

**ORDINANCES**

**ORDINANCE NO. 2021 - 02**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR A SMALL SCALE LAND USE MAP AMENDMENT, WHICH WILL AMEND THE FUTURE LAND USE MAP PLAN OF THE CITY'S COMPREHENSIVE PLAN IN RESPONSE TO A REQUEST BY COREY O' GORMAN, AICP, PLACE PLANNING AND DESIGN, ON BEHALF OF PROPERTY OWNER, WASHINGTON PARK LLC, TO CHANGE THE DESIGNATION OF A PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF AMARYLLIS AVENUE AND WEST 7<sup>th</sup> STREET, CONTAINING APPROXIMATELY 7.86 ACRES, FROM "RESIDENTIAL-MEDIUM" (12 DU/AC) TO "RESIDENTIAL-HIGH" (18 DU/AC AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR CITY MANAGER AUTHORITY; PROVIDING FOR CONFLICTS AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 14-28, "Land Development Code," of the City Code of Ordinances of the City of Pahokee, Florida (the City Code), the applicant, Corey O'Gorman, AICP, Place Planning and Design, on behalf of property owner, Washington Park LLC, for the property generally located at the Northeast corner of Amaryllis Avenue and West 7<sup>th</sup> Street, as legally described in Exhibit "A" hereto (the "Property"), has made an application for a "Small-Scale Amendment" to the City of Pahokee Future Land Use Plan Map, amending the map to designate the Property from "Residential-Medium" (12 du/ac) to "Residential-High" (18 du/ac); and

**WHEREAS**, the Florida Legislature adopted the Local Government Comprehensive Planning and Land Development Regulation Act, as set forth in Florida Statutes Sections 163.3161 through 163.3215; and

**WHEREAS**, the proposed small scale amendment to the Comprehensive plan meets the criteria for a small-scale amendment as set forth in Section 14-28 of the City Code and Section 163.3187, Florida Statutes; and

**WHEREAS**, the small scale amendment to the Comprehensive Plan involves a use of ten (10) acres or less and the small scale amendment does not propose a text

amendment, or change any goals, policies or objectives of the Pahokee Comprehensive Plan; and

**WHEREAS**, the City of Pahokee Zoning, Adjustment and Planning Board, held a duly noticed public hearing on February 25, 2021, and recommended approval of the Future Small -Scale Land Use Map Amendment request described above; and

**WHEREAS** the City Commission of the City of Pahokee, Florida conducted duly noticed public hearings as required by law; and

**WHEREAS**, the land use designations requested by the applicant will allow for the future development of the subject property for multifamily use that will provide new affordable housing opportunities, promote economic development and improve the City's tax base; and

**WHEREAS**, the propose Small Scale Land Use Map Amendment is consistent with the City of Pahokee's Comprehensive Plan; and

**WHEREAS**, the City Commission of the City of Pahokee, Florida has determined that the proposed Small Scale Land Use Map Amendment is in the best interests of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA:**

**Section 1. Small-Scale Land Use Map Amendment of Subject Property.** That the Future Land Use Map is amended as described below:

*THE FUTURE LAND USE PLAN MAP OF THE CITY OF PAHOKEE'S COMPREHENSIVE PLAN IS HEREBY AMENDED TO CHANGE THE DESIGNATION OF THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF AMARYLLIS AVENUE AND WEST 7<sup>th</sup> STREET, CONTAINING APPROXIMATELY 7.86 ACRES AND LEGALLY DESCRIBED IN EXHIBIT "A" OF THIS ORDINANCE FROM "RESIDENTIAL-MEDIUM" (12 DU/AC) TO "RESIDENTIAL-HIGH" (18 DU/AC).*

**Section 2. Authority of City Manager.** The City Manager is hereby authorized to do all things necessary to effectuate the subject Small-Scale Land Use Map Amendment as required by Florida law. The City shall transmit an executed copy

of this ordinance to the State Land Planning Agency in accordance to the Guidelines contained on the Department of Economic Opportunity's website.

**Section 3. Conflict & Repealer.**

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 4. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 5. Effective Date.** This Ordinance shall take effect on the date the final order is issued by the Department of Economic Opportunity finding the amendment in compliance with the City of Pahokee's Comprehensive Plan, or thirty-one (31) days after adoption, whichever is later, as provided for in Florida Statutes, Section 163.3187.

**PASSED** on first reading on March 23, 2021

**PASSED AND ADOPTED** on second reading on\_\_\_\_\_.

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Keith W. Babb, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Nohemi Polanco, Interim City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.  
City Attorney

**Moved by:** \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

Commissioner Bohlen	_____ (Yes)	_____ (No)
Commissioner Everett	_____ (Yes)	_____ (No)
Commissioner Hill	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

# **EXHIBIT "A"**

**ATTACHMENT "A"**

**CITY OF PAHOKEE**

**CHANDLER PARK FUTURE LAND USE MAP AMENDMENT**

**SUBJECT PROPERTY LEGAL DESCRIPTION**

A PORTION OF TRACTS TRACTS 60, 61, AND 71, RIDGEWAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7 PAGE 11, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 37 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF A PLAT ENTITLED CROSBY SECOND ADDITION TO PAHOKEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 53, PAGE 185 OF SAID PUBLIC RECORDS; THENCE S89°36'29"W; ALONG THE NORTH BOUNDARY OF SAID PLAT AND ITS WESTERLY EXTENSION, 241.52 FEET; THENCE S00°41'34", ALONG A LINE 20.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 71, A DISTANCE OF 581.46 FEET; THENCE S89°18'00"W, ALONG A LINE 64.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 71, A DISTANCE OF 295.26 FEET; THENCE N00°40'24"W, ALONG A LINE 15.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 71, A DISTANCE OF 581.26 FEET; THENCE S89°16'57"W, ALONG THE SOUTH LINE OF AFORESAID TRACT, A DISTANCE OF 0.87 FEET; THENCE NORHTERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF AMARYLLIS AVENUE DESCRIBED IN A RIGHT-OF-WAY DEED DATED JULY, 1970 AND AS DEPICTED ON A PLAT ENTITLED SEMINOLE MANOR AS RECORDED IN PLAT BOOK 67, PAGES 50 AND 51 OF SAID PUBLIC RECORDS AND ALONG THE ARC OF A CURVE BEING CONCAVE TO THE WEST HAVING A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 02°12'23", A CHORD BEARING OF N06°00'38"W, FOR AN ARC DISTANCE OF 12.32 FEET TO A POINT OF TANGENCY; THENCE N07°06'50"W, ALONG SAID RIGHT-OF-WAY LINE, 100.00 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE EAST HAVING A RADIUS OF 280.00 FEET, A DELTA OF 06°26'26", AN ARC DISTANCE OF 31.47 FEET TO A POINT OF TANGENCY ON THE WEST LINE OF AFORESAID TRACT 60; THENCE N00°40'24"W, ALONG SAID TRACT LINE 248.33 FEET TO THE SOUTHWEST CORNER OF A PLAT ENTITLED WASHINGTON PARK NO. 2, AS RECORDED IN PLAT BOOK 16, PAGE 77 OF SAID PUBLIC RECORDS; THENCE N89°20'56"E ALONG THE SOUTH LINE OF SAID PLAT 20.00 FEET; THENCE N00°40'24"E, ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 8, BLOCK 5 OF SAID PLAT, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE S89°20'56"W, ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 20.00 FEET TO A POINT ON AFORESAID WEST LINE OF TRACT 60; THENCE N00°40'24"W, ALONG SAID WEST LINE 100 FEET; THENCE N89°20'56"E ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 8, BLOCK 5, OF SAID WASHINGTON PARK NO. 2, AND ALONG THE NORHT LINE OF LOTS 8, 9 AND 10, OF SAID BLOCK 5, A DISTANCE OF 142.95 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE S00°40'48"E, ALONG THE EAST LINE OF SAID LOT 10, A DISTANCE OF 50.00 FEET; THENCE N89°20'56"E, ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF LOTS 11 AND 12 OF SAID BLOCK 5, A DISTANCE OF 81.97 FEET TO A POINT ON THE EAST LINE OF SAID LOT 12; THENCE N00°41'05"W, ALONG THE WEST LINE OF LOT 13 OF SAID BLOCK 5, A DISTANCE OF 1.00 FEET; THENCE N89°20'56"E, ALONG THE SOUTH LINE OF THE NORTH 49.00 FEET OF LOTS 13 AND 14 OF SAID BLOCK 5 AND ITS EASTERLY EXTENSION, A DISTANCE OF 124.97 FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 4 OF SAID WASHINGTON PARK NO. 2; THENCE N00°41'34"W ALONG SAID WEST LINE AND ITS NORTHERLY EXTENSION A DISTANCE OF 56.50 FEET TO A POINT ON THE CENTERLINE OF A 15.00 FOOT WIDE ALLEY DEPICTED ON SAID PLAT OF WASHINGTON PARK NO. 2; THENCE N89°20'56"E ALONG SAID CENTERLINE, 128.08 FEET TO A POINT ON THE CENTERLINE OF A 13 FOOT WIDE ALLEY DEPICTED ON SAID PLAT OF WASHINGTON PARK NO. 2; THENCE S00°41'34"E, ALONG SAID CENTERLINE, 12.50 FEET; THENCE N89°20'56"E, ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 5, BLOCK 4, OF SAID WASHINGTON PARK NO. 2. AND ALONG SAID NORTH LINE, 91.18 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 15; THENCE S01°16'25"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 517.30 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT ROAD RIGHT OF WAYS.

EXCEPTING THEREFROM THAT PORTION OF SCHOOL STREET/COLLEGE AVENUE DEPICTED ON AFORESAID PLAT ENTITLED WASHINGTON PARK NO. 2 AND BEING BOUNDED AS FOLLOWS:

ON THE NORTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 14, BLOCK 5 OF SAID PLAT; ON THE EAST BY THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 10, BLOCK 4 OF SAID PLAT; ON THE SOUTH BY THE SOUTH BOUNDARY OF SAID PLAT; AND ON THE WEST BY THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 14, BLOCK 5 OF SAID PLAT.

LESS AND EXCEPT THE PROPERTY CONVEYED TO PALM BEACH COUNTY, IN THE STATUTORY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 23797, PAGE 88, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALL OF SAID LANDS LYING IN THE CITY OF PAHOKEE, PALM BEACH COUNTY, FLORIDA

ORDINANCE NO. 2021 - 03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, REZONING AN APPROXIMATELY 2.72 ACRE PORTION OF A PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF AMARYLLIS AVENUE AND WEST 7<sup>th</sup> STREET, CONTAINING APPROXIMATELY 7.86 ACRES, AND LEGALLY DESCRIBED IN EXHIBIT "A" HERETO, WITH THE APPLICABLE PORTION THEREOF DEPICTED IN EXHIBIT "B" HERETO FROM PUBLIC FACILITIES (PF) CLASSIFICATION TO MULTI FAMILY RESIDENTIAL MEDIUM (MF-18) CLASSIFICATION; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PAHOKEE TO REFLECT SAID REZONING; PROVIDING FOR AUTHORITY OF CITY MANAGER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Pahokee, Florida ("City") desires to amend its zoning map by rezoning approximately 2.72 acres of the property generally located at the Northeast corner of Amaryllis Avenue and Northwest 7<sup>th</sup> Street and legally described in Exhibit "A" hereto, from the City's zoning classification of "PF" (Public Facilities") to the City's zoning designation of "MF-18" (Multi Family Residential Medium); and

WHEREAS, the City of Pahokee Zoning, Adjustment and Planning Board, held a duly noticed public hearing on February 25, 2021, and recommended approval of the rezoning described above: and



**WHEREAS** the City Commission of the City of Pahokee, Florida conducted two (2) duly noticed public hearings as required by law for the passage of this ordinance; and

**WHEREAS**, the rezoning designation requested by the applicant will allow for the future development of the subject Property for multifamily use that will provide new affordable housing opportunities, promote economic development and improve the City's tax base; and

**WHEREAS**, the City Commission of the City of Pahokee, Florida has determined that the proposed rezoning and zoning map amendment is in the best interests of the City and its residents.

**WHEREAS**, after careful review and deliberation, staff has determined that this application has complied with the City's Land Development Code and is consistent with the City's Comprehensive Plan.

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

**Section 1.**    Adoption of Representations.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

**Section 2.**    Identification of Property for Rezoning.

The proposed rezoning of an approximately 2.72

acre portion of a property generally located at the Northeast corner of Amaryllis Avenue and West 7<sup>th</sup> Street, and legal described in Exhibit "A" hereto (the "Property"), with the applicable portion thereof depicted in Exhibit "B" hereto.

**Section 3.**     Approval of Rezoning and Amendment to Zoning District Map.

The rezoning of approximately 2.72 acres, of a portion of the Property described in Section 2 is hereby approved, and the property is rezoned from the City's zoning classification of Public Facilities (PF) classification to Multifamily Residential Medium (MF-18).

**Section 4.**     Authority of City Manager.

The City Manager is hereby authorized to do all things necessary to effectuate the subject rezoning and amending of the City's official zoning map as required by Florida law.

**Section 5.**     Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 6.**     Effective Date.

This Ordinance shall take effect immediately upon final passage and adoption.

**PASSED** on first reading on March 23, 2021

**PASSED AND ADOPTED** on second reading on\_\_\_\_\_.

\_\_\_\_\_  
Keith W. Babb, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Nohemi Polanco, Interim City Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.  
City Attorney

**Moved by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

VOTE:

Commissioner Bohlen	_____ (Yes)	_____ (No)
Commissioner Everett	_____ (Yes)	_____ (No)
Commissioner Hill	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

# **EXHIBIT "A"**

## ATTACHMENT "A"

### CITY OF PAHOKEE

#### CHANDLER PARK FUTURE LAND USE MAP AMENDMENT

##### SUBJECT PROPERTY LEGAL DESCRIPTION

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LESS AND EXCEPT THE PROPERTY CONVEYED TO PALM BEACH COUNTY, IN THE STATUTORY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 23797, PAGE 88, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

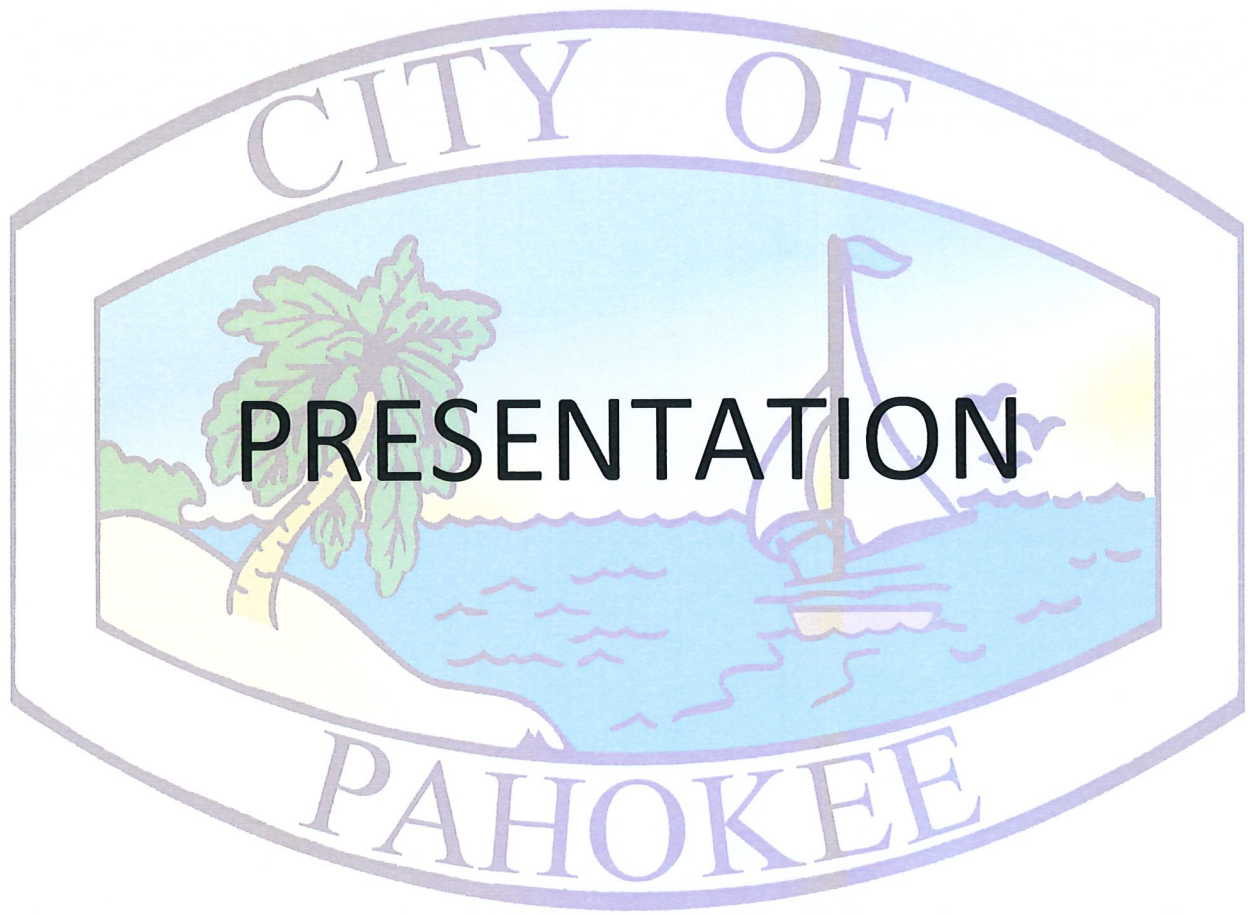
ALL OF SAID LANDS LYING IN THE CITY OF PAHOKEE, PALM BEACH COUNTY, FLORIDA

# **EXHIBIT "B"**

# Exhibit B Rezoning from PF to MF18







**PRESENTATION**



**City of Pahokee  
City Commission Meeting  
March 23, 2021**

**Chandler Park  
Future Land Use Map Amendment (~7.86 Acres)  
& Rezoning (~2.72 Acres)**

**Jeff Costello, AICP, FRA-RA**

# Request



- **Future Land Use Map Amendment (~7.86 acres):**

**From: Residential Medium (RM), 12 dwelling units per acre (12 du/ac)**

**To: Residential High (RH), 18 dwelling units per acre (18 du/ac)**

- **Rezoning (~2.72 acres):**

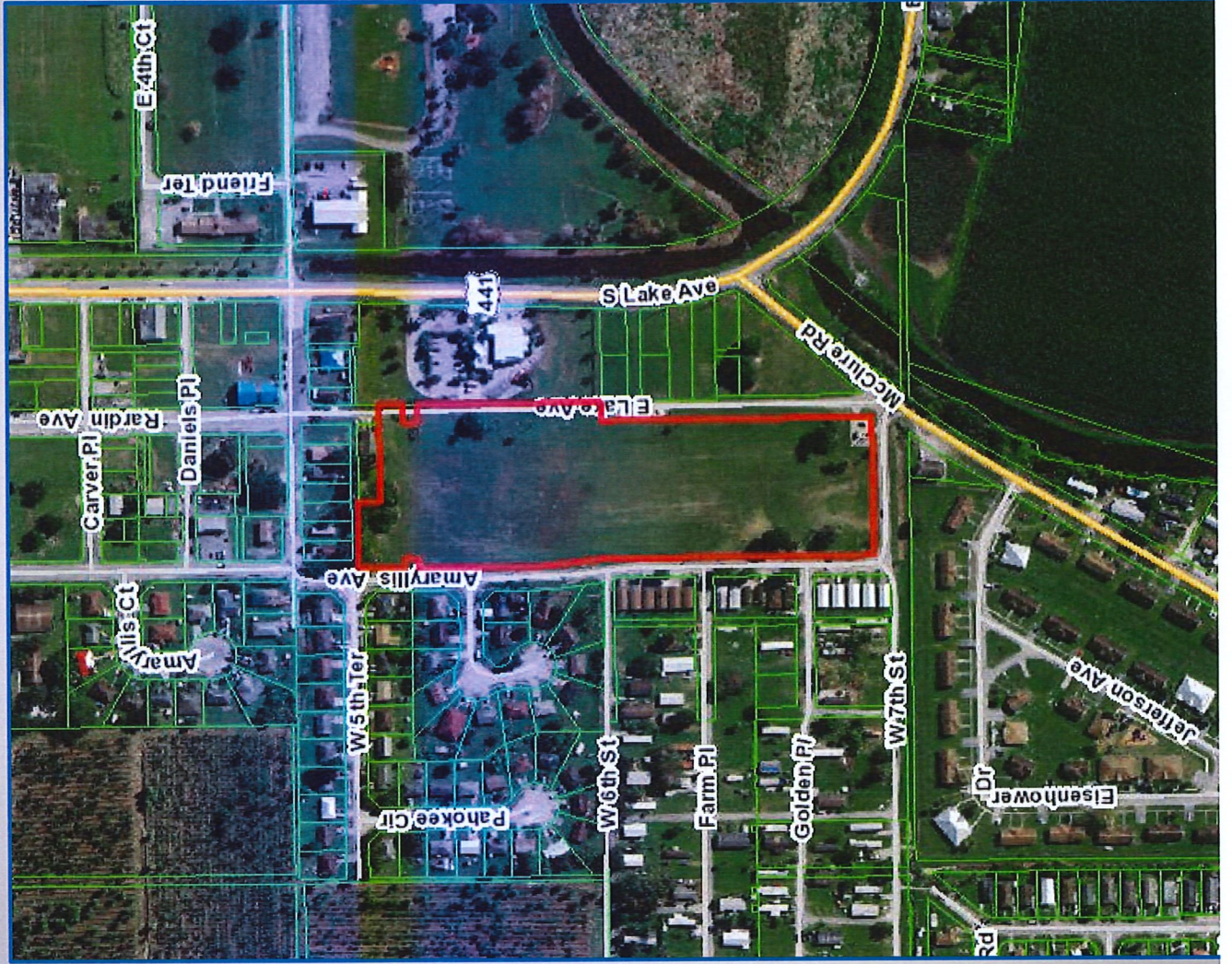
**From: Public Facilities (PF) zoned portion of the site**

**To: Multifamily Residential, Medium Density (MF18)**

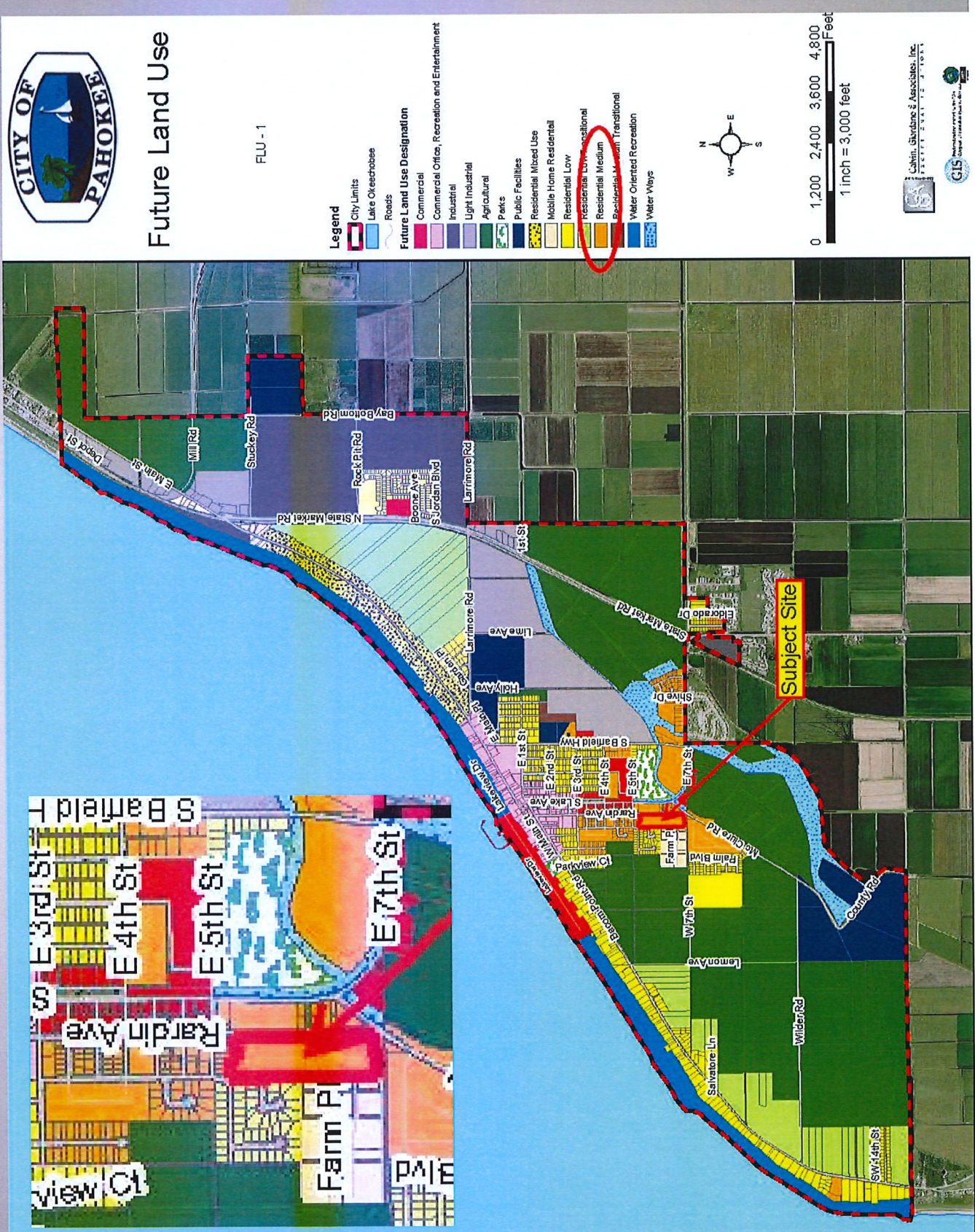
**To obtain consistency with the existing MF18 zoning on the majority of the site.**

- **Applicant will submit site plan application once the Future Land Use Map Amendment and Rezoning are adopted.**
- **February 25, 2021 - Zoning/Adjustment/Planning Board unanimously recommended approval.**

# Location Map



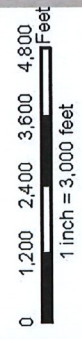
# Future Land Use Map



## Future Land Use

FLU - 1

- City Limits
- Lake Okechobee
- Roads
- Future Land Use Designation
- Commercial
- Commercial Offices, Recreation and Entertainment
- Industrial
- Light Industrial
- Agricultural
- Parks
- Public Facilities
- Residential Mixed Use
- Mobile Home Residential
- Residential Low
- Residential Low Transitional
- Residential Medium
- Residential Medium Transitional
- Water Oriented Recreation
- Water Ways

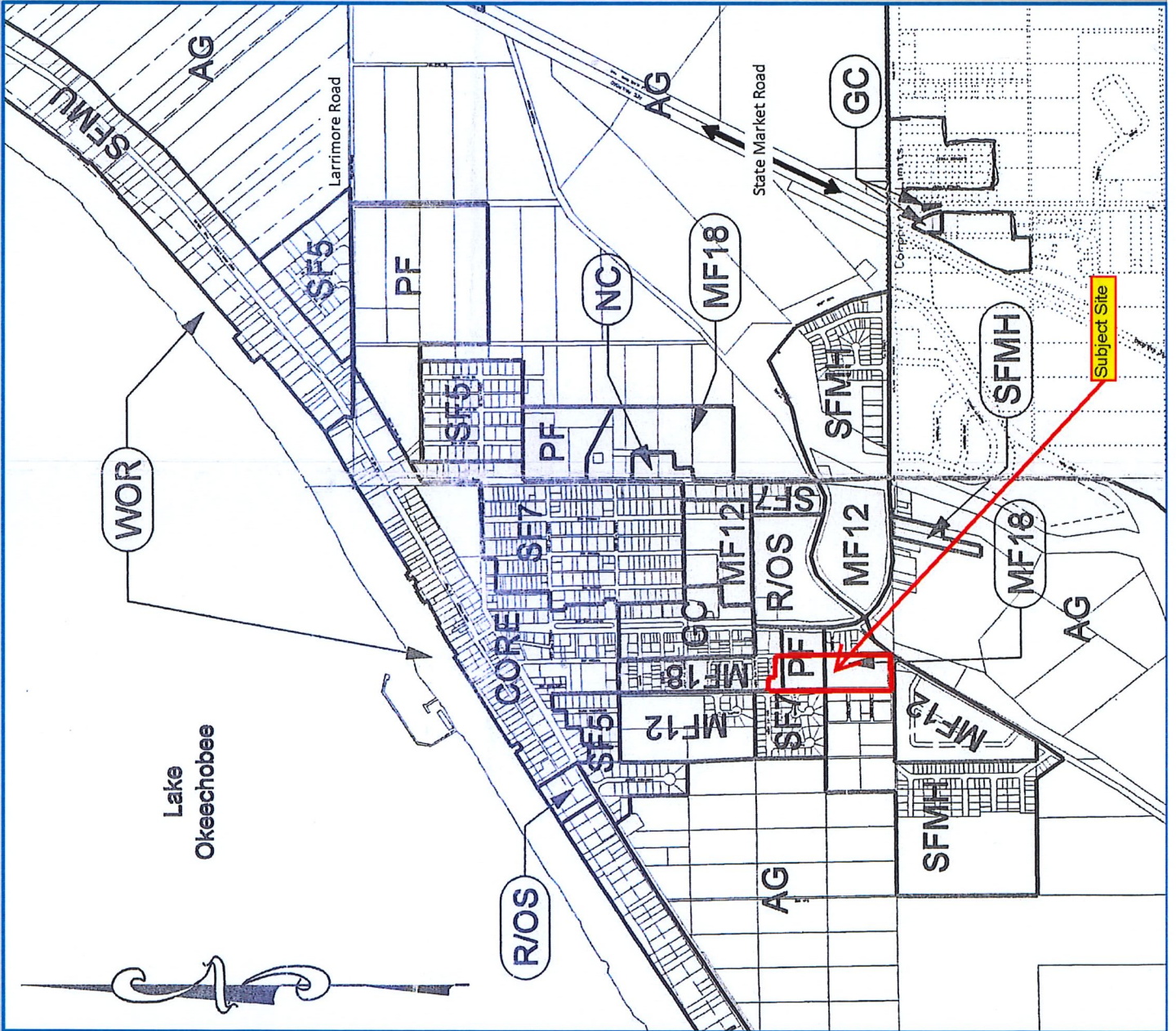


Calvin, Glendon & Associates, Inc.  
PROJECT 251412 3/10/11





# Zoning Map



# Site Plan

- 141-Unit Multifamily Residential Development Apartments Units
- Clubhouse & Pool House
- Recreational Facilities
- Landscape Buffers
- Drainage Retention Areas
- 289 Parking Spaces



# Required Findings



- ❖ Future Land Use Map Amendment and Rezoning requests are consistent with the Goals, Objectives, and Policies of the City of Pahokee Comprehensive Plan
- ❖ Future Land Use Map Amendment request meets the requirements of Section 14-28 of the Land Development Code and is consistent with the review standards identified in section 14-28 (e)
- ❖ Rezoning request meets the requirements of Section 14-27 of the Land Development Code and is consistent with the review standards identified in Section 14-27 (c)(2)(d)



# Recommendations



- ❖ Approve the Future Land Use Plan Map Amendment, by finding that the request is consistent with the adopted Comprehensive Plan and meets the criteria set forth in the Land Development Code.
- ❖ Approve the Rezoning, by finding that the request is consistent with the adopted Comprehensive Plan and meets the criteria set forth in the Land Development Code.