

EXHIBIT 1

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE WETLANDS MAP OF THE NATURAL RESOURCE MAP SERIES OF THE BROWARD COUNTY COMPREHENSIVE PLAN; 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 Wetlands Map of the Natural Resource Map Series of the Plan;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearing on February 24, 2022, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on April 26, 2022, 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 September 8, 2022, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was

23 | accepted and comments of the Department of Economic Opportunity, South Florida
24 | Regional Planning Council, South Florida Water Management District, Department of
25 | Environmental Protection, Department of State, Department of Transportation, Fish and
26 | Wildlife Conservation Commission, Department of Agriculture and Consumer Services,
27 | and Department of Education, as applicable, were considered; and

28 | WHEREAS, the Board of County Commissioners, after due consideration of all
29 | matters, hereby finds that the following amendment to the Broward County
30 | Comprehensive Plan is consistent with the State Plan, Regional Plan, and the Broward
31 | County Comprehensive Plan; complies with the requirements of the Community Planning
32 | Act; and is in the best interests of the health, safety, and welfare of the residents of
33 | Broward County,

34 | BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
35 | BROWARD COUNTY, FLORIDA

36 | Section 1. The Broward County Comprehensive Plan is hereby amended by
37 | Amendment PCNRM 22-1, which is an amendment to the Wetlands Map of the Natural
38 | Resource Map Series, as set forth in Exhibit A, attached hereto and incorporated herein:

39 | Section 2. Severability.

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

44 determination will not affect the applicability of this Ordinance to any other individual,
45 group, entity, property, or circumstance.

46 Section 3. Effective Date.

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

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

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

54 (3) If the Department of Economic Opportunity or the Administration
55 Commission finds the amendment to be in noncompliance, pursuant to
56 Section 163.3184(8)(b), Florida Statutes, the date the Board of County
57 Commissioners nonetheless, elects to make the plan amendment effective
58 notwithstanding potential statutory sanctions.

59 (b) 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 08/02/2022
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
08/02/2022
PCNRM22-1 Update the Wetland Map Ord.
#80041

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCNRM 22-1

**(NATURAL RESOURCE MAP SERIES -
EASTERN BROWARD COUNTY WETLANDS MAP)**

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation February 15, 2022

Planning Council staff recommends approval of the proposed amendment to the Natural Resource Map Series - Eastern Broward County Wetlands Map. **See Attachment 1.**

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.

RECOMMENDATIONS/ACTIONS (continued)

II. Planning Council Transmittal Recommendation February 24, 2022

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 11-0: Blackwelder, Castillo, Gomez, Hardin, Horland, Levy, Parness, Rich, Ryan, Williams and DiGiorgio)

III. County Commission Transmittal Recommendation April 26, 2022

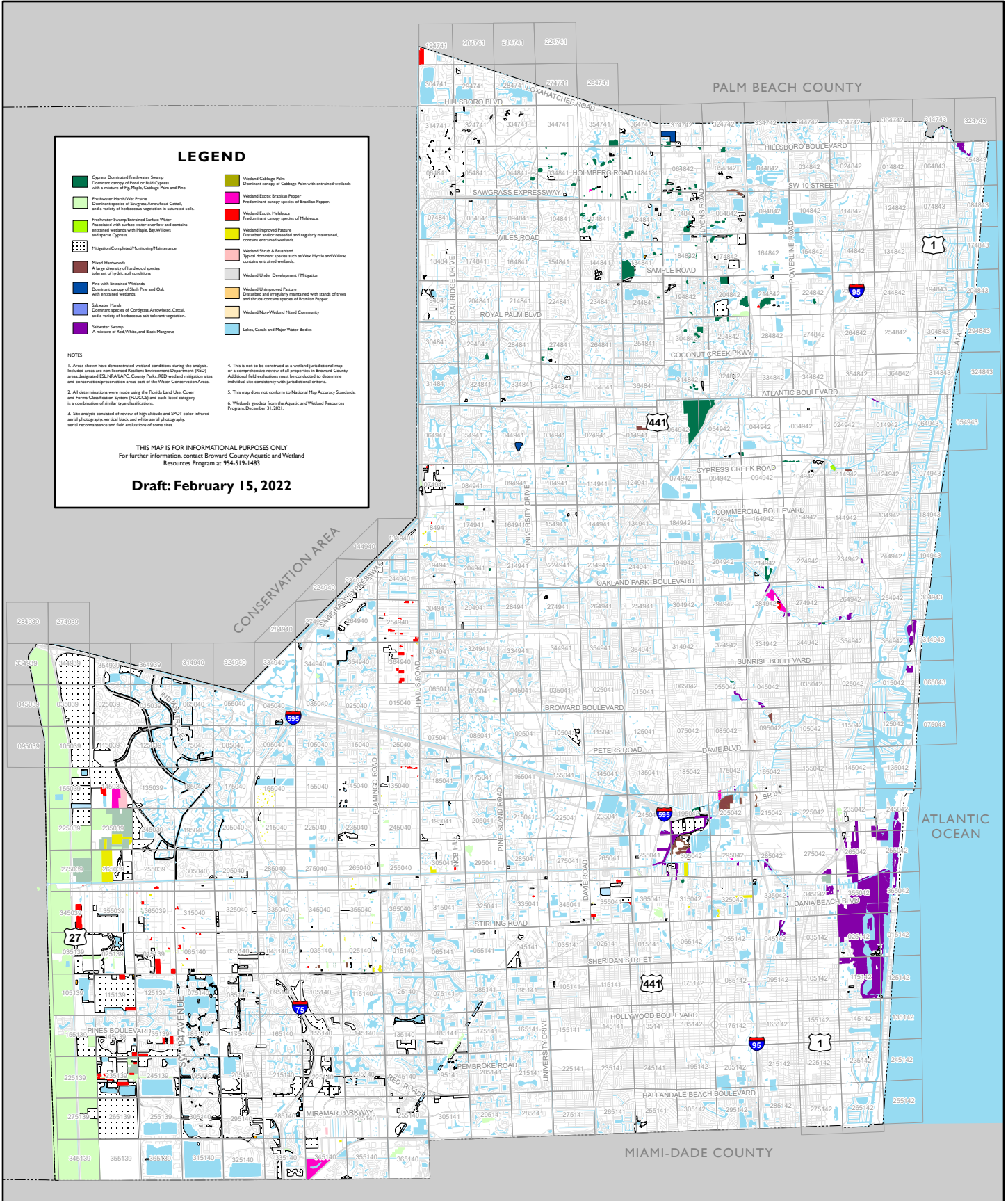
Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments May 27, 2022

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

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN NATURAL RESOURCE MAP SERIES Eastern Broward County Wetlands



LEGEND

Cypress Dominated Freshwater Swamp Dominant canopy of Pond or Salt Cypress with a mixture of Big Palm, Cabbage Palm and Pine.	Wetland Cabbage Palm Dominant canopy of Cabbage Palm with scattered wetlands.
Freshwater Marsh/Water Prairie Dominant species of Sedges, Arrowhead Cattail, and a variety of herbaceous vegetation in scattered soils.	Wetland Exotic Brazilian Pepper Predominant canopy species of Brazilian Pepper.
Freshwater Swamp/Scattered Surface Water Associated with surface water, scattered and contains scattered wetlands, with Maple Bay Willow and other species.	Wetland Exotic Medusa Predominant canopy species of Medusa.
Wetland/Completed/Postponing/Performance	Wetland Improved Pasture Disturbed and/or managed and regularly maintained, contains scattered wetlands.
Flood Hardwoods A large diversity of hardwood species tolerant of hydro soil conditions.	Wetland Shrub & Brushland Typical dominant species such as Wax Myrtle and Willow, contains scattered wetlands.
Pine with Scattered Wetlands Dominant canopy of Slash Pine and Oak with scattered wetlands.	Wetland Under Development / Pristine
Saltwater Marsh Dominant species of Cordgrass, Arrowhead Cattail, and a variety of herbaceous salt tolerant vegetation.	Wetland Unimproved Pasture Disturbed and regularly managed with stands of trees and shrubs contains species of Brazilian Pepper.
Saltwater Swamp A mixture of Red Willow and Black Mangrove	Lakes, Canals and Major Water Bodies

NOTES

1. Areas shown have demonstrated wetland conditions during the analysis. Included areas are non-located Resident Environmental Department (RED) areas designated (EIA, NALAC, County Parks, RED) wetland mitigation areas and conservation/preservation areas east of the Water Conservation Areas.
2. All interpretations were made using the Florida Land Use, Cover and Form Classification System (FLUCCS) and each land category is a combination of similar type classifications.
3. Six aerials (consisted of color of high altitude and SPOT color infrared aerial photography vertical black and white aerial photography, aerial reconnaissance and field evaluations of some sites).
4. This is not to be construed as a wetland jurisdictional map or a comprehensive review of all properties in Broward County. Additional field evaluations must be conducted to determine individual site compliance with jurisdictional criteria.
5. This map does not conform to National Map Accuracy Standards.

THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY
For further information, contact Broward County Aquatic and Wetland Resources Program at 954-519-1483

Draft: February 15, 2022