

**EXHIBIT 2**

ORDINANCE NO. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN WITHIN THE CITY OF DEERFIELD BEACH; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the Broward County Comprehensive Plan on April 25, 2017 (the Plan); and

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

WHEREAS, Broward County now wishes to propose an amendment to the Broward County Land Use Plan within the City of Deerfield Beach; and

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, has held its hearings on March 22, 2018, and June 28, 2018, with due public notice; and

WHEREAS, the Board of County Commissioners held its transmittal public hearing on April 24, 2018, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes; and

WHEREAS, the Board of County Commissioners held an adoption public hearing on September 13, 2018, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was accepted and comments of the Department of Economic Opportunity, South Florida Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State, Department of Transportation, Fish and

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

3 WHEREAS, the Board of County Commissioners, after due consideration of all  
4 matters, hereby finds that the following amendment to the 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 18-7, which is an amendment to the Broward County Land Use Plan  
13 located in the City of Deerfield Beach, 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 will be stricken, and such striking will not affect the validity of the remainder of this  
18 Ordinance. If any court determines that this Ordinance, or any portion hereof, cannot be  
19 legally applied to any individual, group, entity, property, or circumstance, such  
20 determination will not affect the applicability hereof to any other individual, group, entity,  
21 property, or circumstance.

22 Section 3. EFFECTIVE DATE.

23 (a) The effective date of the plan amendment set forth in this Ordinance will be  
24 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 will 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 Andrew J. Meyers, County Attorney

20  
21 By /s/ Maite Azcoitia 07/12/18  
22 Maite Azcoitia (date)  
Deputy County Attorney

23 MA/gmb  
07/12/18

24 PC18-7 City of Deerfield Beach Ord  
Imanage File #80041

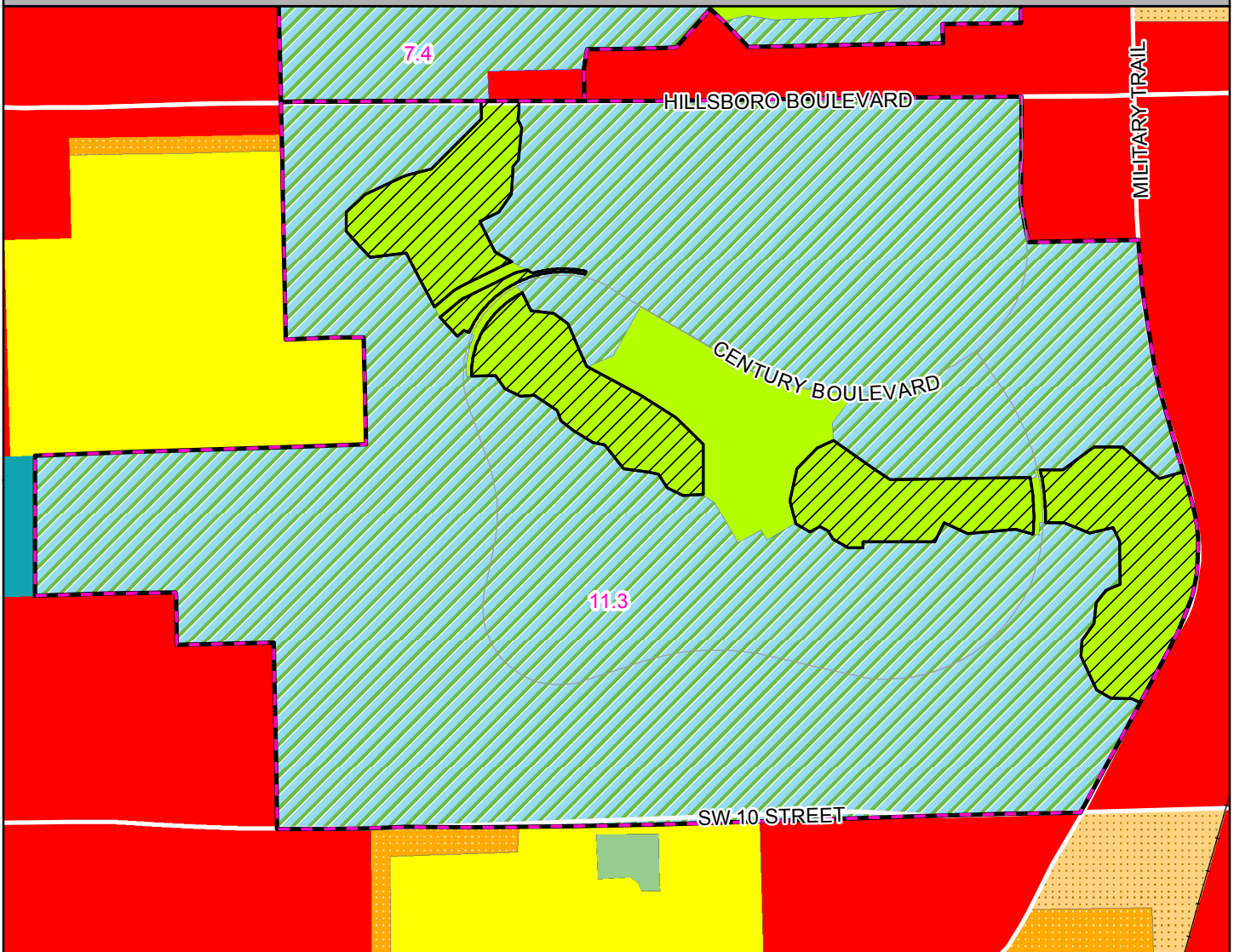
# EXHIBIT A

## BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 18-7

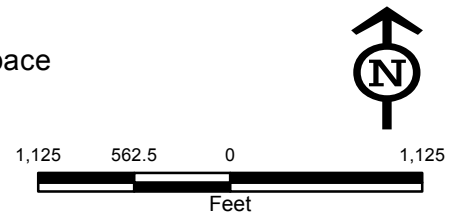
**Current Land Use:** Commercial Recreation within a Dashed-Line Area

**Proposed Land Uses:** 25.1 acres of Low-Medium (10) Residential and 57.9 acres of Recreation and Open Space within a Dashed-Line Area

**Gross Acres:** Approximately 83 acres



- |   |   |
|---|---|
|  Site                        |  Irregular Residential     |
|  Dashed-Line Area            |  Commerce                  |
|  Low (5) Residential         |  Recreation and Open Space |
|  Low-Medium (10) Residential |  Commercial Recreation     |
|  Medium (16) Residential     |  Community                 |



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 18-7**  
**(DEERFIELD BEACH)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

- I. Planning Council Staff Transmittal Recommendation March 13, 2018

**(Please see Planning Council Staff Final Recommendation on page I-2.)**

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan (BCLUP). Therefore, it is recommended that the proposed amendment be approved.

Further, the Broward County Planning and Development Management Division (PDMD) staff has requested that prior to the Planning Council's second public hearing, the City of Deerfield Beach provide additional information regarding the City's plans to address the current and future supply of very-low income rental housing units. Planning Council staff has no objection to the PDMD request; however, it is noted that the data and analysis submitted has been deemed to meet Policy 2.16.2 and that any supplemental material provided is for informational purposes only.

In addition, the City's commitment to submit a corrective amendment to the BCLUP for the remaining Century Village Dashed-Line Area within one (1) year of final action on this amendment is recognized.

- II. Planning Council Transmittal Recommendation March 22, 2018

Approval per Planning Council staff transmittal recommendation. (Vote of the board; 13-2; Yes: Breslau, Brunson, Castillo, DiGiorgio, Ganz, Gomez, Grosso, Moraitis, Rosenof, Rosenzweig, Udine, Williams and Stermer. No: Blackwelder and Graham)

- III. County Commission Transmittal Recommendation April 24, 2018

Approval per Planning Council transmittal recommendation.

- IV. Summary of State of Florida Review Agency Comments May 30, 2018

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

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

V. Planning Council Staff Final Recommendation

June 19, 2018

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan (BCLUP). Therefore, it is recommended that the proposed amendment be approved, recognizing the City of Deerfield Beach's commitment to submit a corrective amendment to the BCLUP for the remaining Century Village Dashed-Line Area within one (1) year of final action on this amendment.

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, as outlined in the Administrative Rules Document: BrowardNext. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

Regarding affordable housing, Planning Council staff notes that the City of Deerfield Beach affordable housing study was found **to be in compliance** with Policy 2.16.2. prior to the first Planning Council public hearing. Further, consistent with the Broward County Planning and Development Management Division (PDMD) staff's informational request, the City has provided additional information regarding its policies and programs to address the current and future supply of very-low income rental housing units, its commitment to maintain and improve its affordable housing stock, and its partnership with the Deerfield Beach Housing Authority.

VI. Planning Council Staff Final Recommendation

June 28, 2018

Approval per Planning Council staff final recommendation. (Vote of the board; 11-2; Yes: Blattner, Breslau, Brunson, DiGiorgio, Ganz, Gomez, Good, Grosso, Rich, Williams and Stermer. No: Blackwelder and Graham)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 18-7**

**INTRODUCTION AND APPLICANT’S RATIONALE**

- I. Municipality: Deerfield Beach
- II. County Commission District: District 2
- III. Site Characteristics
  - A. Size: Approximately 83.0 acres
  - B. Location: In Sections 2 and 3, Township 48 South, Range 42 East; generally located on the west side of Military Trail, between Hillsboro Boulevard and Southwest 10 Street.
  - C. Existing Use: Former golf course
- IV. Broward County Land Use Plan (BCLUP) Designations
  - A. Current Designation: Commercial Recreation within a Dashed-Line Area\*
  - B. Proposed Designations: 25.1 acres of Low-Medium (10) Residential  
57.9 acres of Recreation and Open Space within a Dashed-Line Area
  - C. Estimated Net Effect: Addition of 251 dwelling units  
Zero (0) dwelling units currently permitted by the Broward County Land Use Plan  
Addition of 57.9 acres of recreation and open space use  
Reduction of 83.0 acres of commercial recreation use

\* “Dashed-Line Area” means 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.

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

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

- |    |                       |               |   |
|----|-----------------------|---------------|---|
| A. | <i>Existing Uses:</i> | <i>North:</i> | Multi-family residential  |
|    |                       | <i>East:</i>  | Multi-family residential  |
|    |                       | <i>South:</i> | Multi-family residential  |
|    |                       | <i>West:</i>  | Multi-family residential and warehouses   |
|    |                       |               |   |
| B. | <i>Planned Uses:</i>  | <i>North:</i> | Irregular (7.4) Residential within a Dashed-Line Area, Commerce within a Dashed-Line Area, Irregular (11.3) Residential within a Dashed-Line Area and Commercial Recreation within a Dashed-Line Area |
|    |                       | <i>East:</i>  | Irregular (11.3) Residential within a Dashed-Line Area, Commercial Recreation within a Dashed-Line Area and Commerce  |
|    |                       | <i>South:</i> | Irregular (11.3) Residential within a Dashed-Line Area  |
|    |                       | <i>West:</i>  | Irregular (11.3) Residential within a Dashed-Line Area and Commercial Recreation within a Dashed-Line Area  |

VI. Applicant/Petitioner

- |    |                        |                          |
|----|------------------------|--------------------------|
| A. | <i>Applicant:</i>      | Toll Brothers, Inc.      |
| B. | <i>Agent:</i>          | WGI (Wantman Group Inc.) |
| C. | <i>Property Owner:</i> | Fairway Investors, 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 September of 2018.