

CITY OF TAMARAC, FLORIDA

ORDINANCE NO. 2020 -

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA EXTENDING THE WOODLANDS OVERLAY DISTRICT TERMINATION DATE, AMENDING CHAPTER 10 OF THE CITY OF TAMARAC CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT CODE" BY AMENDING ARTICLE 2, ENTITLED "ZONING DISTRICTS" BY SPECIFICALLY AMENDING SECTION 10-2.7(C), ENTITLED "WOODLANDS OVERLAY DISTRICT", TO SUNSET AND TERMINATE THE WOODLANDS OVERLAY DISTRICT THREE YEARS AFTER THE EFFECTIVE DATE OF THE CITY OF TAMARAC LAND DEVELOPMENT CODE, IN CONFORMITY WITH THE CITY OF TAMARAC COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, overlay zoning districts are superimposed over portions of one or more underlying base zoning districts in order to supplement generally applicable regulations with additional standards that address special area-specific conditions, features, or plans while maintaining the character and purposes of the underlying district; and

WHEREAS, some overlay districts include standards that modify or supersede standards applied by the underlying district; and

WHEREAS, the purpose and intent of the Woodlands Overlay District is to create and establish specific regulations in addition to those requirements contained within the City Code of Ordinances that will serve to preserve the neighborhood character, promote its high quality and appearance, maintain property values and protect the public health, safety and welfare; and

WHEREAS, the Woodlands Overlay District is not only intended to provide

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guidelines to ensure the preservation of the Woodlands community's visual integrity, but to also ensure that every property is maintained in accordance with the community standards; and

WHEREAS, the Woodlands Overlay District was set to sunset and terminate in 2019 and was extended via Ordinance 2420, nunc pro tunc to July 12, 2020, two years after the effective date of the Land Development Code; and

WHEREAS, the current State of Emergency given the COVID-19 Pandemic has significantly delayed the review of the Woodlands Development Agreement and associated Redevelopment Applications by external entities including Broward County thereby delaying the Applications advancement through the development review process; and

WHEREAS, more time is needed to develop an appropriate structure or mechanism which provides the same benefits of an overlay zoning district to replace the Woodlands Overlay District; and

WHEREAS, the City Commission of the City of Tamarac (the "City") desires to extend the termination date, of the Woodlands Overlay District to allow for the development of an appropriate structure or mechanism to replace the Woodlands Overlay District; and

WHEREAS, the City Commission finds that amending the Code to extend the sunset and termination date of the Woodlands Overlay District, is in the best interests of the citizens and residents of the City of Tamarac.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AS FOLLOWS:

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SECTION 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That Chapter 10, Article 2, Section 10-2.7(C), entitled "Woodlands Overlay District", of the City of Tamarac Code of Ordinances is hereby amended as follows:

10-2.7 - Overlay Zoning Districts

(C) **Woodlands Overlay District**

- (1) **General Purpose of Woodlands Overlay District.** The purpose and intent of the Woodlands Overlay District is to create and establish specific regulations in addition to those requirements contained within the City Code of Ordinances that will serve to preserve the neighborhood character, promote its high quality and appearance, maintain property values and protect the public health, safety and welfare. The overlay district is not only intended to provide guidelines to ensure the preservation of the Woodlands community's visual integrity, but to also ensure that every property is maintained in accordance with the community standards.
- (2) **Woodlands Overlay (WO) District Established.** The WO district is intended to protect the existing aesthetics of the Woodlands community to ensure high-quality development compatible with the surrounding existing development.
- (3) **Sunset and Termination of Overlay District.** This section shall sunset and the Woodlands Overlay District shall be terminated ~~two~~ three years after the effective date of this Code, unless, prior to the sunset date, the City Commission shall pass legislation to extend or repeal the district.

SECTION 3. Codification. It is the intention of the City Commission of the City of Tamarac that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Tamarac, Florida, and that the Sections of this ordinance may be renumbered, re lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

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SECTION 4. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion hereof be held or declared by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall be considered as eliminated and shall not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 6. Effective Date. This Ordinance shall become effective upon adoption.

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day of

, 2020.

day of

, 2020.

MICHELLE J. GOMEZ,

MAYOR

ATTEST:

JENNIFER JOHNSON, CMC

CITY CLERK

I HEREBY CERTIFY that I

have approved this

ORDINANCE as to form.

SAMUEL S. GOREN,

CITY ATTORNEY

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