

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

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

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

11 Section 1. The Broward County Comprehensive Plan is hereby amended by
12 Amendment PC 17-8, which is an amendment to the Broward County Land Use Plan
13 located in the City of Plantation, as set forth in Exhibit "A," attached hereto and
14 incorporated herein.

15 Section 2. SEVERABILITY.

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

22 Section 3. EFFECTIVE DATE.

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

- 1 (1) Thirty-one (31) days after the Department of Economic Opportunity notifies
2 Broward County that the plan amendment package is complete;
- 3 (2) If the plan amendment is timely challenged, the date a final order is issued
4 by the Administration Commission or the Department of Economic
5 Opportunity finding the amendment to be in compliance;
- 6 (3) If the Department of Economic Opportunity or the Administration
7 Commission finds the amendment to be in noncompliance, pursuant to
8 Section 163.3184(8)(b), Florida Statutes, the date the Board of County
9 Commissioners nonetheless, elects to make the plan amendment effective
10 notwithstanding potential statutory sanctions; or
- 11 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as per
12 Exhibit "B," the date the Declaration of Restrictive Covenants or agreement
13 is recorded in the Public Records of Broward County.

14 (b) This Ordinance shall become effective as provided by law.

15 ENACTED

16 FILED WITH THE DEPARTMENT OF STATE

17 EFFECTIVE

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

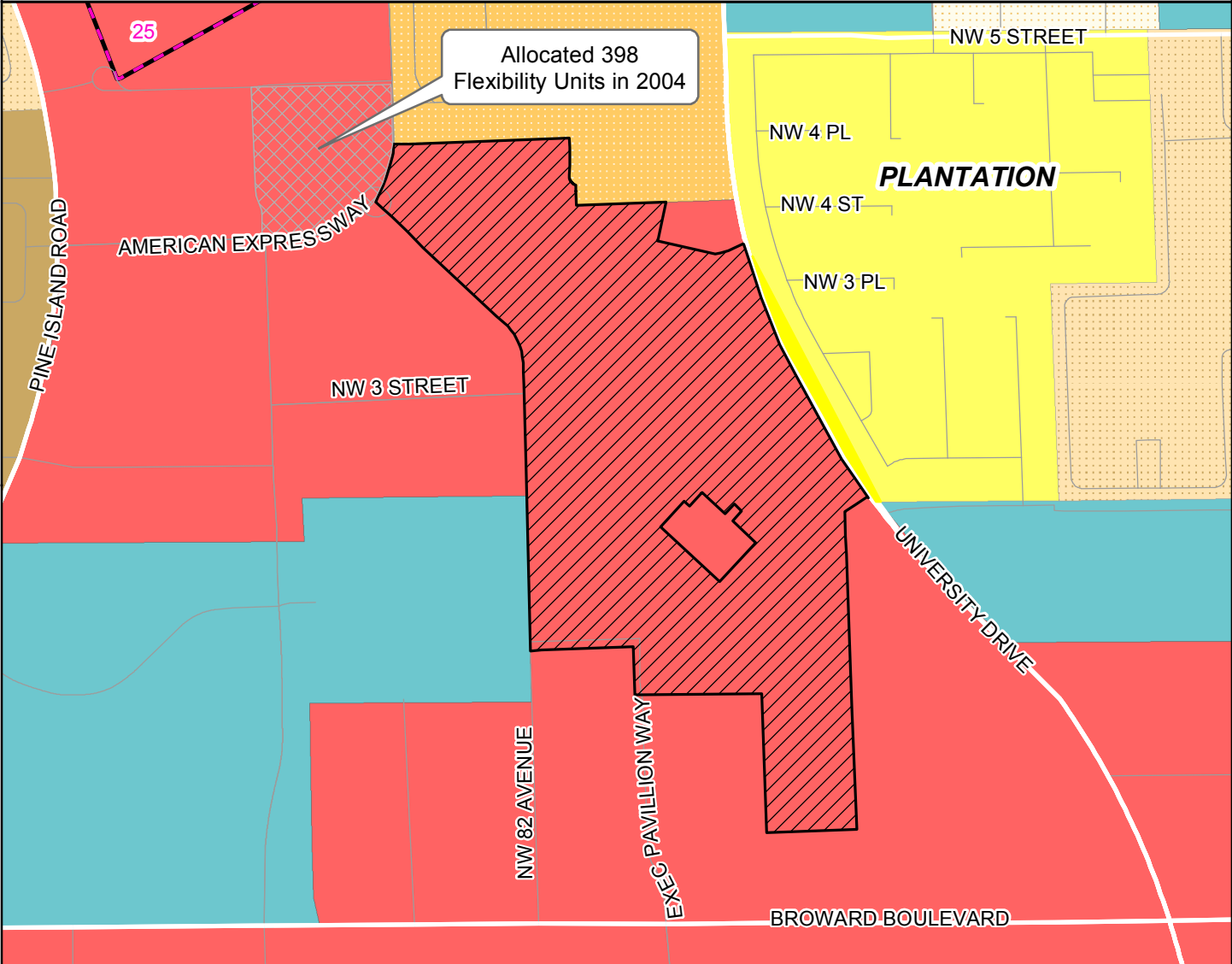
20
21 By /s/ Maite Azcoitia 08/22/17
22 Maite Azcoitia (date)
Deputy County Attorney

23 MA/gmb
08/22/17
24 #17-401.13
PC 17-8 City of Plantation Ord.doc

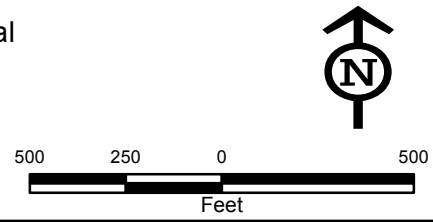
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 17-8

Current Land Use:	Commercial
Proposed Land Uses:	Dashed-Line Area consisting of 13.5 acres of Irregular (20.0) Residential and 21.6 Acres of Commerce
Gross Acres:	Approximately 35.1 acres



- | | |
|-----------------------------|------------------------------|
| Site | Medium (16) Residential |
| Low (3) Residential | Medium-High (25) Residential |
| Low (5) Residential | Commerce |
| Low-Medium (10) Residential | Community |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 17-8
(PLANTATION)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

April 18, 2017

Planning Council staff recommends **denial** of the proposed amendment, as it is not consistent with the goals, objectives and policies of the Broward County Land Use Plan (BCLUP), specifically:

Policy 1.07.07
(summarized)

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.

It is noted that the City of Plantation submitted additional information describing the City's strategy to satisfactorily achieve and/or maintain a sufficient affordable housing supply. Based on recent amendments in the City of Plantation (PC 17-2 and PC 17-7), the PDMD staff previously reviewed the additional information submitted by the City and found that the City met the requirements of Policy 1.07.07, including voluntary commitments to pay \$250 per dwelling unit towards the County's affordable housing programs. However, as of this writing, the applicant for this proposed amendment has not confirmed its commitment to pay \$250 per dwelling unit towards the County's affordable housing programs. Therefore, the proposed amendment has **not** yet been deemed to meet the requirements of Policy 1.07.07.

It is generally Planning Council staff's practice to recommend denial of amendments that do not demonstrate compliance with the goals, objectives and policies of the BCLUP, regardless of whether the amendment is being presented for the Planning Council's first or second public hearing. The subject amendment is being presented for the Planning Council's first public hearing.

Further, as the proposed amendment has not yet been deemed to meet BCLUP Policy 1.07.07 regarding affordable housing, should the Planning Council decide to make a positive recommendation, Planning Council staff would suggest that said recommendation be subject to the resolution of the issue of consistency with BCLUP Policy 1.07.07 regarding the affordable housing, prior to the Planning Council's second public hearing.

RECOMMENDATIONS/ACTIONS (continued)

DATE

II. Planning Council Transmittal Recommendation

April 27, 2017

Regarding **affordable housing**, the applicant submitted a voluntary commitment to pay \$250 per dwelling unit towards the County's affordable housing programs. The Broward County staff updated report indicates that the City's programs and policies demonstrate compliance with Policy 1.07.07, including the applicant's voluntary commitment to pay \$250 per dwelling unit towards the County's affordable housing programs.

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.

The Planning Council recommended approval of the proposed amendment subject to the applicant's voluntary commitment regarding affordable housing. Further, in lieu of the payment occurring at the time of building permit, the Council requested that the applicant submit an alternate payment plan prior to the second Planning Council public hearing. (Vote of the board; Unanimous: 16-0; Blackwelder, Brunson, Castillo, de Jesus, DiGiorgio, Gomez, Good, Graham, McColgan, Rosenof, Rosenzweig, Ryan, Seiler, Udine, Williams and Stermer)

(Planning Council staff notes that the April 25, 2017, adoption of BrowardNext will transition the Commercial land use designation to Commerce, effective June 2, 2017.)

III. County Commission Transmittal Recommendation

May 23, 2017

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

June 28, 2017

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

V. Planning Council Staff Final Recommendation

August 15, 2017

Planning Council staff finds that the proposed amendment from 35.1 acres of Commercial to a Dashed-Line Area consisting of 21.6 acres of Commerce and 13.5 acres of Irregular (20) Residential is generally consistent with the policies of the updated Broward County Land Use Plan, BrowardNext, as adopted on April 25, 2017. Therefore, it is recommended that the proposed amendment be approved, subject to the applicant's voluntary contribution of \$250 per dwelling unit to be used towards affordable housing programs.

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

August 15, 2017

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

August 24, 2017

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous: 13-0; Blackwelder, Blattner, DiGiorgio, Ganz, Gomez, Graham, Grosso, Rosenof, Rosenzweig, Ryan, Seiler, Williams and Stermer)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-8

INTRODUCTION AND APPLICANT’S RATIONALE

- I. Municipality: Plantation
- II. County Commission District: District 5
- III. Site Characteristics
 - A. Size: Approximately 35.1 acres
 - B. Location: In Section 4, Township 50 South, Range 41 East; generally located on the west side of University Drive, north of Broward Boulevard.
 - C. Existing Uses: Office and vacant
- IV. Broward County Land Use Plan (BCLUP) Designations
 - A. Current Designation: Commercial
 - B. Proposed Designations: Dashed-Line Area* consisting of:
21.6 acres of Commerce
13.5 acres of Irregular (20) Residential
 - C. Estimated Net Effect: Addition of 702 dwelling units [Zero (0) dwelling units currently permitted by the Broward County Land Use Plan]
Reduction of 13.5 acres of commercial use

*A “Dashed-Line Area” is defined as an area having a particular maximum overall allowable density of dwelling units for all land and land uses within the area for which the permitted overall density appears inside the dashed line area shown on the land use plan map. That number is multiplied by the total number of acres inside the dashed line, including non-residential areas, to calculate the total number of dwelling units permitted within the same.

