

## EXHIBIT 4

### ORDINANCE NO. 2018-

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
2 BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE  
3 BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE  
4 BROWARD COUNTY LAND USE PLAN TEXT REGARDING THE CITY OF  
WEST PARK ACTIVITY CENTER; AND PROVIDING FOR SEVERABILITY  
AND AN EFFECTIVE DATE.

5 (Sponsored by the Board of County Commissioners)

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

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

10 WHEREAS, Broward County now wishes to propose an amendment to the Land  
11 Use Plan Text; and

12 WHEREAS, the Planning Council, as the local planning agency for the Broward  
13 County Land Use Plan, held its hearings on November 30, 2017, and March 22, 2018,  
14 with due public notice; and

15 WHEREAS, the Board of County Commissioners held its transmittal public hearing  
16 on January 23, 2018, having complied with the notice requirements specified in Section  
17 163.3184(11), Florida Statutes; and

18 WHEREAS, the Board of County Commissioners held an adoption public hearing  
19 on April 24, 2018, at 10:00 a.m. [also complying with the notice requirements specified in  
20 Section 163.3184(11), Florida Statutes] at which public comment was accepted, and the  
21 comments of the Department of Economic Opportunity, South Florida Regional Planning  
22 Council, South Florida Water Management District, Department of Environmental  
23 Protection, Department of State, Department of Transportation, Fish and Wildlife  
24

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 Broward County  
5 Comprehensive Plan is consistent with the State Plan, and the Broward County  
6 Comprehensive Plan; complies with the requirements of the Community Planning Act;  
7 and is in the best interests of the health, safety, and welfare of the residents of Broward  
8 County,

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

11 Section 1. The Broward County Comprehensive Plan is hereby amended by  
12 Amendment PCT 18-2, which is an amendment to the Broward County Land Use Plan  
13 Text for the City of West Park Activity Center, as set forth in Exhibit "A," attached hereto  
14 and incorporated herein.

15 Section 2. SEVERABILITY.

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

22 Section 3. EFFECTIVE DATE.

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

- 1 (1) Thirty-one (31) days after the Department of Economic Opportunity notifies  
2 Broward County that the plan amendment is complete;
- 3 (2) If the plan amendment is challenged, the date a final order is entered by the  
4 Administration Commission or the Department of Economic Opportunity  
5 finding the amendment to be in compliance; or
- 6 (3) If the Department of Economic Opportunity or the Administration  
7 Commission finds the amendment to be in noncompliance, pursuant to  
8 Section 163.3184(8)(b), Florida Statutes, the date the Board of County  
9 Commissioners, nonetheless, elects to make the plan amendment effective  
10 notwithstanding potential statutory sanctions.
- 11 (b) This Ordinance shall become effective as provided by law.

12  
13 ENACTED

14 FILED WITH THE DEPARTMENT OF STATE

15 EFFECTIVE

16  
17 Approved as to form and legal sufficiency:  
Andrew J. Meyers, County Attorney

18  
19 By: /s/ Maite Azcoitia 03/07/18  
20 Maite Azcoitia (date)  
Deputy County Attorney

21  
22  
23 MA/gmb  
03/08/18  
#60053-0036  
24 PCT18-2 City of West Park Activity Center Text Ord.

# EXHIBIT A

**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PCT 18-2**  
**(CORRESPONDING TO PROPOSED MAP AMENDMENT PC 18-3)**  
**(WEST PARK)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation November 20, 2017*

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext-Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

Further, prior to the second Planning Council public hearing, the City should provide a more detailed strategy regarding its reaffirmation to continuing to address the three (3) acres per 1,000 permanent residents community parks acreage requirement including, but not limited to updating the corresponding text amendment to include an open space component consistent with the City's Policy 1.14.3 regarding its commitment to public plazas and open space within the boundaries of the Activity Center. In addition, the City should confirm its commitment to archaeological resource preservation.

**Update: November 30, 2017:** The City of West Park has submitted correspondence acknowledging the County Archaeologist's comments and stating that it will comply with the Broward County Historic Preservation ordinance.

*II. Planning Council Transmittal Recommendation November 30, 2017*

Approval per Planning Council staff transmittal recommendation, with a further recommendation that the City of West Park conduct additional public outreach prior to the Planning Council's second public hearing. (Vote of the board; 14-1; Yes: Blackwelder, Blattner, Brunson, Castillo, Ganz, Gomez, Good, Graham, Rosenzweig, Ryan, Seiler, Udine, Williams and DiGiorgio. No: Grosso)

*III. County Commission Transmittal Recommendation January 23, 2018*

Approval per Planning Council transmittal recommendation.

*IV. Summary of State of Florida Review Agency Comments February 27, 2018*

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

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

V. Planning Council Staff Final Recommendation

March 13, 2018

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the information provided by the City regarding the three (3) acres per 1,000 permanent residents community parks acreage requirement and documentation of the City's actions related to additional public outreach.

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the "conditional" recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the Administrative Rules Document: BrowardNext. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

VI. Planning Council Final Recommendation

March 22, 2018

Approval per Planning Council staff final recommendation. (Vote of the board; 17-1; Yes: Blackwelder, Blattner, Breslau, Brunson, Castillo, DiGiorgio, Ganz, Gomez, Good, Graham, Moraitis, Rosenof, Rosenzweig, Ryan, Udine, Williams and Stermer. No: Grosso)

# ATTACHMENT 1

## West Park State Road 7/U.S. 441 Activity Center

*Acreage:* Approximately ~~88.0~~ 323.7 Acres

*General Location:* East of State Road 7/U.S. 441 between Pembroke Road and Southwest 41st Street (the Broward/Miami-Dade County Line)

*Density and Intensity of Land Uses:*

Residential Land Uses: ~~1,500~~ 2,323 dwelling units\*

Commercial Land Uses: ~~500,000~~ 1,247,800 square feet

Office Land Uses: 575,000 square feet

Industrial: 384,731 square feet

Institutional: 34,800 square feet

Hotel: 200 rooms

*Remarks:*

\*Consisting of ~~1,000 high-rise† dwelling units,~~ 955 mid-rise dwelling units, ~~450~~ 570 garden apartment dwelling units, ~~50~~ 303 townhouse dwelling units and 495 single-family dwelling units.

~~†Note: High-rise units are defined as four (4) stories or more, consistent with the effective Broward County Land Development Code definition at the time of the adoption of the Broward County Land Use Plan amendment.~~