

CRC RESOLUTION NO. 2018-003

A RESOLUTION OF THE BROWARD COUNTY CHARTER REVIEW COMMISSION ADOPTING A PROPOSED AMENDMENT TO SECTION 8.05 OF THE CHARTER OF BROWARD COUNTY, FLORIDA, ENTITLED, “BROWARD COUNTY PLANNING COUNCIL; POWERS AND FUNCTION”; PROVIDING FOR REVISIONS TO ADMINISTRATION OF PLANNING COUNCIL’S DUTIES BY PROVIDING FOR THE ZONING GLOSSARY TO BE CONTAINED IN THE COUNTY LAND USE PLAN, AND AT LEAST ONE PLANNING COUNCIL PUBLIC HEARING FOR LAND USE PLAN AMENDMENTS; PROVIDING FOR PRESENTATION TO THE ELECTORATE BY THE COUNTY COMMISSION AT A SPECIAL REFERENDUM ELECTION TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 2018 GENERAL ELECTION; PROVIDING THE BALLOT TITLE AND SUMMARY OF THE CHIEF PURPOSE OF THE PROPOSED AMENDMENT; PROVIDING FOR THE COUNTY ATTORNEY TO RENUMBER AND RELETTER ARTICLES AND SECTIONS IN ORDER TO CONFORM THE AMENDMENTS TO THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 6.02 of the Broward County Charter, after two (2) public hearings and by an affirmative vote of at least thirteen (13) of the nineteen (19) members, the Broward County Charter Review Commission may submit a proposal to the Board of County Commissioners to amend or revise the Broward County Charter; and

WHEREAS, the Charter of Broward County, Florida mandates that all Charter amendments and revisions proposed by the Charter Review Commission must be submitted to

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the County Commission no later than the first Tuesday in June of the year in which the term of the Charter Review Commission shall expire; and

WHEREAS, the Charter of Broward County, Florida provides that all amendments and revisions proposed by the Charter Review Commission must be presented by the County Commission to the electorate at the next general election;

NOW, THEREFORE, BE IT RESOLVED BY THE BROWARD COUNTY CHARTER REVIEW COMMISSION:

SECTION 1: That pursuant to Section 6.02 of the Charter of Broward County, Florida, the County Commission is hereby directed to place on the ballot for presentation to the electorate, at a special referendum election to be held in conjunction with the November 2018 General Election, a special referendum issue, the subject of which is proposed to amend Section 8.05, entitled "Broward County Planning Council," to provide revisions to the administration of the Broward County Planning Council's use of the zoning glossary and the holding of at least one (1) public hearing prior to consideration of a land use plan amendment, the full text of which is attached hereto and incorporated by reference as if fully set forth herein as **Exhibit "A"**.

SECTION 2: That the ballot title and summary for the proposed amendments/revisions as referred to above shall appear as follows:

BROWARD COUNTY PLANNING COUNCIL

REVISIONS TO ZONING GLOSSARY AND PUBLIC HEARINGS

Shall the Broward County Charter be amended to revise Section 8.05 related to the operation of the Broward County Planning Council to provide that the Broward County Zoning Glossary shall be contained within the County Land Use
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Plan, and to further provide that the Broward County Planning Council shall hold no less than one (1) public hearing prior to consideration of a proposed land use plan or plan amendment?

YES FOR APPROVAL _____

NO FOR REJECTION _____

SECTION 3: That should a majority of electors voting on the above-referenced referendum election vote "YES," thereby approving the above ballot issue, attached **Exhibit "A"** shall become a part of the Charter of Broward County, Florida.

SECTION 4: That the County Attorney is hereby directed to insure that the appropriate numbers and/or letters are affixed to the Articles and Sections of the Charter in order to conform the Charter to the amendments if approved.

SECTION 5: That if any section, sentence, clause or phrase of this resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

SECTION 6: That this resolution shall become effective immediately upon its adoption.

Adopted this ____ day of _____, 20__.

Thomas McDonald, Chairperson

APPROVED AS TO LEGAL FORM:

Samuel S. Goren, General Counsel

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**RECORD OF VOTE
(CRC 2018-003)**

BUSCH	_____	McDONALD	_____
DAVIS	_____	MOSELEY	_____
DIPIETRO	_____	MOSKOWITZ	_____
FABRICIO	_____	NAVARRO	_____
FORMAN	_____	NORRIS-WEEKS	_____
GREENBERG	_____	PETTIS	_____
GUERRA	_____	REYES	_____
GUNZBURGER	_____	SMITH	_____
KANE	_____	WELLS	_____
MAYLOR	_____		

Resolution **CRC 2018-003** passed _____ on _____, 20__.

BROWARD COUNTY CHARTER REVIEW COMMISSION

Attest: _____
Carlos Verney, Executive Director

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EXHIBIT "A"

ARTICLE VIII – LAND USE PLANNING

Section 8.05 BROWARD COUNTY PLANNING COUNCIL; POWERS AND FUNCTION

* * *

- C. The Planning Council shall adopt, and amend from time to time, a uniform countywide general zoning glossary of terms in consultation with other governmental entities. The zoning glossary shall be contained in the County Land Use Plan, as may be amended from time to time. Other governmental entities within the County may specify specific prohibited or permitted uses or various other restrictions as may be deemed necessary to be in the best interest of the governmental entity.
- D. A governmental entity shall submit to the Planning Council its land use plan, or amendments thereto, for review. No later than sixty (60) days from the date of submission, the Planning Council shall hold a public hearing to consider that plan for inclusion in the County Land Use Plan and/or certification. The Planning Council shall take into consideration such factors as: professional service employed, consideration given to utilities and adjoining areas with regard to impact on roads and general environmental quality, sufficient notice to surrounding areas and proper opportunity for the public to review and comment on the proposed Plan. The Planning Council may, at this hearing or a subsequent regular meeting, by a simple majority of its membership, adopt or reject such inclusion and/or certification of, or amendment to, such governmental land use plan. The Planning Council shall state its reasons for rejection, alterations or modifications in writing to the affected governmental entity. Following at least one (1) public hearing at which the proposed amendment is considered, ~~the Planning Council may propose amendments to the County Land Use Plan at any time.~~ ~~after consideration at two (2) public hearings.~~

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