

EXHIBIT 1

RESOLUTION NO. 2021-

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 APPROVING AND ADOPTING AMENDMENT TO ARTICLE 3 OF
5 THE ADMINISTRATIVE RULES DOCUMENT: BROWARDNEXT
6 ("ADMINISTRATIVE RULES DOCUMENT"), CONSISTENT WITH
7 THE ADDITION OF POLICY 2.16.4 OF THE BROWARD COUNTY
8 LAND USE PLAN; AND PROVIDING FOR SEVERABILITY,
9 INCLUSION IN THE ADMINISTRATIVE RULES DOCUMENT,
10 AND AN EFFECTIVE DATE.

11 WHEREAS, the Administrative Rules Document: BrowardNEXT ("Administrative
12 Rules Document") provides rules and regulations for the purpose of providing
13 assistance and guidance to local government entities and the general public and
14 direction to Broward County Planning Council ("Planning Council") staff in implementing
15 the Broward County Land Use Plan;

16 WHEREAS, at its meeting of January 28, 2021, the Planning Council
17 recommended to the Board of County Commissioners that it approve an amendment to
18 Article 3 of the Administrative Rules Document consistent with the addition of
19 Policy 2.16.4 of the Broward County Land Use Plan;

20 WHEREAS, the amending of Article 3 of the Administrative Rules Document
21 requires approval of the Board of County Commissioners; and

22 WHEREAS, the Board of County Commissioners deems it to be in the best
23 interests of the residents of Broward County to approve the amendment to the
24 Administrative Rules Document as set forth herein, NOW, THEREFORE,

25
26 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
27 BROWARD COUNTY, FLORIDA:

28 Section 1. Article 3 of the Administrative Rules Document: BrowardNEXT is

1 hereby amended to read as set forth in Exhibit A, attached hereto.

2 Section 2. Severability.

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

9 Section 3. Inclusion in the Broward County Administrative Rules Document.

10 It is the intention of the Board of County Commissioners that the provisions of
11 this Resolution shall become and be made part of the Administrative Rules Document:
12 Broward Next; and that the sections of this Resolution be renumbered or relettered and
13 the word "resolution" may be changed to "section," "article," or such other appropriate
14 word or phrase to the extent necessary in order to accomplish such intention.

15 Section 4. Effective Date.

16
17 This Resolution is effective upon adoption.

18 ADOPTED this day of , 2021.

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

21 By /s/ Maite Azcoitia 01/27/2021
22 Maite Azcoitia (date)
23 Deputy County Attorney

24 MA/gmb
01/27/21
Administrative Rules Policy 2.16.4 (Article 3) - BrowardNext.Reso.doc
#80041

EXHIBIT A

SECTION I
AMENDMENT TO THE
ADMINISTRATIVE RULES DOCUMENT: BROWARDNEXT

“ARTICLE 3.5: Increase and Decrease of Commercial and Residential Acreage”

(CORRESPONDING TO PROPOSED TEXT AMENDMENT PCT 20-4)

RECOMMENDATIONS/ACTIONS

DATE

- I. Planning Council Staff Recommendation January 19, 2021

It is recommended that the proposed revisions to the *Administrative Rules Document: BrowardNext* (ARD) be approved. **See Attachment 1.**

The proposed ARD amendment does not require transmittal to or review by the State of Florida review agencies. In addition, Article 3 requires approval and adoption by the Broward County Board of County Commissioners.

- II. Planning Council Recommendation January 28, 2021

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 15-0; Blackwelder, Breslau, Brunson, Castillo, Fernandez, Gomez, Graham, Grosso, Hardin, Maxey, Railey, Rich, Rosenof, Williams and DiGiorgio)

ATTACHMENT 1

ADMINISTRATIVE RULES DOCUMENT: BrowardNext Proposed Text Amendment

3.5 INCREASE AND DECREASE OF COMMERCIAL AND RESIDENTIAL ACREAGE

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. .

- (4) Residential and/or mixed commercial/residential developments may be permitted by the local land use plan in areas designated "Commerce" on the Broward County Land Use Plan Map, subject to the following:
- a. The local government shall apply available flexibility and/or redevelopment units in compliance with Articles 3.2 and 3.3 of this document; and
 - b. For parcels up to ten (10) acres in size, free-standing multi-family residential uses or mixed commercial/residential developments are permitted; and
 - ~~c. For parcels up to twenty (20) acres in size, free-standing multifamily residential uses or mixed commercial/residential developments that include a minimum of 15% affordable housing restricted to such use for a minimum of 15 years are permitted; and~~
 - d. Within areas east of the Intracoastal Waterway, in no instance shall the residential density exceed 25 dwelling units per acre or 100% of the maximum number of dwelling units indicated for the parcel by the local land use plan map, whichever resulting residential density is less; and
 - e. In no instance shall the total residential uses exceed 20% of the land area designated "Commerce" or "Commercial" within the municipality; and
 - e. The above referenced limitations are not applicable to Policy 2.16.4.

NOTE: Proposed additions are underlined, proposed deletions are ~~struck through~~.