plan and Map. 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 4: Request for County Recertification. 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 5: Submittal to State. 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 6: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 7: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 8: Effective Date. 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 or 31 days after adoption if no challenge is filed, or if a challenge is filed, until the state land planning agency or the Administration Commission, respectively issues a final order determining that the adopted small scale development amendment is in compliance, whichever is later.

PASSED FIRST READING THIS 10TH DAY OF SEPTEMBER, 2020.

PASSED SECOND READING THIS 24TH DAY OF SEPTEMBER, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

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

WSS:ae

EXHIBIT "A"

Legal Description:

THE EAST 100 FEET OF THE WEST 215 FEET, EXCEPTING THEREFROM THE NORTH 280 FEET OF THE WEST ½ OF TRACT 3, IN BLOCK 85, OF PALM BEACH FARMS COMPANY'S PLAT NO.3, AS SHOWN IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LESS THE SOUTH 60 FEET THEREOF.

TOGETHER WITH:

THE EAST 115 FEET, LESS THE NORTH 280 FEET OF THE WEST ½ OF TRACT 3, BLOCK 85, PALM BEACH FARMS COMPANY'S PLAT NO.3 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 60 FEET THEREOF.

AND:

TRACT A-1 BUFFER TOGETHER WITH TRACT "A" ACCORDING TO THE PLAT OF "JANIS PLAT", AS RECORDED IN PLAT BOOK 174, PAGE 18, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 260 FEET OF SAID TRACT "A". SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF COCONUT CREEK, BROWARD COUNTY, FLORIDA.