

EXHIBIT 2

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY
3 LAND USE PLAN OF THE BROWARD COUNTY COMPREHENSIVE PLAN
4 REGARDING UPDATING THE WETLANDS MAP OF THE NATURAL RESOURCE MAP
5 SERIES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, Broward County adopted the Broward County Comprehensive Plan
9 on April 25, 2017 (the Plan);

10 WHEREAS, the Department of Commerce has found the Broward County
11 Comprehensive Plan in compliance with the Community Planning Act;

12 WHEREAS, Broward County now wishes to propose an amendment to the Land
13 Use Plan regarding updating the Wetlands Map of the Natural Resource Map Series;

14 WHEREAS, the Planning Council, as the local planning agency for the Broward
15 County Land Use Plan, held its hearing on February 22, 2024, with due public notice;

16 WHEREAS, the Board of County Commissioners held its transmittal public hearing
17 on April 16, 2024, having complied with the notice requirements specified in
18 Section 163.3184(11), Florida Statutes;

19 WHEREAS, the Board of County Commissioners held an adoption public hearing
20 on September 5, 2024, at 10:00 a.m. [also complying with the notice requirements
21 specified in Section 163.3184(11), Florida Statutes] at which public comment was

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

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

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

35 | The Broward County Comprehensive Plan is hereby amended by Amendment
36 | PCNRM 24-2, which is an amendment to the Land Use Plan regarding updating the
37 | Wetlands Map of the Natural Resource Map Series, as set forth in Exhibit A, attached
38 | hereto and incorporated herein.

39 | 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 Effective Date.

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

49 (1) Thirty-one (31) days after the Department of Commerce notifies Broward
50 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 Commerce finding
53 the amendment to be in compliance;

54 (3) If the Department of Commerce or the Administration Commission finds the
55 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
56 Florida Statutes, the date the Board of County Commissioners nonetheless

57 elects to make the plan amendment effective notwithstanding potential
58 statutory sanctions;

59 (4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
60 date the Declaration of Restrictive Covenants is recorded in the Official
61 Records of Broward County; or

62 (5) If recertification of the municipal land use plan amendment is required, the
63 date the municipal amendment is recertified.

64 (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 07/09/2024
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
07/09/2024
PCNRM 24-2 Wetlands Map.Ordinance
#80041

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCNRM 24-2

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

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation February 13, 2024

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

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)

DATE

II. Planning Council Transmittal Recommendation

February 22, 2024

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 17-0: Abramson, Brunson, Castillo, Fernandez, Fisher, Gomez, Greenberg, Hardin, Harrison, Horland, Newbold, Railey, Rosenof, Ryan, Werthman, Zeman and DiGiorgio)

III. County Commission Transmittal Recommendation

April 16, 2024

Approval per Planning Council transmittal recommendation.

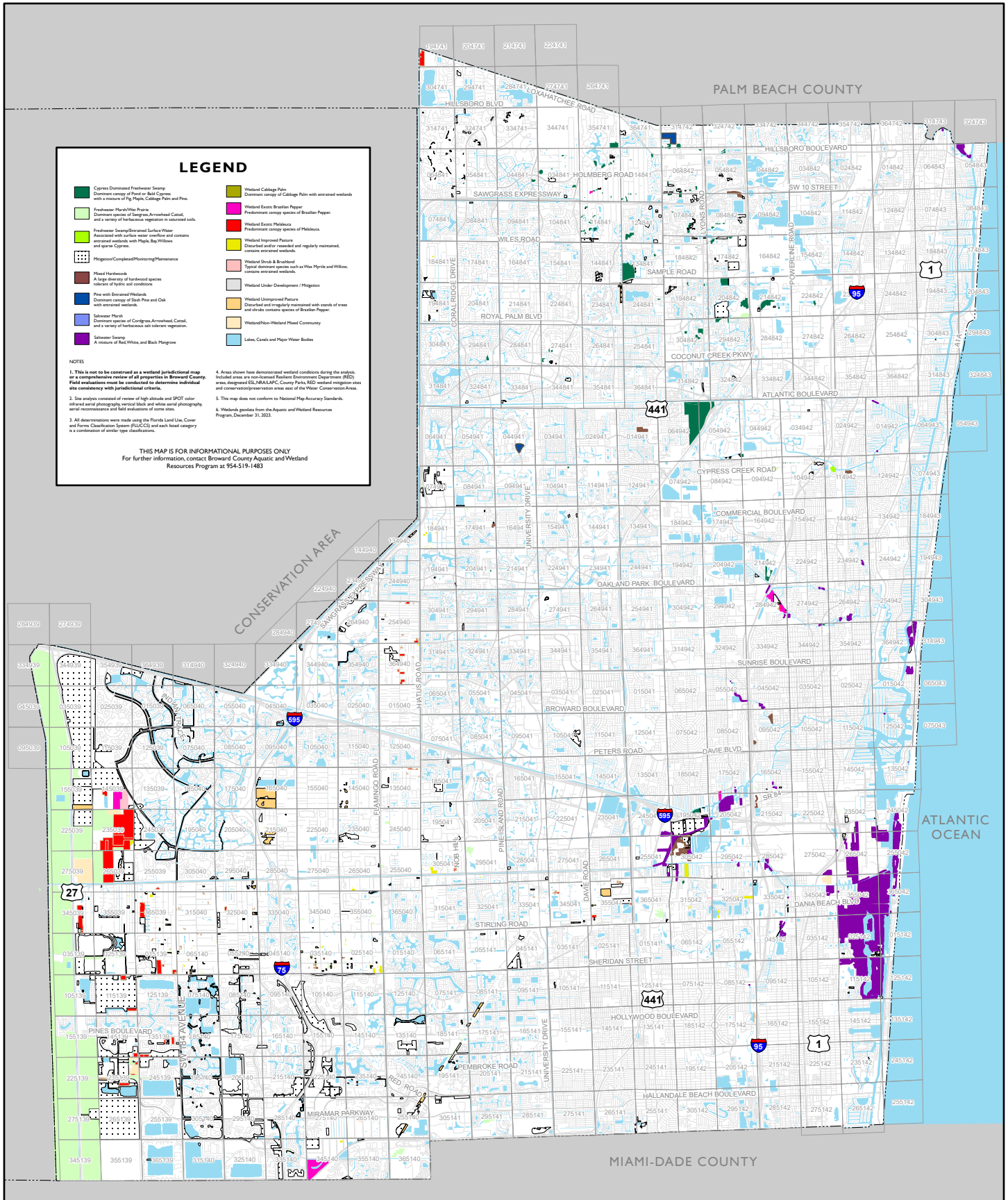
IV. Summary of State of Florida Review Agency Comments

May 17, 2024

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

BROWARD COUNTY LAND USE PLAN NATURAL RESOURCE MAP SERIES

Eastern Broward County Wetlands



LEGEND

Cypress Dominated Freshwater Swamp Dominant canopy of Pine or Bald Cypress with a mixture of Fig, Magnolia, Cabbage Palm and Pine.	Wetland Cabbage Palm Dominant canopy of Cabbage Palm with associated wetlands.
Freshwater Hard/Soft Prairie Dominant species of Scaevola, Archaeanth, Canal, and a variety of herbaceous vegetation in saturated soils.	Wetland Exotic: Brazilian Pepper Predominant canopy species of Brazilian Pepper.
Freshwater Swamp/Scattered Surface Water Associated with surface water canyons and contains associated wetlands with Magnolia, Bay Willows and sparse Cypress.	Wetland Exotic: Melaleuca Predominant canopy species of Melaleuca.
Progressive/Completed/Planned/Intentional	Wetland Improved Prairie Disturbed and/or regularly mowed and regularly maintained, contains associated wetlands.
Flooded Herbaceous A large diversity of herbaceous species tolerant of hydric soil conditions.	Wetland Shrub & Broadleaf Typical dominant species such as Wax Myrtle and Willow, contains associated wetlands.
Pine with Grounded Wetlands Dominant canopy of Slash Pine and Oak with associated wetlands.	Wetland Under Development / Progression
Saltwater Marsh Dominant species of Cordgrass, Arrowweed, Canal, and a variety of herbaceous salt tolerant vegetation.	Wetland Unimproved Prairie Disturbed and regularly mowed with stands of trees and shrub canopy species of Brazilian Pepper.
Saltwater Swamp A mixture of Red, White, and Black Mangrove.	Wetland/High-Wetland Mixed Community
	Lakes, Canals and Major Water Bodies

NOTES

- This is not to be construed as a wetland jurisdictional map or a comprehensive wetland delineation in Broward County. Field evaluations must be conducted to determine individual site consistency with jurisdictional criteria.
- Site analysis consisted of review of high altitude and SPOT color aerial and/or photography, vertical block and white aerial photography, aerial reconnaissance and field evaluations of some sites.
- All determinations were made using the Florida Land Use, Cover and Form Classification System (FLUCFS) and each land category is a combination of similar type classifications.
- Areas shown here demonstrate wetland conditions during the project. Included areas are non-jurisdictional Broward Environmental Department (RED) areas, designated EIL, NALR/DC County Parks, RED wetland mitigation sites and cover necessary for restoration sites east of the Water Conservation Area.
- This map does not conform to National Map Accuracy Standards.
- Wetlands updates from the Aquatic and Wetland Resources Program, December 31, 2023.

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

SOURCES
Broward County Aquatic and Wetland Resources, Broward County Planning Council



EXHIBIT B

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