

## **Constraints on Use of Central Broward Regional Park**

### **Broward County Imposed Restrictive Covenants:**

The County recorded a Declaration of Restrictive Covenants on CBRP which limits the use of the property to passive recreational uses, camping ground and facilities, active recreation uses, boat ramps and docks, outdoor cultural, educational and civic facilities, civic and cultural building, and concessions accessory to the permitted uses. The restrictions may be modified or terminated pursuant to the procedures set forth in the Declaration of Restrictive Covenants.

### **Broward County Charter:**

Section 8.13 "Broward County Park Preservation" of the Broward County Charter provides that Regional Parks shall only be used for park purposes. Park Purposes is defined as the pursuit of outdoor leisure, athletic or recreational activities and facilities ancillary thereto including, but not limited to, cultural, educations, and civic facilities, animal exhibits, habitats, band shells, pavilions, outdoor classrooms, and concessions.

### **Florida Community Trust:**

Portions of CBRP are subject to restrictions imposed on the property by Florida Community Trust (FCT). The restrictions arise from grant awards from FCT which utilized tax exempt bond funds to acquire CBRP property. The restrictions impose requirements relating to use of the property and require prior notice to FCT to ensure that the project complies with the use of the bond proceeds and the limitations of the Internal Revenue Code relating to tax exempt bonds. Although a portion of CBRP, including the stadium, has been removed from the grant restrictions, the necessary use of other park property subject to the restrictions will necessitate notice and approval from FCT.

The courts have distinguished park purpose from public purposes and have also circumscribed the use of public park land for professional sporting activities and events. Any use of CBRP must be sensitive and compliant with the above restraints.