

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING ORDINANCE 89-38 BY AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR PROPERTY COMMONLY KNOWN AS NURSE 1 AND DESCRIBED HEREIN, OWNED BY CM&J BOYNTON PROPERTIES, LLC.; CHANGING THE LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL (HDR) TO LOCAL RETAIL COMMERCIAL (LRC); PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Boynton Beach, Florida has adopted a Comprehensive Future Land Use Plan and as part of said Plan a Future Land Use Element pursuant to Ordinance No. 89-38 and in accordance with the Local Government Comprehensive Planning Act; and

WHEREAS, the procedure for amendment of a Future Land Use Element of a Comprehensive Plan as set forth in Chapter 163, Florida Statutes, has been followed; and

WHEREAS, after two (2) public hearings the City Commission acting in its dual capacity as Local Planning Agency and City Commission finds that the amendment hereinafter set forth is consistent with the City's adopted Comprehensive Plan and deems it in the best interest of the inhabitants of said City to amend the Future Land Use Element (designation) of the Comprehensive Plan as hereinafter provided.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF BOYNTON BEACH, FLORIDA, THAT:**

Section 1: The foregoing WHEREAS clauses are true and correct and incorporated herein by this reference.

Section 2: Ordinance No. 89-38 of the City is hereby amended to reflect the following:

That the Future Land Use of the land described in Exhibit “A” is amended from High

31 Density Residential (HDR) to Local Retail Commercial (LRC).

32 Section 3: That any maps adopted in accordance with the Future Land Use Element of the
33 Future Land Use Plan shall be amended accordingly.

34 Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

35 Section 5: Should any section or provision of this Ordinance or any portion thereof be
36 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
37 remainder of this Ordinance.

38 Section 6: This Ordinance shall take effect on adoption, subject to the review, challenge,
39 or appeal provisions provided by the Florida Local Government Comprehensive Planning and
40 Land Development Regulation Act. No party shall be vested of any right by virtue of the
41 adoption of this Ordinance until all statutory required review is complete and all legal challenges,
42 including appeals, are exhausted. In the event that the effective date is established by state law or
43 special act, the provisions of state act shall control.

44 FIRST READING this ____ day of _____, 2017.

45 SECOND, FINAL READING and PASSAGE this ____ day of _____, 2017.

46 CITY OF BOYNTON BEACH, FLORIDA

47
48 YES NO

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50 Mayor – Steven B. Grant _____

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52 Vice Mayor – Justin Katz _____

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54 Commissioner – Mack McCray _____

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56 Commissioner – Christina L. Romelus _____

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58 Commissioner – Joe Casello _____

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62 VOTE _____

63 ATTEST:

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67 Judith A. Pyle, CMC

68 City Clerk

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70 (Corporate Seal)

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EXHIBIT "A"