

EXHIBIT 2

ORDINANCE NO. 2021-

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 WITHIN THE CITY OF PEMBROKE PINES; 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 Broward County Comprehensive Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the Broward County Land Use Plan within the City of Pembroke Pines;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, has held its hearing on September 17, 2020, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on October 20, 2020, 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 January 26, 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 comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State, Department of Transportation, Fish and Wildlife

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

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

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

11 Section 1. The Broward County Comprehensive Plan is hereby amended by
12 Amendment PC 20-7, which is an amendment to the Broward County Land Use Plan
13 located in the City of Pembroke Pines, as set forth in Exhibit "A," attached hereto and
14 incorporated herein.

15 Section 2. Severability.

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

22 Section 3. Effective Date.

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

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

- 1 (1) Thirty-one (31) days after the Department of Economic Opportunity notifies
2 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 effective
10 notwithstanding potential statutory sanctions; or
- 11 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as per
12 Exhibit "B," the date the Declaration of Restrictive Covenants or agreement
13 is recorded in the Public Records of Broward County.

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

15 ENACTED

16 FILED WITH THE DEPARTMENT OF STATE

17 EFFECTIVE

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

20
21 By /s/ Maite Azcoitia 12/08/2020
22 Maite Azcoitia (date)
Deputy County Attorney

23 MA/gmb
12/08/2020
24 PC20-7 City of Pembroke Pines Ord.doc
#80041

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

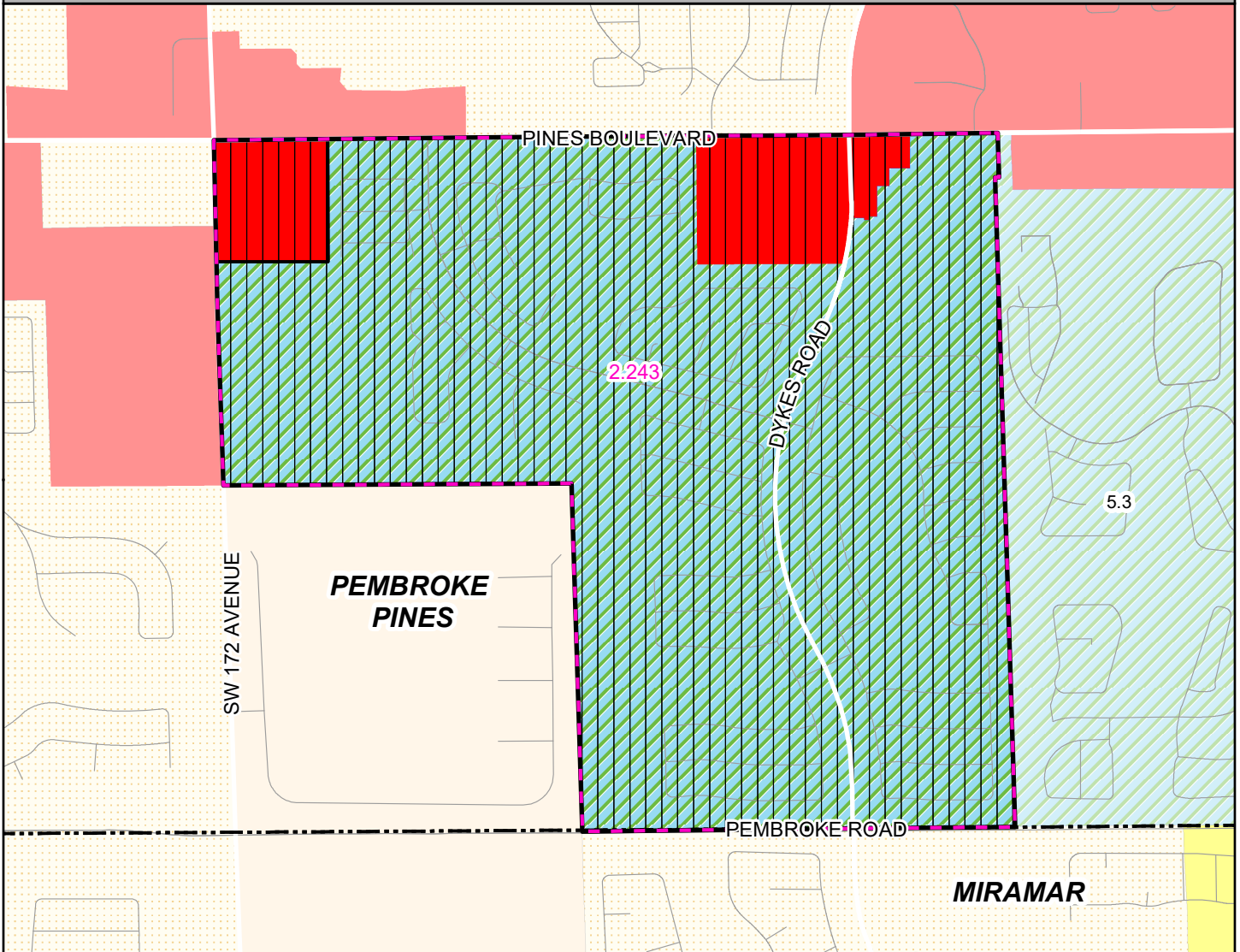
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 20-7

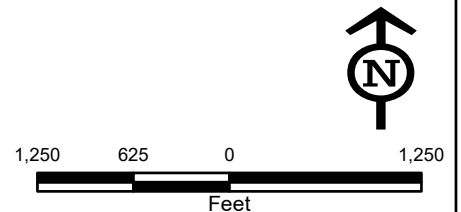
Current Land Uses: Dashed-Line Area consisting of 509.2 acres of Irregular (2.243) Residential and 49.0 acres of Commerce

Proposed Land Uses: Dashed-Line Area consisting of 527.6 acres of Irregular (2.621) Residential and 30.6 acres of Commerce

Gross Acres: Approximately 558.2 acres



- | | | | |
|--|------------------------|--|-----------------------|
| | Site | | Low (3) Residential |
| | Municipal Boundary | | Low (5) Residential |
| | Dashed-Line Area | | Irregular Residential |
| | Estate (1) Residential | | Commerce |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 20-7
(PEMBROKE PINES)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

September 8, 2020

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or
- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

If the Planning Council chooses to require a second Planning Council public hearing per Article 1.2(A)(1)(2) or (3), such recommendation must be made as part of its motion.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

RECOMMENDATIONS/ACTIONS (continued)

DATE

II. Planning Council Transmittal Recommendation

September 17, 2020

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; 14-0; Yes: Blackwelder, Blattner, Breslau, Brunson, Fernandez, Gomez, Graham, Hardin, Maxey, Parness, Rich, Ryan, Williams and DiGiorgio. Abstain: Good.)

III. County Commission Transmittal Recommendation

October 20, 2020

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

November 23, 2020

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 20-7

INTRODUCTION AND APPLICANT’S RATIONALE

- I. Municipality: Pembroke Pines
- II. County Commission District: District 8
- III. Site Characteristics
 - A. Size: Approximately 558.2 acres
 - B. Location: In Sections 16, 17, 20 and 21, Township 51 South, Range 40 East; generally located on the east side of Southwest 172 Avenue, between Pembroke Road and Pines Boulevard.
 - C. Existing Uses: Educational facilities, park, single-family and multi-family residential, retail, vacant and Pembroke Shores Mitigation Areas
- IV. Broward County Land Use Plan (BCLUP) Designations
 - A. Current Designations: Dashed-Line Area* consisting of:
 - 509.2 acres of Irregular (2.243) Residential permitting a maximum of 1,252 dwelling units
 - 49.0 acres of Commerce
 - B. Proposed Designations: Dashed-Line Area consisting of:
 - 527.6 acres of Irregular (2.621) Residential permitting a maximum of 1,463 dwelling units
 - 30.6 acres of Commerce
 - C. Estimated Net Effect: Addition of 211 dwelling units
Reduction of 18.4 acres of commerce use

*A “Dashed-Line Area” is defined as an area having a particular maximum overall allowable density of dwelling units for all land and land uses within the area for which the permitted overall density appears inside the dashed line area shown on the land use plan map. That number is multiplied by the total number of acres inside the dashed line, including non-residential areas, to calculate the total number of dwelling units permitted within the same.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site

- A. *Existing Uses:*
- North:* Retail, fire station, mitigation areas and single-family residential
East: Retail, multi-family and single-family residential
South: Park, educational facility, single-family residential and mitigation area
West: Single-family residential, outdoor storage and warehouses
- B. *Planned Uses:*
- North:* Commerce and Low (3) Residential
East: Irregular (5.3) Residential
South: Low (3) Residential and Estate (1) Residential
West: Estate (1) Residential, Commerce and Low (3) Residential

VI. Applicant/Petitioner

- A. *Applicant:* DR Horton, Inc.
- B. *Agents:* Dennis Mele, Esq., Greenspoon Marder, LLP
Kristen Nowicki, AICP, WGI, Inc.
- C. *Property Owner:* School Board of Broward County

VII. Recommendation of Local Governing Body:

The City of Pembroke Pines recommends approval of the proposed amendment.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.