

1 Environmental Protection, Department of State, Department of Transportation, Fish and
2 Wildlife Conservation Commission, Department of Agriculture and Consumer Services,
3 and Department of Education, as applicable, were considered; and

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

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

12
13 Section 1. The Plan is hereby amended by Amendment PCT 21-2, which is an
14 amendment to the Broward County Land Use Plan text regarding the Pompano Park
15 South Activity Center in Pompano Beach, as set forth in Exhibit "A," attached hereto
16 and incorporated herein.

17
18 Section 2. Severability.

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

1 Section 3. Effective Date.

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

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

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

9 (3) If the Department of Economic Opportunity or the Administration
10 Commission finds the amendment to be in noncompliance, pursuant to
11 Section 163.3184(8)(b), Florida Statutes, the date the Board of County
12 Commissioners nonetheless, elects to make the plan amendment effective
13 notwithstanding potential statutory sanctions;

14 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as
15 per Exhibit "B," the date the Declaration of Restrictive Covenants or
16 agreement is recorded in the Public Records of Broward County; or

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

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

2
3 ENACTED

4 FILED WITH THE DEPARTMENT OF STATE

5 EFFECTIVE

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

8 By /s/ Maite Azcoitia 04/19/2021
9 Maite Azcoitia (date)
10 Deputy County Attorney

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04/19/2021
PCT21-2 Pompano Park South Activity Center in Pompano Beach Ord
24 #80041

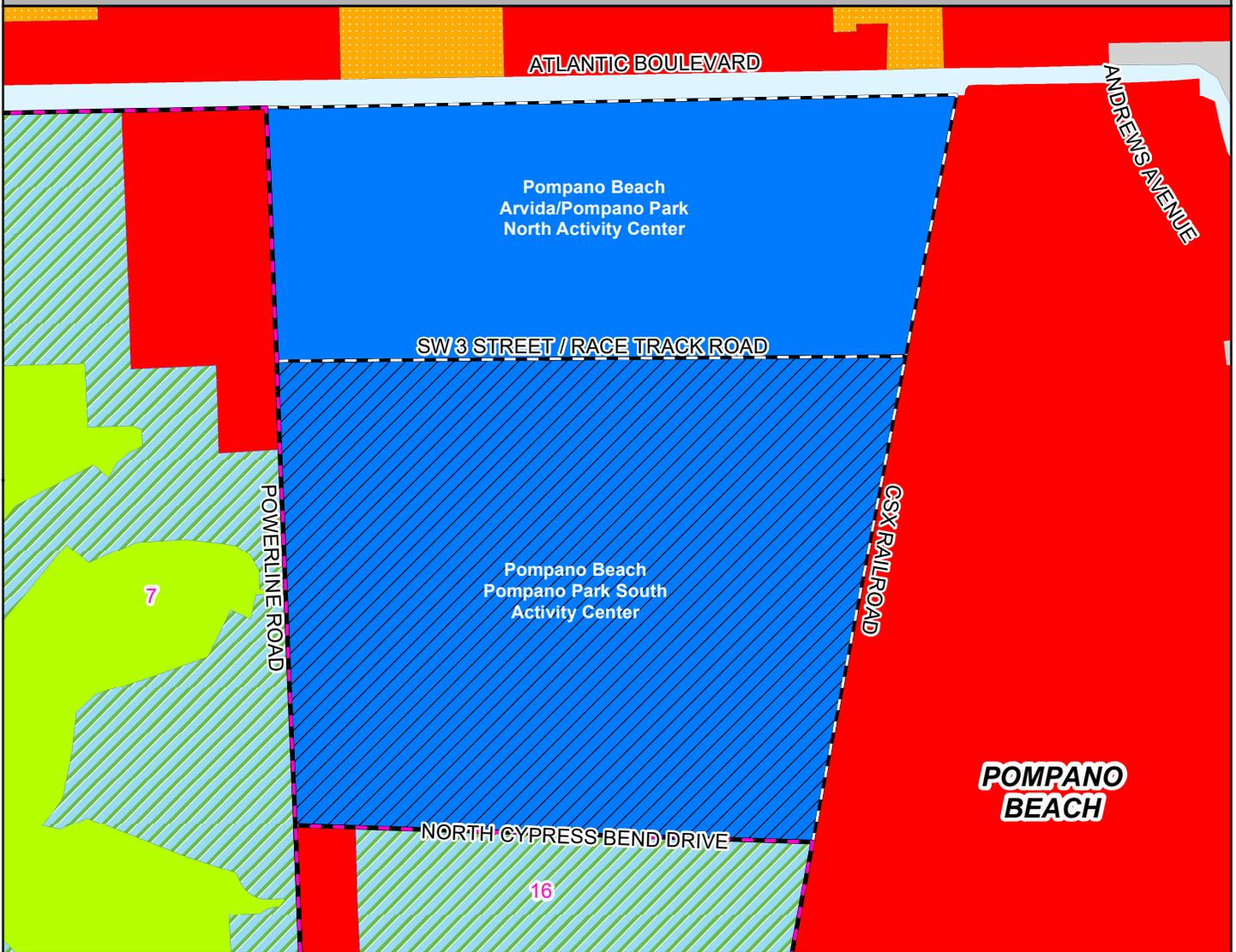
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PCT 21-2

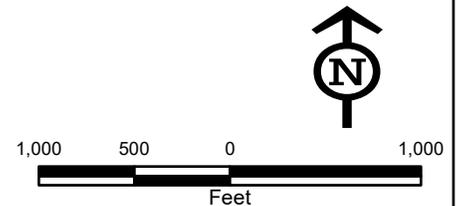
Current Land Use: Activity Center

Proposed Land Use: Activity Center - Addition of 1,500,000 square feet of industrial uses.
Reduction of 650,000 square feet of office use.

Gross Acres: Approximately 230 acres



- | | |
|---|--|
|  Site |  Commerce |
|  0.0 Dashed-Line Area |  Commercial Recreation |
|  Low-Medium (10) Residential |  Transportation |
|  Irregular Residential |  Water / Primary Drainage |
|  Activity Center | |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCT 21-2
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

December 1, 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

December 10, 2020

The December 10, 2020 Planning Council meeting was cancelled due to lack of a physical quorum.

III. Planning Council Transmittal Recommendation

January 28, 2021

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous: 17-0; Blackwelder, Breslau, Brunson, Castillo, Fernandez, Gomez, Good, Graham, Grosso, Hardin, Maxey, Railey, Rich, Rosenof, Ryan, Williams and DiGiorgio)

IV. County Commission Transmittal Recommendation

March 9, 2021

Approval per Planning Council transmittal recommendation.

V. Summary of State of Florida Review Agency Comments

April 14, 2021

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

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 21-2

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Pompano Beach
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 230.0 acres
- B. Location: In Section 3, Township 49 South, Range 42 East; generally located on the east side of Powerline Road, between Southwest 3 Street/Race Track Road and North Cypress Bend Drive
- C. Existing Uses: Racetrack, casino, stables and vacant
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet commercial recreation use
2,000,000 square feet of office uses
- B. Proposed Designation: Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
1,350,000 square feet of office uses
1,500,000 square feet of industrial uses
- C. Estimated Net Effect: **Addition** of 1,500,000 square feet of industrial uses
Reduction of 650,000 square feet of office use
No impact to residential, commercial or commercial recreation uses

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 21-2

Pompano Beach Pompano Park South Activity Center

Acres: Approximately 230.0 acres

General Location: Located on the east side of Powerline Road, between Southwest 3 Street/Race Track Road and North Cypress Bend Drive.

The Pompano Park South Activity Center (AC) ~~consisting~~ consists of the Pompano Park racetrack, casino, and adjacent property. ~~The AC is located south of Race Track Road, between Powerline Road and the CSX Railroad, and comprises approximately 230 gross acres.~~ The area encompassed by the AC must be zoned in a mixed-use zoning district that limits the density and intensity of the land uses to the following:

Density and Intensity of Land Uses:*

Residential Land Uses: 4,100 multi-family dwelling units**

Commercial Recreation Land Uses: 1,000,000 square feet

Commercial Land Uses: 300,000 square feet

Industrial Land Uses: 1,500,000 square feet

Office Land Uses: ~~2,000,000~~ 1,350,000 square feet

Remarks:

*The Residential uses will consist of stand-alone residential as well as residential units as part of a mixed-use Commercial and Office development within the Commercial and Office designations. Within mixed use projects, square footages shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross square footage of the development parcel will be assigned to A).

**At least 615 (15%) of the multi-family dwelling units will be affordable at the “moderate-income” (i.e. up to 120% of the median income) level.

NOTES: Underlined words are proposed additions. ~~Struck through~~ words are proposed deletions.

EXHIBIT B

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