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3 AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA,
4 AMENDING ORDINANCE 89-38 BY AMENDING THE FUTURE
5 LAND USE ELEMENT OF THE COMPREHENSIVE PLAN FOR
6 PROPERTY COMMONLY KNOWN AS 1320 SOUTH FEDERAL
7 HIGHWAY AND DESCRIBED HEREIN, OWNED BY EXSORRO
8 ONE, INC; CHANGING THE LAND USE DESIGNATION FROM
9 OFFICE COMMERCIAL (OC) TO MIXED USE LOW (MXL);
10 PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN
11 EFFECTIVE DATE.

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

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

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

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

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

28 Section 2: Ordinance No. 89-38 of the City is hereby amended to reflect that the
29 Future Land Use of the following described land:

32 SOUTH 100 FEET OF LOT 2, LEE MANOR ISLES, ACCORDING TO
33 THE PLAT THEREOF AS REDORDED IN PLAT BOOK 24, PAGE 221,
34 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,
35 LESS RIGHT-OF-WAY FOR STATE ROAD NO. 5, AS IN OFFICIAL
36 RECORD BOOK 138, PAGE 229, OF THE PUBLIC RECORDS OF
37 PALM BEACH COUNTY, FLORIDA.

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40 is amended from Office Commercial (OC) to: **MIXED USE LOW (MXL).**

41 Section 3: This Ordinance shall take effect on adoption, subject to the review, challenge,
42 or appeal provisions provided by the Florida Local Government Comprehensive Planning and
43 Land Development Regulation Act. No party shall be vested of any right by virtue of the
44 adoption of this Ordinance until all statutory required review is complete and all legal challenges,
45 including appeals, are exhausted. In the event that the effective date is established by state law
46 or special act, the provisions of state act shall control.

47 FIRST READING this ____ day of _____, 2018.

48 SECOND, FINAL READING and PASSAGE this ____ day of _____, 2018.

49 CITY OF BOYNTON BEACH, FLORIDA

50 YES NO

51

52

53 Mayor – Steven B. Grant _____

54

55 Vice Mayor – Christina L. Romelus _____

56

57 Commissioner – Mack McCray _____

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59 Commissioner – Justin Katz _____

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61 Commissioner – Joe Casello _____

62

63 VOTE _____

64 ATTEST:

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66

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68 _____
Judith A. Pyle, CMC

69 City Clerk

70

71 (Corporate Seal)

