

**CITY OF LIGHTHOUSE POINT, FLORIDA**

**ORDINANCE NO. 2009-0881**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO INCLUDE NEW, REVISED AND/OR UPDATED DATA, TEXT, TABLES, MAPS, FIGURES AND ANALYSIS, AS WELL AS GOALS, OBJECTIVES AND POLICIES IN THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, COASTAL MANAGEMENT ELEMENT, RECREATION AND OPEN SPACE ELEMENT, CAPITAL IMPROVEMENTS ELEMENT AND INTERGOVERNMENTAL COORDINATION ELEMENT; ALL IN RELATION TO CERTAIN ITEMS IDENTIFIED IN THE CITY'S 2005-06 EVALUATION AND APPRAISAL REPORT (EAR); CONTAINING A PROVISION FOR INCLUSION IN THE CITY'S COMPREHENSIVE PLAN; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, §163.3167(2), Florida Statutes, requires that each local government prepare a Comprehensive Plan in compliance with the Local Government Comprehensive Planning and Land Development Act, as amended; and

**WHEREAS**, §163.3184(15), Florida Statutes, requires that the Comprehensive Plan be adopted by the governing body of the local government by Ordinance; and

**WHEREAS**, §163.3177, Florida Statutes, and the applicable provisions of Chapter 9J-5, Florida Administrative Code, requires that the Local Government Comprehensive Plan shall consist of goals, objectives and policies, procedures for monitoring and evaluation of the local plan, requirements for capital improvements, implementation and required maps; and

**WHEREAS**, the Evaluation and Appraisal Report ("EAR") forms the basis for the proposed changes to the City's Comprehensive Plan and was adopted by the City Commission on

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May 23, 2006 and was found “Sufficient” by the State of Florida Department of Community Affairs (“DCA”) in June 2006; and

**WHEREAS**, once the EAR is found “Sufficient” by DCA, the City has 18 months to prepare and process the actual EAR-Based Amendments to the City’s Comprehensive Plan; and

**WHEREAS**, at its meeting of December 2, 2008 and January 6, 2009, the City’s Local Planning Agency, the Planning and Zoning Board, reviewed the proposed EAR-Based Amendments to the City's Comprehensive Plan, and recommended that the EAR-Based Amendments to the City's Comprehensive Plan be approved, subject to the Board's comments and clarifications; and

**WHEREAS**, pursuant to City Commission direction at its January 13, 2009 meeting, the City transmitted the City’s EAR-Based Comprehensive Plan Amendments provided herein to the State of Florida Department of Community Affairs (“DCA”) for its review and consideration; and

**WHEREAS**, the DCA has reviewed the proposed EAR-Based Amendments to the Comprehensive Plan, and the City has made the necessary revisions to the proposed amendments to the City’s Comprehensive Plan in accordance with the DCA’s Objections, Recommendations and Comments Report (“ORC”), dated April 3<sup>rd</sup>, 2009; and

**WHEREAS**, the City further desires to strengthen the goals, policies, objectives, implementation, and elements of the City's Comprehensive Plan and update the Plan in accordance with and consistent with applicable state law; and

**WHEREAS**, City staff recommends the approval of the proposed EAR-Based Amendments; and;

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**WHEREAS**, after public hearing and study, the City Commission of the City of Lighthouse Point deems it in the best interest of the inhabitants of the City to amend the Comprehensive Plan as adopted by the City in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THAT:**

**Section 1.** The foregoing “Whereas” clauses are hereby ratified as true and correct and incorporated herein by this reference.

**Section 2.** The City’s Comprehensive Plan is amended to include new, revised and/or Updated Data, Text, Tables, Maps, Figures and Analysis, as well as Goals, Objectives and Policies in the Future Land Use Element, Transportation Element, Housing Element, Infrastructure Element, Conservation Element, Coastal Management Element, Recreation and Open Space Element, Capital Improvements Element and Intergovernmental Coordination Element, all in relation to certain items identified in the City’s 2005-06 Evaluation and Appraisal Report (EAR), all as more particularly set forth in **Exhibit “A”** attached hereto and incorporated herein.

**Section 3.** The City Commission hereby authorizes the appropriate City officials to submit the appropriate number of copies of this Ordinance and the City’s Comprehensive Plan, as amended herein, to the State of Florida Department of Community Affairs and to any other governmental agency having jurisdiction with regard to the approval of same in accordance with and pursuant to Chapter 163, Florida Statutes, and to keep copies of the Plan Amendments available for public review and examination at Lighthouse Point City Hall.



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APPROVED AS TO FORM:

BY:           /s/ Michael D. Cirullo, Jr.            
OFFICE OF THE CITY ATTORNEY

	Yes	No	Absent
Commission President Long	x		
Commission Vice President Gordon	x		
Commissioner Hasis	x		
Commissioner Johnson	x		
Commissioner LaMarca	x		