

ORDINANCE NO. 2021-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN TEXT RELATED TO THE WATER MANAGEMENT ELEMENT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the Broward County Comprehensive Plan on April 25, 2017 (the Plan);

WHEREAS, the Department of Economic Opportunity has found the Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the Plan text regarding the Water Management Element;

WHEREAS, the Environmental Protection and Growth Management Department, as the local planning agency for the Broward County Comprehensive Plan, held its hearing on December 14, 2020, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on February 23, 2021, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held an adoption public hearing on June 15, 2021, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes], at which public comment was accepted and considered; and

WHEREAS, the Board of County Commissioners, after due consideration of all matters, hereby finds that the following amendment to the Plan is consistent with the State Plan, Regional Plan, and the Broward County Comprehensive Plan; complies with the

requirements of the Community Planning Act; and is in the best interests of the health, safety, and welfare of the residents of Broward County,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. The Plan is hereby amended by Amendment 20-T4, which is an amendment to the Broward County Comprehensive Plan text related to the Water Management Element.

Section 2. Severability.

If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 3. Effective Date.

(a) The effective date of the plan amendment set forth in this Ordinance will be the latter of:

(1) Thirty-one (31) days after the Department of Economic Opportunity notifies Broward County that the plan amendment package is complete;

(2) If the plan amendment is timely challenged, the date a final order is issued by the Administration Commission or the Department of Economic Opportunity finding the amendment to be in compliance; or

(3) If the Department of Economic Opportunity or the Administration Commission finds the amendment to be in noncompliance, pursuant to

Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners, nonetheless, elects to make the plan amendment effective notwithstanding potential statutory sanctions.

(b) This Ordinance is effective as of the date provided by law.

This Ordinance is effective as of the date provided by law.

ENACTED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Maite Azcoitia 04/09/2021
Maite Azcoitia (date)
Deputy County Attorney