Exhibit 2
Page 1 of 3

1   ORDINANCE NO. 2021-

2   AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
    BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE
3   COMPREHENSIVE PLAN TEXT RELATED TO THE DEEPWATER PORT
    COMPONENT; AND PROVIDING FOR SEVERABILITY AND AN
4   EFFECTIVE DATE.

5   (Sponsored by the Board of County Commissioners)

6   WHEREAS, Broward County adopted the Broward County Comprehensive Plan

7   on April 25, 2017 (the Plan);

8   WHEREAS, the Department of Economic Opportunity has found the Plan in

9   compliance with the Community Planning Act;

10   WHEREAS, Broward County now wishes to propose an amendment to the Plan

11 text regarding the Deepwater Port Component;

12   WHEREAS, the Environmental Protection and Growth Management Department,

13 as the local planning agency for the Broward County Comprehensive Plan, held its

14 hearing on December 14, 2020, with due public notice;

15   WHEREAS, the Board of County Commissioners held its transmittal public hearing

16 on February 23, 2021, having complied with the notice requirements specified in

17 Section 163.3184(11), Florida Statutes;

18   WHEREAS, the Board of County Commissioners held an adoption public hearing

19 on June 15, 2021, at 10:00 a.m. [also complying with the notice requirements specified in

20 Section 163.3184(11), Florida Statutes], at which public comment was accepted and

21 considered; and

22   WHEREAS, the Board of County Commissioners, after due consideration of all

23 matters, hereby finds that the following amendment to the Plan is consistent with the State

24 Plan, Regional Plan, and the Broward County Comprehensive Plan; complies with the

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Exhibit 2
Page 2 of 3

1 requirements of the Community Planning Act; and is in the best interests of the health,

2 safety, and welfare of the residents of Broward County,

3   BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

4 BROWARD COUNTY, FLORIDA:

5   Section 1.   The Plan is hereby amended by Amendment 20-T5, which is an

6 amendment to the Broward County Comprehensive Plan text related to the Deepwater

7 Port Component.

8   Section 2.   Severability.

9   If any portion of this Ordinance is determined by any Court to be invalid, the invalid

10 portion shall be stricken, and such striking shall not affect the validity of the remainder of

11 this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot

12 be legally applied to any individual(s), group(s), entity(ies), property(ies), or

13 circumstance(s), such determination shall not affect the applicability hereof to any other

14 individual, group, entity, property, or circumstance.

15   Section 3.   Effective Date.

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

17 the latter of:

18   (1)   Thirty-one (31) days after the Department of Economic Opportunity notifies

19 Broward County that the plan amendment package is complete;

20   (2)   If the plan amendment is timely challenged, the date a final order is issued

21 by the Administration Commission or the Department of Economic Opportunity finding the

22 amendment to be in compliance; or

23   (3)   If the Department of Economic Opportunity or the Administration

24 Commission finds the amendment to be in noncompliance, pursuant to

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Exhibit 2
Page 3 of 3

1 Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners,

2 nonetheless, elects to make the plan amendment effective notwithstanding potential

3 statutory sanctions.

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

5

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

7 ENACTED

8 FILED WITH THE DEPARTMENT OF STATE

9 EFFECTIVE

10

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

12 By */s/ Maite Azcoitia*   04/09/2021

13   Maite Azcoitia   (date)
     Deputy County Attorney

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23 MA/gmb
04/09/2021

24 20-T5 DeepwaterPortComponent.Ord
File #80041

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