

EXHIBIT 1

ORDINANCE NO. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN WITHIN THE CITY OF MIRAMAR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

WHEREAS, the Department of Economic Opportunity has found the Plan in compliance with the Community Planning Act; and

WHEREAS, Broward County now wishes to propose an amendment to the Broward County Land Use Plan within the City of Miramar; and

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, has held its hearings on October 26, 2017, and January 25, 2018, with due public notice; and

WHEREAS, the Board of County Commissioners held its transmittal public hearing on December 5, 2017, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes; and

WHEREAS, the Board of County Commissioners held an adoption public hearing on March 20, 2018, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was accepted and comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State, Department of Transportation, Fish and Wildlife

1 Conservation Commission, Department of Agriculture and Consumer Services, and
2 Department of Education, as applicable, were considered; and

3 WHEREAS, the Board of County Commissioners, after due consideration of all
4 matters, hereby finds that the following amendment to the Plan is consistent with the State
5 Plan, Regional Plan, and the Broward County Comprehensive Plan; complies with the
6 requirements of the Community Planning Act; and is in the best interests of the health,
7 safety, and welfare of the residents of Broward County,

8 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
9 BROWARD COUNTY, FLORIDA:

10 Section 1. The Plan is hereby amended by Amendment PC 18-2, which is an
11 amendment to the Broward County Land Use Plan located in the City of Miramar, as set
12 forth in Exhibit "A," attached hereto and incorporated herein.

13 Section 2. SEVERABILITY.

14 If any portion of this Ordinance is determined by any Court to be invalid, the invalid
15 portion shall be stricken, and such striking shall not affect the validity of the remainder of
16 this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot
17 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
18 circumstance(s), such determination shall not affect the applicability hereof to any other
19 individual, group, entity, property, or circumstance.

20 Section 3. EFFECTIVE DATE.

21 (a) The effective date of the plan amendment set forth in this Ordinance shall
22 be the latter of:

23 (1) Thirty-one (31) days after the Department of Economic Opportunity notifies
24 Broward County that the plan amendment package is complete;

1 (2) If the plan amendment is timely challenged, the date a final order is issued
2 by the Administration Commission or the Department of Economic
3 Opportunity finding the amendment to be in compliance;

4 (3) If the Department of Economic Opportunity or the Administration
5 Commission finds the amendment to be in noncompliance, pursuant to
6 Section 163.3184(8)(b), Florida Statutes, the date the Board of County
7 Commissioners nonetheless, elects to make the plan amendment effective
8 notwithstanding potential statutory sanctions; or

9 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as per
10 Exhibit "B," the date the Declaration of Restrictive Covenants or agreement
11 is recorded in the Public Records of Broward County.

12 (b) This Ordinance shall become effective as provided by law.

13
14 ENACTED

15 FILED WITH THE DEPARTMENT OF STATE

16 EFFECTIVE

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

19
20 By /s/ Maite Azcoitia 01/25/18
21 Maite Azcoitia (date)
22 Deputy County Attorney

23 MA/gmb
24 01/25/18
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