

EXHIBIT 2

ORDINANCE NO. 2014 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE BROWARD COUNTY LAND USE PLAN TEXT FOR THE CITY OF HOLLYWOOD TRANSIT ORIENTED DEVELOPMENT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the 1989 Broward County Comprehensive Plan on March 1, 1989; and

WHEREAS, the Department of Economic Opportunity has found the Broward County Comprehensive Plan in compliance with the Community Planning Act; and

WHEREAS, Broward County now wishes to propose an amendment to the Plan; and

WHEREAS, the Planning Council as the local planning agency for the Broward County Land Use Plan, held its hearings on March 27, 2014, and June 26, 2014, with due public notice; and

WHEREAS, the Board of County Commissioners held its transmittal public hearing on April 22, 2014, having complied with the notice requirements specified in Subsection 163.3184(11), Florida Statutes; and

WHEREAS, the Board of County Commissioners held an adoption public hearing on August 12, 2014, at 2:00 p.m. [also complying with the notice requirements specified in Subsection 163.3184(11), Florida Statutes] at which public comment was accepted, and the comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State, Department of Transportation, Fish and

1 Wildlife Conservation Commission, Department of Agriculture and Consumer Services,
2 and Department of Education, as applicable, were considered; and

3 WHEREAS, the Board of County Commissioners, after due consideration of all
4 matters, hereby finds that the following amendment to the 1989 Broward County
5 Comprehensive Plan is consistent with the State Plan, Regional Plan, and the Broward
6 County Comprehensive Plan; complies with the requirements of the Community
7 Planning Act; and is in the best interests of the health, safety, and welfare of the
8 residents of Broward County,

9 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

11 Section 1. The 1989 Broward County Comprehensive Plan is hereby
12 amended by Amendment PCT 14-2, which is an amendment to the Broward County
13 Land Use Plan Text for the City of Hollywood Transit Oriented Development, as set
14 forth in Exhibit "A," attached hereto and incorporated herein.

15 Section 2. SEVERABILITY.

16 If any portion of this Ordinance is determined by any Court to be invalid, the
17 invalid portion shall be stricken, and such striking shall not affect the validity of the
18 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
19 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
20 or circumstance(s), such determination shall not affect the applicability hereof to any
21 other individual, group, entity, property, or circumstance.

22 Section 3. EFFECTIVE DATE.

23 (a) The effective date of the plan amendment set forth in this Ordinance shall
24 be the latter of:

- (1) Thirty-one (31) days after the Department of Economic Opportunity notifies Broward County that the plan amendment is complete;
- (2) If the plan amendment is challenged, the date a final order is entered by the Administration Commission or the Department of Economic Opportunity finding the amendment to be in compliance;
- (3) If the Department of Economic Opportunity or the Administration Commission finds the amendment to be in noncompliance, pursuant to Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners, nonetheless, elects to make the plan amendment effective notwithstanding potential statutory sanctions; or
- (4) If a Declaration of Restrict Covenants or agreement is applicable, as per Exhibit "B," the date the Declaration of Restrictive Covenants or agreement is recorded in the Public Records of Broward County.
- (b) This Ordinance shall become effective as provided by law.

ENACTED August 12, 2014

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Joni Armstrong Coffey, County Attorney

By: Maite Azcoitia 06/09/14
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb

06/09/14

#14-401.09

City of Hollywood Transit Oriented Development Ordinance

EXHIBIT A

SECTION I **AMENDMENT REPORT** **BROWARD COUNTY LAND USE PLAN** **PROPOSED AMENDMENT PCT 14-2** **(HOLLYWOOD)**

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

March 18, 2014

It is recommended that the proposed amendment to the Broward County Land Use Plan (BCLUP) be approved, recognizing that the previous voluntary commitments offered as part of BCLUP amendments PC 07-1/PCT 07-1 adopted in 2007 remain in effect, as follows:

- Mitigation of projected adverse regional transportation impacts as identified in this report;
- Restriction of 20% of the total dwelling units (210 dwelling units) as “workforce income” affordable housing, as defined in Article 8 of the “Administrative Rules Document: Broward County Land Use Plan for those up to 140% of the median income;
- Maintaining the current location of the historic “coral house” and dedication of a minimum six (6) acre public park within the native oak hammock area; and
- Coordination with the appropriate Broward County staff to further identify potential preservation/mitigation concerning the existing native tree canopy and potential archeological resources.

Planning Council staff further notes that the applicant has clarified that the obligation to provide “workforce-income” housing will be shared proportionately by Parcels A, C and D. Therefore, the proposed Okomo residential development of up to 500 multi-family dwelling units will result in up to 100 “workforce-income” dwelling units.

It is also noted that access to Taft Street will be restricted to the Okomo residential development only. The Okomo residential development will also have access to Sheridan Street. However, residential and non-residential development on the FDOT property (generally the northernmost 18.7) acres will not have access to Taft Street.

II. Planning Council Transmittal Recommendation

March 27, 2014

Approval per Planning Council staff transmittal recommendation. (Vote of the board; Unanimous: 16-0; Aronson, Bascombe, Blattner, Boccard, de Jesus, DuBose, Furr, Good, Graham, Hobby, Kaplan, Long, Mack, Ryan, Stermer and Castro)

RECOMMENDATIONS/ACTIONS (continued)

DATE

III. County Commission Transmittal Recommendation

April, 22, 2014

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

May 28, 2014

The Florida Department of Transportation (FDOT) notes in their informal comments on the proposed amendment that its goal of having a mixed-use Transit Oriented Development (TOD) on its site at the Sheridan Street Tri-Rail station remains, and is reiterated in the February 3, 2014, letter from the Department. In addition, the FDOT offers the following:

Comment: At such time as development proposals for the FDOT parcel are contemplated, an additional traffic study should be conducted to determine whether any remaining improvements are needed. In addition, the FDOT notes that the language in the City of Hollywood's Comprehensive Plan regarding the TOD phasing requirements should be amended to match the corresponding language in the Broward County Land Use Plan (BCLUP).

Response: Planning Council staff notes that the impacts of the proposed amendment to the transportation network have been analyzed, and based on the voluntary commitments made by the applicant, have been determined to mitigate said impacts at the long-range planning horizon. Further, it is Planning Council staff's understanding that the City's Comprehensive Plan TOD language is being amended, and that said language must be consistent with the BCLUP in order for the City to recertify its future land use element with the Planning Council.

V. Planning Council Staff Final Recommendation

June 17, 2014

It is recommended that the proposed amendment to the Broward County Land Use Plan (BCLUP) be approved, recognizing that the previous voluntary commitments offered as part of BCLUP amendments PC 07-1/PCT 07-1 adopted in 2007 remain in effect, as follows:

- Mitigation of projected adverse regional transportation impacts as identified in this report;
- Restriction of 20% of the total dwelling units (210 dwelling units) as "workforce income" affordable housing, as defined in Article 8 of the "Administrative Rules Document: Broward County Land Use Plan for those up to 140% of the median income;
- Maintaining the current location of the historic "coral house" and dedication of a minimum six (6) acre public park within the native oak hammock area; and

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

June 17, 2014

- Coordination with the appropriate Broward County staff to further identify potential preservation/mitigation concerning the existing native tree canopy and potential archeological resources.

Planning Council staff further notes that the applicant has clarified that the obligation to provide “workforce-income” housing will be shared proportionately by Parcels A, C and D. Therefore, the proposed Okomo residential development of up to 500 multi-family dwelling units will result in up to 100 “workforce-income” dwelling units.

It is also noted that access to Taft Street will be restricted to the Okomo residential development only. The Okomo residential development will also have access to Sheridan Street. However, residential and non-residential development on the FDOT property (generally the northernmost 18.7) acres will not have access to Taft Street.

PROPOSED AMENDMENT PCT 14-2

INTRODUCTION AND APPLICANT'S RATIONALE

- | | | |
|------|--|---|
| I. | <u>Municipality:</u> | Hollywood |
| II. | <u>County Commission District:</u> | District 6 |
| III. | <u>Site Characteristics</u> | |
| A. | Size: | Approximately 40.4 acres |
| B. | Location: | In Section 9, Township 51 South, Range 42 East; generally located on the east side of the C.S.X. Railroad, between Sheridan Street and Taft Street. |
| C. | Existing Uses: | Tri-Rail station, park and ride lot and single-family residential (mobile homes) |
| IV. | <u>Broward County Land Use Plan (BCLUP) Designations</u> | |
| A. | Current Designation: | Hollywood Transit Oriented Development consisting of:
300,000 square feet of commercial use
299,000 square feet of office use
1,050 high-rise dwelling units (4 stories or more)
150 hotel rooms
280,000 square feet of Tri-Rail parking (793 parking spaces) |
| B. | Proposed Designation: | Hollywood Transit Oriented Development consisting of:
300,000 square feet of commercial use
299,000 square feet of office use
550 high-rise dwelling units (4 stories or more)
500 multi-family dwelling units
150 hotel rooms
280,000 square feet of Tri-Rail parking (793 parking spaces) |
| C. | Estimated Net Effect: | No net effect. The amendment is to change the dwelling unit type and construction phasing. |

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

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

- A. Existing Uses: North: Hotel and gas station
East: Utilities and Interstate 95
South: Retail
West: CSX Railroad, vacant and industrial
- B. Planned Uses: North: Industrial and Medium-High (25) Residential
East: Utilities, Medium-High (25) Residential and Transportation
South: Transportation and Industrial
West: Commercial and Industrial

VI. Applicant/Petitioner

- A. Applicant: Pinnacle Housing Group
- B. Agent: Calvin, Giordano & Associates, Inc.
- C. Property Owners: Okomo Associates, LLC and Florida Department of Transportation

VII. Recommendation of Local Governing Body:

The City of Hollywood recommends approval. The City anticipates adoption of the corresponding local amendment in September of 2014.

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 14-2

BROWARD COUNTY LAND USE PLAN

Hollywood Transit Oriented Development

Acreage: Approximately 40.4 acres

General Location: East side of the C.S.X. Railroad, between Sheridan Street and Taft Street.

Density and Intensity
of Land Uses:

Commercial Land Uses	300,000	square feet
Office Land Uses	299,000	square feet
High-rise Residential Land Uses	1,050 <u>550</u>	dwelling units
<u>Multi-Family Residential Land Uses</u>	<u>500</u>	<u>dwelling units</u>
Hotel	150	rooms
Transportation Uses		
Parking for Tri-Rail Station)	280,000	square feet
	793 spaces (minimum)	

Notes:

1. Sheridan Stationside Village is directly served by a Tri-Rail Station.
2. Pursuant to Agreement between Stationside Village Associates and FDOT, 793 parking spaces are obligated for the Tri-Rail Station.
3. The non-residential FAR is 0.218.
4. Prior to the issuance of building permits for more than ~~300~~ 500 residential units, a minimum of 100,000 square feet of commercial (retail and/or office) square footage must be under construction. ~~Prior to the issuance of building permits for more than 500 residential units, a minimum of 200,000 square feet of commercial (retail and/or office) square footage must be under construction.~~
5. Public park/Oak Hammock: Minimum 6 acres.

Remarks: At least 20% of the total dwelling units (210 dwelling units) must be “workforce-income” affordable housing as defined in Section 420.5095, Florida Statutes, for those persons having a total anticipated income for the household that is not more than 140% of the area median income, adjusted for household size.

NOTE: Underlined words are proposed additions. ~~Struck-through~~ words are proposed deletions.