

EXHIBIT 1

ORDINANCE NO. 2019 -

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE 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);

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

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

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearing on April 25, 2019, with due public notice;

WHEREAS, the Board of County Commissioners held an adoption public hearing on June 4, 2019, at 10:00 a.m., having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes, at which public comment was accepted and considered;

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

1 WHEREAS, the proposed amendment constitutes a Broward County permitted
2 small scale amendment to the Plan pursuant to Section 163.3187(1), Florida Statutes,

3 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
4 BROWARD COUNTY, FLORIDA:

5 Section 1. The Broward County Land Use Plan is hereby amended by
6 Amendment PC 19-3 in the City of Miramar, set forth in Exhibit "A," attached hereto and
7 incorporated herein.

8 Section 2. Severability.

9 If any portion of this Ordinance is determined by any court to be invalid, the invalid
10 portion will be stricken, and such striking will not affect the validity of the remainder of this
11 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
12 legally applied to any individual, group, entity, property, or circumstance, such
13 determination will not affect the applicability of this Ordinance to any other individual,
14 group, entity, property, or circumstance.

15 Section 3. Effective Date.

16 1. The effective date of the plan amendment set forth in this Ordinance shall
17 be the latter of:

18 (a) Thirty-one (31) days after the adoption of this Ordinance;

19 (b) The date a final order is issued by the Department of Economic Opportunity
20 or the Administration Commission finding the amendment to be in
21 compliance;

22 (c) If the Department of Economic Opportunity or the Administration
23 Commission finds the amendment to be in noncompliance, pursuant to
24 Section 163.3184(8)(b), Florida Statutes, the date the Board of County

1 Commissioners nonetheless, elects to make the plan amendment effective
2 notwithstanding potential statutory sanctions; or

3 (d) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
4 date the Declaration of Restrictive Covenants is recorded in the Public
5 Records of Broward County.

6 2. This Ordinance is effective as of the date provided by law.

7
8 ENACTED

9 FILED WITH THE DEPARTMENT OF STATE

10 EFFECTIVE

11
12 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

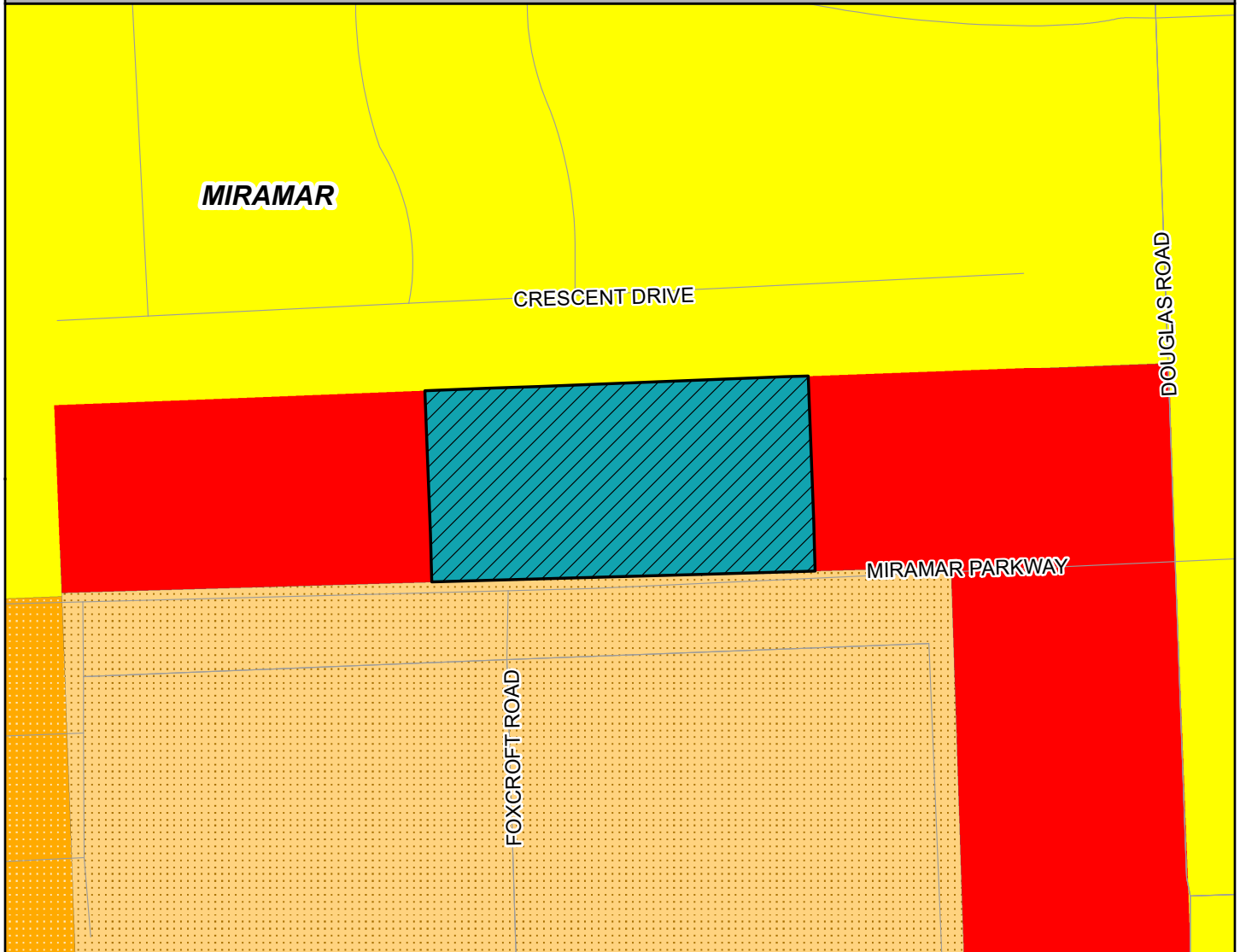
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14 By /s/ Maite Azcoitia 04/25/19
15 Maite Azcoitia (date)
16 Deputy County Attorney





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23 MA/gmb
PC 19-3 City of Miramar.SmallScaleOrd.
24 04/25/19
Imanage File #80041

EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 19-3

Current Land Use: Community
Proposed Land Use: Commerce
Gross Acres: Approximately 4.0 acres



- | | |
|---|---|
|  Site |  Medium (16) Residential |
|  Low (5) Residential |  Commerce |
|  Low-Medium (10) Residential |  Community |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 19-3
(MIRAMAR)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Recommendation

April 16, 2019

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.

Planning Council staff does not recommend a second Planning Council public hearing be required consistent with Article 1.2 (A) of the *Administrative Rules Document: BrowardNext*.

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.

II. Planning Council Public Hearing Recommendation

April 25, 2019

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 16-0; Blattner, Breslau, Brunson, Castillo, DiGiorgio, Good, Graham, Grosso, Hardin, Parness, Railey, Rich, Rosenof, Ryan, Williams and Stermer)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 19-3

INTRODUCTION AND APPLICANT’S RATIONALE

- I. Municipality: Miramar
- II. County Commission District: District 8
- III. Site Characteristics
 - A. Size: Approximately 4.0 acres
 - B. Location: In Section 29, Township 51 South, Range 41 East; generally located on the north side of Miramar Parkway, west of Douglas Road.
 - C. Existing Uses: Vacant and parking for adjacent adult day care facility
- IV. Broward County Land Use Plan (BCLUP) Designations
 - A. Current Designation: Community
 - B. Proposed Designation: Commerce
 - C. Estimated Net Effect: Addition of 4.0 acres of commerce use
Reduction of 4.0 acres of community use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
 - A. Existing Uses:
 - North:* Single-family residential
 - East:* Service station
 - South:* Multi-family residential
 - West:* Adult day care center and fire station
 - B. Planned Uses:
 - North:* Low (5) Residential
 - East:* Commerce
 - South:* Medium (16) Residential
 - West:* Commerce

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

A. *Applicant:* City of Miramar

B. *Agent:* City of Miramar

C. *Property Owner:* City of Miramar

VII. Recommendation of
Local Governing Body:

The City of Miramar recommends approval of the proposed amendment. The City anticipates adoption of the corresponding local amendment in August of 2019.