

ORDINANCE NO. \_\_\_\_\_

(22-L-80)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 4100 N. HILLS DRIVE, 2900 N. 40<sup>TH</sup> AVENUE, KEYSER AVENUE AND GREENS ROAD, GENERALLY LOCATED SOUTH OF NORTH HILLS DRIVE, NORTH OF SHERIDAN STREET, EAST OF NORTH 56 AVENUE AND WEST OF NORTH PARK ROAD, FROM THE LAND USE DESIGNATION OPEN SPACE AND RECREATION (OSR) TO LOW (5) RESIDENTIAL (LRES) AND LOW MEDIUM (10) RESIDENTIAL (LMRES); AMENDING THE CITY'S LAND USE MAP TO REFLECT THE CHANGES.

WHEREAS, the City, pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan that has been approved by the State of Florida Department of Community Affairs and certified by the Broward County Planning Council; and

WHEREAS, the Zoning and Land Development Regulations provide that an application for a Land Use Plan Amendment may be filed; and

WHEREAS, a valid application (22-L-80) was filed by First Eagle Management, LLC ("Applicant") for a change of land use designation from Open Space and Recreation (OSR) to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES) for the property located at 4100 N. Hills Drive, 2900 N. 40<sup>TH</sup> Avenue, Keyser Avenue and Greens Road, and adjacent rights-of-way, generally located south of North Hills Drive, north of Sheridan Street, east of North 56 Avenue and west of North Park Road that contains approximately 36.8 gross acres/33 net acres, as more specifically described in Exhibit "A"; and

WHEREAS, the existing zoning for the subject property is Country Club (CC); and

WHEREAS, following review and analysis of the application, the Planning Manager and Planning Administrator recommend approval with the following conditions:

1. Prior to recertification of the City's Comprehensive Plan by the Broward County Planning Council, as a result of the proposed land use change, the Applicant shall record in the Public Records of Broward County, a Deed Restriction restricting Parcel 6 to two single-family dwelling units.

2. During the Site Plan approval process, the Clubhouse shall remain tied to the operation of the golf course and shall remain available to golfers during course hours  
; and

WHEREAS, on May 23, 2023, the Planning and Zoning Board, acting as the City's Local Planning Agency, recommended that the City Commission approve the applicant's land use request, with staff conditions; and

WHEREAS, the City Commission has conducted duly advertised hearings on the future land use amendment proposed through the above referenced petition and has considered all comments received concerning the proposed amendment as required by state law and local ordinances; and

WHEREAS, the City Commission finds that the proposed amendment is consistent with the goals, policies, and objectives of the City's Comprehensive Plan, Article 1 of the Broward County Administrative Rules Document, and Broward County Land Use Plan.

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 land use designation of the property located at 4100 N. Hills Drive, 2900 N. 40<sup>TH</sup> Avenue, Keyser Avenue and Greens Road, generally located south of North Hills Drive, north of Sheridan Street, east of North 56 Avenue and west of North Park Road, and adjacent rights-of-way, which contains approximately 36.8 gross acres/33 net acres, located in Hollywood, Broward County, Florida, as more specifically described in Exhibit "A" is changed from Open Space and Recreation (OSR) to Low (5) Residential (LRES) and Low-Medium (10) Residential (LMRES), subject to the following conditions:

a. Prior to recertification of the City's Comprehensive Plan by the Broward County Planning Council, as a result of the proposed land use change, the Applicant shall record a Deed Restriction restricting Parcel 6 to two single family dwelling units in the Public Records of Broward County, Florida.

b. During the Site Plan approval process, the Clubhouse shall remain tied to the operation of the golf course and shall remain available to golfers during course hours.

Section 3: That the Official Land Use Map of the City of Hollywood is amended to incorporate the above listed change in land use designation.

Section 4: That all sections or parts of sections of the Zoning and Land

Development Regulations, Code of Ordinances, and all ordinances and resolutions or parts thereof in conflict are repealed to the extent of such conflict.

Section 5: That if any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid, such invalidity shall not affect the validity of any remaining portions of this Ordinance.

Section 6: That this Ordinance shall become effective 31 days after one of the following events occurs:

- (a) the State Planning Agency notifies the City that the plan is complete in accordance with Section 163.3184(3)(c), Florida Statutes; or
- (b) if a timely challenge has occurred, the State Land Planning Agency or the Administrative Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes.

Section 7: That no development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

Advertised this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

RENDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES

CITY ATTORNEY