

RESOLUTION NO. 2009-

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
2 BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO
3 THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT OF
4 THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE
5 DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN
6 EFFECTIVE DATE.

7 WHEREAS, Broward County adopted the 1989 Broward County Comprehensive
8 Plan on March 1, 1989 (the Plan); and

9 WHEREAS, the Department of Community Affairs has found the Broward County
10 Comprehensive Plan in compliance with the Local Government Comprehensive
11 Planning and Land Development Regulation Act; and

12 WHEREAS, Broward County now wishes to propose an amendment to the
13 Future Unincorporated Area Land Use Element, Broward County Comprehensive Plan;
14 and

15 WHEREAS, the Environmental Protection and Growth Management Department,
16 as the local planning agency for the Broward County Comprehensive Plan, held its
17 hearing on the proposed amendment to the Future Unincorporated Area Land Use
18 Element, Broward County Comprehensive Plan, on February 6, 2009, with due public
19 notice; and

20 WHEREAS, the Board of County Commissioners held its transmittal public
21 hearing on March 24, 2009, at 2:00 p.m., having complied with the notice requirements
22 specified in Section 163.3184(15), Florida Statutes, as amended from time to time; and

23 WHEREAS, the proposed amendment constitutes a portion of Broward County's
24 permitted first annual amendments to the Plan for 2009; NOW, THEREFORE,

1 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 BROWARD COUNTY:

3 Section 1. The Board of County Commissioners hereby transmits to the
4 Department of Community Affairs for review and comment pursuant to Section
5 163.3184, Florida Statutes, as amended from time to time, Amendment 09-1-T6, which
6 is an amendment to the Future Unincorporated Area Land Use Element.

7 Section 2. The proposed amendment to the Broward County Comprehensive
8 Plan is attached as Attachment "A" to this Resolution.

9 Section 3. EFFECTIVE DATE.

10 This Resolution shall become effective upon adoption.

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12 ADOPTED this day of , 2009.

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ATTACHMENT A
PROPOSED AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN

ATTACHMENT A

PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

GOAL 2.0. Broward County shall provide for a distribution of land use by type, density, and intensity to meet the needs of the current and future resident and seasonal population in a manner that; protects, improves, conserves and sustains the natural and manmade environment; that discourages urban sprawl; is energy efficient; that promotes the reduction of greenhouse gases; that ensures the timely, cost-effective provision of public facilities and services while retaining the unique variety of lifestyles and quality of life; and that facilitates the annexation or incorporation of Unincorporated Areas.

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Policy 2.1.1. The Development Management and Environmental Regulation Division (~~DMD~~) (DERD) shall continue to maintain and implement the Broward County Land Development Code, to assure the availability of facilities and services needed to accommodate proposed development.

Policy 2.1.2. The County ...

1. Prior to approval by the Broward County Board of County Commissioners, a proposed plat (municipal or unincorporated) shall be found to meet:

(a) the traffic concurrency requirements as set forth in ~~Goal Objective~~ Objective 3.2 and associated objectives and policies of the Transportation Element; and

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(d) the mass transit concurrency requirement as set forth in ~~Goal Objective~~ Objective 3.4 and associated objectives and policies of the Transportation Element.

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Policy 2.1.3. The ~~DMD~~ DERD shall, with the assistance of the County Attorney's Office, recommend additional standards, procedures, and requirements as necessary to regulate and control the platting of land within Broward County.

Policy 2.1.4. The ~~DMD~~ DERD shall, with the assistance of the County Attorney's Office, periodically review the land development regulations governing the issuance of development permits which are consistent with the Development Review Requirements subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

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ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

Policy 2.1.7. The Planning and ~~Services~~ Redevelopment Division (~~PSD~~) (PRD) shall promote the implementation of an integrated geographic information system (GIS) which makes available standardized land use and public facilities information for local and regional planning.

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Policy 2.2.2. The Planning and ~~Services~~ Redevelopment Division (~~PSD~~) (PRD) shall continue to consider the suitability of soils and the physical and natural features of the land in reviewing land use plan amendments.

Policy 2.2.3. The ~~PSD~~ PRD shall periodically evaluate criteria for reviewing and making recommendations regarding the adoption of amendments to the Future Unincorporated Area Land Use Element Map Series.

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Policy 2.3.1. The Housing Finance and Community Development Division shall continue to renew and redevelop blighted areas in the Central County Unincorporated Area through the management of federal and state funds for capital projects; housing rehabilitation; and program and economic development.

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Policy 2.4.2. The ~~PSD~~ PRD shall continue to recommend against proposed land use plan amendments for the purpose of recognizing nonconforming uses which are incompatible with the surrounding land uses.

Policy 2.4.3. The ~~PSD~~ PRD shall continue to recommend against proposed land use plan amendments which are incompatible with adjacent land use designations.

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Policy 2.5.6. The ~~DMD~~ DERD shall, in order to conserve native vegetative cover, continue to implement code requirements relating to the clearance of lands designated as Natural Resource Areas.

Policy 2.5.7. The ~~DMD~~ DERD shall, in order to conserve native vegetative cover, continue to implement code requirements, as such relates to natural resource areas contained within site plans in the Unincorporated Area.

Policy 2.5.8. The ~~DMD~~ DERD should continue to recommend the designation of land as a Local Area of Particular Concern (LAPC) in the categories of Cultural Resources, Marine Resources, Native Vegetation, Natural Landforms, and Wildlife Areas.

ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

Policy 2.5.9. The ~~DMD~~ DERD shall continue to utilize the development review process to consider the impact of proposed land use plan amendments on environmentally sensitive lands such as Urban Wilderness Areas.

Policy 2.5.10. The ~~PSD~~ PRD shall request the Broward County Historical Commission to analyze the impacts of proposed land use plan amendments on historic resources in the Unincorporated Area and the ~~PSD~~ PRD shall reflect any findings by the Historical Commission in its recommendation.

Policy 2.5.11. The ~~PSD~~ PRD shall recommend that historic resources, identified during the land use plan amendment process, satisfying the criteria of the cultural resource category as defined in the Conservation Element of the Support Documents of the Comprehensive Plan be designated as a Local Area of Particular Concern.

Policy 2.5.12. The ~~DMD~~ DERD shall continue to implement code requirements concerning any land designated as an archaeological site in the Broward County Land Use Plan Map Series, the Florida Master Site File or the National Register of Historic Places.

Policy 2.5.13. The ~~DMD~~ DERD shall utilize the findings contained within the Final Survey Report and related maps of archaeological sites in western Broward County as a resource when recommending the addition of archaeological sites to the Broward County Land Use Plan Map Series.

Policy 2.5.14. The ~~PSD~~ PRD shall request the Broward County Historical Commission to identify historically significant structures and archaeological sites in the Unincorporated Area which may be eligible for inclusion on the Florida Master Site File, National Register of Historic Places.

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Objective 2.7. The ~~PSD~~ PRD shall coordinate future land uses by encouraging the reduction or elimination of uses that are inconsistent with interagency hazard mitigation reports.

Policy 2.7.1. The ~~PSD~~ PRD shall work with municipalities to coordinate the preparation of post-disaster redevelopment and mitigation plans for the coastal area.

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ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

Objective 2.9. ~~Broward County shall, to the extent possible, direct development and redevelopment into compact, efficient development patterns. Broward County will to the maximum extent feasible, promote “Smart Growth” and energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.~~

Policy 2.9.1. ~~Broward County shall encourage the use of coordinated regulatory and programmatic approaches and financial incentives to promote compact, efficient, urban growth patterns. Broward County’s development within the Unincorporated Area shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.~~

Policy 2.9.2. Broward County will encourage and implement to the maximum extent feasible for those (re)development projects within the Unincorporated Area the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.

Policy 2.9.3. Broward County will encourage and implement to the maximum extent feasible for those (re)development projects within the Unincorporated Area energy conservation and the reduction of greenhouse gasses by encouraging land developers and builders to implement the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) which generally include the following:

1. Community/Neighborhood -use of compact building design; energy efficient street lighting; energy efficient automobiles/transit.
2. Lot Choice - priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines mass transit or green space.
3. Site Choice - re-create or preserve wildlife habitat or shelter, replant or donate vegetation, use cleared material for mulch or landscaping or stabilizing Soil, or save or reuse topsoil.
4. Water Efficiency/Conservation - use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens, bioswales and cisterns.

ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

5. Energy Efficiency/Conservation - use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air-conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids. and/or use of wind/solar/natural gas energy.

6. Materials - use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials.

7. Health - use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.

Policy 2.9.4. Broward County will encourage and implement to the maximum extent feasible for those (re)development projects within the Unincorporated Areas the use of the “NatureScape Broward” program to create and maintain attractive, low maintenance, low impact landscapes which protect the County’s natural resources.

Policy 2.9.5. Broward County shall encourage and implement to the maximum extent feasible for those (re)development projects within the Unincorporated Area energy efficient urban design which is consistent with the Broward County Urban Design Element.

Policy 2.9.26. Consistent with Potable Water Element Policy 4.2.65, Drainage and Natural Groundwater Aquifer Recharge Element Policy 7.2.8., Sanitary Sewer Element Policy 5.2.65., and Solid Waste Element Policy 6.2.45., the impact of infrastructure improvements on adjacent natural resources shall be considered when making land use decisions.

Policy 2.9.3-7. Broward County shall continue to provide for convenient on-site traffic flow and consider needed vehicle parking as required by the site plan requirements of the Land Development Code.

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Policy 2.10.4. The Broward County Comprehensive Plan Map Series shall also include the following maps which shall be maintained by the agency indicated:

1. Historic Resources - EPGMD
2. Transportation Concurrency District Map – UPRD EPGMD
3. Wellfield Protection Areas - EPGMD
4. Beaches and Shores, Including Estuarine Systems - Broward County Planning Council
5. Rivers, Bays, Lakes & Harbors - EPGMD

ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

6. Floodplains - Broward County Planning Council
7. Wetlands - EPGMD
8. Minerals and Soils - Broward County Planning Council
9. Coastal High Hazard Areas - Emergency Management Agency
- ...

Policy 2.10.7. The ~~PSD~~ PRD shall, when preparing recommendations for proposed industrial land use plan amendments, consider access to major transportation facilities, including highways, airports, and seaports.

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Policy 2.10.10. The ~~PSD~~ PRD shall recommend that Urban Wilderness Areas and other appropriate publicly owned lands in the Unincorporated Area be designated as natural reservations on the Future Unincorporated Area Land Use Map Series under the Conservation land use category.

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Policy 2.10.13. The ~~PSD~~ PRD shall, when preparing recommendations for proposed land use plan amendments in areas surrounding existing and proposed airports/heliports, promote compatible land uses consistent with the Broward County Comprehensive Plan.

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Policy 2.10.15. The ~~PSD~~ PRD shall take into consideration the recommendations of Fort Lauderdale-Hollywood International Airport Part 150 Study Technical Report when preparing land use recommendations affecting the Fort Lauderdale-Hollywood International Airport.

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Policy 2.10.18. In accordance with the provisions of the Broward County Charter, the ~~PSD~~ PRD shall prepare and maintain a land use plan, also known as the Future Unincorporated Area Land Use Element and amendments thereto, which shall be the effective local land use plan for the Unincorporated Area upon adoption by the Board of County Commissioners and (re)certification by the Broward County Planning Council.

Policy 2.10.19. The ~~PSD~~ PRD shall submit the Future Unincorporated Area Land Use Element and Map Series and amendments thereto to the Broward County Planning Council for (re)certification upon final adoption by the Board of County Commissioners.

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ATTACHMENT A
PROPOSED FUTURE UNINCORPORATED AREA LAND USE ELEMENT REVISIONS

Policy 2.10.21. The ~~PSD~~ PRD shall recommend the designation of land use categories on the FUALUEMS in accordance with the availability of public facilities and services needed to support development concurrent with the impacts of development and consistent with the adopted level of service standards in the Broward County Comprehensive Plan elements including: Transportation, Mass Transit, Sanitary Sewer, Solid Waste, Potable Water, Drainage and Natural Groundwater Aquifer Recharge, and Recreation and Open Space.

Policy 2.10.22. The ~~PSD~~ PRD shall review applications for plats, rezonings, and site plans for compliance with the future land use designations on the FUALUEMS.

Policy 2.10.23. The ~~PSD~~ PRD shall establish and maintain standards for densities or intensities of use for each future land use category established on the FUALUEMS.

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Policy 2.10.2528. The Broward County Board of County Commissioners shall coordinate with the School Board of Broward County, Florida, to collocate new public schools with public facilities such as parks, libraries, and community centers, to the extent financially feasible and practical. The following criteria shall be considered for collocating public schools and public facilities:

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Policy 2.11.1. The ~~PSD~~ PRD shall coordinate the provision of base data to unincorporated area residents and municipalities to assist them with the analysis of annexation and incorporation options.

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Policy 2.12.1. The ~~PSD~~ PRD shall maintain and recommend amendments, as necessary, to land use categories which permit developments with a combination of land uses.

Post Adoption Revisions

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8. This Element was amended in Cycle 2009-1 through Ordinance Number 2009-xx on xx, 2009.