

ORDINANCE NO. 2026-02

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE ENVIRONMENTALLY
3 SENSITIVE LANDS MAP OF THE NATURAL RESOURCE MAP SERIES OF THE
4 BROWARD COUNTY COMPREHENSIVE PLAN WITHIN THE CITY OF FORT
5 LAUDERDALE; 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
13 Environmentally Sensitive Lands Map of the Natural Resource Map Series within the City
14 of Fort Lauderdale;

15 WHEREAS, the Planning Council, as the local planning agency for the Broward
16 County Land Use Plan, held its hearing on August 28, 2025, with due public notice;

17 WHEREAS, the Board of County Commissioners held its transmittal public hearing
18 on October 21, 2025, 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 February 3, 2026, at 10:00 a.m. [also complying with the notice requirements specified
22 in Section 163.3184(11), Florida Statutes] at which public comment was accepted and

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

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

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

35 Section 1. The Broward County Comprehensive Plan is hereby amended by
36 Amendment PCNRM 24-1, which is an amendment to the Environmentally Sensitive
37 Lands Map of the Natural Resource Map Series in the City of Fort Lauderdale, as set
38 forth in Exhibit A, attached hereto and incorporated herein.

39 Section 2. 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 Section 3. 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 February 3, 2026

FILED WITH THE DEPARTMENT OF STATE February 10, 2026

EFFECTIVE February 10, 2026

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

By: /s/ Maite Azcoitia 12/04/2025
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
12/04/2025
PCNRM 24-1 Environmentally Sensitive Lands Map – City of Fort Lauderdale. Ordinance
#80041

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCNRM 24-1

NATURAL RESOURCE MAP SERIES -
ENVIRONMENTALLY SENSITIVE LANDS MAP
REMOVAL OF SITE 66 – CITY OF FORT LAUDERDALE

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation August 19, 2025

Although Planning Council staff has not previously supported these types of amendments due to concerns regarding sea level rise, stormwater management and the protection of natural resources, including wetlands, staff does not object to the proposed amendment, recognizing the Planning Council's discussion and actions regarding similar applications at its May 22, 2025, meeting.

Further, staff suggests that any recommendation of approval recognize the restoration and preservation of the existing 1.68-acre natural area to the west of the site as a conservation easement, as well as the offsite mitigation.

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

August 28, 2025

Planning Council recommended approval of the proposed amendment to remove Site 66/ Map Label 83 from the Environmentally Sensitive Lands Map, recognizing the restoration and preservation of the existing 1.68-acre natural area to the west of the site as a conservation easement, as well as the offsite mitigation, including not requiring a second Planning Council public hearing. (Vote of the board; 14-2: Yes: Abramson, Brunson, Castillo, Fernandez, Fisher, Geller, Gomez, Greenberg, Hardin, Horland, Newbold, Railey, Rosenof and DiGiorgio. No: Ryan and Zeman.)

III. County Commission Transmittal Recommendation

October 21, 2025

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

November 21, 2025

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

V. County Commission Final Action

February 3, 2026

Approved per Planning Council transmittal recommendation.

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PCNRM 24-1

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Fort Lauderdale
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 6.2 acres
- B. Location: In Section 10, Township 49 South, Range 42 East; generally located between the C-14 Canal and Cypress Creek Road and between Andrews Avenue and Interstate 95.
- C. Existing Use: Natural area
- D. Broward County Land Use Plan (BCLUP) Designation: Activity Center
- IV. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses:
- North: Office
East: Interstate 95
South: Hotel, retail and office
West: Office and natural area
- B. Planned Uses:
- North: Activity Center
East: Transportation (Interstate 95)
South: Activity Center
West: Activity Center

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Applicant/Petitioner

A. *Applicant:* RD Investment Properties, LLC

B. *Agent:* Barbara A. Hall, Esq., Greenberg Traurig, LLP

C. *Property Owner:* CPN West, LLC





VI. Recommendation of Local
Governing Body:

The City of Fort Lauderdale supports the proposed amendment.



Broward C Environme

Legend

-  Designated lands
-  Protected lands
-  Section Township Range
-  Municipal Boundaries

See Table A for individual site name and designati

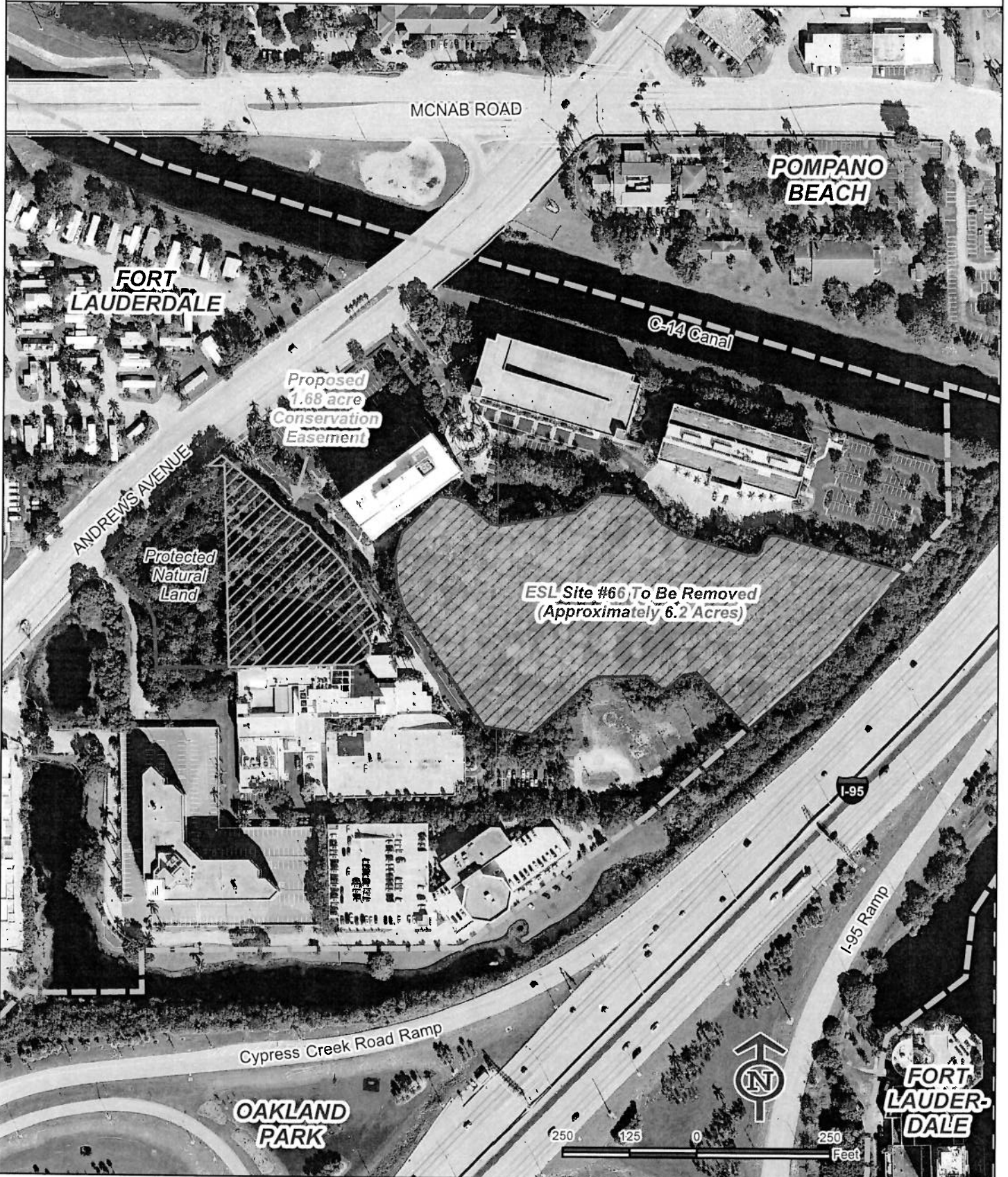
Designated lands are publicly or privately owned but not managed for preservation.

Protected lands are publicly owned and managed for preservation, or privately owned and restricted by conservation easement or plat note.

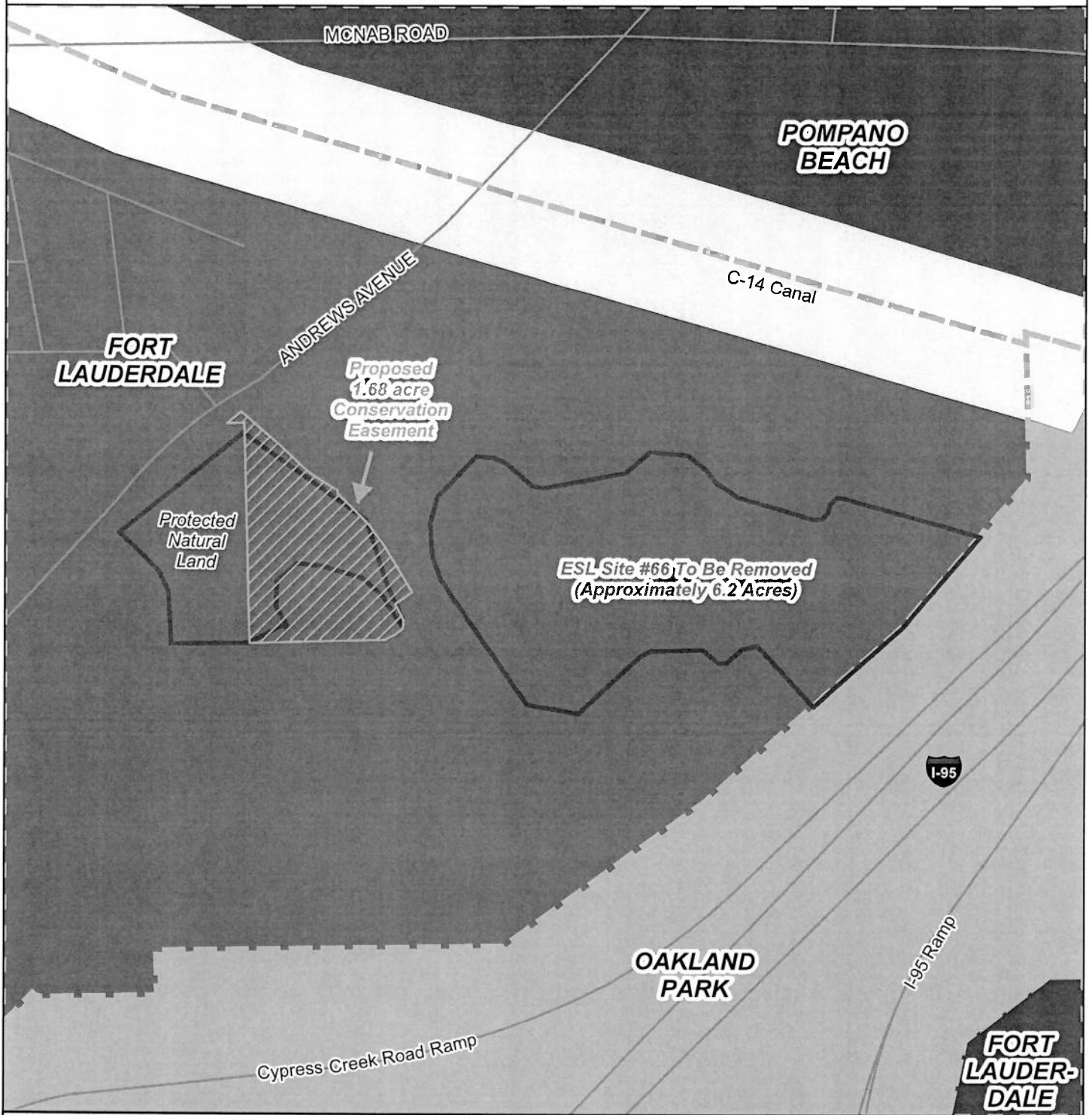
Policies 2.23.1 through 2.23.3 (Formerly Objective 9 and its policies) ensure the protection of these desi
Environmentally Sensitive Lands (ESL's).

Criteria and Procedures for Environmentally Sensitive
and Local Areas of Particular Concern (LAPC's) are

MAP 2
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH OF ENVIRONMENTALLY SENSITIVE LANDS EXCERPT
AMENDMENT PCNRM 24-1



MAP 3
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
FUTURE LAND USE DESIGNATIONS
AMENDMENT PCNRM 24-1



-  Municipal Boundary
-  Activity Center
-  Commerce
-  Transportation
-  Water / Primary Drainage



EXHIBIT B

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