



Broward County Commission Regular Meeting

27.

Meeting Date: 02/11/2014

Director's Name: Sue Gunzburger

Department: County Commission

Information

Requested Action

MOTION TO INITIATE amendment to the Broward County Land Use Plan (BCLUP) to provide for the transfer of residential development rights between properties on the barrier islands. (Commissioner Gunzburger)

ACTION: (T-11:41 AM) Approved, as amended, to direct staff to provide an environmental and economic impact report to the Board in 60 days. (Scrivener's Error – See County Administrator's Report: PBMI (Pre Board Meeting Inquiry) Item #27 reads,prior to directing the County Attorney or coincide with the direction to the County Attorney. It should read, ...prior to or coinciding with an initiation of a land use plan amendment.) (Refer to minutes for full discussion.)

VOTE: 8-1. Commissioner Jacobs voted in the affirmative telephonically. Commissioner Gunzburger voted no.

Why Action is Necessary

The Administrative Rules Document: BCLUP provides for County Commission initiation of plan amendments.

What Action Accomplishes

Initiates amendment to the BCLUP to allow for the transfer of residential development rights.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/ Background

Currently, the BCLUP (Broward County Land Use Plan) prohibits the allocation of Flexibility Units to properties east of the Intracoastal Waterway ("the barrier islands") which would result in a

residential density greater than 25 units per gross acre for the residentially designated parcel, or portion of a non-residentially designated parcel to be developed with a residential use, or a residential density exceeding double the maximum number of dwelling units indicated for the parcel by the local land use plan map. As a result, development and redevelopment opportunities for owners of property on the barrier islands are limited.

The proposed amendment would amend the BCLUP to allow owners of undeveloped or underdeveloped properties on the barrier islands, who have development rights under the current land use plan map designation, to transfer some or all of the residential development rights to other owners of property within the barrier islands and within the same flexibility zone. In instances where development rights are transferred from the Intracoastal Waterway side to the ocean side, this would allow for preservation of view corridors along the Intracoastal Waterway and an increase in the assessed values of the units on the ocean side without the allocation of flexibility units or exceeding current overall densities on the barrier islands.

It is contemplated that transfers of development rights would be accomplished by requiring an agreement between the owners of the transferor and transferee parcels and the placement of a restriction on the transferor parcel which could not be amended, released, or terminated without the approval of the Board of County Commissioners and the applicable municipality. Development on the transferee parcel would be subject to the approval of the applicable municipality through the site planning process.

If this proposed amendment is initiated, it may be forwarded to the Broward County Planning Council for preparation, analysis, and recommendation.
