

ORDINANCE NO. _____

(21-Z-06)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CHANGING THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 4110 NORTH 31ST TERRACE AND NORTH 31ST TERRACE, GENERALLY LOCATED SOUTH OF STIRLING ROAD, WEST OF NORTH 31ST AVENUE AND EAST OF NORTH 32ND COURT FROM C-2 (LOW-MEDIUM INTENSITY COMMERCIAL) AND RM-9 (LOW-MEDIUM MULTIPLE FAMILY) TO RM-12 (MEDIUM MULTIPLE FAMILY); AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION.

WHEREAS, the Zoning and Land Development Regulations provide that an application for a change of zone may be filed; and

WHEREAS, an application (21-Z-06) was filed by ZE Management, LLC. with the Department of Development Services, Planning and Urban Design Division, requesting a change of zoning district designation from C-2 and RM-9 to RM-12 for the properties located at 4110 North 31st Terrace and North 31st Terrace, generally located south of Stirling Road, west of North 31st Avenue, and east of North 32nd Court with approximately 1.27 gross acres, as more particularly described in the attached Exhibit "A" ("subject parcel"); and

WHEREAS, the existing subject parcel has a current City zoning designation of C-2 (Low-Medium Intensity Commercial District) and RM-9 (Low-Medium Multiple Family) and a Future Land Use Designation of Low-Medium Residential ("LMRES"); and

WHEREAS, the subject parcel abuts Low-Medium Intensity Commercial District on the north, Low-Medium Multiple Family and Single Family Residential on the south; Low-Medium Intensity Commercial District on the east; and Planned Development on the west; and

WHEREAS, the Planning Manager and Planning Administrator, following analysis of the application and its associated documents, have determined that the proposed change of zoning district is consistent with the Zoning and Land Development Regulations, is consistent with the City of Hollywood Comprehensive Plan and the CityWide Master Plan, and have therefore recommended that it be approved; and

WHEREAS, on September 21, 2021, the Planning and Zoning Board, acting as the Local Planning Agency, met and reviewed the above noted request for a change of zoning to RM-12 (Medium Multiple Family) and have forwarded a recommendation of approval to the City Commission; and

WHEREAS, the City Commission finds that the rezoning request to RM-12 is/is not consistent with the Zoning and Land Development Regulations, is/is not consistent with the City of Hollywood's Comprehensive Plan, and is/is not in the best interest 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 Applicant has/has not presented competent substantial evidence that the requested rezoning request to RM-12 is/is not consistent with the Zoning and Land Development Regulations, is/is not consistent with the City of Hollywood's Comprehensive Plan, and there is/is not a legitimate public purpose in maintaining the existing zoning.

Section 3: That the subject parcel as more particularly described in the attached Exhibit "A" is/is not rezoned from the zoning designation of C-2 (Low-Medium Intensity Commercial District) and RM-9 (Low-Medium Multiple Family) to RM-12 (Medium Multiple Family).

Section 4: That the Official Zoning Map of the City of Hollywood is/is not amended to incorporate the above described change in zoning designation for the subject parcel.

Section 5: That all sections or parts of sections of the Zoning and Land Development Regulations, Code of Ordinances, and all ordinances or parts thereof and all resolutions or parts thereof in conflict are repealed to the extent of such conflict.

Section 6: 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 7: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, CHANGING THE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 4110 NORTH 31ST TERRACE AND NORTH 31ST TERRACE, GENERALLY LOCATED SOUTH OF STIRLING ROAD, WEST OF NORTH 31ST AVENUE AND EAST OF NORTH 32ND COURT FROM C-2 (LOW-MEDIUM INTENSITY COMMERCIAL) AND RM-9 (LOW-MEDIUM MULTIPLE FAMILY) TO RM-12 (MEDIUM MULTIPLE FAMILY); AND AMENDING THE CITY'S ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION.

Advertised on _____, 2021.

PASSED on first reading this _____ day of _____, 2021.

PASSED AND ADOPTED on second reading this _____ day of _____, 2021.

RENDERED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY