

## EXHIBIT 2

### RESOLUTION NO. 2017 -

1  
2 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
3 OF BROWARD COUNTY, FLORIDA, RELATING TO THE  
4 ADMINISTRATIVE RULES DOCUMENT: BROWARD COUNTY  
5 LAND USE PLAN; PROVIDING RULES FOR IMPLEMENTATION  
6 AND ADMINISTRATION OF THE BROWARDNEXT - BROWARD  
7 COUNTY LAND USE PLAN; AND PROVIDING FOR AN  
8 EFFECTIVE DATE.

9 WHEREAS, the Administrative Rules Document: Broward County Land Use Plan  
10 ("Administrative Rules Document") provides rules for implementation and administration  
11 of the Broward County Land Use Plan; and

12 WHEREAS, at its meeting of April 27, 2017, the Broward County Planning Council  
13 initiated the update of the Administrative Rules Document to reflect the BrowardNext -  
14 Broward County Land Use Plan; and

15 WHEREAS, the Board of County Commissioners deems it to be in the best  
16 interests of the residents of Broward County to approve the updates of the Administrative  
17 Rules Document, NOW, THEREFORE,

18 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
19 BROWARD COUNTY, FLORIDA:

20 Section 1. The Administrative Rules Document is hereby amended to reflect the  
21 BrowardNext - Broward County Land Use Plan as set forth in Exhibit 1 A, attached hereto.  
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23  
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# EXHIBIT A

**SECTION I**  
***“ADMINISTRATIVE RULES DOCUMENT:  
BROWARDNEXT”***

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Recommendation*

*October 17, 2017*

It is recommended that the proposed “Administrative Rules Document: BrowardNext” be approved.

*II. Planning Council Combined Executive and Land Use/Trafficways  
Committees Recommendation*

*October 26, 2017*

Approval per Planning Council staff recommendation.

*III. Planning Council Recommendation*

*October 26, 2017*

Approval per Planning Council Combined Executive and Land Use/Trafficways Committees recommendation. (Vote of the board; Unanimous: 16-0; Blackwelder, Blattner, Brunson, Castillo, DiGiorgio, Ganz, Gomez, Good, Graham, Grosso, Rosenof, Rosenzweig, Seiler, Udine, Williams and Stermer)

**SECTION II**  
***“ADMINISTRATIVE RULES DOCUMENT:  
BROWARDNEXT”***

**BACKGROUND INFORMATION**

On April 27, 2017, the Broward County Planning Council initiated the update of the “Administrative Rules Document” to reflect the BrowardNext - Broward County Land Use Plan adoption on April 25, 2017.

During the preparation of BrowardNext, some rules, guidelines, procedures and methodologies were adopted within the text and policies of the updated Plan, with the understanding that any remaining would be adopted within an implementation document. The implementation document will allow for modifications without undergoing the plan amendment procedures required under Florida Statute, Chapter 163. Appropriate portions of the Rules (Articles 1, 3 and 5) will also be approved and adopted by the Broward County Board of County Commissioners.

Under the 1989 Broward County Land Use Plan, these types of rules were adopted into the “Administrative Rules Document: Broward County Land Use Plan.” The existing “Administrative Rules Document” that implemented the previously effective 1989 Broward County Land Use Plan is attached for your reference.

**PUBLIC OUTREACH**

This item was presented at a workshop on June 29, 2017, and distributed to local governments and stakeholders for comment on August 2, 2017.

Comments were received from the City of Fort Lauderdale and are addressed in the Planning Analysis.

**SECTION III**  
***“ADMINISTRATIVE RULES DOCUMENT:  
BROWARDNEXT”***

**PLANNING ANALYSIS**

The “Administrative Rules Document” is maintained, as per the requirements of the BrowardNext - Broward County Land Use Plan (BCLUP), by the Broward County Planning Council for the purpose of providing direction, assistance and guidance to local governments, the general public, and Planning Council staff in implementing the BCLUP.

The updated and revised “Administrative Rules Document: BrowardNext” was developed with a philosophy to streamline the document to ensure that only the most pertinent and necessary information is included.

The following is a summary of the proposed updates:

**PROPOSED ARTICLES**

**ARTICLE 1:** Amendment to the Broward County Land Use Plan

**ARTICLE 2:** Certification of Local Land Use Plans

**ARTICLE 3:** Flexibility Rules, Redevelopment Units, Compatibility Determinations and Special Residential Facilities

**ARTICLE 4:** Platting

**ARTICLE 5:** Implementation of Affordable Housing Policy (Policy 2.16.2)

**ARTICLE 1**

- Former Article 4 - No Substantive Changes
- Rules and Regulations Regarding Amendment to the Broward County Land Use Plan
- Land Use Plan Transmittal Requirements
- Planning Council Public Hearings
- County Commission Transmittal and Adoption

**ARTICLE 2**

- Former Article 3 - No Substantive Changes
- Rules and Regulations for Certification of Local Land Use Plans
- Certification Process
- Provisional Certification
- Recertification of Local Amendments
- Conditional Recertification of Local Amendments
- Planning Council Second Public Hearing
- Subject to Conditions

## **PLANNING ANALYSIS (continued)**

### **ARTICLE 3**

- Former Articles 1, 2, 5, 6 and 9
- Unified Flexibility Zones
- Municipal Boundaries
- Flexibility Rules
- Compatibility Determinations
- Special Residential Facilities
- Annual Flexibility Report
- New Criteria Regarding Redevelopment Units
- Implementation of Policy 2.35.1

### **ARTICLE 4**

- Former Article 7
- Implementation of Policy 2.13.1
- Platting Requirements - No changes
- Platting Exemptions
- 10 acre maximum for pre-1953 specifically delineated parcels (4/25/17)
- Building the same use within the same footprint (11/15/01)
- Single-family infill development restricted to affordable housing for at least 15 years (3/23/17)
- Definitions – Update Florida Building Code reference

### **ARTICLE 5**

- Former Article 10
- Implementation of Policy 2.16.2 (Former Policy 1.07.07)
- Methodology – Meridian Appraisal Group Report
- “Recommended Methodology for Supply and Demand Analysis for Broward County’s Affordable Housing Market”
- American Community Survey
- Local government may submit additional data and analysis
- In-Lieu Contributions – No Changes
  - 15% set-aside
  - \$1 per square foot of gross floor area of dwelling unit

### **APPENDICES**

**Appendix 1:** Plan Amendment Requirements and Procedures and Checklist (Former Appendix 3)

**Appendix 2:** Checklist for Local Government Certification and Recertification (Former Appendix 2 and 3)

**Appendix 3:** Application for Broward County Land Use Plan/Redevelopment Units Receiving/Non-Receiving Areas (Former Appendix 5)

**Appendix 4:** Platting Determination Process Flowchart (Former Appendix 4)

**Appendix 5:** Fee Schedule (Former Appendix 6)

## **PLANNING ANALYSIS (continued)**

### **SUMMARY OF CHANGES**

- Eliminate Generalized Permitted Uses Chart
- Revise Local Government Certification Checklist to reflect BrowardNext Policies
- Streamline Broward County Land Use Plan Amendment Requirements Checklist
- Replace Flexibility Zone Boundary Modification Application with an Application for Broward County Land Use Plan Redevelopment Units Receiving/Non-Receiving Areas

Upon request for comments, written comments were submitted by the City of Fort Lauderdale staff regarding the following:

- Article 3: Clarification of the 20% commerce- to-residential flexibility rule.
  - **Planning Council Staff Response:** Noted. The reduction from 20% to 10% was a scrivener’s error in the draft. Article 3 reflects 20% consistent with Policy 2.3.4 of the BrowardNext – Broward County Land Use Plan.
- Appendix 2: The City requests clarification of the streamlined recertification process and to identify additional opportunities for the same.
  - **Planning Council Staff Response:** In 2015, Planning Council staff and the Council Attorney coordinated to develop a streamlined recertification process for the corresponding local amendment to Broward County Land Use Plan amendments, taking an action at its second public hearing that if the Broward County Land Use Plan amendment is adopted by the County Commission, the action by the Planning Council is considered a “conditional” recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification is not 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, as outlined in the *Administrative Rules Document*. The Planning Council Executive Director then issues a written letter of effectiveness to the municipality upon satisfaction of the same. Planning Council has amended Article 2.5.1 regarding “conditional” recertification to memorialize this process.

In addition, Planning Council staff is supportive of identifying additional procedures to streamline the recertification process and will provide an update of potential strategies to the Planning Council in late winter 2018.

- Compatibility Determinations: The City recommends retaining the Municipal and County notification requirements for allocations of flexibility contiguous to another municipality.
  - **Planning Council Staff Response:** Planning Council staff concurs and has added the previous existing criteria back in as Article 3.4 to address the comment.

### **RECOMMENDATION**

Planning Council staff recommends that the Administrative Rules Document: BrowardNext be approved.