

(19-T-81)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLE 5 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ENTITLED "DEVELOPMENT REVIEW PROCESS" BY AMENDING SECTION 5.1. ENTITLED "GENERAL PROVISIONS" TO ESTABLISH A PUBLIC PARTICIPATION OUTREACH PROCESS, AND AMENDING SECTION 5.6 ENTITLED "CITY COMMISSION REQUEST FOR REVIEW OF A BOARD DECISION" TO REVISE THE TIMEFRAME FOR SUCH REVIEW.

WHEREAS, Article 5 of the Zoning and Land Development Regulations establishes the guidelines and parameters for the development review process; and

WHEREAS, the City Commission requested that City staff evaluate these regulations to develop a public participation outreach process in order to provide additional opportunities for the public to understand and comment on the nature of development applications; and

WHEREAS, Section 5.6 of the Zoning and Land Development Regulations currently provides for review by the City Commission of an application for a development permit approved or denied by a Board if the request for review is done within 15 days of the Board decision; and

WHEREAS, due to current City operations, the City Commission requested that City staff revise Section 5.6 to amend the timeframe to request such review from 15 days to 17 days; and

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

WHEREAS, Planning and Urban Design Division staff analyzed the proposed text amendments and submitted those amendments to the Planning and Development Board; and

WHEREAS, on March 10, 2020, the Planning and Development Board reviewed the proposed text amendments to Article 5 and have forwarded a recommendation of approval to the City Commission; and

Coding: Words in ~~struck through~~ type are deletions from existing text; words underscored are additions to existing text.

WHEREAS, the City Commission, following review of the proposed text amendments at a public hearing, accepts these recommendations and finds them to be in the best interest of the citizens 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 Article 5, Section 5.1 of the Zoning and Land Development Regulations entitled "General Provisions" is hereby amended as follows:

ARTICLE 5: DEVELOPMENT REVIEW PROCESS

§5.1. General Provisions.

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- C. A Public Participation Outreach Meetings shall be required for Land Use, Rezoning, Special Exception and Site Plan requests. Applicants shall conduct a at least one public participation outreach meeting and provide mailed notice to all property owners and certified/registered civic and neighborhood association(s) within 500 feet of the proposed project. Fifteen days prior to the meeting, the Applicant shall mail such notice and post a sign on the property, including the date, time, and place of the public participation outreach meeting. Such meetings shall occur prior to the applicable Board or City Commission meetings and the Applicant shall include in its application packet a letter certifying the date(s), time(s), location(s) of the meeting(s), a copy of the sign-in sheet, presentation material and a general summary of the discussion, including comments expressed during the meeting(s).

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Section 3: That Article 5, Section 5.6 of the Zoning and Land Development Regulations entitled "City Commission Request for Review of a Board Decision" is hereby amended as follows:

§5.6. City Commission Request for Review of a Board Decision (CRR).

- A. If an application for a development permit is approved or denied by a Board appointed by the City Commission, the City Commission may initiate a CRR to set a hearing to review the application if it is found that the project is in an area which, due to characteristics of the project and the surrounding area, require

additional review in order to ensure that development standards and criteria have been met and to ensure that the area surrounding the development is protected from the impacts of the development. The process for a CRR is initiated in one of the following ways: (1) if three or more City Commissioners request a review during City Commission comments at a City Commission meeting, which is within ~~45~~ 17 days of the Board's action, then a de novo hearing shall be set in accordance with subsection 5.6B below; or (2) if three or more City Commissioners file a request for review in writing with the City Clerk within ~~45~~ 17 days of the Board's action, then a de novo hearing shall be set in accordance with Section 5.6B. below.

* * *

Section 4: That it is the intention of the City Commission and it is ordained that the provisions of this section shall be made a part of the Zoning and Land Development Regulations, and the sections of the regulations may be renumbered to accomplish such intention.

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

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

Advertised _____, 2020.

PASSED on first reading this _____ day of _____, 2020.

PASSED AND ADOPTED on second reading this _____ day of _____, 2020.

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