

## EXHIBIT 2

**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN TEXT**  
**PROPOSED AMENDMENT PCT 18-1**

**“BrowardNext Corrective Amendments”**

**RECOMMENDATIONS/ACTIONS**

**DATE**

- I. Planning Council Staff Transmittal Recommendation October 17, 2017
- It is recommended that the proposed corrective amendments to the BrowardNext - Broward County Land Use Plan be approved. See Attachment 1.
- II. Planning Council Combined Executive and Land Use/Trafficways Committees Recommendation October 26, 2017
- Approval per Planning Council staff transmittal recommendation.
- III. Planning Council Transmittal 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)
- IV. County Commission Transmittal Recommendation December 5, 2017
- Approval per Planning Council transmittal recommendation.
- V. Summary of State of Florida Review Agency Comments January 9, 2018
- The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.
- VI. Planning Council Staff Final Recommendation March 13, 2018
- It is recommended that the proposed corrective amendments to the BrowardNext - Broward County Land Use Plan be approved, including additional correction to Policy 2.13.1 to change the word “the” to “a.” See Attachment 1.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

VII. Planning Council Final Recommendation

March 22, 2018

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous: 18-0; Blackwelder, Blattner, Breslau, Brunson, Castillo, DiGiorgio, Ganz, Gomez, Good, Graham, Grosso, Moraitis, Rosenof, Rosenzweig, Ryan, Udine, Williams and Stermer)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PCT 18-1**

**BACKGROUND INFORMATION**

The Broward County Board of County Commissioners adopted the update of the Broward County Land Use Plan – BrowardNext at its April 25, 2017, public hearing. Subsequent to the transmittal and ultimate adoption of BrowardNext, Planning Council staff has identified corrective amendments to the Broward County Land Use Plan that are necessary to reflect pertinent clarifications and interpretations and to rectify inadvertent omissions that impact the effective implementation of the Plan. At its May 25, 2017 meeting, the Broward County Planning Council initiated said corrective amendments, as well as any additional corrective amendments that may be identified prior to the public hearing.

**PUBLIC OUTREACH**

Planning Council staff presented the initial proposed corrective amendments at a public workshop on June 29, 2017. Subsequently, Planning Council staff distributed additional/updated corrective amendments through email communication, including three emails between July and August.

In an effort to encourage dialogue with municipalities and other interested parties, written comments have been, and continue to be accepted regarding the proposed corrective amendments. See Attachment 2 for all written comments received as of this writing.

Additional pertinent clarifications, interpretations and inadvertent omissions have been identified subsequent to the aforementioned outreach emails and those amendments are also included in Attachment 1. Planning Council staff will redistribute the proposed amendment to local governments and stakeholders during the transmittal phase.

**Update: March 13, 2018:** Comments submitted by the Broward County Planning and Development Management Division were inadvertently omitted from the initial report. While the comments were distributed to the Planning Council for consideration in August 2017, they were not included in the initial preparation of the report. Please see Attachment 3. In addition, Planning Council staff responses can be found in Attachment 4.

In addition, the proposed amendment was sent to all municipal mayors, managers and planners, as well as interested parties, during the State of Florida review. No comments were received. See Attachment 5.

**SECTION III**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PCT 18-1**

**PLANNING ANALYSIS**

Based on Planning Council staff analysis and stakeholder input, the following corrective amendments to the BrowardNext – Broward County Land Use Plan have been identified to reflect pertinent clarifications, interpretations and rectify inadvertent omissions, as follows:

**BrowardNext – Section 2: Policies**

- Policy 2.2.7 and Policy 2.2.8 regarding density calculations and flexibility rules east of the Intracoastal Waterway.
- Policy 2.4.20 regarding requirements for Activity Center development reporting requirements.
- Policy 2.13.1 regarding memorializing formal platting interpretation exemptions.  
**Update: March 13, 2018:** One additional clarification of a word from “the” to “a” in reference to building permit issuance, as requested by the Broward County Planning and Development Management Division.
- Policy 2.22.3 regarding the timing of the update of the Generalized Wetlands Map.

**BrowardNext – Section 2: Permitted Uses**

- Clarification regarding allocations of flexibility and redevelopment units as permitted in Commerce land use category.
- Clarification of Special Residential Facilities as permitted in Commerce land use category, requiring the allocation of flexibility or redevelopment units.
- Clarification to remove reserve unit reference and replace with redevelopment unit reference in the Commercial Recreation, Residential, Rural Estates and Rural Ranches land use permitted uses, as well as the Special Residential Facilities description.

**BrowardNext – Section 2: Definitions**

- Building Permit definition to update Florida Building Code references.
- Electrical Power Plant definition which was previously inadvertently omitted from BrowardNext adoption and remains same as 2002 text adoption.

See Attachment 1 for the proposed text amendment and the rationale.

Planning Council staff presented the foregoing proposed changes at a public workshop and through email communications. See Attachment 2 for all written comments received as of this writing.

Regarding the written comment that Policy 2.35.1 should be updated, staff has identified that no amendment is required, as the scenario for “fewer than 250 combined “flexibility units” or “redevelopment units”” remains accurate.

**RECOMMENDATION**

Planning Council staff recommends that the proposed corrective amendments to the BrowardNext – Broward County Land Use Plan be approved.

**SECTION IV**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PCT 18-1**

**ATTACHMENTS**

1. Proposed Amendment PCT 18-1, including Explanation of Proposed Changes
2. Stakeholder Comments

**Update: March 13, 2018:**

3. Broward County Planning and Development Management Division comments dated August 22, 2017
4. Email Correspondence from Barbara Blake Boy, Executive Director, Broward County Planning Council, to Jo Sesodia, Director, Broward County Planning and Development Management Division, dated February 21, 2018
5. Email Correspondence from Barbara Blake Boy, Executive Director, Broward County Planning Council, to Municipal Mayors, Managers and Planning Directors and Interested Parties, dated February 21, 2018

# ATTACHMENT 1

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN  
PROPOSED TEXT AMENDMENT  
PCT 18-1  
(Updated: February 21, 2018)

## Corrective Amendments – Section 2: Policies

**POLICY 2.2.7** Within areas east of the Intracoastal Waterway, land designated for residential uses which is utilized for office and/or neighborhood retail purposes through the five percent (5%) residential-to-commercial flexibility rule as per Policy 2.3.3 shall not be counted in calculations to determine allowable residential density. This Policy shall not apply to an application of the five percent (5%) residential-to-commercial flexibility rule which has been applied by the local government through (re)zoning or other official action prior to November 5, 2004.

**(Rationale: Inadvertently omitted from BrowardNext adoption. Previously known as Policy 1.01.05)**

**POLICY 2.2.8** Within areas east of the Intracoastal Waterway, land designated for residential uses which has been utilized in calculations to determine allowable residential density shall not be eligible for use as office and/or neighborhood retail purposes through the five percent (5%) residential-to-commercial flexibility rule as per Policy 2.3.3. This Policy shall not apply to an application of the five percent (5%) residential-to-commercial flexibility rule which has been applied by the local government through (re)zoning or other official action prior to November 5, 2004.

**(Rationale: Inadvertently omitted from BrowardNext adoption. Previously known as Policy 1.01.06.)**

**POLICY 2.4.20** An interlocal agreement between the municipality and Broward County must be executed no later than six months from the effective date of the adoption of an Activity Center which provides that monitoring of development activity and enforcement of permitted land use densities and intensities shall be the responsibility of the affected municipality. A written record reflecting the current status of allocated or assigned dwelling units and floor area square footage for non-residential development for each Activity Center within the municipality’s boundary shall be transmitted to the Planning Council twice per year, during the months of January and July. The referenced written record shall include a tally sheet reflecting the current total dwelling units and floor area square footage for non-residential development as follows:

1. Dwelling units and floor area square footage for non-residential development included per valid plats which have been approved by the municipality and which have restrictive notes reflecting the level of development; and
2. Dwelling units and floor area square footage for non-residential development included per valid site plans which have been approved by the municipality and which are not included per plats as described in 1. above; and

3. Dwelling units and floor area square footage for non-residential development of existing uses which are not included per plats or site plans as described in 1. and 2. above.

**(Rationale: Moved from Administrative Rules Document. Reporting requirement reduced from four times per year to twice per year.)**

**POLICY 2.13.1** No unit of local government may grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the Broward County Commission and recorded in the official records of Broward County subsequent to June 4, 1953. This section will not apply to an application for a building permit which meets any of the following criteria:

- (1) construction of two or fewer residential dwelling units. Applications for two or fewer residential dwelling units on property under the same ownership, within 500 feet of property exempted within the past twelve (12) months, shall not be exempt.
- (2) construction on any multi-family or non-residential lot or parcel which is less than ten (10) acres in size and the majority of which is specifically delineated on a plat recorded on or before June 4, 1953;
- (3) construction of a replacement building in which the proposed reconstruction will be utilized for the same general use, is equal to or less than the gross area of the original principal building and will be located within the same general footprint. (For the purpose of this guideline, "original building" means the total gross floor area devoted to the principal use on a parcel as of November 22, 1978. November 22, 1978 was the effective date of the 1977 Broward County Land Use Plan countywide platting requirement.)
- (4) construction of single-family, infill development that is deed-restricted to affordable housing for a time period of at least fifteen (15) years. For the purposes of this exemption, infill development shall be defined as, "the development of new housing on scattered vacant sites in a built-up area."

- ~~(3)~~ (5) the a building permit may be issued for a parcel of land for which plat approval has been given by the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government and the County. Such agreements shall at a minimum require compliance with the applicable provisions of plat approval and shall prohibit the issuance of a certificate of occupancy until the plat is recorded. The municipality and county shall be required to make a finding that facilities and services will be available at the adopted level of service standards concurrent with the issuance of the building permit; or

**(Rationale: Clarification as requested by the Broward County Planning and Development Management Division; added subsequent to transmittal hearings)**

~~(4)~~ (6) a building permit may be issued for an essential governmental facility after preliminary plat review where the Broward County Commission finds that immediate construction of the governmental facility is essential to the health, safety, or welfare of the public and where the Board determines that public facilities and services will be available at the adopted level of service standards concurrent with the impact of the development of the governmental facility. Such a finding shall be made in a resolution if Broward County is the government seeking to construct the facility and issue the permit; and by agreement with the affected units of local government in other circumstances. A certificate of occupancy shall not be issued until the plat is recorded.

Provided that in addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:

- (1) compliance with the applicable land development regulations; and
- (2) any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan has been conveyed to the public by deed or grant of easement.

The Broward County Board of County Commissioners shall not approve for recordation in the Official Records any plat of lands that is not in compliance with the Broward County Land Use Plan or with a certified local land use plan.

**(Rationale: Memorializes Formal Planning Council interpretations: Number 3: made November 15, 2001 and Number 4: made March 23, 2017.)**

**POLICY 2.22.3** Broward County shall ~~bi-annually~~ update the Generalized Wetlands Map of the Broward County Land Use Plan at least once every two years to recognize Environmental Resource Licenses issued by the Broward County Environmental Protection and Growth Management Department and establishment of specific wetland mitigation areas.

**(Rationale: Clarification of intent of word "bi-annually.")**

## **Corrective Amendments – Section 2: Permitted Uses**

### **COMMERCE USE**

The areas designated for commerce use on the Future Broward County Land Use Plan Map (Series), provide land area for commercial, employment center, industrial and office park enterprises which support the resident and tourist populations of Broward County. Accordingly, municipal land use designations that are under the umbrella of commerce include Commercial, Employment Center, Industrial and Office Park.

The permitted uses in areas designated commerce are as follows, as deemed appropriate by the local jurisdiction:

- .
- .
- .

11. Residential uses, up to 10 acres (up to 20 acres for projects that include a minimum of 15% affordable housing restricted to such use for a minimum of 15 years), ~~except for areas east of the Intracoastal Waterway,~~ are permitted via local government allocation of “flexibility units” and/or “redevelopment units,” provided that total residential uses do not exceed ~~10%~~ 20% of the land area designated “Commerce” or equivalent land use designation within the municipality. Areas east of the Intracoastal Waterway are limited to a maximum of 25 dwelling units per acre and are not permitted to utilize “redevelopment units.”

**(Rationale: Inadvertently omitted from BrowardNext adoption. 25 dwelling unit maximum was previously included and is being provided for clarification; 20% flexibility rule is consistent with Policy 2.3.4) [Please note that this corrective amendment was identified subsequent to the public workshop; however, the proposed language has been previously distributed to stakeholders for comment.]**

13. Special Residential Facilities Category (1), (2) and (3) as defined in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

a. Special Residential Facility Category (1) development shall be subject to the allocation of one (1) flexibility or redevelopment unit in accordance with the provisions and policies as contained in the “Administrative Rules Document: Broward County Land Use Plan.”

b. Special Residential Facility Category (2) development shall be subject to the allocation of two (2) flexibility or redevelopment units in accordance with provisions and policies as contained in the “Administrative Rules Document: Broward County Land Use Plan.”

c. Special Residential Facility Category (3) development shall be subject to the allocation of flexibility or redevelopment units in accordance with the provisions and policies as contained in the “Administrative Rules Document: Broward County Land Use Plan”; each flexibility or redevelopment unit shall permit two (2) sleeping rooms regardless of the number of kitchens or baths.

**(Rationale: Inadvertently omitted from BrowardNext adoption. Previously included.)**

## **COMMERCIAL RECREATION USE**

Commercial Recreation areas are designated on the Future Broward County Land Use Plan Map (Series) to accommodate major public and private commercial recreation facilities which offer recreational opportunities to the residents and tourists of Broward County. Although some of these facilities operate as an adjunct to or an integral part of other types of development, most of these facilities were conceived as profit-making enterprises. Commercial recreation ventures in Broward County can be divided into two categories; golf courses and commercial recreation associated with structures and/or indoor facilities.

The permitted uses in areas designated commercial recreation are as follows, as deemed appropriate by the local jurisdiction:

- .
- .
- .
- 4. Recreational vehicle sites at a maximum density of ten (10) sites per gross acre if permanent location of recreational vehicles on the site is permitted by the local land development regulations, or twenty (20) sites per gross acre if such location is prohibited by the local land development regulations; subject to the allocation by the local government of available flexibility or ~~reserve~~ redevelopment units.

**(Rationale: Scrivener’s error to update reference from reserve unit to redevelopment unit; reserve units are now known as flexibility units with the adoption of BrowardNext definitions and redevelopment units are the new pool of units available once flexibility units have been depleted) [Please note that this corrective amendment that was identified subsequent to the public workshop and email distribution.]**

### **RESIDENTIAL USE**

The areas designated for residential use on the Future Broward County Land Use Map (Series) are intended primarily for dwellings, but other land uses related to a residential environment, including neighborhood shopping centers, neighborhood parks and schools may also be appropriate therein.

The permitted uses in areas designated residential are as follows, as deemed appropriate by the local jurisdiction:

- .
- .
- .
- 11. Special Residential Facilities; subject to: meeting one of the Category definitions as contained in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan; meeting density provisions by Category type stated below; and the limitations as expressed by the certified land use plan map; and if applicable, the provisions regarding the use and allocation of ~~reserve~~ redevelopment units, flexibility units or bonus sleeping rooms as contained in the “Administrative Rules Document: Broward County Land Use Plan.”

**(Rationale: Scrivener’s error to update reference from reserve unit to redevelopment unit; reserve units are now known as flexibility units with the adoption of BrowardNext definitions and redevelopment units are the new pool of units available once flexibility units have been depleted) [Please note that this corrective amendment that was identified subsequent to the public workshop and email distribution.]**

### **RURAL ESTATES**

Areas are designated Rural Estates on the Future Broward County Land Use Plan Map (Series) to protect the semi-rural character and lifestyle of existing low density residential estate areas. Rural estate areas are characterized by residential estates, horse ranches and related agricultural uses. The maximum permitted density within this category is one unit per acre. Limited

community facility and utility uses are permitted for the purposes of serving the rural estate communities. Application of flexibility/~~reserve~~ redevelopment units and commercial flexibility is not permitted within areas designated Rural Estates.

**(Rationale: Scrivener’s error to update reference from reserve unit to redevelopment unit; reserve units are now known as flexibility units with the adoption of BrowardNext definitions and redevelopment units are the new pool of units available once flexibility units have been depleted) [Please note that this corrective amendment that was identified subsequent to the public workshop and email distribution.]**

## **RURAL RANCHES**

Areas are designated Rural Ranches on the Future Broward County Land Use Plan Map (Series) to protect the semi-rural character and lifestyle of existing low density rural ranch areas. Rural ranch areas are characterized by residential estates, horse ranches and related agricultural uses. The maximum permitted density within this category is one unit per two and one-half gross acres or one unit per two net acres. Limited community facility and utility uses are permitted for the purposes of serving the rural ranch communities. Application of flexibility/~~reserve~~ redevelopment units and commercial flexibility is not permitted within areas designated Rural Ranches.

**(Rationale: Scrivener’s error to update reference from reserve unit to redevelopment unit; reserve units are now known as flexibility units with the adoption of BrowardNext definitions and redevelopment units are the new pool of units available once flexibility units have been depleted) [Please note that this corrective amendment that was identified subsequent to the public workshop and email distribution.]**

## **SPECIAL RESIDENTIAL FACILITIES**

.  
. .

The Broward County Land Use Plan defines categories of Special Residential Facilities, in accordance with Broward County Ordinance 85-92, for the purpose of determining permitted locations and density standards.

Special Residential Facilities development such as group homes and foster care facilities are defined by category type below and are subject, when applicable, to the Special Residential Facilities provisions and allocation of ~~reserve~~ redevelopment, flexibility, or bonus sleeping rooms as contained in the “Administrative Rules Document: Broward County Land Use Plan.” In order to facilitate implementation of this section, each local government may permit a maximum of one hundred (100) “bonus” sleeping rooms, consistent with Broward County Ordinance 85-92, that are permanently dedicated to Special Residential use without allocating density.

**(Rationale: Scrivener’s error to update reference from reserve unit to redevelopment unit; reserve units are now known as flexibility units with the adoption of BrowardNext definitions and redevelopment units are the new pool of units available once flexibility units have been depleted) [Please note that this corrective amendment that was identified subsequent to the public workshop and email distribution.]**

## Corrective Amendments – Section 2: Definitions

BUILDING PERMIT - means:

- (1) Any permit for the erection or construction of a new building required by ~~Section 301.1 of the South Florida Building Code, 1984, Broward Edition,~~ as amended.
- (2) Any permit for an addition to an existing building which would:
  - a. create one or more additional dwelling units, or
  - b. involve a change in the occupancy of a building as described in ~~Section 104.7 of the South Florida Building Code, 1984, Broward Edition,~~ as amended.
- (3) Any permit which would be required for the nonresidential operations included in ~~Section 301.1(a) of the South Florida Building Code, 1984, Broward Edition,~~ as amended.

**(Rationale: Updates definition to address Administrative Rules cross-reference) [Please note that this corrective amendment was identified subsequent to the public workshop; however, the proposed language has been distributed to stakeholders for comment.]**

ELECTRICAL POWER PLANT – means an electrical generating facility where electricity is produced for the purpose of supplying twenty-five megawatts (MW) or more to utility power distribution systems.

**(Rationale: Inadvertently omitted from BrowardNext adoption. Previously included and remains exactly the same as 2002 adoption of definition.)**

NOTE: Proposed deletions are indicated by ~~strike-through~~ and proposed additions are indicated by underlined text. **Update: March 13, 2018: Bold and underlined** text is a proposed addition to Policy 2.13.1 by the Broward County Planning and Development Management Division that was added subsequent to transmittal hearings.

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**Subject:** RE: UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft

**From:** Jean Dolan [<mailto:Jean.Dolan@copbfl.com>]

**Sent:** Tuesday, August 15, 2017 3:47 PM

**To:** Blake Boy, Barbara <[BBLAKEBOY@broward.org](mailto:BBLAKEBOY@broward.org)>

**Subject:** RE: UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft

Barbara – Based on our conversation this afternoon, I think Policy 2.35.1 needs to be edited as I’ve shown below. No one will have “combined” flex and redevelopment units until after the first allocation and after the first allocation of 500 redevelopment units, you can’t get more until you only have 5% left (25 units.)

Take a look and see if you agree.

Jean

### **REDEVELOPMENT UNITS**

**POLICY 2.35.1** “Redevelopment Units” are defined as additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2017 BrowardNext Broward County Land Use Plan.

Municipalities that have fewer than 250 combined “flexibility units” or “redevelopment units” may apply to the Broward County Planning Council for the allocation of “redevelopment units” in allocations of 500 dwelling units, or 10% of the number of dwelling units permitted by the certified municipal land use plan, whichever number is less, subject to the following:

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**From:** Blake Boy, Barbara [<mailto:BBLAKEBOY@broward.org>]

**Sent:** Tuesday, August 15, 2017 2:21 PM

**Subject:** RE: UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

My apologies but the August 2 email did not have the proper proposed amendment attachment that is referenced in the body of the email.

This attachment replaces the previous version. The additions to this document are the same as cited on August 2:

- Clarification of the Commerce permitted uses to affirm that flexibility units can continue to be utilized on the barrier island at a maximum of 25 du/acre. (bottom of page 5)
- An update to the Building Permit definition to reference the Florida Building Code, as amended (deleting the obsolete reference to the South Florida Building Code) (top of page 6)

Please feel free to contact me if you have any questions or need additional time for review due to this error. Thank you for your understanding.

Barbara



**Barbara Blake Boy**, Executive Director

115 South Andrews Avenue, Room 307 | Fort Lauderdale, Florida 33301

954.357.6982 (direct) | [Broward.org/PlanningCouncil](http://Broward.org/PlanningCouncil)

“You can never plan the future by the past.” – Edmund Burke

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**From:** Blake Boy, Barbara

**Sent:** Wednesday, August 02, 2017 11:08 AM

**Subject:** UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

I am pleased to share the draft Administrative Rules Document for the implementation of the updated BrowardNext – Broward County Land Use Plan. A pdf file of the document is attached, as well as a document describing a summary of changes. As with the development of the updated Broward County Land Use Plan, staff focused on streamlining the implementation requirements, including the applications and reporting requirements. The changes were presented as part of the June 29 workshop.

In addition to the Administrative Rules Document, I have attached an updated proposed amendment document for comment. There are two additions subsequent to the workshop and they can be found on the final page of the document:

- The first addition updates the Building Permit definition to reference the Florida Building Code, as amended (deleting the obsolete reference to the South Florida Building Code)
- The second addition clarifies the Commerce permitted uses to affirm that flexibility units can continue to be utilized on the barrier island at a maximum of 25 du/acre.

**The deadline for all comments is extended to August 25. It is anticipated that the first Planning Council public hearing for the text amendments and Administrative Rules Document will be held on September 28, 2017.**

Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara



**Barbara Blake Boy**, Executive Director

115 South Andrews Avenue, Room 307 | Fort Lauderdale, Florida 33301

954.357.6982 (direct) | [Broward.org/PlanningCouncil](http://Broward.org/PlanningCouncil)

“You can never plan the future by the past.” – Edmund Burke

**From:** Blake Boy, Barbara

**Sent:** Tuesday, July 11, 2017 12:50 PM

**Subject:** Request for Comments - Enhancement and Corrective Amendments - BrowardNext

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

Thank you to everyone who attended and participated in the June 29, 2017, workshop to review the proposed enhancement and corrective amendments to BrowardNext – Broward County Land Use Plan, as initiated by the Broward County Planning Council at its May 25, 2017, meeting.

The proposed amendments are attached in strike-through/underline format for your review and the following is a summary of the same:

- **BrowardNext – Section 2: Policies**
  - Policies 2.2.7 and 2.2.8 regarding clarification of prohibition of double-dipping related to non-residential and residential flexibility allocations on the barrier island;
  - Policy 2.4.20 regarding submittal of Activity Center reports to twice a year;
  - Policy 2.13.1 regarding platting and exemptions;
  - Policy 2.17.6 regarding the protection of transportation corridors to potentially include aerial encroachment; and
  - Policy 2.22.3 regarding clarification of wetlands map update to at least once every other year.
- **BrowardNext – Section 2.A: Permitted Uses**
  - Commerce Use: Clarification of Special Residential Facilities as permitted in Commerce land use category, requiring the allocation of flexibility or redevelopment units; and
  - Electrical Generation Facilities Use: Update of the category and permitted uses.
- **BrowardNext – Definitions**
  - Add the Electrical Generation Facilities definition that was inadvertently omitted.
- **Additional request:** Please submit any additional platting exemptions to the Planning Council staff for review and possible inclusion in Policy 2.13.1.

**We request that comments regarding the proposed amendments be submitted no later than August 18, 2017. It is anticipated that the first Planning Council public hearing will be held on September 28, 2017.**

In addition, a draft of the Administrative Rules Document will be forwarded to you in the next two weeks for your comment.

Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara



**Barbara Blake Boy**, Executive Director

115 South Andrews Avenue, Room 307 | Fort Lauderdale, Florida 33301

954.357.6982 (direct) | [Broward.org/PlanningCouncil](http://Broward.org/PlanningCouncil)

“You can never plan the future by the past.” – Edmund Burke

**From:** Williams, Sharon  
**To:** [Blake Boy, Barbara](#)  
**Subject:** RE: Request for Comments - Enhancement and Corrective Amendments - BrowardNext  
**Date:** Tuesday, July 25, 2017 7:56:49 AM  
**Attachments:** [image001.png](#)

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Hi Barbara. I don't think we have any comments but I'll forward to Mike to see if he does

**Sharon L. Williams**

Planning Administrator (P/T)  
Planning Administrator, Planning and Economic Development Department  
City of Pembroke Pines  
601 City Center Way, 3<sup>rd</sup> Floor  
Pembroke Pines, FL 33025  
954.392.2100 (Office) • [swilliams@ppines.com](mailto:swilliams@ppines.com)

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**From:** Blake Boy, Barbara [<mailto:BBLAKEBOY@broward.org>]  
**Sent:** Tuesday, July 11, 2017 12:50 PM  
**Subject:** Request for Comments - Enhancement and Corrective Amendments - BrowardNext

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

Thank you to everyone who attended and participated in the June 29, 2017, workshop to review the proposed enhancement and corrective amendments to BrowardNext – Broward County Land Use Plan, as initiated by the Broward County Planning Council at its May 25, 2017, meeting.

The proposed amendments are attached in strike-through/underline format for your review and the following is a summary of the same:

- **BrowardNext – Section 2: Policies**
  - Policies 2.2.7 and 2.2.8 regarding clarification of prohibition of double-dipping related to non-residential and residential flexibility allocations on the barrier island;
  - Policy 2.4.20 regarding submittal of Activity Center reports to twice a year;
  - Policy 2.13.1 regarding platting and exemptions;
  - Policy 2.17.6 regarding the protection of transportation corridors to potentially include aerial encroachment; and
  - Policy 2.22.3 regarding clarification of wetlands map update to at least once every other year.
- **BrowardNext – Section 2.A: Permitted Uses**
  - Commerce Use: Clarification of Special Residential Facilities as permitted in Commerce land use category, requiring the allocation of flexibility or

redevelopment units; and

- Electrical Generation Facilities Use: Update of the category and permitted uses.

- **BrowardNext – Definitions**

- Add the Electrical Generation Facilities definition that was inadvertently omitted.

- **Additional request:** Please submit any additional platting exemptions to the Planning Council staff for review and possible inclusion in Policy 2.13.1.

**We request that comments regarding the proposed amendments be submitted no later than August 18, 2017. It is anticipated that the first Planning Council public hearing will be held on September 28, 2017.**

In addition, a draft of the Administrative Rules Document will be forwarded to you in the next two weeks for your comment.

Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara

“You can never plan the future by the past.” – Edmund Burke

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**From:** Goldstein, Matthue  
**To:** [Blake Boy, Barbara](#)  
**Cc:** [Silva, Eric B.](#)  
**Subject:** RE: UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft  
**Date:** Thursday, August 03, 2017 11:21:06 AM

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Good morning, Barbara.

Hope this email reaches you well. The City of Miramar has no additional comments at this time.

Thank you.  
-matt

### **Matthue Goldstein**

Senior Planner | Community and Economic Development Department  
City of Miramar | 2200 Civic Center Place, Miramar, FL 33025  
O: 954.602.3281 | F: 954.602.3646 | [mgoldstein@miramarfl.gov](mailto:mgoldstein@miramarfl.gov)  
Hours: M – Th., 7am – 6pm, F – Closed | [www.miramarfl.gov](http://www.miramarfl.gov)  
*It's Right Here In Miramar... And So Are You!*

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**From:** Woods Richardson, Kathleen  
**Sent:** Thursday, August 03, 2017 5:45 AM  
**To:** Silva, Eric B. <[ebsilva@miramarfl.gov](mailto:ebsilva@miramarfl.gov)>  
**Cc:** Gunn, Kathleen <[kgunn@miramarfl.gov](mailto:kgunn@miramarfl.gov)>; Abdine, Sylwia E. <[seabdine@miramarfl.gov](mailto:seabdine@miramarfl.gov)>  
**Subject:** Fwd: UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft

Begin forwarded message:

**From:** "Blake Boy, Barbara" <[BBLAKEBOY@broward.org](mailto:BBLAKEBOY@broward.org)>  
**Subject:** **UPDATED: Request for Comments - Enhancement and Corrective Amendments - BrowardNext and Administrative Rules Document Draft**

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

I am pleased to share the draft Administrative Rules Document for the implementation of the updated BrowardNext – Broward County Land Use Plan. A pdf file of the document is attached, as well as a document describing a summary of changes. As with the development of the updated Broward County Land Use Plan, staff focused on streamlining the implementation requirements, including the applications and reporting requirements. The changes were presented as part of the June 29 workshop.

In addition to the Administrative Rules Document, I have attached an updated proposed amendment document for comment. There are two additions subsequent to the workshop and they can be found on the final page of the document:

- The first addition updates the Building Permit definition to reference the Florida

Building Code, as amended (deleting the obsolete reference to the South Florida Building Code)

- The second addition clarifies the Commerce permitted uses to affirm that flexibility units can continue to be utilized on the barrier island at a maximum of 25 du/acre.

**The deadline for all comments is extended to August 25. It is anticipated that the first Planning Council public hearing for the text amendments and Administrative Rules Document will be held on September 28, 2017.**

Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara

[Barbara Blake Boy](#)



“You can never plan the future by the past.” – Edmund Burke

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**From:** Blake Boy, Barbara

**Sent:** Tuesday, July 11, 2017 12:50 PM

**Subject:** Request for Comments - Enhancement and Corrective Amendments - BrowardNext

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

Thank you to everyone who attended and participated in the June 29, 2017, workshop to review the proposed enhancement and corrective amendments to BrowardNext – Broward County Land Use Plan, as initiated by the Broward County Planning Council at its May 25, 2017, meeting.

The proposed amendments are attached in strike-through/underline format for your review and the following is a summary of the same:

o **BrowardNext – Section 2: Policies**

- Policies 2.2.7 and 2.2.8 regarding clarification of prohibition of double-dipping related to non-residential and residential flexibility allocations on the barrier island;
- Policy 2.4.20 regarding submittal of Activity Center reports to twice a year;
- Policy 2.13.1 regarding platting and exemptions;
- Policy 2.17.6 regarding the protection of transportation corridors to potentially include aerial encroachment; and

- Policy 2.22.3 regarding clarification of wetlands map update to at least once every other year.
- **BrowardNext – Section 2.A: Permitted Uses**
  - Commerce Use: Clarification of Special Residential Facilities as permitted in Commerce land use category, requiring the allocation of flexibility or redevelopment units; and
  - Electrical Generation Facilities Use: Update of the category and permitted uses.
- **BrowardNext – Definitions**
  - Add the Electrical Generation Facilities definition that was inadvertently omitted.
- **Additional request:** Please submit any additional platting exemptions to the Planning Council staff for review and possible inclusion in Policy 2.13.1.

**We request that comments regarding the proposed amendments be submitted no later than August 18, 2017. It is anticipated that the first Planning Council public hearing will be held on September 28, 2017.**

In addition, a draft of the Administrative Rules Document will be forwarded to you in the next two weeks for your comment.

Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara

“You can never plan the future by the past.” – Edmund Burke

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Please note: Florida has a very broad public records law. Most written communications to or from City officials regarding city business are public records, and are available to the public and media upon request. Your e-mail communications, including your email address, may therefore be subject to public disclosure. This message, together with any attachments, is intended only for the addressee. It may contain information which is legally privileged, confidential and exempt from public disclosure. If you have received this e-mail in error, please notify the City of Miramar immediately by return e-mail.

## ATTACHMENT 3



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:** August 22, 2017

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

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

**SUBJECT:** Broward Land Use Plan – BrowardNEXT Enhancements and Corrective Amendments



The Broward County Planning and Development Management Division (PDMD) staff has reviewed proposed enhancement and corrective amendments and has the following comments:

1. Policy 2.4.20: PDMD recommends to add “gross” in front of all references to floor area square footage to ensure consistency with the County’s note amendments and development review requirements for impact fees. This will also be consistent with the language on Policy 2.13.1(3).

PDMD also recommends reporting annually at the same time as the Flex Report.

Insert “the number and type of” when referring to total dwelling units. This will ensure consistency with the County’s note amendments and development review requirements for impact fees which are based on the type of dwelling unit (i.e., single family, garden apartment, midrise, etc.)

*The referenced written record shall include a tally sheet reflecting **the number and type of** current total dwelling units and **gross** floor area square footage for non-residential development as follows:*

2. Policy 2.13.1(4): Consider the addition of deed-restricted multi-family development (i.e., townhomes, villas) in addition to single family, in order to promote affordable housing at all price levels. Scattered vacant sites/noncontiguous properties are already exempt from platting if there are two or less dwelling units therefore this criteria may seem redundant.
3. Policy 2.13.1(5): Replace “the” with “a” as follows:

*~~the~~ **a** building permit may be issued for a parcel of land for which plat approval has been given by the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government and the County*

Broward County Board of County Commissioners

Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine  
www.broward.org

4. Policy 2.17.6: The PDMD supports the Planning Council's amendment, as written, to ensure "aerial encroachments" are included in the evaluation of development setbacks to protect right-of-way along Broward County Trafficways.
5. Commerce Use: Further clarify if "Commerce" can be a nonresidential use in an Activity Center.
6. Regarding proposed revisions to the Electrical Generation Facilities Use permitted uses, PDMD respectfully comments as follows:
  - PDMD objects to the deletion of existing permitted use no. 2 "Other uses determined to be ancillary to the primary use." As the land use classification is meant to primarily support electrical generation facilities, the allowance of uses ancillary to the primary use should be retained.
  - PDMD objects to the proposed inclusion of "utility uses, such as water and waste water treatment plants, pumping stations,...., electrical substations, and solid waste facilities." For lands which have been previously reviewed and designated for an electrical generation facility primary or ancillary use, the proposed additional uses may not be suitable as an alternate primary use as they may be incompatible and present potential adverse impacts. Concerning the proposal to add "renewable energy facilities," such facilities are generally considered electrical generation facilities. Therefore, listing such uses may be considered redundant. It is also noted that, presently, Broward County staff is working on the next phase of "BrowardNEXT" (due to be completed in 2018) which will update the County's Comprehensive Plan, and will further address the County's policies concerning utility facilities and services.

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).

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department  
Lenny Vialpando, Deputy Director, Environmental Protection and Growth Management Dept.  
Maribel Feliciano, Assistant Director, Planning and Development Management Division

## ATTACHMENT 4

**From:** Blake Boy, Barbara  
**Sent:** Wednesday, February 21, 2018 10:54 AM  
**To:** Sesodia, Josie <[JSESODIA@broward.org](mailto:JSESODIA@broward.org)>  
**Subject:** PDMD August 22, 2017 Memo Follow Up

Hi Jo—

My apologies for the delayed response to the Planning and Development Management Division comments dated August 22, 2017. As we briefly discussed in early December, not addressing all of the agency comments as part of PCT 18-1 clean up text amendment was an oversight. At that time we agreed that I would advise you of which comments could be addressed during the adoption hearings. In consultation with the Council's Attorney, please note the comments below:

1. *Policy 2.4.20*: PDMD recommends to add “gross” in front of all references to floor area square footage to ensure consistency with the County's note amendments and development review requirements for impact fees. This will also be consistent with the language on Policy 2.13.1(3).

**Comment: Noted. In consultation with the Council's Attorney, this could be considered substantive in nature and is not able to be added for the second public hearing as requires vetting.**

PDMD also recommends reporting annually at the same time as the Flex Report.

**Comment: The Administrative Rules Document previously required quarterly reports. Policy 2.4.20 is being updated to require reports twice per year.**

Insert “the number and type of” when referring to total dwelling units. This will ensure consistency with the County's note amendments and development review requirements for impact fees which are based on the type of dwelling unit (i.e., single family, garden apartment, midrise, etc.)

**Comment: Noted. Applications for land use plan amendments are filed by municipalities. Some applications include a breakdown of unit types and others have a total number of dwelling units; however, the analysis for facilities and services is treated appropriately to consider a reasonable development scenario for projected impacts, especially for schools. As you are aware, impact fees are paid on a project by project basis; some are associated with plats or plat note amendments and some are not. Those associated with plats or plat note amendments are reviewed by Planning Council staff for consistency with the effective land use. Planning Council staff review finds that the plats or plat note amendments associated with BrowardNext – Broward County Land Use Plan Activity Center designations that do include a breakdown of unit types are often troublesome, as a municipality may be ‘out’ of that unit type. The more generic total number of units allows for greater flexibility.**

*The referenced written record shall include a tally sheet reflecting **the number and type of current total dwelling units and gross floor area square footage for non-residential development as follows:***

**Comment: Noted. Please see comments above.**

2. *Policy 2.13.1(4): Consider the addition of deed-restricted multi-family development (i.e., townhomes, villas) in addition to single family, in order to promote affordable housing at all price levels. Scattered vacant sites/noncontiguous properties are already exempt from platting if there are two or less dwelling units therefore this criteria may seem redundant.*

**Comment: Noted. However, in consultation with the Council’s Attorney, this could be considered substantive in nature and is not able to be added for the second public hearing as requires vetting. Planning Council staff is developing a text amendment to address additional exemptions to the platting policy and this could be included as part of that future amendment.**

3. *Policy 2.13.1(5): Replace “the” with “a” as follows:*

*~~the~~ a building permit may be issued for a parcel of land for which plat approval has been given by the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government and the County*

**Comment: Noted and now included in amendment PCT 18-1.**

4. *Policy 2.17.6: The PDMD supports the Planning Council’s amendment, as written, to ensure “aerial encroachments” are included in the evaluation of development setbacks to protect right-of-way along Broward County Trafficways.*

**Comment: Noted. Support will be included in a future amendment to the BrowardNext – Broward County Land Use Plan text.**

5. *Commerce Use: Further clarify if “Commerce” can be a nonresidential use in an Activity Center.*

**Comment: Noted. “Commerce” is not prohibited as a nonresidential use in Activity Centers. This may be addressed in a future text amendment.**

6. Regarding proposed revisions to the Electrical Generation Facilities Use permitted uses, PDMD respectfully comments as follows:

- PDMD objects to the deletion of existing permitted use no. 2 “Other uses determined to be ancillary to the primary use.” As the land use classification is meant to primarily support electrical generation facilities, the allowance of uses ancillary to the primary use should be retained.
- PDMD objects to the proposed inclusion of “utility uses, such as water and waste water treatment plants, pumping stations,...., electrical substations, and solid waste facilities.” For lands which have been previously reviewed and designated for an electrical generation facility primary or ancillary use, the proposed additional uses may not be suitable as an alternate primary use as they may be incompatible and present potential adverse impacts. Concerning the proposal to add “renewable energy facilities,” such facilities are generally considered electrical generation facilities. Therefore, listing such uses may be considered redundant. It is also noted that, presently, Broward County staff is working on the next phase of “BrowardNEXT” (due to be completed in 2018) which will update the County’s Comprehensive Plan, and will further address the County’s policies concerning utility facilities and services.

**Comment: Based on the comments, the Planning Council voted at its August 24, 2017, meeting to hold any proposed amendment to the Electrical Generation Facilities text in abeyance until further notification from the County.**

Thank you for providing the above comments. Planning Council staff looks forward to continuing a positive working relationship with your Division. Please feel free to contact me if you have any questions.

Barbara

**Barbara Blake Boy, Executive Director**

115 South Andrews Avenue, Room 307

Fort Lauderdale, Florida 33301

954.357.6982 (direct) [www.Broward.org/PlanningCouncil](http://www.Broward.org/PlanningCouncil)

“There is nothing good or bad but thinking makes it so.” – William Shakespeare

## ATTACHMENT 5

**From:** Blake Boy, Barbara

**Sent:** Wednesday, February 21, 2018 11:00 AM

**Subject:** 2nd Public Hearing - Corrective Amendments - BrowardNext

(Please note that this email is being sent to all municipal mayors, managers and planners, as well as interested parties)

Greetings—

As you may recall the Planning Council initiated corrective amendments to BrowardNext – Broward County Land Use Plan to address any items that were overlooked during the transmittal and adoption process. The content was presented at a June 29, 2017, workshop and subsequently distributed for comment to municipalities and interested parties.

The proposed amendment was favorably considered by the Planning Council at its October 26, 2017, public hearing, and transmitted by the County Commission to the State of Florida review agencies in December. In preparation for the second Planning Council public hearing and tentative adoption by the County Commission, I am distributing the proposed amendment for final comment with one minor edit to Policy 2.13.1 regarding clarification of the building permit reference as described below; aside from that, **the document remains the same as the first public hearing.**

BrowardNext – Section 2: Policies

- Policy 2.2.7 and Policy 2.2.8 regarding density calculations and flexibility rules east of the Intracoastal Waterway.
- Policy 2.4.20 regarding requirements for Activity Center development reporting requirements.
- Policy 2.13.1 regarding memorializing formal platting interpretation exemptions.  
**Update:** One additional clarification of a word from “the” to “a” in reference to building permit issuance, as requested by the Broward County Planning and Development Management Division. (highlighted in yellow on attachment)
- Policy 2.22.3 regarding the timing of the update of the Generalized Wetlands Map.

BrowardNext – Section 2: Permitted Uses

- Clarification regarding allocations of flexibility and redevelopment units as permitted in Commerce land use category.
- Clarification of Special Residential Facilities as permitted in Commerce land use category, requiring the allocation of flexibility or redevelopment units.
- Clarification to remove reserve unit reference and replace with redevelopment unit reference in the Commercial Recreation, Residential, Rural Estates and Rural Ranches land use permitted uses, as well as the Special Residential Facilities description.

BrowardNext – Section 2: Definitions

- Building Permit definition to update Florida Building Code references.
- Electrical Power Plant definition which was previously inadvertently omitted from BrowardNext adoption and remains same as 2002 text adoption.

**Important Note: In addition to the referenced amendment, the Planning Council directed staff to continue to review potential platting exemptions and staff continues to accept written comment in that regard. Please provide any written comments at your convenience.**

Please provide any additional comments no later than March 7, 2018. Please feel free to contact me if you have any questions. Thank you for your continued support.

Barbara

**Barbara Blake Boy**, Executive Director

115 South Andrews Avenue, Room 307

Fort Lauderdale, Florida 33301

954.357.6982 (direct) [www.Broward.org/PlanningCouncil](http://www.Broward.org/PlanningCouncil)

“There is nothing good or bad but thinking makes it so.” – William Shakespeare