

PROPOSED

ORDINANCE NO.

1
2 AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE
3 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE
4 BROWARD COUNTY MUNICIPAL SERVICES DISTRICT FUTURE LAND USE MAP OF
5 THE BROWARD COUNTY COMPREHENSIVE PLAN; AND PROVIDING FOR
6 SEVERABILITY AND AN EFFECTIVE DATE.

7 (SPONSORED BY THE BOARD OF COUNTY COMMISSIONERS)
8

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

11 WHEREAS, the Florida Department of Commerce (f/k/a Department of Economic
12 Opportunity) has found the Plan in compliance with the Community Planning Act;

13 WHEREAS, Broward County now wishes to propose an amendment to the Broward
14 Municipal Services District Future Land Use Map;

15 WHEREAS, the Resilient Environment Department, as the local planning agency for
16 the Broward Municipal Services District Future Land Use Map of the Broward County
17 Comprehensive Plan, held its hearing on June 2, 2021, with due public notice;

18 WHEREAS, the Board of County Commissioners held an adoption public hearing on
19 January 23, 2024, at 10:00 a.m., having complied with the notice requirements specified in
20 Section 163.3184(11), Florida Statutes, at which public comment was accepted and
21 considered;

22 WHEREAS, the Board of County Commissioners, after due consideration of all
23 matters, hereby finds that the following amendment to the Plan is consistent with the State

24 Plan, Regional Plan, and the Plan; complies with the requirements of the Community Planning
25 Act; and is in the best interests of the health, safety, and welfare of the residents of Broward
26 County; and

27 WHEREAS, the proposed amendment constitutes a Broward County permitted small
28 scale amendment to the Plan pursuant to Section 163.3187(1), Florida Statutes,

29

30 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
31 COUNTY, FLORIDA:

32 Section 1. The Broward Municipal Services District Future Land Use Map is hereby
33 amended by Amendment 20-M1, set forth in Attachment A, attached hereto and incorporated
34 herein.

35 Section 2. Severability.

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

42 Section 3. Effective Date.

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

45 (1) Thirty-one (31) days after the adoption of this Ordinance;

- 46 (2) The date a final order is issued by the Florida Department of Commerce (f/k/a
47 Department of Economic Opportunity) or the Administration Commission
48 finding the amendment to be in compliance;
- 49 (3) If the Florida Department of Commerce (f/k/a Department of Economic
50 Opportunity) or the Administration Commission finds the amendment to be in
51 noncompliance, pursuant to Section 163.3184(8)(b), Florida Statutes, the date
52 the Board of County Commissioners nonetheless elects to make the plan
53 amendment effective notwithstanding potential statutory sanctions;
- 54 (4) If a Declaration of Restrictive Covenants is applicable, as per Attachment B,
55 the date the Declaration of Restrictive Covenants is recorded in the Public
56 Records of Broward County; or
- 57 (5) If recertification of the municipal land use plan amendment is required, the date
58 the municipal amendment is recertified.
- 59 (b) This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Maite Azcoitia 12/04/2023
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
FLUMS 20-M1 Broward Municipal Services District – Ordinance - Small Scale
12/04/2023
#80041

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

