

**ORDINANCE NO. 2023-13**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING ALL OF THE COMPREHENSIVE PLAN ELEMENTS AND MAP SERIES OF THE CITY'S COMPREHENSIVE PLAN TO IMPLEMENT THE RECOMMENDATIONS OF THE 2023 EVALUATION AND APPRAISAL REVIEW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Greenacres City Council, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Comprehensive Plan (Plan); and

**WHEREAS**, the City Council of the City of Greenacres, pursuant to the Community Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Plan which has been certified by the State of Florida Department of Commerce; and

**WHEREAS**, the Local Planning Agency for the City of Greenacres has held a duly advertised public hearing on November 9, 2023, and has recommended approval of petition CPA-23-03, to adopt the Comprehensive Plan Evaluation and Appraisal Review based amendments; and

**WHEREAS**, the City Council of the City of Greenacres has conducted duly advertised public hearings to receive comments on the text and map amendments proposed by CPA-23-03 and has considered all comments received concerning the proposed amendments to the Plan as required by state law and local ordinance; and

**WHEREAS**, this Ordinance passed on first reading on December 4, 2023 and second reading on March 18, 2024, but did not become effective pursuant to section 163.3184(4), Florida Statutes, thereby requiring a subsequent reading and final adoption hearing, both of

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which occurred on August 5, 2024; and

**WHEREAS**, it is the desire of the City Council that this Ordinance shall become effective in accordance with Section 8, below; and

**WHEREAS**, the City Council finds that the proposed amendment is consistent with the Plan, is in the best interest of the citizens of the City of Greenacres, and serves a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**Section 1.** The foregoing recitals are incorporated into this Ordinance as true and correct findings of the City Council of the City of Greenacres.

**Section 2.** The Comprehensive Plan of the City of Greenacres is hereby amended as outlined in Exhibit “A”, which is attached hereto and incorporated herein by reference, underlined text is added and strike-through text is deleted.

**Section 3.** The Development and Neighborhood Services Department is further authorized to make the necessary changes to the Plan to reflect the above-stated changes.

**Section 4.** All ordinances or parts thereof or parts of the Code and the Plan conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5.** If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be

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held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 6.** The Development and Neighborhood Services Department shall transmit copies of this Ordinance to the Florida Department of Commerce (DOC).

**Section 7.** The provisions of this Ordinance shall become and be made a part of the Plan; that the section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

**Section 8.** In accordance with Section 163.3184(3) and (5), Florida Statutes, the provisions of this Ordinance shall become effective 31 days after the State Land Planning Agency has determined that the amendment package is complete and provided that no challenge petition has been properly filed with the State Division of Administrative Hearings within 30 days of adoption.

*(Remainder of page left blank)*

Passed on the first reading this 4<sup>th</sup> day of December, 2023.

PASSED AND ADOPTED on the final reading this 5<sup>th</sup> day of August, 2024.

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**Chuck Shaw**, Mayor

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*Voted:*  
**Judith Dugo**, Deputy Mayor

**Attest:**

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**Quintella Moorer**, City Clerk

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*Voted:*  
**John Tharp**, Council Member, *District I*

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*Voted:*  
**Peter Noble**, Council Member, *District II*

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*Voted:*  
**Susy Diaz**, Council Member, *District IV*

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*Voted:*  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia**, City Attorney