

ORDINANCE NO. _____

(23-L-27)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BY ADDING THE PROPERTY RIGHTS ELEMENT IN ACCORDANCE WITH SECTION 163.3177(6)(i)2, FLORIDA STATUTES.

WHEREAS, the City Commission has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, previously entitled the "Local Government Comprehensive Planning and Land Development Regulation Act" and now known as the Growth Policy Act ("Act"); and

WHEREAS, the former Florida Department of Community Affairs, now known as the Department of Economic Opportunity, has previously determined that the City's Comprehensive Plan was "in compliance" with the Act; and

WHEREAS, Section 163.3177(6)(i)2, Florida Statutes, was adopted in 2021 by the Florida Legislature and requires all local governments in Florida to adopt and include the property rights element in their comprehensive plan for any proposed plan amendment initiated after July 1, 2021; and

WHEREAS, Section 163.3177(6)(i)2, Florida Statutes, specifies what must be included in the property rights element; and

WHEREAS, pursuant to State law, the Planning and Development Board, acting in its capacity as the Local Planning Agency ("LPA"), held a duly noticed public hearing on April 11, 2023 to review the proposed comprehensive plan amendments and have forwarded a recommendation of approval to the City Commission; and

WHEREAS, in accordance with State law, the City Commission held a duly noticed first public hearing on May 17, 2023 to review the recommendation from the LPA and subsequently adopted the amendment; and

WHEREAS, the City transmitted the adopted amendment to the Department of Economic Opportunity for review; and

WHEREAS, on July 31, 2023, the Department of Economic Opportunity provided no objection to the City's proposed amendment to the property rights element and provided advisory only comments on other elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission accepts the Department of Economic Opportunity's recommendation to adopt the Amendment; and

WHEREAS, the City Commission has determined that the adoption of the Amendment would be in compliance with the Act; and

WHEREAS, pursuant to Section 163.3184(11), Florida Statutes, the City Commission conducted a public hearing, and after considering public comments on the Amendment, voted to transmit it to the Florida Department of Economic Opportunity, appropriate reviewing agencies, and any other local government or governmental agency that made a written request of the City pertaining to the Amendment; and

WHEREAS, in accordance with Section 163.3184(4), Florida Statutes, the City Commission has conducted two duly advertised public hearings on the proposed amendments to the City's Comprehensive Plan, including the review of objections, recommendations and comments of the respective reviewing agencies, if any; and

WHEREAS, the City Commission, after review of the recommendations of City staff, the Local Planning Agency, comments made at the public hearing, and careful consideration of the issues, finds that the proposed amendments are in the best interest of the health, safety, and welfare of the citizens of the City of Hollywood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Ordinance.

Section 2: That the City's Comprehensive Plan is amended as more specifically set forth in the attached Exhibit "A".

Section 3: That pursuant to Section 163.3184(4)(e)2, Florida Statutes, the attached plan amendments set forth in Exhibit "A" shall be transmitted to the Florida Department of Economic Opportunity and to other local government agencies as required.

Section 4: That this Ordinance shall become effective pursuant to Section 163.3184(4)(e)5., Florida Statutes.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BY ADDING THE PROPERTY RIGHTS ELEMENT IN ACCORDANCE WITH SECTION 163.3177(6)(i)2, FLORIDA STATUTES

ADVERTISED on _____, 2023.

PASSED on the first reading this _____ day of _____, 2023.

PASSED AND ADOPTED on the second reading this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY