

EXHIBIT 1

ORDINANCE NO. 2020-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN TEXT REGARDING THE POMPANO BEACH DOWNTOWN ACTIVITY CENTER; 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 Broward County Land Use Plan text regarding the Pompano Beach Downtown Activity Center;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearing on February 27, 2020, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on April 21, 2020, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held adoption public hearings on September 10, 2020, at 10:00 a.m., and on September 22, 2020, 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 comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State,

1 Department of Transportation, Fish and Wildlife Conservation Commission, Department
2 of Agriculture and Consumer Services, and Department of Education, as applicable,
3 were considered; and

4 WHEREAS, the Board of County Commissioners, after due consideration of all
5 matters, hereby finds that the following amendment to the Plan is consistent with the
6 State Plan, Regional Plan, and the Plan; complies with the requirements of the
7 Community Planning Act; and is in the best interests of the health, safety, and welfare of
8 the residents of Broward County,

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

11 Section 1. The Plan is hereby amended by Amendment PCT 20-2, which is an
12 amendment to the Broward County Land Use Plan text regarding the Pompano Beach
13 Downtown Activity Center, as set forth in Exhibit "A," attached hereto and incorporated
14 herein.

15 Section 2. Severability.

16 If any portion of this Ordinance is determined by any court to be invalid, the
17 invalid portion will be stricken, and such striking will not affect the validity of the
18 remainder of this Ordinance. If any court determines that this Ordinance, in whole or in
19 part, cannot be legally applied to any individual, group, entity, property, or circumstance,
20 such determination will not affect the applicability of this Ordinance to any other
21 individual, group, entity, property, or circumstance.

22 Section 3. Effective Date.

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

- 1 (1) Thirty-one (31) days after the Department of Economic Opportunity
2 notifies Broward County that the plan amendment package is complete;
- 3 (2) If the plan amendment is timely challenged, the date a final order is issued
4 by the Administration Commission or the Department of Economic
5 Opportunity finding the amendment to be in compliance;
- 6 (3) If the Department of Economic Opportunity or the Administration
7 Commission finds the amendment to be in noncompliance, pursuant to
8 Section 163.3184(8)(b), Florida Statutes, the date the Board of County
9 Commissioners, nonetheless, elects to make the plan amendment
10 effective notwithstanding potential statutory sanctions; or
- 11 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as
12 per Exhibit "B," the date the Declaration of Restrictive Covenants or
13 agreement is recorded in the Public Records of Broward County.
- 14 (b) This Ordinance is effective as of the date provided by law.

15
16 ENACTED

17 FILED WITH THE DEPARTMENT OF STATE

18 EFFECTIVE

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

21 By /s/ Maite Azcoitia 09/11/2020
22 Maite Azcoitia (date)
23 Deputy County Attorney

24 MA/gmb
PCT20-2 Pompano Beach Downtown Activity Center Ord
09/11/2020
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