

ORDINANCE NO. _____

(18-L-08)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE CITY'S ADOPTED COMPREHENSIVE PLAN BY AMENDING THE LAND USE ELEMENT TO ESTABLISH THE DIPLOMAT ACTIVITY CENTER LAND USE CATEGORY; AMENDING THE FUTURE LAND USE ELEMENT MAP TO REFLECT SAID CHANGES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopted its Comprehensive Plan in September 1989 pursuant to Ordinance O-89-54, and has over the years amended its plan; and

WHEREAS, Section 163.3184, Florida Statutes, allows for amendments to the comprehensive plan; and

WHEREAS, Article 1 of the Broward County Administrative Rules Document and the Broward County Land Use Plan, specifically Policy Nos. 2.4.2 through 2.4.20, have established Activity Centers which allow for the flexibility to facilitate multi-use and mixed-use development; and

WHEREAS, the Activity Center Land Use Designation encourages redevelopment and development within the designated area; and

WHEREAS, the creation of the Diplomat Activity Center will allow for greater flexibility in uses such as residential, commercial, and assembly facilities; and

WHEREAS, the purpose of an Activity Center is to allow for forms of development that provide a balanced and interconnected mix of land uses, encourages mass transit and non-motorized transportation, reduces the need for automobile travel, provides incentives for quality development, and gives definition to the urban form; and

WHEREAS, the intent of the Land Use Element of the City's Comprehensive Plan is to lay out the physical plan for future development of the City; and

WHEREAS, the Land Use Element describes appropriate locations for future land uses and declares the policies regulating the location and development of all land uses; and

WHEREAS, pursuant to state law, the Planning and Development Board, acting in its capacity as the Local Planning Agency, held a duly noticed public hearing on June 14, 2018, to review the proposed comprehensive plan amendment along with the change to the land use designation of certain Diplomat property to the Diplomat Activity Center and has forwarded a recommendation of approval to the City Commission; and

WHEREAS, Section 163.3184, Florida Statutes, requires that the adoption of plan amendments shall be by ordinance; and

WHEREAS, pursuant to state law, the City Commission (local governing body) has conducted two duly advertised public hearings on the proposed plan amendments to the Comprehensive Plan's Land Use Element and land use map series for the future land use element, one at transmittal stage and one at the adoption stage in compliance with Section 163.3184, Florida Statutes and local ordinances, including review of the objections, recommendations and comments of the Department of Community Affairs, if any; and

WHEREAS, the City Commission, after due consideration of all matters, finds that the proposed amendments are consistent with the City's Comprehensive Plan and the Broward County Comprehensive Plan, the State of Florida Plan, the South Florida Regional Planning Council Regional Plan, and complies with the requirements of the Local Government Comprehensive Planning and Land Development Act; and

WHEREAS, the City Commission, after review of the recommendations of the Planning Division, the Local Planning Agency, comments made at a 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; and

WHEREAS, the City Commission is transmitting to the Broward County Planning Council an amendment to the City's Land Use Element of its Comprehensive Plan; and

WHEREAS, the City is requesting that Broward County transmit the City's land use amendment for review by the Department of Community Affairs.

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 into this Ordinance.

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

Section 3: That the attached plan amendment set forth in Exhibit "A" to the City of Hollywood's Comprehensive Plan shall be transmitted to the State of Florida Department of Community Affairs in compliance with Chapter 163, Florida Statutes, and also to the Broward County Planning Council for recertification.

Section 4: That the City of Hollywood's Comprehensive Plan Future Land Use Element map shall be amended to reflect the proposed Land Use Element changes.

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

Section 6: The effective date of this Ordinance shall be the date upon which the following events have occurred:

- (a) The plan amendment is recertified by the Broward County Planning Council once one of the following has occurred:
 - (1) a final order is issued by the Department of Community Affairs finding the amendment to be in compliance with Section 163.3184, Florida Statutes; or
 - (2) a notice of intent is issued by the Department of Community Affairs Administrative Commission finding the amendment to be 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. If a final order of non-compliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution and ordinance shall be sent to the Department of Community Affairs, Division of Community Planning, Plan Processing Team, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

ADVERTISED _____, 2018.

ADVERTISED _____, 2018.

PASSED on first reading this _____ day of _____, 2018.

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PASSED AND ADOPTED on second reading this _____ day of _____, 2018.

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