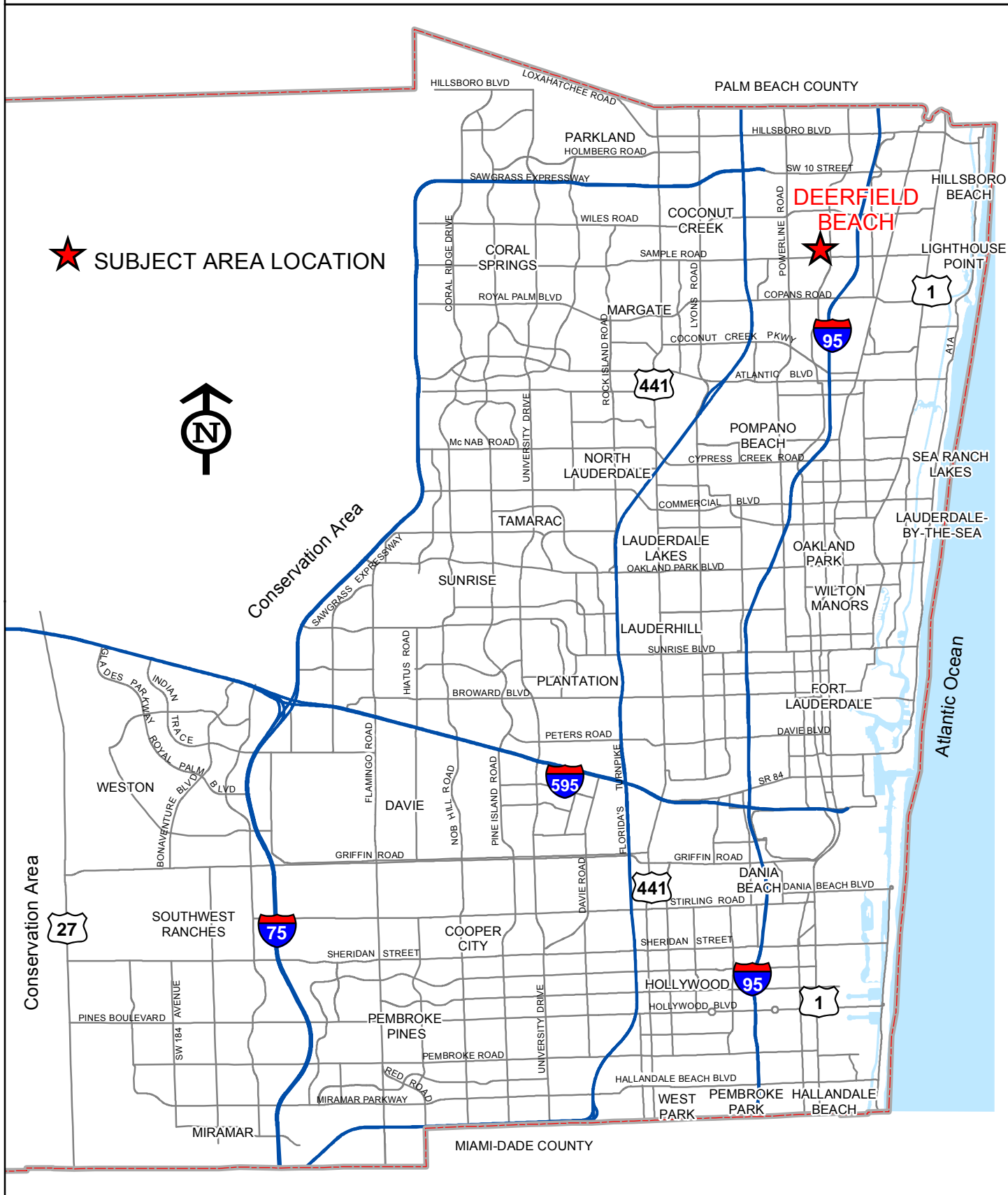


# EXHIBIT 2

## BROWARD COUNTY LAND USE PLAN GENERALIZED LOCATION MAP AMENDMENT PC 17-5



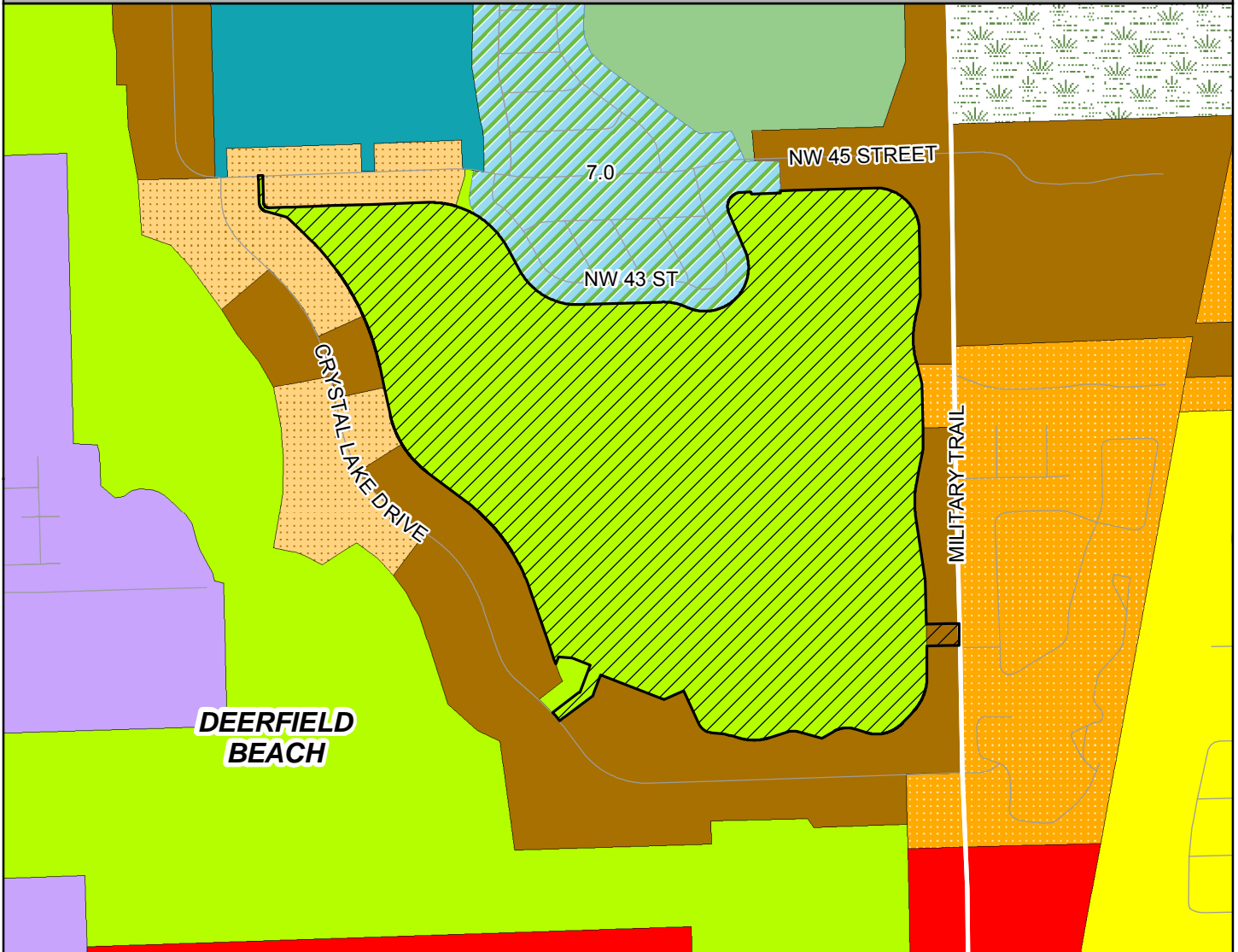
MAP 1  
BROWARD COUNTY LAND USE PLAN  
AERIAL PHOTOGRAPH  
AMENDMENT PC 17-5















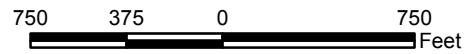
**MAP 2**  
**BROWARD COUNTY LAND USE PLAN**  
**CURRENT FUTURE LAND USE DESIGNATIONS**  
**AMENDMENT PC 17-5**

**Current Land Use:** 108.7 acres of Commercial Recreation and 0.3 acres of Medium-High (25) Residential

**Gross Acres:** Approximately 109.0 acres



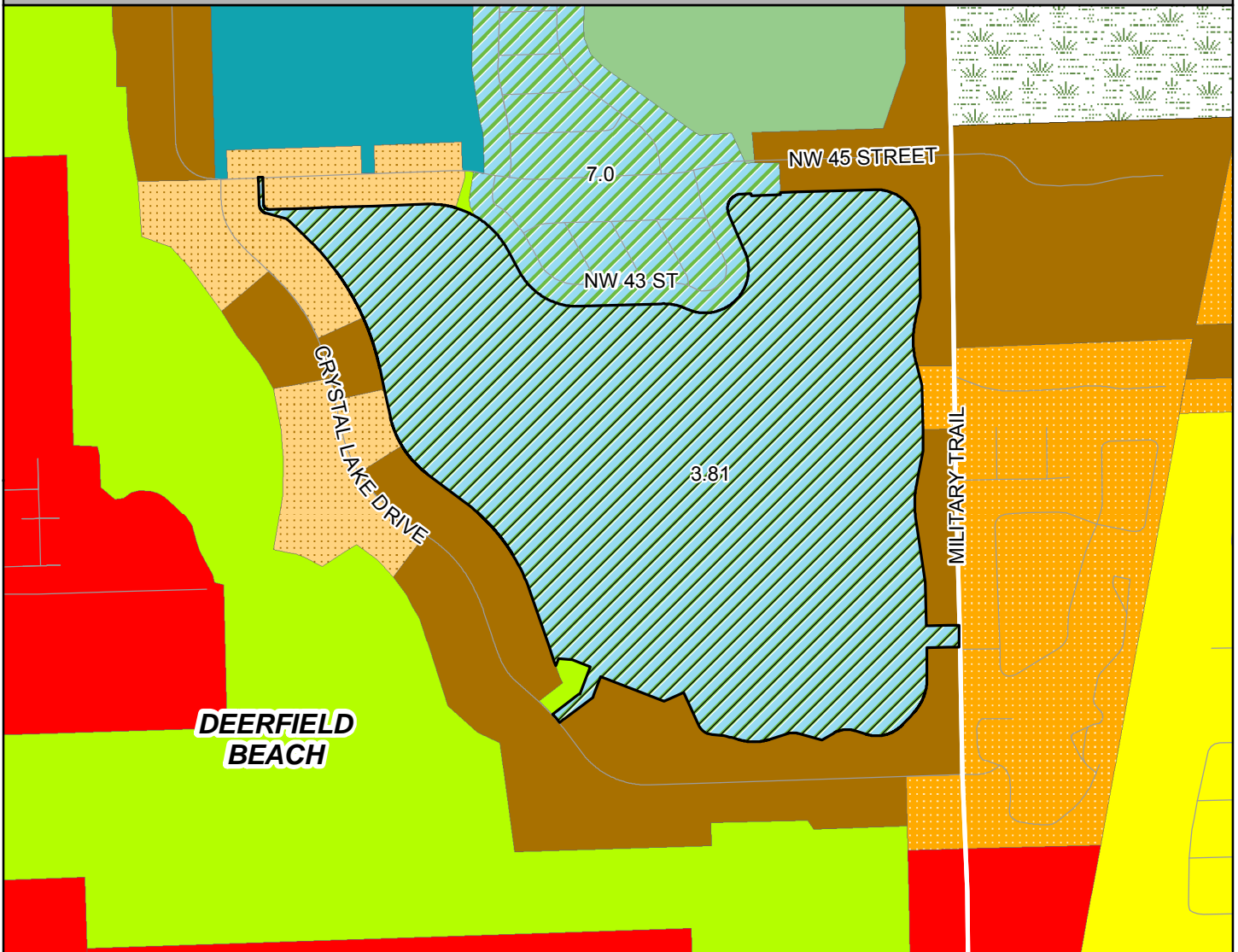
- |  |   |
|--|---|
|  Site                         |  Commercial                          |
|  Low (5) Residential          |  Industrial                          |
|  Low-Medium (10) Residential  |  Conservation - Natural Reservations |
|  Medium (16) Residential      |  Recreation & Open Space             |
|  Medium-High (25) Residential |  Commercial Recreation               |
|  0.0 Irregular Residential    |  Community Facilities                |














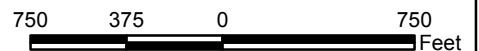
**MAP 3**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED FUTURE LAND USE DESIGNATIONS**  
**AMENDMENT PC 17-5**

**Proposed Land Use:** Irregular (3.81) Residential

**Gross Acres:** Approximately 109.0 acres



- |  |   |
|--|---|
|  Site                         |  Commerce                            |
|  Low (5) Residential          |  Conservation - Natural Reservations |
|  Low-Medium (10) Residential  |  Recreation & Open Space             |
|  Medium (16) Residential      |  Commercial Recreation               |
|  Medium-High (25) Residential |  Community                           |
|  Irregular Residential        |   |



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 17-5**  
**(DEERFIELD BEACH)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation March 14, 2017*

Planning Council staff finds the proposed amendment is generally consistent with the goals, objectives and policies of the Broward County Land Use Plan, recognizing the applicant's voluntary commitment regarding the dedication of recreation and open space and community facilities acreage. See Attachment 11. Therefore, it is recommended that the proposed amendment be approved.

Further, effectiveness of the approval shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants proffered by the applicant, as an inducement for Broward County to favorably consider its application.

*II. Planning Council Transmittal Recommendation March 23, 2017*

Approval per Planning Council staff transmittal recommendation. (Vote of the board; 15-1; Yes: Blattner, Brunson, Castillo, de Jesus, DiGiorgio, Fink, Ganz, Gomez, Good, Graham, Grosso, McColgan, Udine, Williams and Stermer. No: Blackwelder)

*III. County Commission Transmittal Recommendation April 25, 2017*

Approval per Planning Council transmittal recommendation.

*IV. Summary of State of Florida Review Agency Comments May 31, 2017*

The Florida Department of Transportation (FDOT) has indicated that no formal comments will be issued regarding the proposed amendment, but has provided Technical Assistance Comments (for informational purposes). See Attachment 17. Planning Council staff and the applicant have provided responses to the FDOT Technical Assistance Comments. See Attachments 18 and 19.

**RECOMMENDATIONS/ACTIONS**

**DATE**

V. Planning Council Staff Final Recommendation

June 13, 2017

Planning Council staff finds the proposed amendment is generally consistent with the policies of the Broward County Land Use Plan, recognizing the applicant's voluntary commitment regarding the dedication of recreation and open space and community facilities acreage. See Attachment 11. Therefore, it is recommended that the proposed amendment be approved.

Further, effectiveness of the approval shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the "conditional" recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

VI. Planning Council Final Recommendation

June 22, 2017

Approval per Planning Council staff final recommendation. (Vote of the board; 13-2; Yes: Blattner, Brunson, Castillo, Ganz, Good, Graham, Rosenof, Rosenzweig, Ryan, Seiler, Udine, Williams and DiGiorgio. No: Blackwelder and Grosso)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 17-5**

**INTRODUCTION AND APPLICANT’S RATIONALE**

- I. Municipality: Deerfield Beach
- II. County Commission District: District 4
- III. Site Characteristics
  - A. Size: Approximately 109.0 acres
  - B. Location: In Section 15, Township 48 South, Range 42 East; generally located on the west side of Military Trail, north of Crystal Lake Drive.
  - C. Existing Uses: Golf course and multi-family residential
- IV. Broward County Land Use Plan (BCLUP) Designations
  - A. Current Designations: 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential
  - B. Proposed Designation: Irregular (3.81) Residential
  - C. Estimated Net Effect: Addition of 408 dwelling units [7 dwelling units currently permitted by the Broward County Land Use Plan]  
Reduction of 108.7 acres of commercial recreation use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
  - A. Existing Uses:
    - North:* Multi-family residential and single-family residential
    - East:* Multi-family residential
    - South:* Multi-family residential
    - West:* Multi-family residential

**INTRODUCTION AND APPLICANT’S RATIONALE (continued)**

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

B. <i>Planned Uses:</i>	<i>North:</i>	Medium (16) Residential, Commercial Recreation, Irregular (7) Residential and Medium-High (25) Residential
	<i>East:</i>	Medium-High (25) Residential and Low-Medium (10) Residential
	<i>South:</i>	Medium-High (25) Residential and Commercial Recreation
	<i>West:</i>	Medium-High (25) Residential, Commercial Recreation and Medium (16) Residential

VI. Applicant/Petitioner

A. <i>Applicant:</i>	Hoyer Homes at Crystal Lake, LLC
B. <i>Agent:</i>	Greenspoon Marder, P.A.
C. <i>Property Owners:</i>	Incatasciato Tenancy Revocable Trust Cabot Golf CL-PP 1, LLC

VII. Recommendation of Local Governing Body:

The City of Deerfield Beach recommends approval of the proposed amendment. The City anticipates adoption of the corresponding local amendment in March of 2017.

VIII. Applicant’s Rationale

The applicant states: “The Subject Property is comprised of 109 gross acres and is located on the west side of Military Trail north of Sample Road. Approximately 108.7 gross acres of the Subject Property is currently designated Commercial Recreation on the County Land Use Plan and Recreation Commercial on the City Land Use Plan. The portion designated for recreation use is currently used as a golf course. The remaining 0.3 gross acres are designated Residential High (25) on the City of Deerfield Land Use Plan and Medium-High (25) Residential on the Broward County Land Use Plan. The applicant originally requested a total of 450 dwelling units on the Subject Property but has agreed to limit development to 415 dwelling units. The resulting land use designation on all 109 gross acres would be Irregular (3.81) Residential (“Proposed Amendment”).



**INTRODUCTION AND APPLICANT'S RATIONALE (continued)**

VIII. Applicant's Rationale (continued)

This Proposed Amendment will facilitate development of up to 415 residential units that will be compatible with the surrounding multi-family residential development of higher densities. The Proposed Amendment provides the City with a redevelopment opportunity that will transform an underutilized golf course into an attractive residential development. The proposed development will result in a substantial increase in the City's tax base and tax revenues. For these reasons the Subject Property would be better utilized as a residential development."

**SECTION III**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 17-5**

**REVIEW OF PUBLIC FACILITIES AND SERVICES**

*I. Potable Water/Sanitary Sewer/Drainage/Solid Waste/Parks & Open Space*

Adequate potable water facility capacity and supply, sanitary sewer facility capacity, drainage, solid waste services, and park and open space acreage will be available to serve the proposed land use. See Attachment 1.

Regarding the long-range planning horizon for potable water supply, it is noted that the City of Deerfield Beach adopted its 10-year Water Supply Facilities Work Plan on August 18, 2015.

Planning Council staff notes that the applicant has submitted a draft Declaration of Restrictive Covenants which reserves a minimum of 4.5 acres of the property for community recreation and open space. See Attachments 11 and 12. For informational purposes, it is estimated that the proposed land use plan amendment will result in an increase of 2.7 acres on the projected demand for local parks.

*II. Transportation & Mobility*

The proposed amendment from the Commercial Recreation and Medium-High (25) Residential land use categories to the Irregular (3.81) Residential land use category is projected to increase the number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 356 p.m. peak hour trips. See Attachment 2.

The MPO Year 2040 Transportation Plan model analysis distribution of the projected additional p.m. peak hour trips indicates a significant impact to one (1) affected roadway segment: Military Trail between Sample Road and Green Road. However, said link is projected to operate at an acceptable level of service (LOS) "C," with or without the proposed amendment. Therefore, the proposed amendment is not projected to adversely impact the operating conditions of the regional transportation network. See Attachment 2.

Planning Council staff utilizes a "significance" threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon. Planning Council staff utilizes this significance threshold for several reasons, including a) per Policy 12.01.11 (**New Reference: BrowardNext Policy 2.14.9**) of the Broward County Land Use Plan, a "significance" threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon,

## **REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)**

### **II. Transportation & Mobility (continued)**

b) the threshold is also considered a margin of error to recognize that there is a range of potential permitted uses and development scenarios for any given land use plan designation, and c) recognition that all new development, independent of any land use plan amendment traffic analysis, is required to comply with Broward County traffic concurrency mitigation provisions, which is assessed at the plat/site planning stage.

The Broward County Transit Division (BCT) staff report states that current and future fixed-route county bus service is provided near the proposed amendment site. The BCT staff also notes that any proposed redevelopment on the amendment site should be designed to provide safe movement for pedestrians and bicycles including connectivity to the existing or planned sidewalk and bicycle network along Military Trail. See Attachment 3.

The Planning and Development Management Division staff recommends that the project include bicycle and pedestrian connections inside the proposed development and ensure connectivity from within the development to bicycle and pedestrian networks outside the proposed development. Amenities, such as bicycle racks and shade trees, should be incorporated into the site design. See Attachment 4.

### **III. Public Schools**

The Broward County School Board staff report states that the proposed amendment would generate 187 additional students into Broward County Public Schools, consisting of 94 elementary school students, 44 middle school students, and 49 high school students. The report further states that Quiet Waters Elementary, Crystal Lake Community Middle, and Blanche Ely High schools are all under-enrolled in the 2016-2017 school year, and are anticipated to operate below the adopted level of service (LOS) of 100% of gross capacity through the 2018-2019 school year. In addition, the School Board report indicates that there are two (2) charter schools located within a two-mile radius of the proposed amendment site. See Attachment 5.

The School Board report indicates that there are no planned improvements for the affected elementary, middle, and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. See Attachment 5.

Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "B," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, the residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 5.

**SECTION IV**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 17-5**

**REVIEW OF NATURAL RESOURCES**

*I. Designated Protected/Regulated Areas*

The Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, or Urban Wilderness Inventory sites within its boundaries. See Attachment 6.

*II. Wetlands*

The EPGMD report states that there are no wetlands within the proposed amendment area. The EPGMD report states that any filling of existing surface waters or creation of new surface waters will require an Environmental Resource License. See Attachment 6.

*III. Sea Level Rise*

The EPGMD report indicates that the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. See Attachment 6.

*IV. Other Natural Resources*

The EPGMD report indicates that the subject site contains mature tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Deerfield Beach. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources. It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 6.

## **REVIEW OF NATURAL RESOURCES (continued)**

### **IV. Other Natural Resources (continued)**

In addition, the EPGMD report notes that the proposed amendment site includes lands currently or historically used as a golf course, which have a high potential for arsenic contamination. The EPGMD report notes that when any building or development plans associated with this proposed land use change are submitted to Broward County for environmental review, approval will be withheld until the Broward County Pollution Prevention Division (PPD) has reviewed the environmental assessment and determined that the building or development will not interfere with the cleanup of any potential contaminants or exacerbate any potential on-site contamination. See Attachment 6.

Further, as the subject site contains land that was previously used as a golf course, the proposed amendment is subject to Broward County Land Use Plan (BCLUP) Policy 5.04.04 (**New Reference: BrowardNext Policy 2.5.5**), which requires that any environmental contamination be mitigated. The policy requires that the level of environmental contamination be determined by conducting Phase I and Phase II environmental assessments. The applicant has provided a Phase II assessment. See Attachment 7 for a summary. The full report is on file at the Planning Council office and is available for review.

The Broward County Environmental Engineering and Permitting Division (EPPD) staff has confirmed that the Phase II environmental assessment provided is consistent with the requirements of BCLUP Policy 5.04.04(d) (**New Reference: BrowardNext Policy 2.5.5(d)**). In addition, the EPPD staff indicates that the assessment found arsenic contamination in the subject area, qualifying the site as a reportable contaminated area under Chapter 27 of Broward County Code. As such, the site will be managed by the Environmental Assessment and Remediation Section of the PPD. See Attachment 8. The applicant has provided correspondence stating that the remediation of the site will be coordinated with PPD. See Attachment 9.

### **V. Historical/Cultural Resources**

The Broward County Planning and Development Management Division report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 4.

**SECTION V**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 17-5**

**OTHER PLANNING CONSIDERATIONS/INFORMATION**

*I. Affordable Housing*

The proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 1.07.07, as it proposes 408 additional residential units to be permitted by the BCLUP. The Planning and Development Management Division (PDMD) report notes that the City has submitted an affordable housing study dated November 30, 2016, and has been found by the PDMD staff **to be in compliance** with Policy 1.07.07 and Article 10 of the *Broward County Land Use Plan: Administrative Rules Document*. It is noted that the said affordable housing study is valid for a period of 18 months (i.e. through May 30, 2018) based on Article 10.4(E) of the *Administrative Rules Document*. See Attachment 4. **(New Reference: BrowardNext Policy 2.16.2)**

The study indicates that a net surplus of 2,087 affordable housing units currently exist within the City and a surplus of 4,767 affordable units are projected for the year 2021. The study also indicates that the City employs a range of affordable housing programs, including a city purchase assistance program, CDBG/HOME/SHIP programs with an expected budget of approximately \$2.8 million over the next 3 fiscal years, and consideration of city-owned lots for affordable infill or mixed-use projects. The PDMD staff notes that although the affordable housing study submitted by the City indicates consistency with the BCLUP policy and Administrative Rules Document through a demonstration of an overall supply of affordable housing, and policies and programs addressing the same, the study also indicates that there is a current and projected deficit of approximately 2,500 affordable “very-low income” rental units within the City.

The PDMD staff recommends that the City provide information regarding the City’s plans and policies to further improve the supply of very-low income housing units in the City. At a minimum, the City should consider adopting a resolution supporting a countywide approach to a dedicated funding source specifically targeted toward very-low income housing units. See Attachment 4. Planning Council staff supports this suggestion for future amendments subject to Policy 1.07.07 **(New Reference: BrowardNext Policy 2.16.2)** with the understanding that the City has been deemed to meet the policy through at least May 30, 2018.

*II. BrowardNext - Broward County Land Use Plan Policies*

The proposed amendment is found to be generally consistent with the policies of BrowardNext - Broward County Land Use Plan.

**OTHER PLANNING CONSIDERATIONS/INFORMATION (continued)**

**II. BrowardNext - Broward County Land Use Plan Policies (continued)**

In light of BrowardNext, which was adopted on April 25, 2017, Planning Council staff notes that, the proposed amendment site will continue to be designated Irregular (3.81) Residential as the existing residential land use designations and permitted uses are maintained by the BrowardNext plan.

In addition, the proposed amendment has been evaluated for consistency and compliance with the objective and policies of the Broward County Land Use Plan regarding "Provision of Open Space." See Attachment 10.

**III. Other Pertinent Information**

Further, Planning Council staff notes that the applicant has submitted a draft Declaration of Restrictive Covenants which reserves a minimum of 4.5 acres of the property for community recreation and open space, and reserves a portion of the property for an Emergency Medical Service site, the size of which will be determined when the City accepts the site. Said covenant will run with the land for the sole benefit of the City of Deerfield Beach and Broward County and cannot be modified by parties other than the City and County. See Attachments 11 and 12.

The applicant conducted several community outreach meetings between March and October 2016 to present the proposed development plan to the neighboring residential owners. The applicant has provided a summary of the public outreach efforts. See Attachment 13.

Regarding notification of the public, the Broward County Planning Council staff sent approximately 1,046 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

**Update: April 25, 2017:** Correspondence has been received from an interested party. See Attachment 16.

**SECTION VI**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 17-5**

**PLANNING ANALYSIS**

Our analysis finds that the proposed land use designation of Irregular (3.81) Residential would be generally compatible with existing surrounding single-family and multi-family residential current and future land uses.

Planning Council staff's analysis also finds that adequate **potable water plant capacity and supply, and sanitary sewer, solid waste and drainage capacity and park acreage** will be available to serve the proposed land use. It is noted that the applicant has voluntarily committed to dedicate a minimum of 4.5 acres of the amendment site as community recreation and open space throughout the subject property as well as a portion of the amendment site to be utilized as an Emergency Medical Service site, the size of which will be determined when the City accepts the site. See Attachments 11 and 12. Further, no adverse impacts to **cultural resources** were identified.

Regarding impacts to the **regional transportation network**, distribution of the additional 356 p.m. peak hour trips indicate that the proposed amendment would not adversely impact the regional transportation network, as Military Trail, between Sample Road and Green Road, is projected to operate at an acceptable level of service (LOS) "C," with or without the proposed amendment.

Concerning impacts to **public schools**, the School Board of Broward County staff report indicates that the proposed amendment would generate 187 additional students into Broward County Public Schools, consisting of 94 elementary school students, 44 middle school students and 49 high school students. However, the report states that Planning Area "B" is anticipated to have sufficient excess capacity to support the students generated by the proposed amendment. See Attachment 5.

Regarding impacts to **natural resources**, the Broward County Environmental Protection and Growth Management Department (EPGMD) report states that the proposed amendment area includes lands currently or historically used as a golf course, which have a high potential for arsenic contamination. According to the EPGMD report, environmental approvals will be withheld until EPGMD has reviewed the environmental assessment and determined that the building or development will not interfere with the cleanup of any contaminants or exacerbate any potential on-site contamination. See Attachment 6.



**PLANNING ANALYSIS (continued)**

The applicant has completed an environmental assessment and has submitted correspondence stating that an Environmental Assessment and Remediation License will be obtained from Broward County and that assessment and cleanup of the site will be performed as required by Chapter 62-780, FAC. See Attachments 7 and 9. Further, the Broward County Environmental Engineering and Permitting Division (EPPD) staff has confirmed that the environmental assessment provided is consistent with the requirements of BCLUP Policy 5.04.04(d) (**New Reference: BrowardNext Policy 2.5.5(d)**). See Attachment 8.

Regarding **affordable housing**, the proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 1.07.07, as it proposes 408 additional residential units to be permitted by the BCLUP. The Planning and Development Management Division report notes that the City of Deerfield Beach submitted an affordable housing study, which was determined to be in compliance with Policy 1.07.07. See Attachment 4. (**New Reference: BrowardNext Policy 2.16.2**)

In conclusion, Planning Council staff finds that the proposed amendment is generally consistent with the goals, objectives and policies of the Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, subject to the applicant's voluntary commitment to dedicate a minimum of 4.5 acres of the amendment site as community recreation and open space throughout the subject property and a portion of the amendment site for an Emergency Medical Service site, the size of which will be determined when the City accepts the site. It is also recommended that any approval be conditioned on the execution of a legally enforceable mechanism, to the satisfaction of Broward County, regarding the voluntary commitments of land by this applicant.

***SECTION VII***  
***AMENDMENT REPORT***  
***PROPOSED AMENDMENT PC 17-5***

**ATTACHMENTS**

1. Broward County Planning Council Supplemental Report of December 2016
2. Broward County Planning Council Traffic Analysis of November 22, 2016
3. Broward County Transit Division Report of November 18, 2016
4. Broward County Planning and Development Management Division Report of January 3, 2017
5. School Board of Broward County Consistency Review Report of December 15, 2016
6. Broward County Environmental Protection and Growth Management Department Report of December 12, 2016
7. Summary of Phase II Environmental Assessment dated January 25, 2016
8. Memorandum from David Vanlandingham, P.E., Broward County Environmental Assessment and Remediation Section, to Robert E. C. Modys, Planner, Broward County Planning Council, dated February 9, 2017
9. Correspondence from Dennis D. Mele, Esq., Greenspoon Marder, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated February 22, 2017
10. Broward County Land Use Plan Objective and Policies, "Provision of Open Space," Planning Council Staff Review Comment
11. Draft Declaration of Restrictive Covenants
12. Graphic Depicting Community Recreation/Open Space and Emergency Medical Service Site Exhibit provided by Applicant
13. Community Outreach Summary provided by Applicant
14. Broward County Parks and Recreation Division Report of November 21, 2016
15. Broward County Water Management Division Report of November 17, 2016

**ATTACHMENTS (continued)**

**Update: April 25, 2017:**

16. Correspondence from Mr. Jerry Lee, received March 27, 2017

**Update: June 13, 2017:**

17. Florida Department of Transportation Technical Assistance Comments, dated May 31, 2017
18. Planning Council Staff Response to Florida Department of Transportation Technical Assistance Comments
19. Applicant Response to Florida Department of Transportation Technical Assistance Comments

# ATTACHMENT 1

## BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

### BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PC 17-5

Prepared: December 2016

#### **POTABLE WATER**

The proposed amendment site will be served by the Broward County Water Treatment Plant 2A, which has a current permitted capacity of 30 million gallons per day (mgd). The current and committed demand on the treatment plants is 16.06 mgd, with 13.94 mgd available. The wellfield serving the amendment site has a permitted withdrawal of 22.06 mgd, with 6.0 mgd available for water withdrawal, which expires on March 13, 2028. The amendment will result in a net decrease in demand of 0.32 mgd. Planning Council staff utilized a level of service of 0.1 gallons per day (gpd) per square foot for commercial recreation uses and 175 gallons per capita (2.22 persons per household (pph)) per day for residential uses. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site.

#### **SANITARY SEWER**

The proposed amendment site will be served by the Broward County North Regional Wastewater Treatment Plant, which has a current capacity of 95 mgd. The current and committed demand on the treatment plant is 72.47 mgd, with 22.53 mgd available. The amendment will result in a net increase in demand of 0.11 mgd. Planning Council staff utilized a level of service of 0.1 gpd per square foot for commercial recreation uses and 126 gallons per capita (2.22 pph) per day for residential uses. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

#### **SOLID WASTE**

The proposed amendment site will be served by SunBergeron for solid waste disposal service. SunBergeron collects and transports the City's solid waste to the JED Landfill in Saint Cloud, Florida, which has a 3,836,210 tons per year available capacity and a demand of 60,000 tons per year from the City. The amendment will result in a net increase in demand of 2.87 tons per day (tpd). Planning Council staff utilized a level of service of 4 pounds (lbs.) per 100 square feet per day for commercial recreation uses and 7 pounds per capita (2.22 pph) per day for residential uses. Sufficient solid waste capacity will be available to serve the proposed amendment site.

#### **DRAINAGE**

The proposed amendment site is located within the jurisdiction of the Broward County Environmental Protection and Growth Management Division (EPGMD). A surface water management permit from EPGMD may be required prior to any construction.

#### **PARKS AND OPEN SPACE**

The City of Deerfield Beach has 381.6 acres in its parks and open space inventory. The projected population requires approximately 242.3 acres to meet the community parks acreage requirement of 3 acres per one thousand persons population. The proposed land use amendment will result in an increase of 2.7 acres on the projected demand for local parks. The City of Deerfield Beach continues to meet the community parks acreage requirement of the Broward County Land Use Plan of 3 acres per one thousand persons population. This amendment could potentially add a minimum of 4.5 acres to the City's parks and open space inventory.

## ATTACHMENT 2

### TRAFFIC ANALYSIS PC 17-5

Prepared: November 22, 2016

#### **INTRODUCTORY INFORMATION**

Jurisdiction: Deerfield Beach

Size: Approximately 109.0 acres

#### **TRIPS ANALYSIS**

##### **Potential Trips - Current Land Use Designations**

Current Designations: 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential

Potential Development: 108.7 acres of golf course use  
7 dwelling units

Trip Generation Rates: "ITE Equation (430) Golf Course"\*  
"ITE Equation (220) Apartment"

Total P.M. Peak Hour Trips:  $45 + 22 = 67$  peak hour trips

##### **Potential Trips - Proposed Land Use Designation**

Proposed Designation: Irregular (3.81) Residential

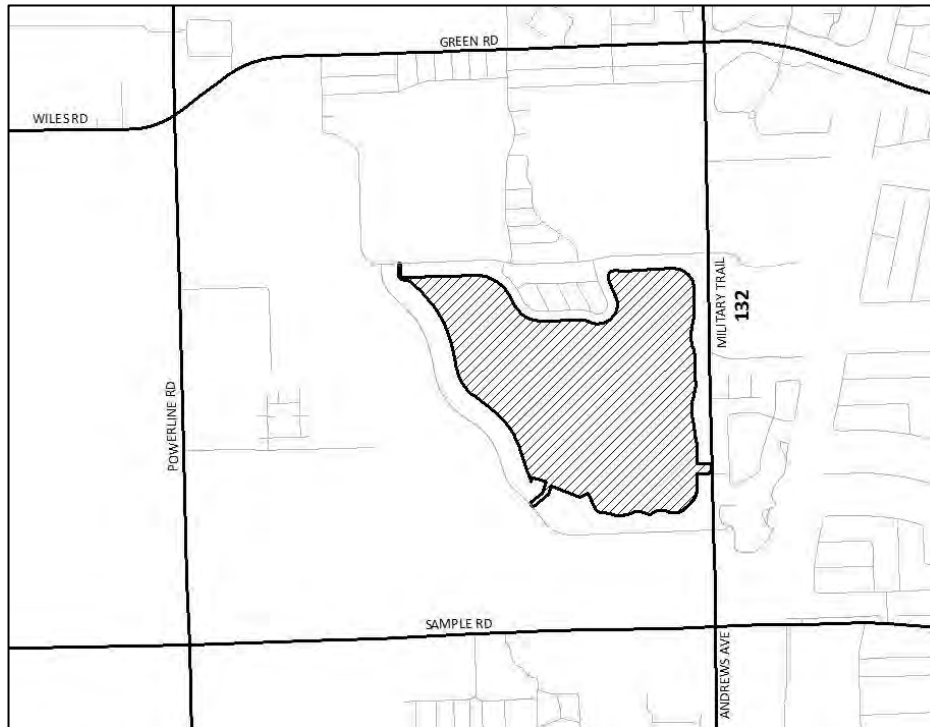
Potential Development: 415 dwelling units

Trip Generation Rate: "ITE Equation (210) Single-Family Detached Housing"

Total P.M. Peak Hour Trips: 423 peak hour trips

**Net P.M. Peak Hour Trips**                    + 356 p.m. peak hour trips

\*Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation - Ninth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



*Affected Regional Transportation Network Without the Proposed Amendment: Traffic 2040:*

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Military Trail	Sample Road to Green Road	2,572	3,401	C

*Affected Regional Transportation Network With the Proposed Amendment: Traffic 2040:*

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Military Trail	Sample Road to Green Road	2,704	3,401	C

**PLANNING COMMENTS**

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 356 p.m. peak hour trips at the long-range planning horizon. Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment would not adversely impact the regional transportation network, as Military Trail, between Sample Road and Green Road, is projected to operate at an acceptable level of service (LOS) "C" with or without the proposed amendment.



Transportation Department  
**TRANSIT DIVISION-Service and Capital Planning**  
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482



**VIA EMAIL**

November 18, 2016

Barbara Blake Boy, Executive Director  
Broward County Planning Council  
115 South Andrews Ave, Room 307  
Fort Lauderdale, FL 33301

RE: Proposed Amendment to Broward County Land Use Plan PC 17-5

Dear Ms. Blake Boy:

Broward County Transit (BCT) has reviewed your correspondence dated November 15, 2016 regarding the proposed Land Use Plan Amendment (LUPA) for the 109 acre Crystal Lake site located in the City of Deerfield Beach for current and planned transit service. The current transit service provided within one-quarter mile from the amendment site includes BCT Route 34. Please refer to the following table for detailed information:

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
BCT 34	Weekday	5:00a – 10:50p	15/30 Minutes
	Saturday	5:40a – 10:46p	40 Minutes
	Sunday	7:55a – 8:44p	40 Minutes

Future fixed-route bus improvements including enhanced/rapid bus along Sample Road and BCT Route 20 extension along Military Trail between Sample Road and Hillsboro Boulevard are specified in the Broward County Transit Development Plan (TDP) or Broward MPO 2040 Long Range Transportation Plan (LRTP).

Broward County Transit Division can accommodate additional transit demand with existing and planned fixed-route bus service to the amendment site.

BCT has no objections to this LUPA but recommends that any proposed redevelopment on the amendment site is designed to provide safe movement for pedestrians and bicycles including connectivity to the existing or planned sidewalk and bicycle network along Military Trail.



Transportation Department

**TRANSIT DIVISION-Service and Capital Planning**

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

Please feel free to call (954) 357-8381 or email me [nsofoul@broward.org](mailto:nsofoul@broward.org) if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Sofoul".

Nicholas A. Sofoul, AICP  
Senior Planner  
Service and Capital Planning



## ATTACHMENT 4



Environmental Protection and Growth Management Department  
**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

**DATE:** January 3, 2017

**TO:** Barbara Blake Boy, Executive Director  
Broward County Planning Council

**FROM:** Josie P. Sesodia, AICP, Director  
Planning and Development Management Division

**JOSIE  
SESODIA**

Digitally signed by JOSIE SESODIA  
DN: dc=cty, dc=broward, dc=bc,  
ou=Organization, ou=BCC, ou=EPGM,  
ou=PRD, ou=Users, cn=JOSIE SESODIA  
Date: 2017.01.03 10:21:46 -0500

**SUBJECT:** Broward County Land Use Plan  
*Review of Proposed Amendment – Deerfield Beach PC 17-5*

The Broward County Planning and Development Management Division (PDMD) staff has reviewed proposed amendment *PC 17-5*. The approximately 109.0 acre site is located in the City of Deerfield Beach. The amendment proposes:

*Current Designations:* 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential

*Proposed Designation:* Irregular (3.81) Residential

*Estimated Net Effect:* Addition of 408 dwelling units [7 dwelling units currently permitted by the Broward County Land Use Plan]  
Reduction of 108.7 acres of commercial recreation use

### Item 7 - Historical Resources

Based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File, the County's consulting archaeologist determined the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources include the following:

1. The subject property is located within the City of Deerfield Beach:

- a. Historic Structures and Sites – The subject property is located outside jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32) as it pertains to historic structures and sites. The property owner / agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations in this regard.

Contact: Attn: Director  
Planning & Development Services  
City of Deerfield Beach  
150 NE 2nd Ave.  
Deerfield Beach, Florida 33441  
Telephone: (954) 480-4200

- b. Archaeological / Paleontological Resources - The subject property is located within the jurisdiction of Broward County historic preservation ordinance (BC. Ord. 2014-32) as it pertains to archaeological and paleontological resources.
2. If, in the event that unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner  
5301 S.W. 31st Avenue  
Fort Lauderdale, Florida 33312  
Telephone: (954) 357-5200  
Fax: (954) 327-6580  
Email: Med\_Exam\_Trauma@broward.org  
Website: <http://www.broward.org/MedicalExaminer>

#### Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 1.07.07 and Article 10 of the Administrative Rules Document: Broward County Land Use Plan. Policy 1.07.07 requires the involved municipality provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. It is noted that amendment PC 17-5 will add 408 more dwelling units to the existing densities approved by the BCLUP. As a result, the amendment is subject to the requirements of BCLUP Policy 1.07.07.

Regarding consistency with Policy 1.07.07 and Article 10 of the Administrative Rules Document, the City has submitted an affordable housing study (attached) dated November 30, 2016. The study was reviewed by staff to determine compliance with Article 10.4 (A) and 10.4 (B) of the Administrative Rules which state:

- (A) The local government shall provide an estimate of the existing and projected supply of affordable housing within the local government's boundaries in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply.
- (B) The local government must demonstrate how its chosen affordable housing strategy will satisfactorily achieve and/or maintain a sufficient supply consistent with the local government's planning horizon.

The study, using the Meridian Appraisal Group model, indicates that a net surplus of 2,087 affordable housing (units affordable to those with household incomes at 120% of median income and below) currently exist within the City and a surplus of 4,676 affordable units are projected for the year 2021. In addition, the study indicates the City employs a range of affordable housing programs, including a city purchase assistance program, CDBG/HOME/SHIP programs with an expected budget of approximately \$2.8 million over the next 3 fiscal years, and consideration of city-owned lots for affordable in-fill or mixed-use projects.

County staff finds that the City's affordable housing study meets the requirements of Policy 1.07.07 and Article 10 of the Administrative Rules Document. Please note that according to Article 10.4 (E) of the Administrative Rules Document, a study which has been determined by the County to be in compliance with Policy 1.07.07 shall be valid for the consideration of subsequent land use plan amendments for a period of 18 months from the date of the study.

Staff notes that although the affordable housing study submitted by the City indicates consistency with the BCLUP policy and Administrative Rules Document through a demonstration of an overall supply of affordable housing, and policies and programs addressing the same, the study also indicates that there is a current and projected deficit of approximately 2,500 affordable "very-low income" rental units within the city. It is recommended that prior to the second BCLUP amendment Planning Council public hearing, the City provide information regarding the City's plans and policies to further improve the supply of very-low income housing units in the City. At a minimum, the City should consider adopting a resolution supporting a countywide approach to a dedicated funding source specifically targeted toward very-low income housing units.

#### Item 10 – Hurricane Analysis

The site is not located within hurricane evacuation zone.

#### Item 11 – Redevelopment Analysis

The proposed amendment site is not located within a Community Redevelopment Area. The application proposes the redevelopment of a golf course for residential use.

#### Item 12 – Intergovernmental Coordination

The proposed amendment is within a short distance of the City of Pompano. The applicant should indicate whether the City of Pompano Beach has been notified.

#### Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. The perimeter of the site is served by sidewalks. It is recommended that the project include bicycle and pedestrian connections inside the proposed development and ensure connectivity from within the development to bicycle and pedestrian networks outside the proposed development. Amenities, such as bicycle racks and shade trees, should be incorporated into the site design.

If you have any questions, please contact Maribel Feliciano, Assistant Director of the Planning and Development Management Division at 954-519-1424 or [mfeliciano@broward.org](mailto:mfeliciano@broward.org)

Attachment: An Affordable Housing Market Assessment in the City of Deerfield Beach, Florida submitted 12-20-2016

Barbara Blake-Boy, Planning Council

*PC 17-5*

Page 4

January 3, 2017

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department  
Ralph Stone, Director, Housing Finance and Community Redevelopment Division  
Maribel Feliciano, Assistant Director, Planning and Development Management Division  
Sara Forelle, Planning Section Supervisor, Planning and Development Management Division  
Heather Cunniff, Senior Planner, Planning and Development Management Division

JPS/hc



December 16, 2016

Barbara Blake Boy  
Executive Director  
Broward County Planning Council  
115 South Andrews Avenue, Room 307  
Fort Lauderdale, FL 33301

**Re: Crystal Lake Golf Course Land Use Plan Amendment**

Mrs. Boy,

The Applicant for the Crystal Lake Golf Course Land Use Plan Amendment has submitted the attached Affordable Housing Market Analysis to the City for review. The City has reviewed the analysis and we concur with the material in the analysis.

If you have any further questions, please feel free to contact me.

Sincerely,

Eric M. Power, AICP, LIAF  
Acting Director, Planning and Development Services



# **An Affordable Housing Market Assessment in the City of Deerfield Beach, Florida**

November 30, 2016



## **Report Commission**

This report was commissioned in order to satisfy Broward County Land Use Plan Policy 1.07.07 for a project that is proposed in the City of Deerfield Beach, Broward County, Florida. That policy requires that “For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality’s chosen policies, methods, and programs to achieve and/or maintain a sufficient supply of affordable housing.”

The City of Deerfield Beach has adopted a Comprehensive Plan pursuant to Rule 9J-5.010 of the Florida Administrative Code. Within that adoption document, the City has included a Housing Element that sets forth certain goals, objectives, and policies that are supported through a companion Support Document.

As part of a land use plan amendment application, the Broward County Planning Councils requires interim updates of the existing supply and demand for affordable housing and the strategies to be utilized to meet the expected needs.

This report estimates the current (2016) demand and projects (to 2021) the future demand for various housing needs.

The report relies on various public and subscription sources of information regarding demographic, economic, employment, market, and housing data that is referenced throughout the report.

## **Report Summary**

Using the Broward County Planning Council's *Recommended Methodology For Supply and Demand Analysis For Broward County's Affordable Housing Market* (the "methodology"), The City of Deerfield Beach has a current surplus of affordable housing for homeownership at all levels and that is likely to continue through 2021.

The methodology demonstrates that rental properties for those at the very low and low income bands, are currently in short supply and will continue to be a challenge for the City. Rental properties in the Low Band (80% of Median Household Income) will improve through 2021 and any negative gap in that band should be eliminated by that forecasted year. There will also be some slight improvement in the Very Low Band (50% of Median Household Income).

The City continues to make affordable housing a priority and devotes resources in an attempt to address the issues of affordable housing.

Increasing the availability of housing supply will help to make all housing more affordable.



## **Methodology**

This study examines current housing conditions within the City of Deerfield Beach, Florida (“the City”), which is generally stated for calendar year 2014 (the latest U.S. Census Bureau American Community Survey data available) and projected to calendar year 2021, using Esri demographic forecasts available for that year.

The Broward County Planning Council engaged Meridian Appraisal Group (MAG) to recommend a methodology for analyzing supply and demand of housing needs throughout Broward County. MAG developed their methodology utilizing published data from the U.S. Census Bureau’s American Community Survey (ACS). This ACS data is available for each municipality in Broward County. The methodology does not describe what methods to use to forecast out the five years required under the Planning Council’s rules. In order to forecast out to the year 2021, we used Esri’s Community Analyst/Business Analyst databases that provide this information using their sources and methods. The methodology is particularly sensitive to Median Household Income and housing stock forecasts. We believe Esri’s forecasts to be reliable and very up-to-date. Median Household Income (MHI) provides the basis for several benchmarks and assumptions. This number is parsed into three bands: Very Low Income (50% of the MHI); Low Income (50.1% to 80% of MHI); and Moderate Income (80.1% to 120% of MHI). All data used is initially derived from updates to information provided by the 2010 Census

# Estimates and Projections of Population, Median Household Income, And Housing Units

The 2014 ACS data for the City of Deerfield Beach and the Esri forecasts for 2021 are summarized below:

	<b>2014 ACS Estimates</b>	<b>2021 Esri Forecasts</b>
Population	77,162	80,973
Median Household Income	38,209	46,833
Housing Units, Total	43,682	45,340
Housing Units, Occupied	33,941	35,406

The forecasted housing units do not include any of the units that would be added by the proposed development. The addition of those units would increase the supply of housing. In the absence of additional supply, housing costs would likely increase across most affordability bands.

## Affordable Housing Criteria

The Broward County Land Development Code §5-201 defines Affordable Housing as “*Housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits, as published by the U.S. Department of Housing and Urban Development, adjusted for family size for the households.*”

Using the ACS and Esri data and applying that data to the MAG supply and demand model, the “Gap” analysis provided the following estimates of supply, demand, and differences:

### Gap Analysis, Meridian Appraisal Group Model Utilizing 2014 American Community Survey Data

Deerfield Beach city, Florida							
Demand(D)		Supply(S)	No Gap / (Gap)	Demand(D)		Supply(S)	No Gap / (Gap)
Band	Owner	Owner	S-D	Band	Renter	Renter	S-D
0-50%	4,572	7,455	2,883	0-50%	3,184	742	(2,442)
\$0				\$0			
\$19,105	23.0%	37.5%		\$478	27.1%	6.6%	
50.1-80%	2,964	3,902	937	50.1-80%	2,050	719	(1,331)
\$19,143				\$479			
\$30,567	14.9%	19.6%		\$764	17.4%	6.4%	
80.1-120%	3,070	3,356	286	80.1-120%	1,951	3,705	1,754
\$30,605				\$765			
\$45,851	15.4%	16.9%		\$1,146	16.6%	32.8%	

The MAG model shows no deficiencies in affordable housing for those who wish to own homes. We are not surprised by this outcome as the City has many long-term residents who likely purchased their homes when the homes cost less. Many of those homeowners now make more money and this results in more affordable home ownership than they would have had when they first purchased a home.

The model also shows deficiencies in the Very Low and Low bands for rentals. This is not an uncommon finding in an area where housing stocks are expensive and people tend to spend more than 30% of their income on housing and housing-related expenses.

When we applied the Esri forecasted data to this model, we find the following:

**Gap Analysis, Meridian Appraisal Group Model  
Utilizing 2021 Esri Forecasted Data**

Deerfield Beach city, Florida							
	Demand(D)	Supply(S)	No Gap/(Gap)		Demand(D)	Supply(S)	No Gap/(Gap)
Band	Owner	Owner	S-D	Band	Renter	Renter	S-D
0-50%	5,652	9,479	3,827	0-50%	3,510	982	(2,527)
\$0				\$0			
\$23,417	28.4%	47.6%		\$585	29.8%	8.7%	
50.1-80%	3,519	3,570	51	50.1-80%	1,544	2,108	564
\$23,463				\$587			
\$37,466	17.7%	17.9%		\$937	13.1%	18.7%	
80.1-120%	3,052	3,194	143	80.1-120%	2,115	4,733	2,618
\$37,513				\$938			
\$56,200	15.3%	16.1%		\$1,405	18.0%	41.9%	

Owing largely to a forecasted increase in the MHI, the model predicts that surpluses in these three bands will continue through 2021 for home ownership, though the latter two bands surpluses diminish, but rental property deficits in the Low Income band are eliminated and the deficit in the Very Low Income band increases slightly.

## **Addressing The Demand For The High Costs Of Housing**

The City of Deerfield has demonstrated its commitment to affordable housing within the City. The City will receive over \$621,699 over the next three fiscal years from CDBG Funds; \$248,873 annually from the Broward County HOME consortium; and \$484,975 annually in State of Florida SHIP funds

### **CDBG Initiatives**

As part of the City's 2016-2017 Annual Action Plan ("the Plan") under the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG), the City has adopted the following:

1. The City's goals for FY 2016-17 is to continue to focus on the preservation of affordable housing, provide affordable housing, improving the living environment of residents in the low to moderate-income areas of the City.
  - a. **Preservation of Affordable Housing**
    - i. To conserve and expand the existing housing stock, especially that available to low- and moderate-income persons within the City, and to provide decent, safe and sanitary housing to eligible City residents; to handle the demolition and clearance of unsafe structures; to determine the cost of residential rehabilitation through work write-ups; and to perform necessary inspections of housing units participating in the City's HUD- approved programs.
  - b. **Provide Affordable Housing:**
    - i. Provide homeownership assistance to low-to moderate-income households through purchase assistance which includes down payment, closing cost, mortgage buy down and interest reduction.
  - c. **Suitable Living Environment**

- i. The goal of providing a suitable living environment includes improving the safety and livability of neighborhoods; increasing access to quality public and private facilities and services by upgrading physical improvements such as sidewalk installation, street lighting, and improved public streets. In addition providing public service programs to seniors in the community.
2. During its most recent completed year (2014 – 2015), the City completed the following projects related to affordable housing:
  - a. Provided purchase assistance to two (2) households.
  - b. Completed home repair projects to six (6) households.
3. The purchase Assistance program the City funds will be leverage with State funds and private bank funds for the mortgage of a property. The homeownership rehabilitation program federal, funds are leveraged with State funds as well. When possible the City will leverage its federal funds with general funds for Capital Improvement project.
4. The city owns a limited supply of lots within LMI areas. The city may use these lots for in-fill housing and mix-use development activities in conjunction with local non-profits or private developers.

Within its adopted CDBG Action Plan, the City has summarized its goals and has made Affordable Housing the priority. The table below notes the goals under the Plan:

Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Preservation of Affordable Housing	2016	2017	Affordable Housing	Citywide	Rehabilitation of owner occupied housing	CDBG	3 applicants assisted
2	Decent Housing	2016	2017	Affordable Housing	Citywide	Homeownership	CDBG	3 applicants assisted
3	Improve Infrastructure	2016	2017	Living Environment	CDBG Target Area	Provide suitable environment	CDBG	Installation of sidewalks
4	Public Service	2016	2017	Living Environment	City wide	Public Service	CDBG	50 Seniors assisted

(continued)



The details of the affordable housing goals under the Plan follow:

**Homeowner Rehabilitation**

The goal is to provide homeowner rehabilitation assistance to homeowners who are experiencing conditions in and around their homes that pose a threat to their health, safety, and welfare. The home repair program is limited to low-to moderate-income homeowners and is available on a first qualified, first served basis. The City has allocated \$150,000 for this goal. The program is available to assist eligible owner-occupied residents to rehabilitate their existing homes through construction, and/or installation of non-luxury, non- cosmetic structural, plumbing, electrical and other general improvements that provide basic amenities. The home repair program is limited to low-to moderate-income homeowners and is available on a first qualified, first served basis. Products and home improvements consistent with the Energy Star Program are preferred.

**Target Beneficiaries:** Low- to moderate-income persons

**Geographic Distribution:** Citywide and/or eligible neighborhoods

**Proposed Outcome:** Availability/Accessibility

**Performance Measure:** 3 households assisted

**Purchase Assistance**

The goal of the Purchase Assistance Program is to provide assistance to eligible homebuyers with a deferred payment loan to be applied towards the costs of purchasing existing or newly constructed (with a Certificate of Occupancy) eligible affordable housing. The City has allocated \$150,000 for this goal. The City's Purchase Assistance Program will provide assistance to eligible homebuyers towards the costs of purchasing existing or newly constructed (with a Certificate of Occupancy) eligible affordable housing. Eligible costs include the following: down payment, closing costs, mortgage buy down, and other costs associated with purchasing a home. Eligible housing includes single-family homes, townhomes, condominiums, eligible manufactured homes, Planned Unit Developments (PUDs) and villas.

**Target Beneficiaries:** Low- to moderate-income persons

**Geographic Distribution:** Citywide and/or eligible neighborhoods

**Proposed Outcome:** Availability/Accessibility

**Performance Measure:** 3 households assisted

The City further identified other actions it will take toward achieving its goals under the Plan:

**Actions planned to reduce the number of poverty-level families**

The City will continue to dedicate a portion of its federal and state funds to affordable housing strategies. In addition the City collaborates with Broward Coalition for the Homeless, Broward County Continuum of Care Program, the Deerfield Beach Housing Authority and other Broward County agencies to support additional programs to limit poverty among the residents of the City. Housing counseling, debt management, credit repair, as well as other social services are provided within the City as well as through various partners available to assist residents in financial crisis.

**SHIP Initiatives**

The City participates in the State of Florida Housing Initiatives Partnership (SHIP) administered by the Florida Housing Finance Corporation, which was created by the state Legislature more than 30 years ago to “assist in providing a range of affordable housing opportunities for residents that help make Florida communities great places in which to live, work and do business.” SHIP provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate income families. As a requirement of participation in the SHIP program, the City must adopt a Local Housing Assistance Plan (LHAP). The most recent LHAP covers fiscal years 2017-2019. In that plan, the City notes that it contracts with the Deerfield Beach Housing Authority (DBHA) to provide the administrative duties required under the LHAP. Using the expected grant amount of \$484,975. The City’s strategy as approved in April 2016 under that LHAP follows:

**HOMEOWNER REHABILITATION**



Summary of Strategy:

The homeowner rehabilitation program offered to qualified owner-occupied residents in the City of Deerfield Beach is provided to rehabilitate existing homes through construction, and/or installation of non-luxury general property improvements that provide basic amenities. Funds can be also used to correct code violations, and to eliminate unsafe and substandard living conditions. In addition, assistance will include the elimination of architectural barriers for those qualified senior citizens and disabled owner-occupied household.

Loan funds shall be used to fund the following repairs/improvements: eliminate building code violations, abate any health and safety issues in the home, repair, upgrade, or replace major building systems, as necessary. Major building systems include: structural, electrical, plumbing, heating, ventilation, air conditioning and sewer Systems. Repair priorities include roof repair/replacement, fascia, mold remediation (may involve various areas of the residence), exterior window replacement, exterior door replacement, hurricane/ storm shutters, interior repairs (ceiling, walls), painting, kitchen repairs, bathroom repairs, appliances, painting, termite treatment and miscellaneous items (interior doors, floors, gutters) to prevent weather penetration and promote energy efficiency including the use of Energy Star products in the home, provide non-luxury general improvements that improve conditions and structure of the home, provide barrier-free accessibility improvements to elderly individuals 62 years old and disabled owner-occupied households. Households where an applicant has a disability will be required to provide an SSI or SSDI award letter or a letter from a doctor, case worker, or other qualified professional stating that the applicant has a disability.

The only appliances that will be replaced under the program are nonfunctional stoves or refrigerators. Carpets will only be replaced with tile/linoleum flooring in cases where the carpet is an impediment to the mobility of the occupant. Funds will not replace washer/dryers and microwaves. The City has instances where homeowners purchased units where garages or carports were illegally converted to create additional rooms. These are considered code violations and will be corrected through demolition and brought back to the last permitted use on record. If the home is occupied by special needs occupant, as defined by Chapter 67-37.002(13),F.A.C or instances of overcrowding, the City can make the determination to reconstruct to a legal addition.

Income Categories to be served: very low, low, moderate

Maximum award: Very low, low- \$50,000, moderate to \$20,000

## **PURCHASE ASSISTANCE PROGRAM**

Summary of Strategy:

The Purchase Assistance Program is created to assist eligible homebuyers with a deferred payment loan to be applied towards the costs of purchasing existing or newly constructed (with a Certificate of Occupancy) eligible affordable housing. Eligible costs include the following: down payment, closing costs, mortgage buy down, and other costs associated with purchasing a home. Eligible housing includes single-family homes, townhomes, condominiums, eligible manufactured homes, Planned Unit Developments (PUDs) and villas.

Income Categories to be served: Very low, low, moderate

Maximum award: Very low, low- \$50,000, moderate- \$20,000

## **DISASTER REPAIR PROGRAM**

Summary of Strategy

The Disaster Strategy provides assistance to households following a disaster as declared by the President of the United States or Governor of the State of Florida through an Executive Order. This strategy will only be implemented in the event of a disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation.

SHIP disaster funds may be used for items such as, but not limited to:

- Purchase of emergency supplies for eligible households to weatherproof damaged homes;
- Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable;
- Construction of wells or repair of existing wells where public water is not available;
- Payment of insurance deductibles for rehabilitation of homes covered under homeowners insurance policies;

- Security deposit for eligible recipients that have been displaced from their homes due to disaster;
- Rental assistance for the duration of Florida Office of the Governor Executive Order, for eligible recipients that have been displaced from their homes due to disaster;
- Other activities as proposed by the counties and eligible municipalities and approved by Florida Housing.

Income Categories to be served: Very low, low, moderate

Maximum award: Very low, low- \$50,000, moderate- \$20,000

## ATTACHMENT 5

# The School Board of Broward County, Florida SCHOOL CONSISTENCY REVIEW REPORT

LAND USE  
SBBC-2035-2016  
County No: PC 17-5  
Estates at Crystal Lake



December 15, 2016



Growth Management  
Facility Planning and Real Estate Department  
600 SE 3rd Avenue, 8th Floor  
Fort Lauderdale, Florida 33301  
Tel: (754) 321-2177 Fax: (754) 321-2179  
[www.browardschools.com](http://www.browardschools.com)

## SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION
<b>Date:</b> December 15, 2016	Units Permitted      7      Proposed      408	<b>Existing Land Use:</b> Commercial Recreation
<b>Name:</b> Estates at Crystal Lake	NET CHANGE (UNITS):      401	<b>Proposed Land Use:</b> Irregular (3.81)
<b>SBBC Project Number:</b> SBBC-2035-2016	<b>Students Permitted Proposed NET CHANGE</b>	<b>Current Zoning:</b> S-2C
<b>County Project Number:</b> PC 17-5	Elem      1      95      94	<b>Proposed Zoning:</b> TBD
<b>Municipality Project Number:</b> 58a	Mid      1      45      44	<b>Section:</b> 15
<b>Owner/Developer:</b> Incatasciato Tenancy Rev. Trust	High      1      50      49	<b>Township:</b> 48
<b>Jurisdiction:</b> Deerfield Beach	Total      3      190      187	<b>Range:</b> 42

### SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark* Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity
Quiet Waters Elementary	1,600	1,600	1,293	-307	-17	80.8%
Crystal Lake Community Middle	1,622	1,622	1,253	-369	-16	77.3%
Ely, Blanche High	2,786	2,786	2,127	-659	-26	76.3%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Capacity Adjusted Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Quiet Waters Elementary	1,293	-307	80.8%	1,260	1,229	1,219	1,187	1,156
Crystal Lake Community Middle	1,253	-369	77.3%	1,227	1,193	1,158	1,123	1,089
Ely, Blanche High	2,127	-659	76.3%	2,148	2,167	2,186	2,206	2,225

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	21/22	22/23	23/24	24/25	25/26
<b>Area B - Elementary</b>	20,237	16,495	-3,742	19,169	19,530	19,892	20,253	20,615
<b>Area B - Middle</b>	9,033	7,314	-1,719	7,820	7,911	8,002	8,092	8,183
<b>Area B - High</b>	12,673	10,326	-2,347	8,821	8,854	8,887	8,920	8,953

## CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2016-17 Contract Permanent Capacity	2016-17 Benchmark* Enrollment	Over/(Under)	Projected Enrollment		
				17/18	18/19	19/20
Somerset Academy Key Middle	525	366	-159	<b>366</b>	<b>366</b>	<b>366</b>
Somerset Key High School	800	117	-683	<b>117</b>	<b>117</b>	<b>117</b>

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

**PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 1 - 5)**

School(s)	Description of Capacity Additions
Quiet Waters Elementary	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Crystal Lake Community Middle	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Ely, Blanche High	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

**PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN  
(Years 6 - 10)**

Capacity Additions for Planning Area B	
School Level	Comments
Elementary	None
Middle	None
High	None

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## Comments

Information contained in the application indicates that the approximately 109-acre site is generally located south of NW 45th Street between Military Trail and Crystal Lake Drive in the City of Deerfield Beach. Current land use designations for the site are Commercial Recreation and Medium High (25) Residential. Current designation allows 7 garden apartment (all three or more bedroom) units. The applicant proposes to change the land use designation to Irregular (3.81) Residential to allow 408 single family (all four or more bedroom) units. The proposed change is anticipated to generate 187 additional students (94 elementary, 44 middle, and 49 high) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2016-17 school year are Quiet Waters Elementary, Crystal Lake Middle, and Blanche Ely High. Based on the District's Public School Concurrency Planning Document, all the schools are operating below the adopted LOS of 100% of gross capacities in the 2016-17 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2016-17 – 2018-19), all the schools are expected to operate below the adopted LOS of 100% of gross capacities through the 2018-19 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2016-17 – 2020-21. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the subject site in the 2016-17 school year are depicted herein.

Capital Improvements scheduled in the long range section (2021-22 to 2025-26) of the currently Adopted DEFP Fiscal Years 2016-17 – 2020-21 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "B" and the elementary, middle, and high schools currently serving Planning Area "B" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "B" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.



The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**  
PROJECT NUMBER: SBBC-2035-2016

DECEMBER 15, 2016

Date

Reviewed By:

  
\_\_\_\_\_

Signature

Mohammed Rasheduzzaman, AICP  
\_\_\_\_\_

Name

Planner  
\_\_\_\_\_

Title

# ATTACHMENT 6

EP&GMD COMMENTS  
PC 17-5  
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## ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT REVIEW AND COMMENTS ON PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT

**For:** Broward County Planning Council

**Applicant:** Hoyer Homes at Crystal Lake, LLC

**Amendment No.:** PC 17 - 5

**Jurisdiction:** Deerfield Beach                      **Size:** Approximately 109.0 acres

**Existing Use:** Golf course and multi-family residential

**Current Land Use Designation:** 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential

**Proposed Land Use Designation:** Irregular (3.81) Residential

**Location:** Section: 15 Township: 48 South Range: 42 East; generally located on the west side of Military Trail, north of Crystal Lake Drive.

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

### ANALYSIS AND FINDINGS:

#### ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION

**Wetlands** - [CP Policies 7.5.9, 7.5.11, 13.8.1, 13.8.2, 13.8.3, 13.8.5, 13.8.6, 13.9.3, 13.9.4, 13.9.6, 13.10.1, 13.10.3, 13.10.4; BCLUP Policies 09.05.01, 09.05.06, 09.05.08, 09.05.09, 09.05.13, 09.05.17 09.05.18]

No wetlands on site. Any filling of existing surface waters or excavation to create new surface waters may require a license from the Aquatic and Wetland Resources Program.

## EP&GMD COMMENTS

PC 17-5

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**Upland Resources (including Tree Preservation and Greenways)** - [CP Policies 13.6.11, 13.6.13, 13.6.14; BCLUP Policies 01.06.02, 05.03.02, 05.03.04, 05.03.05, 09.01.06, 09.01.08, 09.01.09, 09.01.10]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Deerfield Beach. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

**Solid Waste** - [CP Policies 6.1.2, 6.1.3, 13.2.7; BCLUP Policies 01.04.04, 08.01.11, 08.01.13, 08.01.14, 08.01.15] There are five active solid waste facilities located within one mile of the amendment site: 1) Monarch Hill landfill located at 2700 Wiles Road, Pompano Beach, FL 33073 2) North Broward Resource Recovery located at 2600 N Wiles Road, Pompano Beach, FL 33073. 3) All County Waste Recycling located at 1810 SW 42 Way, Deerfield Beach, FL 33442, 4) WM Recycling Sun #11 located at 1750 SW 43<sup>rd</sup> Terrace, Deerfield Beach, FL 33442 5) Deerfield Beach Recycling and Transfer located at 1751 SW 43<sup>rd</sup> Terrace, Deerfield Beach, FL 33442 There are two (2) inactive solid waste facilities located within one-quarter mile of the site: 1) WM Recycling Sun #7 formerly located at 1815 S Powerline Road, FL 33442 and 2) North Broward Dump formerly located at N side of 48<sup>th</sup> Street and Wiles Road. (DL 11/23/2016)

## **POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION**

**Air Quality** - [CP Policy 13.1.15, BCLUP Policy 09.14.03] The preliminary traffic analysis indicates that the proposed amendment would result in an increase by **356 PM** peak hour trips per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a moderate impact on air quality. There are several air permitted facilities in this area, however, the last warning notice was complied in 2012. Therefore, there are no existing or potential odor or noise concerns. Due to the attraction of mobile sources to commercial areas, if the applicant incurs the construction of parking facilities, the Broward County Code of Ordinances, Parking Facility Rule might be applicable.

## EP&GMD COMMENTS

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The Air Quality Program recommends pro-active long term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, bikeways and bike storage facilities, and the use of pedestrian friendly designs which will include native tree shaded areas. (SMS 12/9/16)

**Wellfield Protection** - [CP Policies 4.2.10, 4.4.13, 7.5.2, 7.5.3, 7.5.4, 13.2.2, 13.3.3; BCLUP Policies 09.02.01, 09.02.03, 09.02.05] the proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations.

**Contaminated Sites** - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies 01.04.04, 03.04.01] [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies 01.04.04, 03.04.01] the proposed land use amendment and buffer of .25 miles include land currently or historically used as a golf course. Golf courses have a high potential for arsenic contamination. Under the authority of **Section 27-66(h)** of the **Broward County Natural Resource Protection Code**, the Pollution Prevention Division (PPD) has the authority to withhold environmental review approval for any building permits or approvals to develop, construct or alter any site that contains potential sources of pollution. **Note:** any building or development plans associated with this proposed land use change submitted to Broward County for environmental review will be withheld. Withhold will remain until the Pollution Prevention Division (PPD) has reviewed the environmental assessment for the golf course and determined that the building or development will not interfere with cleanup of any potential contaminants at the site or exacerbate any potential on-site contamination. (NH112816)

**SARA TITLE III (Community Right to Know)** - [CP Policy 13.2.7; BCLUP Policies 01.04.04, 03.04.01] The Pollution Prevention Division (PPRD) GIS Database of SARA Title III Facilities in Broward County was reviewed. There are no SARA Title III facilities on or adjacent to the proposed amendment site.

**Hazardous Material Facilities** - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies 01.04.04, 03.04.01] The Pollution Prevention Division (PPD) GIS Database of Hazardous Material Facilities in Broward County was reviewed. There are 3 active known Hazardous Material facilities, and **1** Hazardous Materials/Storage Tank facility on, adjacent, or in close proximity to the proposed amendment site. (NH121216)

### **ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:**

**Specially Designated Areas** - [ CP policies 13.6.1, 13.6.4, 13.6.6, 13.6.7, 13.6.9, 13.6.10, 13.7.2, 13.7.5; BCLUP Policies 09.01.01, 09.01.02, 09.01.03, 09.01.04, 09.01.05, 09.01.06, 09.01.11]

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County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site.

**Protected Natural Lands** – The project site is not included in the Protected Natural Lands Inventory and not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>.

**Marine and Riverine Resources** - [CP Policies 7.5.10, 13.2.3, 13.5.3, 13.7.6, 13.7.8; BCLUP Policies 05.03.02, 06.01.04, 06.01.05, 06.01.06, 09.02.06, 09.03.01, 09.03.02, 09.03.05, 09.03.06, 09.03.07, 09.03.08, 09.03.09, 09.03.10, 09.03.11, 09.04.02] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

**Priority Planning Areas for Sea Level Rise** – [CP Policies 19.2.2, 19.3.7, 19.3.12, 19.3.13; BCLUP Policies A.03.04, A.03.05, A.03.06, A.03.07, 9.07.02, 9.09.04, 12.01.13]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of flooding due to, or exacerbated by, sea level rise by the year 2060. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

While the County encourages applicants to consider these and other impacts from climate change during the site planning process, the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policy A.03.05 and portions of policies 9.07.02, and 9.09.04 do not apply to the review of this project.

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**NatureScape Program** – [CP Policies 4.4.8, 13.3.5, 13.3.7, 19.4.11; BCLUP A.02.01] – NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding Naturescape can be accessed at:  
<http://www.broward.org/NaturalResources/NatureScape/Pages/Default.aspx>

**Surface Water Management** - [CP Policies 7.4.2, 7.4.3, 7.5.2, 7.5.9, 13.2.4, 13.3.12; BCLUP Policies 08.01.18, 08.01.19, 09.04.01, 09.04.02, 09.07.01, 09.07.03, 09.09.01, 09.09.02, 09.09.04, 09.10.02]

The proposed amendment site is located within the jurisdiction of the Broward County Water Control Drainage District #2 and the South Florida Water Management District. Successful compliance with the criteria established should result in reducing the potential danger from flooding and maintaining the quality of surface waters. Compliance with and/or a surface water management permit from Broward County Water Control Drainage District #2 and the South Florida Water Management District may be required prior to any construction..

The proposed amendment site is located within the Federal Emergency Management Agency (FEMA) flood insurance zone X (northwestern and northeastern sides of parcel ) and flood zone 0.2 PCT Annual Chance of Flood Hazard within north-central area of parcel. There are also areas located on the eastern side within FEMA flood zones AH, with NAVD 88 elevation of 14 feet and flood zone AE (central lake area of parcel) with NAVD 88 elevation of 13ft.

**Water Recharge** - [CP Policies 7.4.3, 7.5.2, 7.5.3, 7.5.4, 7.5.7, 7.5.9, 7.5.11, 7.5.12, 13.3.12, 13.3.13; BCLUP Policies 06.01.01, 06.01.03]

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in net increase in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

**BROWARD COUNTY PLANNING COUNCIL**  
**WETLAND RESOURCE QUESTIONNAIRE**  
**as completed by the**  
**ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT**

***I. Introductory Information***

- A. *Amendment No.:*** PC 17-5
- B. *Municipality:*** Deerfield Beach
- C. *Project Name:*** Hoyer Homes at Crystal Lake

***II. Site Characteristics***

- A. *Size:*** Approximately 109.0 acres
- B. *Location:*** Deerfield Beach
- C. *Existing Use:*** Golf course and multi-family residential

***III. Broward County Land Use Plan Designation***

- A. *Current Designation:*** 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential
- B. *Proposed Designation:*** Irregular (3.81) Residential

***IV. Wetland Review***

- A. *Are wetlands present on subject property?*** No
- B. *Describe extent (i.e. percent) of wetlands present on subject property.*** None
- C. *Describe the characteristics and quality of wetlands present on subject property.***
- D. *Is the property under review for an Environmental Resource License?*** No
- E. *Has the applicant demonstrated that should the proposed Land Use designation be approved, the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances?*** Unknown

- V. Comments:** Any filling of existing surface waters or excavation to create new surface waters may require a license from the Aquatic and Wetland Resources Program.

Wetland Resource Questionnaire  
PC 17-5

Completed by: Linda Sunderland, NRS  
Natural Resources Manager



**BROWARD COUNTY PLANNING COUNCIL**  
**WATER RECHARGE QUESTIONNAIRE**

as completed by

**ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT**

***I. Introductory Information***

- A. Amendment No.:*** PC 17-5
- B. Municipality:*** Deerfield Beach
- C. Applicant:*** Hoyer Homes at Crystal Lake, LLC

***II. Site Characteristics***

- A. Size:*** Approximately 109.0 acres
- B. Location:*** Section: 15 Township: 48 South Range: 42 East; generally located on the west side of Military Trail, north of Crystal Lake Drive.
- C. Existing Use:*** Golf course and multi-family residential

***III. Broward County Land Use Plan Designation***

***Current Land Use Designation:*** 108.7 acres of Commercial Recreation  
0.3 acres of Medium-High (25) Residential

***Proposed Land Use Designation:*** Irregular (3.81) Residential

***IV. Water Recharge Review***

- A. Describe the general impacts of the current land use designation on water recharge:***

The current land use designation is Commercial Recreation and Medium-High (25) Residential. A typical value for an impervious area produced by this type of development is approximately 84 percent.

***B. Describe the general impacts of the proposed land use designation on water recharge:***

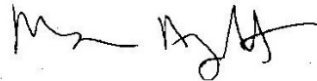
The proposed land use designation is Irregular Residential. A typical value for an impervious area produced by this type of development is approximately 22 percent.

***V. Impact of Change in Land Use Designation***

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in net increase in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

***VI. Comments***



By: \_\_\_\_\_

Date 12/12/16

Maena Angelotti

Environmental Planning and Community Resilience Division

# Land Use Amendment Comments Site LUA\_PC17-5



Absolute Scale: 1:9,386

- ▲ Hazardous Materials Facilities Database (active)
- Contaminated Sites Database Active CS - Golf Course
- 0.25 miles Buffer

Boundaries are not exact - generated for location purposes only.  
Marker Size is a visual aid and neither represents exact location nor area of designated facility.  
Prepared by: NHERNE - December, 2016 - Pollution Prevention Division

**Hazardous Material Facilities within Boundaries of Land Use Amendment**

Name of Facility	Address	Type of Facility based on SIC CODE	Type of License
------------------	---------	------------------------------------	-----------------

No active Hazardous Material facility within boundaries of land use amendment

**Hazardous Material Facilities adjacent to Land Use Amendment**

Name of Facility	Address	Type of Facility based on SIC CODE	Type of License
------------------	---------	------------------------------------	-----------------

No active Hazardous Material facility adjacent to land use amendment

**Hazardous Material Facilities in close proximity (.25 miles) of Land Use Amendment**

Name of Facility	Address	Type of Facility based on SIC CODE	Type of License
------------------	---------	------------------------------------	-----------------

Waters Edge Tower Condo Assoc.	4570 NW 18TH AVE Pompano Beach 33064	6513 Operators of Apartment Buildings	Hazardous Materials Facility
Lanzo Lining Services, Inc. - Florida	4260 NW 19TH AVE Pompano Beach 33064	3084 Chemicals and Chemical Preparations, Not Elsewhere Classified	Hazardous Materials and Storage Tank Facility
Crystal Lake Country Club	3800 CRYSTAL LAKE DR Deerfield Beach 33064	7992 Public Golf Courses	Hazardous Materials Facility
Sharp Impressions, Inc.	4400 NW 19TH AVE Pompano Beach 33064	2751 Miscellaneous Publishing	Hazardous Materials Facility

January 25, 2016



Mr. Stefan Hoyer  
Hoyer Homes, LLC  
111 SW 3<sup>rd</sup> Street, PH  
Miami, FL 33130

**Environmental Status Report  
Crystal Lake Golf Course  
3800 Crystal Lake Drive  
Pompano Beach, Florida**

Dear Mr. Hoyer:

Ayden Environmental LLC (Ayden) has been requested by Hoyer Homes to provide an opinion of current environmental conditions at the Crystal Lake Golf Course located in Pompano Beach, Florida. In addition to this summary, Ayden also is providing Hoyer Homes with our best estimate of how Broward County Pollution Prevention Division will respond to the documentation of the stated impacts within the site.

The likely historical use of arsenic herbicides has resulted in arsenic contamination to the soil and groundwater where these chemicals were applied within the golf course playing area and where chemicals were stored and mixed within the golf course maintenance area. Sheets 1-2 depict the Site on a USGS map and a recent aerial photograph.

#### **Golf Course Playing Areas (GCPA)**

**Soil** - A review of preliminary Phase II soil sampling data (Sheet 3) does not identify any specific areas of elevated arsenic impacts within active 18-hole GCPA, which would likely be the result of improper application rates or spillage of arsenical herbicides in the past. Arsenic impacts appear to extend beyond the strict boundaries of the greens, tees and fairways into the surrounding rough and low lying areas. The majority of arsenic impacts appear to be limited to the upper 2 ft of soil, although deeper impacts were noted within several low lying areas where impacted stormwater percolate into the deeper soil strata. Arsenic concentrations for each sampling interval are color coded and depicted on Sheets 4, 5 and 6 respectively. Exhibit 1 provides the Phase II soil data, while Exhibit 2 depicts an evaluation of the soil data using ProUCL. Average concentrations (UCL95) of arsenic are similar for the 0-6 and 6-24 in bls sample sets at approximately 8.9 mg/kg. The UCL95 for 24-48 in bls reduces drastically to 3.1 mg/kg. When the 0-6 in bls soil layer is removed and "hot spot" locations (greater than 3 times the 2.1 mg/kg SCTL) are removed from 6-48 in bls, the average concentration comes into compliance with the residential exposure SCTL of 2.1 mg/kg.

**Groundwater** - The results of the groundwater sampling program within the GCPA confirmed arsenic impacts. Concentrations ranged from 35.2 µg/L to 164 µg/L for the three MWs onsite, each exhibiting arsenic concentrations in excess of the Florida Groundwater Cleanup Target level of 10 µg/L. Sheet 7 depicts the onsite MWs as well as relative arsenic concentrations from each MW. There has been no predominant ground water flow direction measured using depth to water measurements from the existing MWs. This is important in that the County will want to see documentation that the groundwater plume is static (not moving offsite) and non-increasing in concentration. There is likely some areas where groundwater impacts are present outside of the current boundaries of the GCPA. As the 18-hole golf course boundaries were present prior to a number of the surrounding housing developments, the County has made it a policy not to pursue groundwater impacts outside of the current golf course boundaries where there was a historical contraction of the course boundaries or subsequent development at the golf course boundaries.

Public water supply systems are located north, east and south where groundwater is withdrawn for potable use. None of these public system wellfields are located within a 1.0-mile radius of the Site and it is very unlikely (based on the current data set) that the onsite GCPA groundwater plume has migrated (or potentially will migrate) offsite towards these public water supplies. The relative distance to these public well fields from the Site make it unlikely the County will consider this Site a threat to public water supply and would allow a groundwater deed restriction be applied to the Site.

#### **Golf Course Maintenance Area (GCMA)**

**Soil** –Elevated concentrations of arsenic were noted at each of the soil sample locations onsite. Sheet 8 depicts the various functional areas of the GCMA while Sheet 9 depicts the soil and groundwater sample locations. Petroleum residual impacts were noted within an isolated region of surficial soil proximal to the petroleum fueling area. No additional agri-chemical impacts (pesticides or herbicides) were noted in any of the samples collected within the GCMA. Exhibit 3 summarized the Phase II GCMA soil data. It is likely that a discrete soil removal action (200-400 yds<sup>3</sup>) will be required to address the documented arsenic impacts within the GCMA. This action should be taken early in the regulatory process as a measure of “good faith” depicting Hoyer Homes as honest actor in the regulatory process for the GCMA.

**Groundwater** - Groundwater sampling confirmed arsenic impacts within the maintenance area. Markedly higher levels of arsenic to groundwater were identified at the chemical mixing/sprayer loadout area of the GCMA. Documented concentrations ranged from 22.2 µg/L to 286 µg/L, substantially in excess of the Florida Groundwater Cleanup Target level of 10 µg/L (Exhibit 4). While these concentrations are also in excess of the NAM guidelines, the County will not likely require active remediation of the groundwater.

### **Regulatory Framework**

Soil and groundwater impacts have been documented within the Site's golf course playing area and maintenance area. The County-managed regulatory process necessary to allow for the proposed change in land use from golf course to residential has been successfully achieved by the Project Consultant on more than 10 projects within the County. Preliminary Phase II soil data indicates relatively low arsenic concentrations throughout the golf course playing areas and it is likely that impacted soil can be managed onsite through a site-specific soil management plan without the need for costly offsite disposal. Groundwater impacts within the golf course playing area also appear to be moderate and restricted to the Site. Within the golf course maintenance area, no petroleum or agri-chemical impacts have been identified in the soil other than arsenic. A discrete quantity (200-400 yd<sup>3</sup>) may require offsite disposal. Markedly higher levels of arsenic to groundwater were identified in the maintenance area, centered at the mix/load chemical storage shed.

As a result of these documented impacts, the Broward County Pollution Prevention and Remediation Division (Division) will require a County-supervised site assessment and remediation process in accordance with Rule 62-780 of the Florida Administrative Code and the likely imposition of land use institutional controls (groundwater use prohibition) as part of a risk-based remedial approach to allow for the transition of land use from golf course recreation to residential. This process will be initiated with the application for and receipt of an Environmental Assessment and Remediation License and proceed through site assessment and remediation to a No Further Action status with Conditions. These conditions, as noted above, include institutional controls (groundwater use prohibition) as part of a risk-based remedial approach.

Should you have any questions, please do not hesitate to contact me at (302) 270-4514 or aydenenv@gmail.com. Again, thank you for this opportunity, and I look forward to speaking with you soon.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jeff Flairty', written in a cursive style.

Jeffrey A. Flairty, P.E.  
President

## ATTACHMENT 8



Environmental Protection and Growth Management Department

**ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION**

1 North University Drive, Mailbox 201, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412



### MEMORANDUM

DATE: February 9, 2017

TO: Robert E.C. Modys, Planner  
Broward County Planning Council

FROM: David Vanlandingham, P.E.  
Environmental Assessment and Remediation (EAR) Section

A handwritten signature in black ink, appearing to read "David Vanlandingham".

Digitally signed by  
DAVID  
VANLANDINGHAM  
Date: 2017.02.09  
12:27:54 -05'00'

CC: Sermin Turegun, Acting Director  
Environmental Engineering and Permitting Division

**RE: Phase II Environmental Site Assessment Report, Crystal Lake Golf Course  
3800 Crystal Lake Drive, Deerfield Beach 33064**

The Broward County Environmental Engineering and Permitting Division (Division) has reviewed the Phase II Environmental Site Assessment (ESA) dated January 25, 2016, prepared by AYDEN Environmental for the Crystal Lake Golf Course, Parcel ID 484215010520 (hereinafter referred to as the "site").

The ESA fundamentally meets the requirements of BCLUP Policy 5.04.04(d), in that it determines the level of contamination on the site and explains the process by which the contamination will be mitigated with oversight from the Division. Please note the following general comments:

- Per the Property Appraiser's website, the site owner is Cabot Golf CL-PP 1 LLC, et al.
- While not required for due diligence purposes, the ESA does not contain information related to the collection protocol applied to soil and groundwater samples, the construction of groundwater wells, soil boring logs, or well sampling logs. Accordingly, the Division cannot draw conclusions about the validity of the data under the Site Assessment provisions of Section 62-780.600, Florida Administrative Code (F.A.C.). Further, groundwater results contained in the ESA are now older than 270 days as allowable by Section 62-780.600, F.A.C. For these reasons, the Division considers the data contained in the ESA to be sufficient for screening purposes only.
- The Division concurs that the results demonstrate impacts of arsenic in site soil and groundwater in excess of applicable Cleanup Target Levels. The site is, therefore, considered contaminated and reportable under Chapter 27 of Broward County Code. There is no discernable correlation of the distribution of the data throughout the golf course at large and the maintenance facility area.

As noted in the ESA, the Division must require that a Responsible Party as defined by Section 27-352 of Broward County Code obtain an Environmental Assessment and Remediation (EAR) License and perform assessment and cleanup as required by Chapter 62-780, F.A.C. The scope of assessment and cleanup would be based upon the current and proposed future land use of the golf course and may include the use of engineering and institutional (land-use) controls. Because Hoyer Homes, LLC, does not own the site and has not applied for an EAR License, the Division would consider Cabot Golf CL-PP 1 LLC, et al., a party responsible for these actions. The Division cannot grant Environmental Review Approval of any construction plans effectively changing the site land use until such time that the Division is satisfied that applicable exposure-based Cleanup Target Levels have been met or will be met through an approved Remedial Action Plan as described in Section 62-780.700, F.A.C.

If you have any questions or concerns regarding this review, please feel free to contact me at (954) 519-1478 or [dvanlandingham@broward.org](mailto:dvanlandingham@broward.org).



ATTACHMENT 9

GreenspoonMarder

Dennis D. Mele, Esq.  
PNC Building  
200 East Broward Boulevard, Suite 1800  
Fort Lauderdale, Florida 33301  
Direct Phone: 954.527.2409  
Direct Fax: 954.333.4009  
Email: dennis.mele@gmlaw.com



February 22, 2017

VIA E-MAIL

Barbara Blake Boy  
Executive Director  
Broward County Planning Council  
115 South Andrews Avenue, Room 307  
Fort Lauderdale, FL 33301

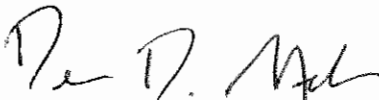
**Re: Crystal Lake Land Use Plan Amendment**

Dear Barbara:

As the authorized representative of Hoyer Homes at Crystal Lake, LLC ("Applicant"), we acknowledge that a Broward County Environmental Assessment and Remediation (EAR) License will be required prior to issuance of any construction plan that result in a change of land use on the property. The Applicant will perform the assessment and cleanup as required by Chapter 62-780 FAC.

Sincerely,

GREENSPOON MARDER, P.A.



Dennis D. Mele, Esq.

Boca Raton | Denver | Ft. Lauderdale | Las Vegas | Miami | Miami Beach | Naples | New York  
Orlando | Port St. Lucie | San Diego | Tallahassee | Tampa | West Palm Beach

In New York, Greenspoon Marder, P.A. practices under the name Greenspoon Marder, P.A. P.C.  
In California, Greenspoon Marder LLP practices using the fictitious name and trademark Greenspoon Marder under license from Greenspoon Marder, P.A.  
35696.0003  
GM 29492505:2

# ATTACHMENT 10

## Broward County Land Use Plan Objective and Policies “Provision of Open Space”

### Planning Council Staff Review Comments Regarding Proposed Amendment PC 17-5 City of Deerfield Beach

**OBJECTIVE 5.04.00 Establish an extensive system of public and private open space areas including natural reservations, parks, beaches, scenic vistas, golf courses, and waterways compatible with the tropical and resort character of Broward County.**

#### Planning Council Staff Comment

The City of Deerfield Beach currently has an inventory of 381.61 acres of parks and open space areas within the city. The applicant has voluntarily committed to dedicate at least 4.5 acres of the amendment site as community recreation and open space throughout the subject property. See Attachments 11 and 12.

Planning Council staff notes that Section C., Chapter IV, of the Broward County Land Use Plan, allows up to 50% of the total acreage of publicly owned golf courses that are zoned for recreational use and semi-public golf courses that are either zoned and deed restricted for open space use or zoned and restricted by other development orders, such as site plan or subdivision approval, for open space use. However, golf course acreage may satisfy no more than 15% of the total Community and Regional Park acreage. The City’s build-out population requires 242.4 acres of parks; therefore, up to 36.4 acres of golf courses can be used for the city’s parks and open space requirement. It is noted that the 15% maximum amount of golf course acreage of 36.4 acres will continue to be available to be counted by the city, as approximately 256.6 acres of golf course will remain in the City at two (2) locations. Therefore, although the proposed land use plan amendment decreases golf course acreage by 108.7 acres, the City’s park inventory in this regard remains unchanged, or may increase by at least 4.5 acres. The City will continue exceed the County’s level of service standard of 3 acres for 1,000 persons with the proposed amendment.

**POLICY 5.04.01 Local governments shall pursue programs, including acquisition of open space areas from willing sellers, that will ensure the provision of and access to open space areas consistent with their adopted comprehensive plans and the Broward County Land Use Plan.**

#### Planning Council Staff Comment

The City of Deerfield Beach has adopted goals, objectives and policies in its Comprehensive Plan which require a three (3) acres per 1,000 persons level of service (LOS) for parks and open space through Future Land Use Policy 4.4.1 and Recreation and Open Space Policy 2.1.1. In addition, Deerfield Beach Future Land Use Element Objective 4.1 and Policies 4.1.1 and 4.1.2 address the provision of parks and open spaces that are accessible to a diverse composition of permanent and seasonal residents of Deerfield Beach.

**POLICY 5.04.02 Residential and non-residential areas, including downtown areas, should be encouraged to provide open space and other passive recreation areas.**

*Planning Council Staff Comment*

City of Deerfield Beach Comprehensive Plan Objective 4.1 requires that the city maintain a system of parks whereby all residents of the City have access to a public park facility. Additionally, Policy 4.1.1 requires that the City designate a minimum of three (3) acres of Recreation and Open Space per 1,000 residents as determined by population projections for the year 2025. Further, the applicant has voluntarily committed to dedicate at least 4.5 acres of the amendment site as community recreation and open space throughout the subject property. See Attachments 11 and 12.

**POLICY 5.04.03 Broward County shall strongly encourage the preservation of open space areas. Amendments to the Broward County Land Use Plan which would result in the loss of open space shall be strongly discouraged and be required to address how open space and recreation needs of the existing and projected residents of the community will be met, including how the negative impacts of the loss of open space on surrounding neighborhoods will be minimized or mitigated.**

*Planning Council Staff Comment*

The subject site is 109 gross acres, and is currently designated as 108.7 acres of “Commercial Recreation” and 0.3 acres of “Medium-High (25) Residential.” The site was formerly utilized as a golf course and clubhouse. The proposed amendment would change the land use designation to “Irregular (3.81) Residential” and the net impact is an additional 408 dwelling units. Further, the applicant has voluntarily committed to dedicate at least 4.5 acres of the amendment site as community recreation and open space throughout the subject property. See Attachments 11 and 12.

**POLICY 5.04.04 Amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address the following:**

**a. The impact of the loss of open space on the surrounding residential areas. The loss of open space must be mitigated through provision of parks and open space to serve the surrounding neighborhood.**

*Planning Council Staff Comment*

The subject amendment area is primarily surrounded by single-family and multi-family residential developments. To address the proposed conversion of the former golf course use, the applicant has voluntarily committed to dedicate at least 4.5 acres of the amendment site as community recreation and open space throughout the subject property. See Attachments 11 and 12. In addition, a description of the applicant’s outreach efforts to area residents is included in Attachment 13.

**b. Management of storm water retention taking into account the extent to which the golf course provided storm water retention for the surrounding development and how this will be mitigated, along with any additional storm water impacts created by the new development.**

*Planning Council Staff Comment*

The applicant has indicated that the existing storm water level of service (LOS) will be maintained. Any new development will meet all applicable standards and service criteria enforced by regulating agencies to ensure the proper management of storm water.

**c. Minimization of the impact on natural resources including wetlands, lakes, aquifer recharge areas and the tree canopy, including any historic trees on the site.**

*Planning Council Staff Comment*

The City of Deerfield Beach has adopted Objective 5.3 in its Future Land Use Element consistent with this BCLUP policy. The applicant has indicated that the City's tree preservation requirements will be met through the relocation of any desirable trees within the amendment area. In addition, any proposed development of the site will meet all applicable standards enforced by regulating agencies to ensure the protection of natural resources.

**d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 and Phase 2 environmental assessment.**

*Planning Council Staff Comment*

The applicant has conducted a Phase II environmental assessment for the amendment site. See Attachment 7 for a summary. The Broward County Pollution Prevention Division staff has confirmed that the Phase II environmental assessment provided is consistent with the requirements of Broward County Land Use Plan Policy 5.04.04(d). See Attachment 8. In addition, the applicant has provided a response to the Pollution Prevention Division's comments stating that the Applicant will perform any assessments and cleanup as required by law. See Attachment 9.

**e. Integration of the proposed development with the surrounding areas including how the development will tie into the existing neighborhoods through roads, sidewalks, parks/open space and greenways.**

*Planning Council Staff Comment*

It is noted that no surrounding developments currently utilize the site for vehicular or pedestrian access purposes. Any open space, buffering, roadway, and sidewalk design standards will be reviewed at time of site plan review in accordance with any applicable regulations. Further, the applicant has voluntarily committed to dedicate at least 4.5 acres of the amendment site as community recreation and open space throughout the subject property. See Attachments 11 and 12.

DRAFT



Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder, P.A.  
200 E. Broward Boulevard, Suite 1800  
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.  
Greenspoon Marder, P.A.  
200 E. Broward Boulevard, Suite 1800  
Fort Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**DECLARATION OF RESTRICTIVE COVENANTS**

**THIS DECLARATION OF RESTRICTIVE COVENANTS** ("Covenant") made this \_\_\_\_\_ of \_\_\_\_\_, 2017, by **HOYER HOMES AT CRYSTAL LAKE, LLC**, a Florida limited liability company, its successors and assigns ("Owner"), which shall be for the benefit of **THE CITY OF DEERFIELD BEACH, a municipal corporation** ("City"), and **BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida** ("County").

**WITNESSETH:**

WHEREAS, Owner is the fee simple owner of land known located in the City, more particularly described in **Exhibit "A"** ("Property"); and

WHEREAS, Owner made an application to the City and County to amend the City and County land use plans for the Property to Irregular (3.81) Residential (collectively "Application"); and

WHEREAS, in connection with the Application to amend the City and County land use plans, Owner has voluntarily agreed to place certain restrictions on the development of the Property as set forth below in favor of the City and County.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Owner hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

# DRAFT

2. Maximum Dwelling Units. The Owner acknowledges that the Property shall be limited to a maximum of 415 dwelling units including no more than 125 townhouse units.

3. Recreation and Open Space. The Owner acknowledges that 4.88 acres of the Property shall be reserved for community recreation and open space. The exact location of the community recreation and open space shall be determined by the City at the time of final site plan approval.

4. Emergency Medical Service Site. The Owner acknowledges that .38 acres of the Property shall be reserved for an Emergency Medical Service Site. The exact location of the Emergency Medical Service Site shall be determined by the City at the time of final site plan approval.

5. Amendments. Except as otherwise provided herein, this Covenant shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved in writing by the City and County. The appropriate governmental authority of the City and County shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida.

6. Recordation and Effective Date. This Covenant shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after approval by the City and County of the requested Application and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect the City's or the County's approval the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the City and County and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the City and County, and no parties other than the City and County shall be entitled to enforce this Covenant. Any failure by the City or County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

7. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue shall be Broward County, Florida.

8. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

# DRAFT

9. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

[THIS SPACE INTENTIONALLY LEFT BLANK]

# DRAFT

IN WITNESS WHEREOF, Owner has executed this Covenant on the day first above written.

Signed, sealed and delivered

**HOYER HOMES AT CRYSTAL LAKE, LLC, a  
Florida limited liability company**

\_\_\_\_\_  
Printed By: \_\_\_\_\_  
Its: \_\_\_\_\_ Name: \_\_\_\_\_

\_\_\_\_\_  
Printed Name: \_\_\_\_\_ Dated: \_\_\_\_\_

STATE OF FLORIDA        )  
  ) SS  
COUNTY OF BROWARD    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2016, by \_\_\_\_\_, as \_\_\_\_\_ of **HOYER  
HOMES AT CRYSTAL LAKE, LLC**, a Florida limited liability company.

He or she is:

- personally known to me, or
- produced identification. Type of identification produced \_\_\_\_\_.

(Seal)

NOTARY PUBLIC:

\_\_\_\_\_  
Print Name: \_\_\_\_\_

My commission expires:



# DRAFT

## Mortgagee Consent:

\_\_\_\_\_ (“Mortgagee”), is the holder of a mortgage executed on \_\_\_\_\_ recorded in Official Records Book \_\_\_\_\_ - Page \_\_\_\_\_ by and between \_\_\_\_\_ and Mortgagee (as extended, modified, restated, consolidated and assigned), security agreements and collateral assignment of leases and rents (as modified and assigned) (“Mortgage Loan Documents”).

Mortgagee hereby consents to the terms of this Amendment and hereby absolutely and unconditionally subordinates the lien of the aforementioned Mortgage Loan Documents and all of its rights thereunder to all of the rights of the parties hereto, their successors and assigns, under the Amendment granted herein.

### WITNESSES:

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

STATE OF FLORIDA        )  
  ) SS:  
COUNTY OF \_\_\_\_\_ )

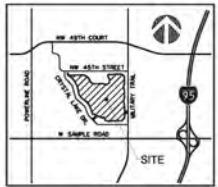
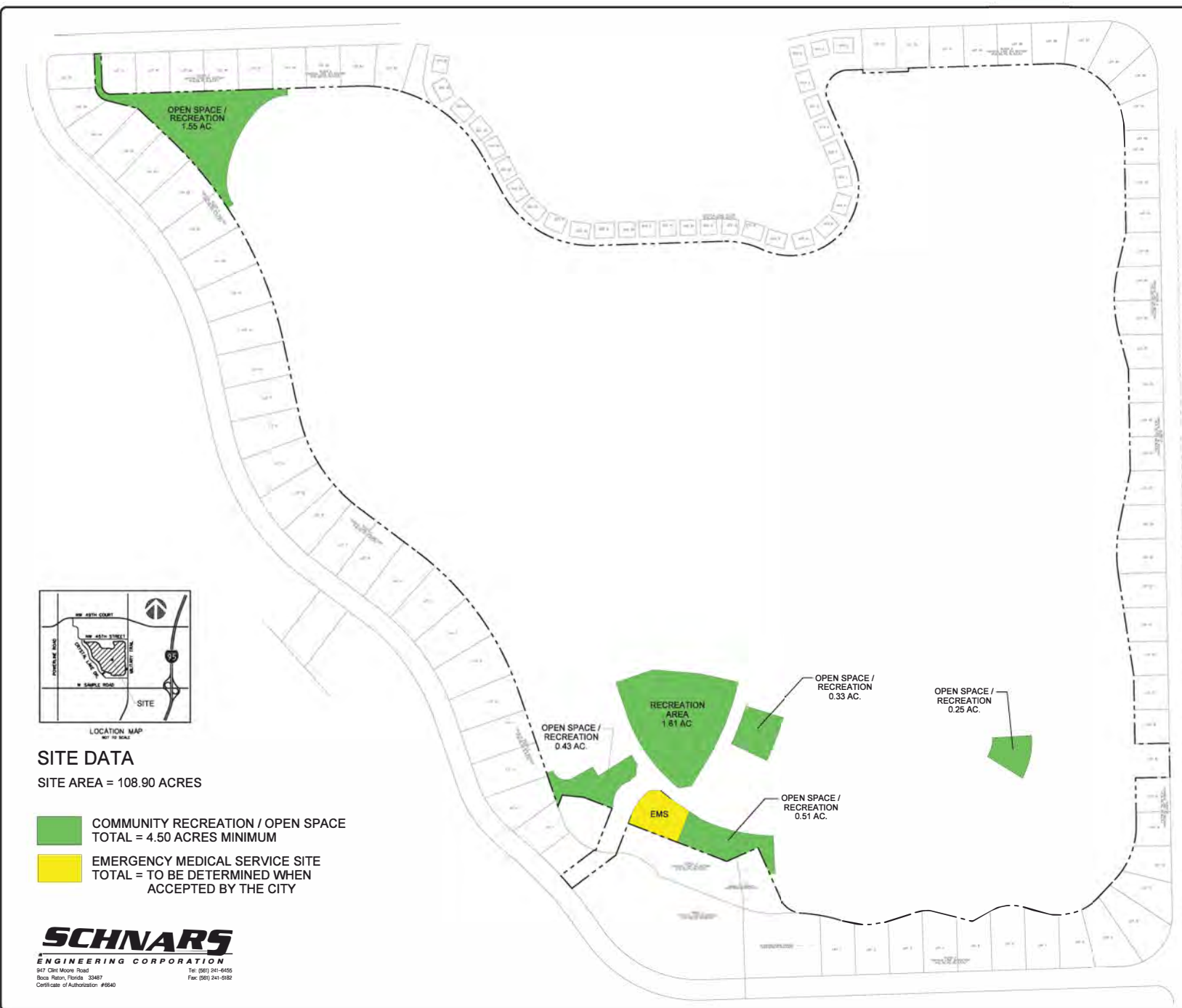
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. He/she is personally known to me or who has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Typed, printed or stamped name of Notary Public

My Commission Expires:



LOCATION MAP  
NOT TO SCALE

**SITE DATA**

SITE AREA = 108.90 ACRES

- COMMUNITY RECREATION / OPEN SPACE  
TOTAL = 4.50 ACRES MINIMUM
- EMERGENCY MEDICAL SERVICE SITE  
TOTAL = TO BE DETERMINED WHEN  
ACCEPTED BY THE CITY



347 Cliff Moore Road  
Boke River, Florida 32947  
Cert# of Authorization #6640  
Tel: (888) 341-8455  
Fax: (888) 341-8182



REVISIONS	BY

CRYSTAL LAKE P.U.D.  
COMMUNITY RECREATION / OPEN SPACE EXHIBIT

DEERFIELD BEACH, FLORIDA

JBA Julian Bryan & Associates urban design site planning rezoning property analysis market feasibility governmental processing

ISSUED	NOV 2016
REVISION	11/10/16
SCALE	AS SHOWN
DATE	11/10/16
BY	J.B.
CHECKED	J.B.
DATE	NOV 2016

## ATTACHMENT 13



### COMMUNITY OUTREACH SUMMARY CRYSTAL LAKE LAND USE PLAN AMENDMENT

Hoyer Homes at Crystal Lake, LLC (“Applicant”) has been conducting community outreach activities with the surrounding neighborhoods since March 2016. The Applicant has had informal meetings with homeowners’ association (“HOA”) boards, board members and with individual neighbors. There were informal public meetings held at the Crystal Lake Club House on March 7<sup>th</sup> 2016 and June 30<sup>th</sup> 2016. The March 7<sup>th</sup> meeting was with HOA representatives from the neighborhood. There were approximately 30 people in attendance. The June 30<sup>th</sup> meeting had a larger turnout of approximately 60 people from the neighborhood.

Prior to and during the City public hearing process, the Applicant held meetings with the surrounding property owners. Notice of these meetings was sent to property owners within 1,000 feet of the subject property. These meetings occurred on August 18, 2016 and September 14, 2016.

The City Planning and Zoning Board public hearing was held on July 7, 2016. The City Commission transmittal hearing was held on September 20, 2016. The City mailed notice of these hearings to all property owners within 300 feet of the subject property.

The Applicant’s representatives also held a meeting with the Serenity Place 3 HOA on October 20, 16.

ATTACHMENT 14



PARKS AND RECREATION DIVISION • Administrative Offices  
950 N.W. 38<sup>th</sup> St. • Oakland Park, FL 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-357-5991

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management  
Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

MEMORANDUM

RECEIVED


NOV 30 2016

BROWARD COUNTY  
PLANNING COUNCIL

November 21, 2016

To: Barbara Blake Boy, Executive Director  
Broward County Planning Council

Thru: <sup>DAN</sup> Dan West, Director  
Parks and Recreation Division

From: John R. Fiore, Planner   
Parks and Recreation Division

Re: **Land Use Plan Amendment Comments  
January 19, 2017 Meeting**

The Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan scheduled for the Planning Council’s first public hearing at their January 2017 meeting. Our comment is as follows:

**PC 17-5** No objections. However, regional park impact fees will be required at the time of platting, replatting, or a note on the face of the plat, to reflect the regional park impact fees to be paid for the 408 additional residential units which are proposed for construction on this site. Additionally, the Broward County Parks and Recreation Division strongly urges that the City of Deerfield Beach require the developer donate land in lieu of park impact fees for a neighborhood park in amendment area. At three acres per 1,000 people, this development would require 2.5 to 3 acres of park land.

If you or your staff has any questions about our comments, please call me at 954-357-8133.

**Broward County Board of County Commissioners**

Mark D. Bogen • Beam Furr • Dale V.C. Holness • Marty Kiar • Chip LaMarca • Stacy Ritter • Tim Ryan • Barbara Sharief • Lois Wexler  
Broward.org/Parks • Facebook.com/BrowardCountyParks • Twitter.com/BrowardParks • YouTube.com/BrowardCountyParks

# ATTACHMENT 15



Public Works Department - Water and Wastewater Services

**WATER MANAGEMENT DIVISION**

2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0751 • FAX 954-831-3285

## MEMORANDUM



November 17, 2016

TO: Barbara Blake Boy  
Executive Director Broward County Planning Council

FROM: Joe Heilman  
Broward County Water Management Division

SUBJECT: LAND USE PLAN AMENDMENT  
PC 17-5

I have reviewed the information in the package for the referenced Land Use Plan Amendment. The drainage information in the package is generally correct.

- PC 17-5

Our office has no objections or comments for this amendment.

Respectfully,

A handwritten signature in black ink, appearing to be "Joe Heilman".

Joe Heilman  
Construction Project Manager  
Broward County Water Management Division  
2555 W. Copans Road, Pompano Beach, FL 33069  
Office:(954)-831-0764  
Fax:(954) 831-3285  
E-mail: JHeilman@Broward.org

## ATTACHMENT 16



I am here to discuss the development proposals to displace an existing beautiful golf course called Crystal Lake Golf Club located in Deerfield Bch. Florida.

To begin, the highest and best use of the land is just what it is now, a golf course. Although there is a portion of society who despise the game of golf, a vast majority will contend for this golf course to remain as the highest and best use of the land. Last September; despite the numerous oppositions of the people who attended the city council meeting, our past city council allowed consideration to change the zoning laws for a housing development in place of the golf course. This should never be allowed.

Secondly, if the owners of the golf course are un-able to operate with a profit; then just like any other business in America that is un-able to operate with a profit, they must cut their losses and sell out. And so if the owners can not find a buyer, then the City needs to step in and make the purchase. A Deerfield Beach Municipal Country Club will be a great enhancement for the City.

Now some council members cite reports on the growing trend of golf courses; including municipal golf courses, that are going out of business and it would be unwise or difficult for us to take on such a venture. There is validity in this arguement. But if we are to laydown to this arguement, then we will eventually anihilate all golf courses to development. This is where the urgency begins. Crystal Lake Golf Course is the last golf course in Deerfield Beach that is available for the public. All other courses in Deerfield Beach have been anihilated for development.

And this is where I need to claim that every great city has a great Municipal Country Club. There are numerous Municipal Country Clubs that are operating in the positive. We need to to study these successful municipalities along with those that have failed and create a much needed and highly beneficial Deerfield Beach Municipal Country Club at Crystal Lake. With this being a Municapal course, we will be able to offer extra-curricular activities to the students besides the tainted football activities. We will be able to offer golf camps to all ages. As the City boasts to be in the top 10 cities in Florida, a competitive golf team will be a great addition to our ranking.

Along with the golf course, we need to provide for practice and teaching facilities. More specifically, we need to provide a driving range and putting green as well. It is crucial for the success. Currently, construction of a condominium complex has begun on a portion of this golf course that once was used as the driving range. Some how, our past commissioners suspicially passed the zoning laws for this specific piece of the golf course to be developed. Now as our past council has made this detrimental decision, just as any other entity that has made detrimental decisions, a price is to be paid.

I beleive, our new City Council and Mayor of Deerfield Beach must call for an emergency moratorium on all construction on the land that is or 'once was' associated with Crystal Lake Golf Course. For the better good of the people, this is a small price that must be paid by the City in order to reclaim and maintain the highest and best of the land. -A Golf Facility!

Submitted By Mr. Jerry Lee, Resident

# ATTACHMENT 17

**From:** Hymowitz, Larry  
**To:** ["DCPexternalagencycomments"; Blake Boy, Barbara](#)  
**Cc:** [Bush, Lois](#); [Smith, Dennis](#); ["epower@deerfield-beach.com"](#); [Dykstra, Lisa](#); [Von Stetina, Deanne](#); [Schwarz, Pete](#); [Biblo, Adam](#)  
**Subject:** Broward County 17-4ESR - FDOT District Four Review  
**Date:** Thursday, May 25, 2017 2:51:45 PM

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I am writing to advise you that the Department will not be issuing formal comments for the proposed Broward County future land use amendment with DEO reference number 17-4ESR.

The Department would like to submit technical assistance comments regarding this amendment, which changes the future land use plan map from Residential (25) dwelling units per acre (.34 acres) and Recreation Commercial (108.72 acres) to Residential (3.9) dwelling units per acre on former golf course property. This will allow 415 dwelling units. The Subject Property (Crystal Lake Golf Course) is located on the west side of Military Trail north of Sample Road.

## **Issue #1 – Lack of Strategic Intermodal System (SIS) Consultation**

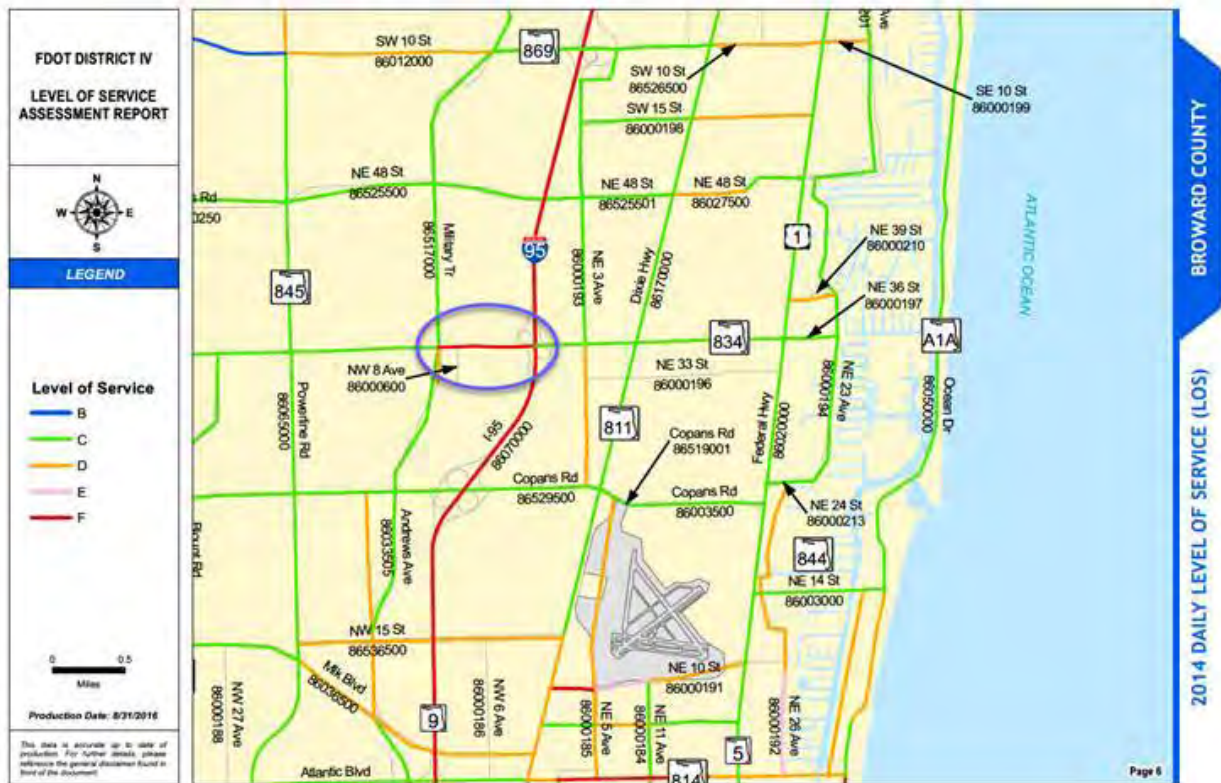
The proposed land use change is expected to produce additional trips in the amount of 3,563 daily, 392 pm peak hour and 859 am peak hour. The traffic analysis submitted with this amendment did not assign project trips to I-95, which is less than one mile from the site. The analysis allocated as much as 21% of project trips traveling east of Military Trail on Sample Road. Professional engineering judgement would assign a percentage of those project trips to I-95, a SIS facility. As such, the Department expects to be consulted, as required by ss. 163.3180(5)(h)1.a., Florida Statutes, when proposed amendments affect facilities on the SIS. This consultation, and active involvement by the Department, is necessary for important state facilities to be adequately addressed as part of proposed project phasing, proportionate share contributions, and determining an effective mitigation program.

## **Recommendation #1**

Since SIS consultation did not occur with this amendment, the Department is looking for an acknowledgement from the County that it understands the applicability of this requirement and is willing to adhere to it for future proposed comprehensive plan amendments. Furthermore, the County has detailed policies under Objective 3.5 in the Transportation Element to direct the County to coordinate with FDOT regarding development impacts on the SIS. The Department is appreciative of these policies in terms of their scope and in terms of their cooperative nature. We request that the County take these policies into consideration as it contemplates future development approval decisions consistent with the comprehensive plan.

## **Issue #2 – Level of Service Deficiencies**

The traffic analysis submitted with the amendment does not analyze transportation level of service impacts east of Military Trail along SR-834 (Sample Road) and including I-95 (mainline & interchange), a SIS facility. The graphic below indicates that I-95 and SR-834 are both currently experiencing average daily traffic level of service failures with or without the amendment. The County has not included discussion regarding how it will eliminate, reduce or mitigate adverse impacts on the SIS and Sample Road, a transportation facility of state importance.



## Recommendation #2

To minimize adverse impacts to SIS and regional facilities and protect the ability of the SIS to serve its strategic mobility function, the Department is including the following recommendation:

The County, in conjunction with the City of Deerfield Beach, should conduct additional analysis prior to adoption of this amendment that identifies effective strategies for improving bicycle, pedestrian and transit connections to the Tri-Rail station, which is located less than one mile from the proposed amendment site. This approach could improve the attractiveness of Tri-Rail as a viable mode of transportation for area residents and reduce impacts on the SIS and facilities of state importance, such as SR-834 (Sample Road). The County may already be aware that SIS mitigation strategies have been developed as part of the *I-95 Corridor Mobility Planning Project* (CMPP). Broward County played a key role as a stakeholder in contributing strategies for use in a database of strategies that could be shared with other local governments interested in preserving their quality of life by ensuring that mobility on I-95 can be sustained in the future. The County should carefully consider these strategies and seek partnerships and funding as applicable for timely and effective implementation to address the transportation impacts of infill and redevelopment. Access to the strategies tool can be found at: <http://i95-kittelson.rhcloud.com/>.

The City of Deerfield Beach contributed several strategies at the 2013 I-95 CMPP listening session that embraced relevant mitigation concepts and principles:

- Make enhancing Tri-Rail access a priority
- Make transit connections a priority
- Promote both employment and residential density around Tri-Rail (and other high capacity transit) stations
- Use the MPO's mobility funds for Complete Streets projects

Additional strategies from other stakeholders:



- Coordinate with the South Florida Regional Transportation Authority (SFRTA) and nearby Pompano Beach regarding the prioritization and implementation of projects contained in the SFRTA's bicycle and pedestrian access plan that identifies improvements for access to the Pompano Beach Tri-Rail station.
- Work with the SFRTA to enhance feeder service between the Crystal Lake residential area to the Pompano Beach Tri-Rail station.
- Develop a Multimodal Connectivity Program to determine bicycle, pedestrian, and transit needs, and use these needs in the development of the LRTP and TIP.
- Conduct walk audits for viable paths to the Tri-Rail station to identify simple 'low hanging fruit' improvements to enhance walkability.
- Consider the feasibility of requiring developments along key bicycling corridors to contribute to the bike share program.
- Review the City's code of ordinances and zoning designations to create a more welcoming environment for pedestrians and better achieve the City's multimodal transportation goals.

Other considerations:

- The Broward MPO has included reconstructing the intersection of Sample Rd and Military Trail as part of its 2040 cost feasible project list. This is a good opportunity to begin construction of a shared-use path along Military Trail, as recommended in the City's Complete Streets Implementation Plan.
- The Broward MPO's 2035 LRTP recommended reinstating fixed route bus service along Military Trail. This service is not included in the MPO's 2040 cost feasible project list, but it is part of the MPO's high-priority unfunded needs. The County should coordinate with Broward County Transit and the MPO to determine the feasibility of establishing this service as cost feasible and included in the Transportation Development Plan and the update to the MPO Long Range Transportation Plan cost feasible component.

The County's involvement on the I-95 CMPP Working Group has been valuable, especially in the recent effort to update implementation strategies. We greatly value the County's continued participation and look forward to working with the County in the future. The I-95 CMPP team anticipates reconvening the I-95 CMPP Working Group within the next several months to address updates to the Aspirational Future Vision Map and enhancements to the framework of facility types and place types. Please be on the lookout for emails from the project team on other next steps

The Department requests one copy, which may be on CD ROM in Portable Document Format (PDF), of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents. As part of the adoption submittal, the Department would appreciate if it could include a response to the comments provided in this correspondence. If you have any questions about these comments, please contact me at your earliest convenience. Please ensure that Department comments are made part of the public record and available to officials.

Thank you.

Larry Hymowitz  
 Planning Specialist – Policy Planning & Growth Management  
 Planning & Environmental Management - FDOT District Four  
 3400 West Commercial Boulevard  
 Fort Lauderdale, Florida 33309-3421  
 Phone: (954) 777-4663; Fax: (954) 677-7892  
[larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us)

## ATTACHMENT 18

### Planning Council Staff Response to Florida Department of Transportation (FDOT) Technical Assistance Comments

The Department would like to submit technical assistance comments regarding this amendment, which changes the future land use plan map from Residential (25) dwelling units per acre (.34 acres) and Recreation Commercial (108.72 acres) to Residential (3.9) dwelling units per acre on former golf course property. This will allow 415 dwelling units. The Subject Property (Crystal Lake Golf Course) is located on the west side of Military Trail north of Sample Road.

#### Issue #1 – Lack of Strategic Intermodal System (SIS) Consultation

**FDOT Comment:** The proposed land use change is expected to produce additional trips in the amount of 3,563 daily, 392 pm peak hour (ph) and 859 am ph. The traffic analysis submitted with this amendment did not assign project trips to I-95, which is less than one mile from the site.

**Response:** Planning Council staff notes that for the purpose of analyzing the transportation impacts created by a proposed land use plan amendment, the net trips projected to be generated are distributed onto the regional roadway network by Broward MPO staff utilizing the Florida Department of Transportation's 'Florida Standard Urban Transportation Model Structure' (FSUTMS). In this case, Planning Council staff requested that the Broward MPO distribute the 356 net pm ph trips generated by the proposed land use plan amendment. The FSUTMS model assigned project trips to interstate 95.

**FDOT Comment:** The analysis allocated as much as 21% of project trips traveling east of Military Trail on Sample Road.

**Response:** The FSUTMS model assigned 15.7%, or 56 pm ph trips to the segment of Sample Road between Military Trail and Interstate 95.

**FDOT Comment:** Professional engineering judgement would assign a percentage of those project trips to I-95, a SIS facility.

**Response:** The FSUTMS model assigned 3.4% of the project trips to the segment of I-95 Southbound consisting of Sample Road to Copans Road (or 12 pm ph trips), 1.9 % of the project trips to the segment of I-95 Northbound consisting of Copans Road to Sample Road (or 7 pm ph trips), zero (0) Northbound or Southbound trips to the segment of I-95 consisting of Sample Road to SW 10 Street, 2.3% of the project trips to the segment of I-95 Southbound consisting of Hillsboro Boulevard to SW 10 Street (or 8 pm ph trips), and 3.5% of the project trips to the segment of I-95 Northbound consisting of SW 10 Street Road to Hillsboro Boulevard (or 12 pm ph trips).

**FDOT Comment:** As such, the Department expects to be consulted, as required by ss. 163.3180(5)(h)1.a., Florida Statutes, when proposed amendments affect facilities on the SIS. This consultation, and active involvement by the Department, is necessary for important state facilities to be adequately addressed as part of proposed project phasing, proportionate share contributions, and determining an effective mitigation program.

**Response:** Planning Council staff determined that the number of pm ph trips projected to distributed to Interstate 95 were insignificant, amounting to no more than 12 pm ph trips on any segment, which amounts to 0.07% of the facility's 2040 pm ph level of service capacity of 16,840 vehicles per hour (3% = 505 pm ph trips).

Planning Council staff relies on adopted BrowardNext Policies 2.14.6 and 2.14.9 to guide the analysis of transportation impacts to the regional roadway network:

**POLICY 2.14.6** *Broward County and its local governments shall utilize the highway capacity methodology endorsed by the Broward Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.*

**Policy 2.14.9** *The impact analysis for proposed amendments to the Broward County Land Use Plan shall continue to consider as significant those regional roadway segments that are projected to experience, as a result of the net effect from the proposed amendment, an impact of three percent (3%) or greater than the pm ph level of service capacity for those regional roadway segments.*

Planning Council staff acknowledges and understands the requirements of ss. 163.3180(5)(h)1.a., Florida Statutes, and will consult FDOT when proposed amendments significantly or adversely impact facilities on the SIS per the referenced policies.

#### **Recommendation #1**

**FDOT Comment:** Since SIS consultation did not occur with this amendment, the Department is looking for an acknowledgement from the County that it understands the applicability of this requirement and is willing to adhere to it for future proposed comprehensive plan amendments. Furthermore, the County has detailed policies under Objective 3.5 in the Transportation Element to direct the County to coordinate with FDOT regarding development impacts on the SIS.

**Response:** Based on adopted BrowardNext Policies 2.14.6 and 2.14.9, Planning Council staff's analysis indicated that the proposed amendment did not significantly or adversely impact facilities on the SIS, and therefore consultation was unnecessary.

**FDOT Comment:** The Department is appreciative of these policies in terms of their scope and in terms of their cooperative nature. We request that the County take these policies into consideration as it contemplates future development approval decisions consistent with the comprehensive plan.

**Response:** Noted.

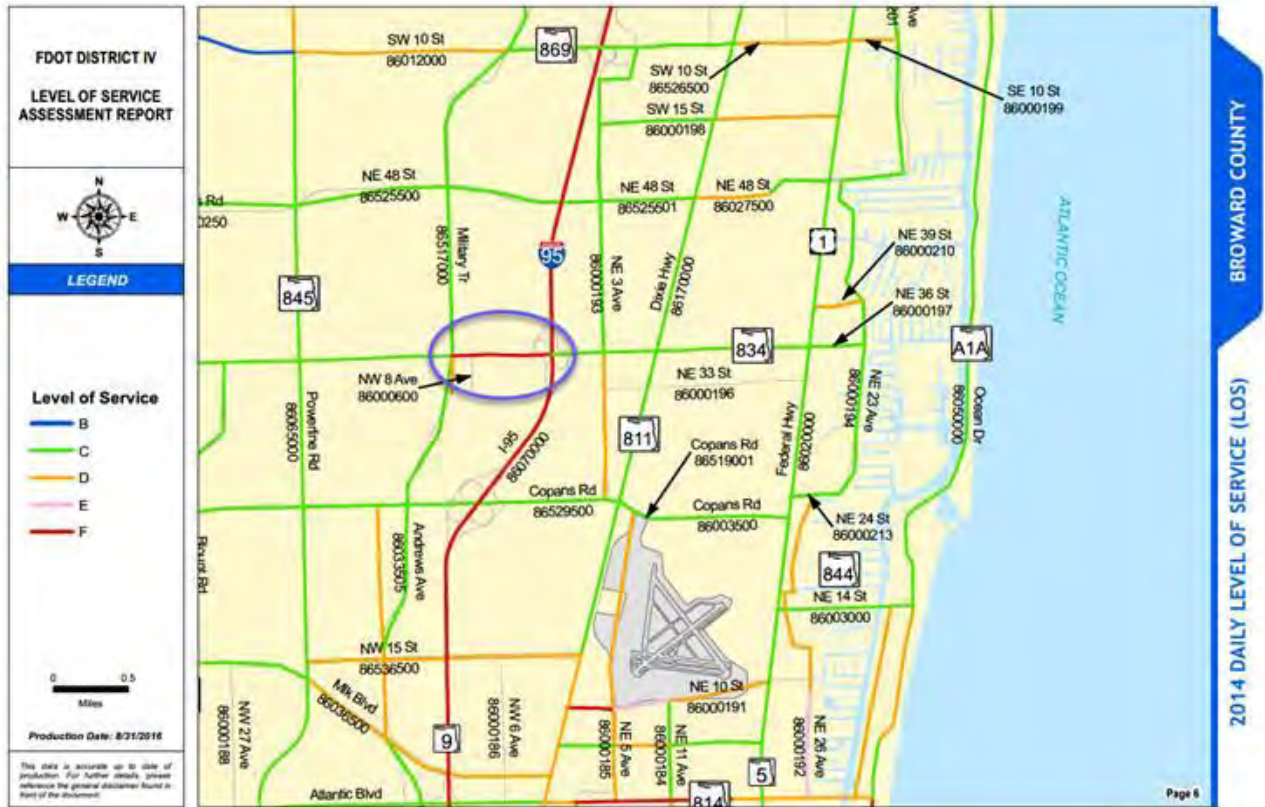
## **Issue #2 – Level of Service Deficiencies**

**FDOT Comment:** The traffic analysis submitted with the amendment does not analyze transportation level of service impacts east of Military Trail along SR-834 (Sample Road) and including I-95 (mainline & interchange), a SIS facility.

**Response:** Planning Council staff analyzes every regional roadway segment in Broward County, as the net trips projected to be generated are distributed onto the regional roadway network by Broward MPO staff through utilizing the Florida Department of Transportation's 'Florida Standard Urban Transportation Model Structure (FSUTMS). In this case, the FSUTMS model assigned 15.7%, or 56 pm ph trips to the segment of Sample Road between Military Trail and Interstate 95, 6.7%, or 24 pm ph trips to the segment of Sample Road between Interstate 95 and Dixie Highway, and 2.4%, or 9 pm ph trips to the segment of Sample Road between Dixie Highway and US 1). Regarding Interstate 95, the FSUTMS model assigned 3.4% of the project trips to the segment of I-95 Southbound consisting of Sample Road to Copans Road (or 12 pm ph trips), 1.9 % of the project trips to the segment of I-95 Northbound consisting of Copans Road to Sample Road (or 7 pm ph trips), zero (0) Northbound or Southbound trips to the segment of I-95 consisting of Sample Road to SW 10 Street, 2.3% of the project trips to the segment of I-95 Southbound consisting of Hillsboro Boulevard to SW 10 Street (or 8 pm ph trips), and 3.5% of the project trips to the segment of I-95 Northbound consisting of SW 10 Street Road to Hillsboro Boulevard (or 12 pm ph trips).

**FDOT Comment:** The graphic below indicates that I-95 and SR-834 are both currently experiencing average daily traffic level of service failures with or without the amendment. The County has not included discussion regarding how it will eliminate, reduce or mitigate adverse impacts on the SIS and Sample Road, a transportation facility of state importance.

**Response:** The proposed amendment to the Broward County Land Use Plan (BCLUP) is not considered to have generated a significant or adverse impact to the SIS or Sample Road, as neither of those facilities are projected to experience, as a result of the net effect from the proposed amendment, an impact of three percent (3%) or greater than the pm ph level of service capacity for those regional roadway segments. Therefore, no discussion regarding eliminating, reducing or mitigating adverse impacts was deemed appropriate per the policies of the BCLUP.



## Recommendation #2

**FDOT Comment:** To minimize adverse impacts to SIS and regional facilities and protect the ability of the SIS to serve its strategic mobility function, the Department is including the following recommendation:

The County, in conjunction with the City of Deerfield Beach, should conduct additional analysis prior to adoption of this amendment that identifies effective strategies for improving bicycle, pedestrian and transit connections to the Tri-Rail station, which is located less than one mile from the proposed amendment site. This approach could improve the attractiveness of Tri-Rail as a viable mode of transportation for area residents and reduce impacts on the SIS and facilities of state importance, such as SR-834 (Sample Road). The County may already be aware that SIS mitigation strategies have been developed as part of the *I-95 Corridor Mobility Planning Project* (CMPP). Broward County played a key role as a stakeholder in contributing strategies for use in a database of strategies that could be shared with other local governments interested in preserving their quality of life by ensuring that mobility on I-95 can be sustained in the future. The County should carefully consider these strategies and seek partnerships and funding as applicable for timely and effective implementation to address the transportation impacts of infill and redevelopment. Access to the strategies tool can be found at: <http://i95-kittelson.rhcloud.com/>.

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**Response:** Noted.

The County's involvement on the I-95 CMPP Working Group has been valuable, especially in the recent effort to update implementation strategies. We greatly value the County's continued participation and look forward to working with the County in the future. The I-95 CMPP team anticipates reconvening the I-95 CMPP Working Group within the next several months to address updates to the Aspirational Future Vision Map and enhancements to the framework of facility types and place types. Please be on the lookout for emails from the project team on other next steps

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# ATTACHMENT 19

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**From:** Cynthia Pasch [mailto:cynthia.pasch@gmlaw.com]  
**Sent:** Thursday, June 01, 2017 9:45 AM  
**To:** Blake Boy, Barbara <BBLAKEBOY@broward.org>; Von Stetina, Deanne <DVONSTETINA@broward.org>  
**Subject:** Crystal Lake

Good morning ladies,  
Our traffic engineer provided the following responses for the FDOT comments. Let me know your thoughts.

## **Issue #1 – Lack of Strategic Intermodal System (SIS) Consultation**

The proposed land use change is expected to produce additional trips in the amount of 3,563 daily, 392 pm peak hour and 859 am peak hour. The traffic analysis submitted with this amendment did not assign project trips to I-95, which is less than one mile from the site. The analysis allocated as much as 21% of project trips traveling east of Military Trail on Sample Road. Professional engineering judgement would assign a percentage of those project trips to I-95, a SIS facility. As such, the Department expects to be consulted, as required by ss. 163.3180(5)(h)1.a., Florida Statutes, when proposed amendments affect facilities on the SIS. This consultation, and active involvement by the Department, is necessary for important state facilities to be adequately addressed as part of proposed project phasing, proportionate share contributions, and determining an effective mitigation program.

**Response: A traffic analysis prepared for a Land Use Plan Amendment in Broward County is required to analyze roadways for which a project is expected to have a "significant impact". Significance was determined for all major roadways surrounding the project site. Based on the Broward County criteria, the project will be considered significant on a roadway link where the project traffic is expected to be three (3) percent or more of the LOS D link capacity threshold. Although a portion of the traffic is expected to use I-95, it is not expected to be significant and, therefore, was not analyzed as part of the study. The assignment of project trips onto the surrounding roadway network was based on preliminary model results provided by the Broward MPO for this project.**

## **Issue #2 – Level of Service Deficiencies**

The traffic analysis submitted with the amendment does not analyze transportation level of service impacts east of Military Trail along SR-834 (Sample Road) and including I-95 (mainline



& interchange), a SIS facility. The graphic below indicates that I-95 and SR-834 are both currently experiencing average daily traffic level of service failures with or without the amendment. The County has not included discussion regarding how it will eliminate, reduce or mitigate adverse impacts on the SIS and Sample Road, a transportation facility of state importance.

**Response: As indicated in the response to Issue #1, Significance was determined for all major roadways surrounding the project site based on the Broward County criteria. Based on the analysis prepared for the Land Use Plan Amendment, the project is not expected to have a significant impact on Sample Road east of Military Trail or I-95. Therefore, no further analysis or mitigation is required as part of the Land Use Amendment process.**

## GreenspoonMarder

Cynthia A. Pasch, AICP

Land Planner

200 East Broward Boulevard, Suite 1800

Fort Lauderdale, Florida 33301

Telephone: 954-527-6266

[cynthia.pasch@gmlaw.com](mailto:cynthia.pasch@gmlaw.com)

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