

# EXHIBIT 1

## ORDINANCE NO. 2021-

1 AN ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
3 ADOPTING AN AMENDMENT TO THE BROWARD  
4 COUNTY COMPREHENSIVE PLAN; AMENDING THE  
5 BROWARD COUNTY LAND USE PLAN WITHIN THE CITY  
6 OF MIRAMAR; AND PROVIDING FOR SEVERABILITY AND  
7 AN EFFECTIVE DATE.

8 (Sponsored by the Board of County Commissioners)

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

11 WHEREAS, the Department of Economic Opportunity has found the Plan in  
12 compliance with the Community Planning Act;

13 WHEREAS, Broward County now wishes to propose an amendment to the  
14 Broward County Land Use Plan within the City of Miramar;

15 WHEREAS, the Planning Council, as the local planning agency for the Broward  
16 County Land Use Plan, has held its hearing on January 28, 2021, with due public notice;

17 WHEREAS, the Board of County Commissioners held its transmittal public hearing  
18 on March 9, 2021, having complied with the notice requirements specified in  
19 Section 163.3184(11), Florida Statutes;

20 WHEREAS, the Board of County Commissioners held an adoption public hearing  
21 on June 1, 2021, at 10:00 a.m. [also complying with the notice requirements specified in  
22 Section 163.3184(11), Florida Statutes] at which public comment was accepted and  
23 comments of the Department of Economic Opportunity, South Florida Regional Planning  
24 Council, South Florida Water Management District, Department of Environmental  
Protection, Department of State, Department of Transportation, Fish and Wildlife

1 Conservation Commission, Department of Agriculture and Consumer Services, and  
2 Department of Education, as applicable, were considered; and

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

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

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13 Section 1. The Broward County Comprehensive Plan is hereby amended by  
14 Amendment PC 21-1, which is an amendment to the Broward County Land Use Plan  
15 located in the City of Miramar, as set forth in Exhibit "A," attached hereto and incorporated  
16 herein.

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18 Section 2. Severability.

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

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in  
underscored type are additions.

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 notifies  
5 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 per  
15 Exhibit "B," the date the Declaration of Restrictive Covenants or agreement  
16 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.

19 (b) This Ordinance is effective as of the date provided by law.  
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ENACTED  
FILED WITH THE DEPARTMENT OF STATE  
EFFECTIVE

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

By /s/ Maité Azcoitia                      04/16/2021  
Maité Azcoitia                                      (date)  
Deputy County Attorney

MA/gmb  
04/16/2021  
PC21-1 City of Miramar Ord.doc  
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Coding:                      Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

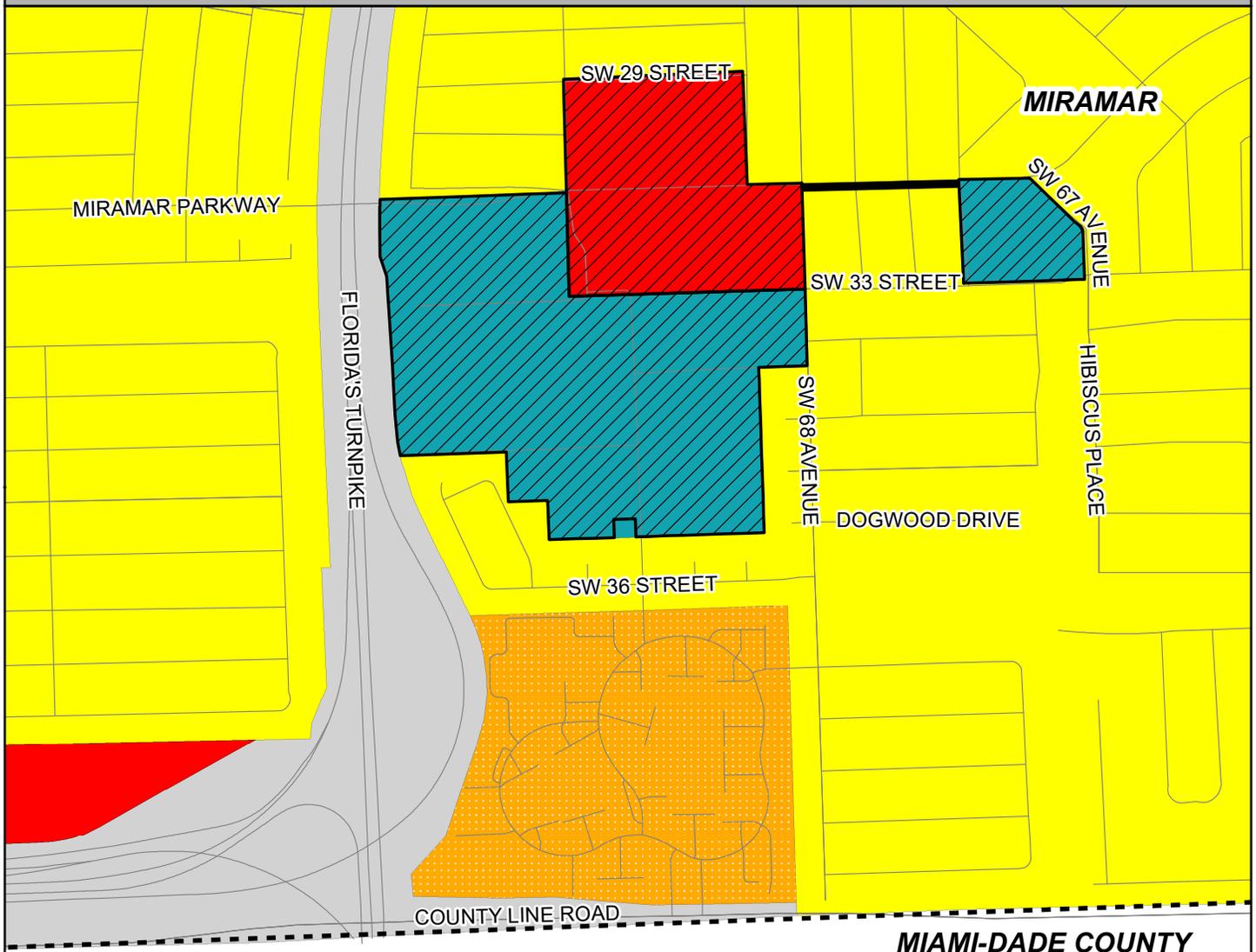
# EXHIBIT A

## BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 21-1

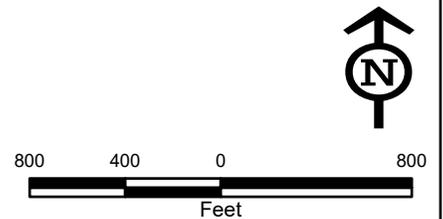
**Current Land Uses:** 59.1 acres of Community and 24.1 acres of Commerce

**Proposed Land Use:** Activity Center

**Gross Acres:** Approximately 83.2 acres



- |   |  |
|---|--|
|  Site                        |  Commerce       |
|  Municipal Boundary          |  Community      |
|  Low (5) Residential         |  Transportation |
|  Low-Medium (10) Residential |  |



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 21-1**  
**(MIRAMAR)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation*

*January 19, 2021*

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**

**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)

**III. County Commission Transmittal Recommendation**

**March 9, 2021**

Approval per Planning Council transmittal recommendation.

**IV. 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 PC 21-1**

**INTRODUCTION AND APPLICANT'S RATIONALE**

- I. Municipality: Miramar
- II. County Commission District: District 8
- III. Site Characteristics
- A. Size: Approximately 83.2 acres
- B. Location: In Section 26, Township 51 South, Range 41 East; generally located on both sides of Miramar Parkway, between Florida's Turnpike and Hibiscus Place/Southwest 67 Avenue.
- C. Existing Uses: Retail, municipal facilities, educational facilities, park and recreation.
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designations: 59.1 acres of Community  
24.1 acres of Commerce
- B. Proposed Designation: Activity Center consisting of:  
450 multi-family dwelling units  
300,000 square feet of commercial uses  
276,000 square feet of public school uses  
200,000 square feet of office uses  
160,000 square feet of municipal facility uses  
10.23 acres of recreation and open space uses
- C. Estimated Net Effect: **Addition** of 450 dwelling units  
**Addition** of 59,000 square feet of commercial uses  
**Addition** of 200,000 square feet of office use  
**Addition** of 10.23 acres of recreation and open space uses  
**Reduction** of 155,000 square feet of community uses



## **EXHIBIT B**

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