

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REZONING OF PROPERTY; CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING TRACT 39, BLOCK 83, OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM A-1: AGRICULTURAL ESTATE TO PDD: PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT OF THE APPLICABLE ZONING DISTRICT MAPS; REPEALING CONFLICTING ZONING ORDINANCES AND ZONING RESOLUTIONS TO THE EXTENT OF ANY CONFLICT HEREWITH; PROVIDING THAT THE REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, after public hearing and due public debate and consideration, the Board of County Commissioners deems it to be in the best interest of the health, safety, and welfare of the residents of Broward County, Florida, to rezone the following described lands,

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

23           Section 1.    The zoning district boundaries within Broward County, Florida, are  
24 hereby changed by rezoning the land described in Exhibit A ("Property") from A-1:  
25 Agricultural Estate to PDD: Planned Development District, pursuant to Article XX,  
26 Chapter 39, of the Broward County Code of Ordinances.

27           Section 2.    The development of the Property shall be subject to the following  
28 limitations, conditions, and qualifications:

29           (a)    All development must be in compliance with applicable provisions of the  
30 Broward County Code of Ordinances and all ordinances specifically relating to this  
31 Property, and shall at all times comply with all applicable governmental and agency laws,  
32 rules, and regulations pertaining to the Property; and

33           (b)    All development must be in compliance with the Broward County  
34 Comprehensive Plan, as amended, and all development permits must be in accordance  
35 with the content of the Broward Municipal Services District Land Use Element, as  
36 amended and certified.

37           Section 3.    The zoning district maps relating to the Property are hereby  
38 amended to reflect such change in zoning.

39           Section 4.    All rezoning ordinances or parts of rezoning ordinances, or zoning  
40 resolutions or parts of zoning resolutions, that conflict with this Ordinance are hereby  
41 repealed to the extent of such conflict.

42           Section 5.    This rezoning shall not be construed to create a right to any  
43 development of the Property that fails to meet the requirements of other applicable land  
44 development regulations.

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Section 6. Severability.

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

Section 7. Effective Date.

This Ordinance is effective as of the date that the Board of County Commissioners adopts a Resolution allocating ten (10) residential flexibility units to the Property.

ENACTED

**PROPOSED**

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Alexis Marrero Koratich      07/27/2022  
Alexis Marrero Koratich      (date)  
Assistant County Attorney

By: /s/ Maite Azcoitia      07/27/2022  
Maite Azcoitia      (date)  
Deputy County Attorney