

EXHIBIT 1

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY
3 COMPREHENSIVE PLAN TEXT, AMENDING POLICY 2.23.2 REGARDING
4 ENVIRONMENTALLY SENSITIVE LANDS; AND PROVIDING FOR SEVERABILITY
5 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 Broward County Land Use Plan text;

14 WHEREAS, the Planning Council, as the local planning agency for the Broward
15 County Land Use Plan, held its hearing on December 4, 2025, with due public notice;

16 WHEREAS, the Board of County Commissioners held its transmittal public hearing
17 on February 3, 2026, having complied with the notice requirements specified in
18 Section 163.3184(11), Florida Statutes;

19 WHEREAS, the Board of County Commissioners held an adoption public hearing
20 on April 14, 2026, at 10:00 a.m. [also complying with the notice requirements specified in
21 Section 163.3184(11), Florida Statutes] at which public comment was accepted and

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

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

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

34 Section 1. The Broward County Comprehensive Plan is hereby amended by
35 Amendment PCT26-1, which is an amendment to the Policy 2.23.2 of the Broward County
36 Land Use Plan regarding environmentally sensitive lands, as set forth in Exhibit A,
37 attached hereto and incorporated herein.

38 Section 2. Severability.

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

43 determination will not affect the applicability of this Ordinance to any other individual,
44 group, entity, property, or circumstance.

45 Section 3. Effective Date.

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

48 (1) Thirty-one (31) days after the Department of Commerce notifies Broward
49 County that the plan amendment package is complete;

50 (2) If the plan amendment is timely challenged, the date a final order is issued
51 by the Administration Commission or the Department of Commerce finding
52 the amendment to be in compliance; or

53 (3) If the Department of Commerce or the Administration Commission finds the
54 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
55 Florida Statutes, the date the Board of County Commissioners nonetheless
56 elects to make the plan amendment effective notwithstanding potential
57 statutory sanctions.

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

ENACTED
FILED WITH THE DEPARTMENT OF STATE
EFFECTIVE

PROPOSED

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

By: /s/ Maite Azcoitia 02/23/2026
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
02/23/2026
PCT26-1 BCLUP Text Policy 2.23.2 Ordinance
#80041

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 26-1

“Policy 2.23.2 – Environmentally Sensitive Lands”

RECOMMENDATIONS/ACTIONS

DATE

I. BrowardNext Steering Committee Recommendation

April 24, 2025

The BrowardNext Steering Committee recommended that the Policy modification be included in the BrowardNext update.

II. Broward County Planning Council Recommendation

August 28, 2025

The Planning Council recommended that the text amendment be extracted from the BrowardNext process and expedited.

III. Planning Council Staff Transmittal Recommendation

November 24, 2025

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. **See Attachment 1.**

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

IV. Planning Council Transmittal Recommendation

December 4, 2025

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 11-0: Abramson, Fernandez, Fisher, Geller, Greenberg, Hardin, Levy, Newbold, Rosenof, Ryan and DiGiorgio)

V. County Commission Transmittal Recommendation

February 3, 2026

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

March 6, 2026

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

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN

Proposed Text Amendment

PCT 26-1

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

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ENVIRONMENTALLY SENSITIVE LANDS

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The update to Policy 2.23.2 was initiated by the Broward County Planning Council to streamline the Broward County Land Use Plan Natural Resource Map Series – Environmentally Sensitive Lands Map to address the conflict in process and transition the requirement from individual amendments to a biannual (every other year) update based on the additions and deletions managed via the licensing and permitting process. All changes are indicated in ~~strike-through~~/underline format.

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POLICY 2.23.2 Broward County shall update the Environmentally Sensitive Lands Map of the Broward County Land Use Plan at least once every two years to recognize Environmental Resource Licenses issued consistent with the Broward County Code of Ordinances ~~Local Areas of Particular Concern are declared to be environmentally sensitive lands and upon adoption of this plan shall be subject to the provisions of the Broward County Land Development Code regarding environmentally sensitive lands.~~

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