

ORDINANCE NO. 2025-29

1 AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE
2 AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING
3 THE BROWARD COUNTY LAND USE PLAN WITHIN THE CITY OF POMPANO
4 BEACH; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

5 (Sponsored by the Board of County Commissioners)
6

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

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

11 WHEREAS, Broward County now wishes to propose an amendment to the
12 Broward County Land Use Plan within the City of Pompano Beach;

13 WHEREAS, the Planning Council, as the local planning agency for the Broward
14 County Land Use Plan, held its hearing on May 22, 2025, with due public notice;

15 WHEREAS, the Board of County Commissioners held an adoption public hearing
16 on September 16, 2025, at 10:00 a.m., having complied with the notice requirements
17 specified in Section 163.3184(11), Florida Statutes, at which public comment was
18 accepted and considered;

19 WHEREAS, the Board of County Commissioners, after due consideration of all
20 matters, hereby finds that the following amendment to the Plan is consistent with the State
21 Plan, Regional Plan, and the Plan; complies with the requirements of the Community

22 Planning Act; and is in the best interests of the health, safety, and welfare of the residents
23 of Broward County; and

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

26 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
27 BROWARD COUNTY, FLORIDA:

28 Section 1. The Broward County Land Use Plan is hereby amended by
29 Amendment PC 25-2 in the City of Pompano Beach, set forth in Exhibit A, attached hereto
30 and incorporated herein.

31 Section 2. Severability.

32 If any portion of this Ordinance is determined by any court to be invalid, the invalid
33 portion will be stricken, and such striking will not affect the validity of the remainder of this
34 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
35 legally applied to any individual, group, entity, property, or circumstance, such
36 determination will not affect the applicability of this Ordinance to any other individual,
37 group, entity, property, or circumstance.

38 Section 3. Effective Date.

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

41 (1) Thirty-one (31) days after the adoption of this Ordinance;

42 (2) The date a final order is issued by the Department of Commerce or the
43 Administration Commission finding the amendment to be in compliance;

- 44 (3) If the Department of Commerce or the Administration Commission finds the
45 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
46 Florida Statutes, the date the Board of County Commissioners nonetheless
47 elects to make the plan amendment effective notwithstanding potential
48 statutory sanctions;
- 49 (4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
50 date the Declaration of Restrictive Covenants is recorded in the Official
51 Records of Broward County; or
- 52 (5) If recertification of the municipal land use plan amendment is required, the
53 date the municipal amendment is recertified.
- 54 (b) This Ordinance is effective as of the date provided by law.

ENACTED September 16, 2025

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Maite Azcoitia 05/13/2025
Maite Azcoitia (date)
Deputy County Attorney

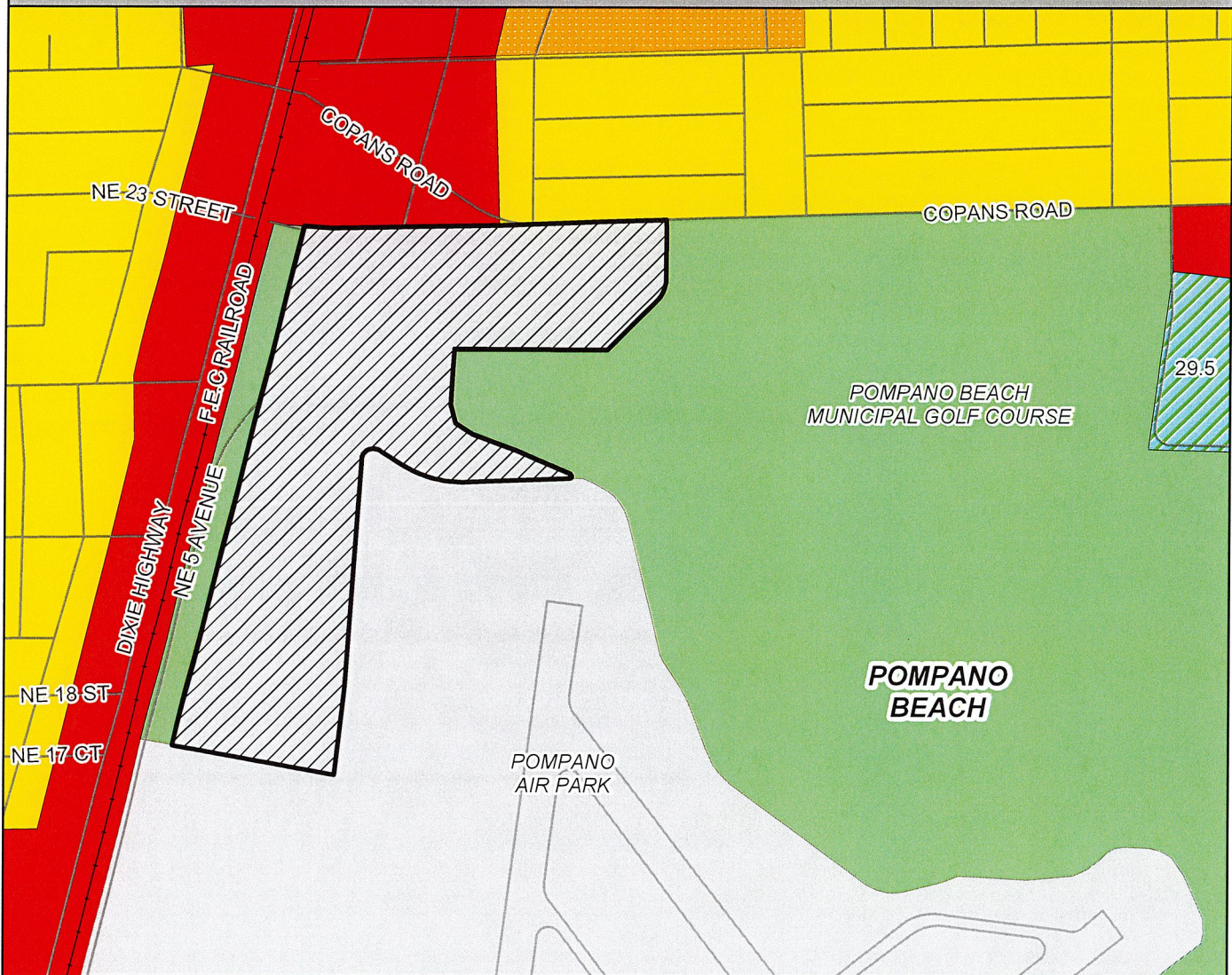
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 25-2

Current Land Use: Recreation and Open Space

Proposed Land Use: Transportation

Gross Acres: Approximately 48.0 acres



Site



Low (5) Residential



Low-Medium (10) Residential



Irregular Residential



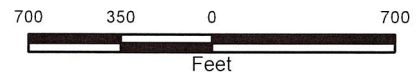
Commerce



Recreation and Open Space



Transportation



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 25-2
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Recommendation

May 13, 2025

Planning Council staff finds that the proposed change from the Recreation and Open Space category to the Transportation category is generally consistent with the surrounding land use designations and development patterns and recommends approval.

It is noted that any land use approval associated with the proposed map amendment does not authorize any development on Site 42A, 42B or 42D (corresponding City sites 1, 2 and 4) on the Broward County Environmentally Sensitive Lands (ESL) Map unless the sites have been removed from the BCLUP Natural Resource Series ESL Map through the Florida Statutes, Chapter 163, comprehensive planning process via the corresponding PCNRM 25-1 amendment or similar mechanism.

In addition, the City of Pompano Beach's confirmation to comply with the environmental licensing and permitting requirements to redevelop the property with Transportation permitted uses is recognized.

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.

RECOMMENDATIONS/ACTIONS (continued)

DATE

I. Planning Council Staff Recommendation (continued)

May 13, 2025

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.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan (BCLUP) 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 BCLUP 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

May 22, 2025

Approval per Planning Council staff recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 14-0: Abramson, Brunson, Castillo, Geller, Gomez, Greenberg, Hardin, Horland, Levy, Newbold, Rosenof, Ryan, Zeman and DiGiorgio)

III. County Commission Final Action

September 16, 2025

Approved per Planning Council public hearing recommendation.

INTRODUCTION AND APPLICANT'S RATIONALE

- 11 - 1

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site (continued)

B. *Planned Uses:*

<i>North:</i>	Commerce and Low (5) Residential
<i>East:</i>	Recreation and Open Space and Transportation
<i>South:</i>	Transportation
<i>West:</i>	Commerce and Recreation and Open Space

VI. Applicant/Petitioner

A. *Applicant:* City of Pompano Beach

B. *Agent:* City of Pompano Beach

C. *Property Owner:* City of Pompano Beach

VII. Recommendation of Local Governing Body:

The City of Pompano Beach recommends approval of the proposed amendment.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.