

EXHIBIT 2

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 LAND USE PLAN TEXT OF THE BROWARD COUNTY COMPREHENSIVE PLAN,
4 RELATED TO POLICIES 2.36.1 AND 2.36.2 REGARDING LAND USE POLICY AND
5 PUBLIC INFRASTRUCTURE AND SERVICES DECISIONS; 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
10 on April 25, 2017 (the Plan);

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

13 WHEREAS, Broward County now wishes to propose an amendment to the Land
14 Use Plan text;

15 WHEREAS, the Planning Council, as the local planning agency for the Broward
16 County Land Use Plan, held its hearings on December 4, 2025, and April 23, 2026, with
17 due public notice;

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

21 WHEREAS, the Board of County Commissioners held an adoption public hearing
22 on August 20, 2026, at 10:00 a.m. [also complying with the notice requirements specified
23 in Section 163.3184(11), Florida Statutes] at which public comment was accepted and
24 comments of the Department of Commerce, South Florida Regional Planning Council,
25 South Florida Water Management District, Department of Environmental Protection,
26 Department of State, Department of Transportation, Fish and Wildlife Conservation
27 Commission, Department of Agriculture and Consumer Services, and Department of
28 Education, as applicable, were considered; and

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

35 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
36 BROWARD COUNTY, FLORIDA:

37 Section 1. The Broward County Comprehensive Plan is hereby amended by
38 Amendment PCT 26-3, which is an amendment to the Land Use Plan text, as set forth in
39 Exhibit A, attached hereto and incorporated herein.

40 Section 2. Severability.

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

47 Section 3. Effective Date.

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

- 50 (1) Thirty-one (31) days after the Department of Commerce notifies Broward
51 County that the plan amendment package is complete;
- 52 (2) If the plan amendment is timely challenged, the date a final order is issued
53 by the Administration Commission or the Department of Commerce finding
54 the amendment to be in compliance; or
- 55 (3) If the Department of Commerce or the Administration Commission finds the
56 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
57 Florida Statutes, the date the Board of County Commissioners nonetheless

58 elects to make the plan amendment effective notwithstanding potential
59 statutory sanctions.

60 (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 05/06/2026
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
05/06/2026
PCT 26-3 Policy 2.36.1 and 2.36.2 Ordinance
#80041

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 26-3

“Environmental Justice Policies”

RECOMMENDATIONS/ACTIONS

DATE

- I. BrowardNext Steering Committee Recommendation October 16, 2025

The BrowardNext Steering Committee recommended that the amendment be expedited to comply with Florida Statutes.

- II. 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

III. 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; 10-1; Yes: Abramson, Fernandez, Fisher, Geller, Greenberg, Hardin, Levy, Newbold, Rosenof and DiGiorgio. No: Ryan)

IV. County Commission Transmittal Recommendation March 3, 2026

Approval, as reflected in **Attachment 2**.

V. Summary of State of Florida Review Agency Comments April 6, 2026

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

VI. Planning Council Staff Final Recommendation April 14, 2026

Planning Council staff has no objection to the proposed update. **See Attachment 2**.

VII. Planning Council Final Recommendation April 23, 2026

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous; 14-0: Abramson, Brunson, Castillo, Fisher, Geller, Gomez, Greenberg, Hardin, Horland, Levy, Railey, Rosenof, Zeman, and DiGiorgio)

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN

Proposed Text Amendment

PCT 26-3

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

...

ENVIRONMENTAL JUSTICE

...

The deletion of Policies 2.36.1 and 2.36.2 was initiated by the BrowardNext Steering Committee on October 16, 2025, in response to enacted State of Florida legislation. All changes are indicated in ~~strike-through~~/underline format.

...

ENVIRONMENTAL JUSTICE

POLICY 2.36.1 ~~For local and regional land use policy and public infrastructure and services decisions, local governments and agencies should ensure environmental justice when considering the impacts to vulnerable populations, including but not limited to, the economically disadvantaged, racial and ethnic minorities, the uninsured, low income children, the elderly, the homeless and those with chronic health conditions, including severe mental illness.~~

POLICY 2.36.2 ~~The Broward County Planning Council and Broward County shall, by 2019, work with Broward County municipalities, partner agencies, stakeholders, and interested parties who make and are affected by land use policy and public infrastructure and services decisions, and issue model guidelines, methods, and tools to advance environmental justice.~~

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ATTACHMENT 2

Alternate amendment submitted by the County Attorney's Office

BROWARD COUNTY LAND USE PLAN

Proposed Text Amendment

PCT 26-3

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

...

The deletion of Policies 2.36.1 and 2.36.2 was initiated by the BrowardNext Steering Committee on October 16, 2025, in response to enacted State of Florida legislation. The section titled "Environmental Justice" is retitled "Nondiscrimination" and Policies 2.36.1 and 2.36.2 are replaced with Policy 2.36.1 as follows. All changes are indicated in ~~strike-through~~/underline format.

...

ENVIRONMENTAL JUSTICE NONDISCRIMINATION

- ~~POLICY 2.36.1~~** ~~For local and regional land use policy and public infrastructure and services decisions, local governments and agencies should ensure environmental justice when considering the impacts to vulnerable populations, including but not limited to, the economically disadvantaged, racial and ethnic minorities, the uninsured, low income children, the elderly, the homeless and those with chronic health conditions, including severe mental illness.~~
- POLICY 2.36.1** Local governments should consider the impacts of local and regional land use, public infrastructure, and public services in a nondiscriminatory manner consistent with applicable federal, state, and local laws, seeking to avoid, to the extent feasible, disproportionate negative impacts being imposed on any segment of Broward County's population.
- ~~POLICY 2.36.2~~** ~~The Broward County Planning Council and Broward County shall, by 2019, work with Broward County municipalities, partner agencies, stakeholders, and interested parties who make and are affected by land use policy and public infrastructure and services decisions, and issue model guidelines, methods, and tools to advance environmental justice.~~