

ITEMS #44, 45 & 46

(Exhibit 1 – Revision to resolution and ordinances)

ADDITIONAL MATERIAL

Public Hearing

SEPTEMBER 13, 2018

SUBMITTED AT THE REQUEST OF

PLANNING COUNCIL



To: Broward County Board of County Commissioners

From: Barbara Blake Boy, Executive Director

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

Date: September 4, 2018

Re: September 13, 2018 – County Commission Public Hearing Items 44, 45 and 46

In coordination with the County Attorney's Office, Planning Council staff is reformatting the exhibits to resolutions and ordinances for amendments to the BrowardNext – Broward County Land Use Plan.

Please accept the following attached additional information to be attached to Exhibit 1 of Items 44, 45 and 46.

Please feel free to contact me at extension 6982 or Deanne Von Stetina, Assistant Executive Director, at extension 6690.

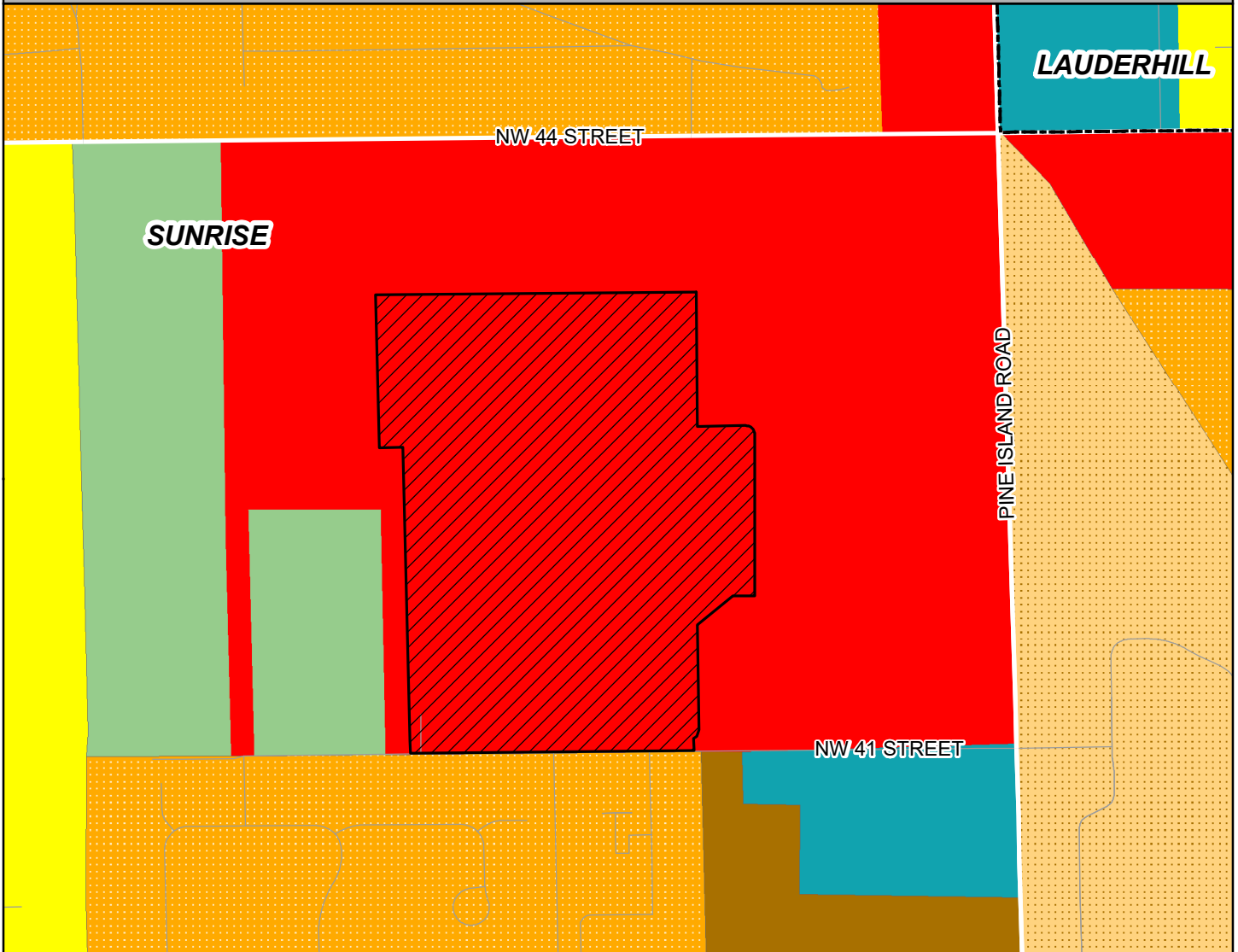
cc: Bertha Henry, County Administrator










Monica Cepero, Deputy County Administrator

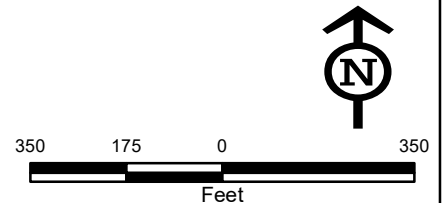
Maite Azcoitia, Deputy County Attorney

**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 18-6**

Current Land Use: Commerce
Proposed Land Use: Irregular (19.2) Residential
Gross Acres: Approximately 15.5 acres



- | | |
|---|--|
|  Site |  Medium-High (25) Residential |
|  Municipal Boundary |  Commerce |
|  Low (5) Residential |  Recreation and Open Space |
|  Low-Medium (10) Residential |  Community |
|  Medium (16) Residential | |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 18-6
(SUNRISE)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation March 13, 2018

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the data and analysis submitted by the City of Sunrise regarding affordable housing Policy 2.16.2, inclusive of the applicant's voluntary contribution of \$500 per dwelling unit constructed towards the City'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.

II. Planning Council Transmittal Recommendation March 22, 2018

Approval per Planning Council staff transmittal 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)

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.

V. Planning Council Staff Final Recommendation June 19, 2018

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the data and analysis submitted by the City of Sunrise regarding affordable housing Policy 2.16.2, inclusive of the applicant's voluntary contribution of \$500 per dwelling unit constructed towards the City's affordable housing programs.

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

June 19, 2018

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, 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.

VI. Planning Council Final Recommendation

June 28, 2018

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous: 13-0; Blackwelder, Blattner, Breslau, Brunson, DiGiorgio, Ganz, Gomez, Good, Graham, Grosso, Rich, Williams and Stermer)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 18-6

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Sunrise
- II. County Commission District: District 1
- III. Site Characteristics
- A. Size: Approximately 15.5 acres
- B. Location: In Section 20, Township 49 South, Range 41 East; generally located on the north side of Northwest 41 Street, west of Pine Island Road.
- C. Existing Use: Retail
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Commerce
- B. Proposed Designation: Irregular (19.2) Residential
- C. Estimated Net Effect: Addition of 297 dwelling units
Zero (0) dwelling units currently permitted by the Broward County Land Use Plan
Reduction of 15.5 acres of commerce use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses: *North:* Office and religious institution
East: Retail
South: Multi-family residential
West: City park and vacant
- B. Planned Uses: *North:* Commerce
East: Commerce
South: Low-Medium (10) Residential
West: Commerce

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

- A. *Applicant:* Rilea Group
- B. *Agent:* Dennis D. Mele, Esq., Greenspoon Marder, P.A.
- C. *Property Owner:* Pine Plaza Holdings, LLC

VII. Recommendation of
Local Governing Body:

The City of Sunrise recommends approval of the proposed amendment. The City anticipates adopting the corresponding local amendment in October of 2018.

EXHIBIT B

The Declaration of Restrictive Covenants has not been filed as of this mailing, however will conform to the stipulations outlined in the following letter.

March 7, 2018

Sara Forelle
Planning Section
Broward County Development and
Environmental Regulation
1 North University Drive, Suite 102-A
Plantation, FL 33324



Re: Rilea Group – Land Use Plan Amendment, City of Sunrise – PC 18-6

Dear Sara:

In response to your comments of January 16, 2018 regarding Amendment PC 18-6, my client, Rilea Group, has agreed to a voluntary contribution of \$500.00 per dwelling unit constructed resulting from Amendment PC 18-6. This contribution (a total of up to \$148,500.00 for 297 units) shall be paid to the City of Sunrise (“City”) to be used, at the City’s discretion, toward affordable housing programs within the City. Said voluntary contribution shall be paid prior to the issuance of the first building permit for a dwelling unit in the proposed residential development as provided for in the Irregular (19.2) Residential land use plan designation.

Thank you for your time and attention to this matter.

Very truly yours,

GREENSPOON MARDER, P.A.

A handwritten signature in dark ink, appearing to be "D. Mele".

Dennis D. Mele, Esq.

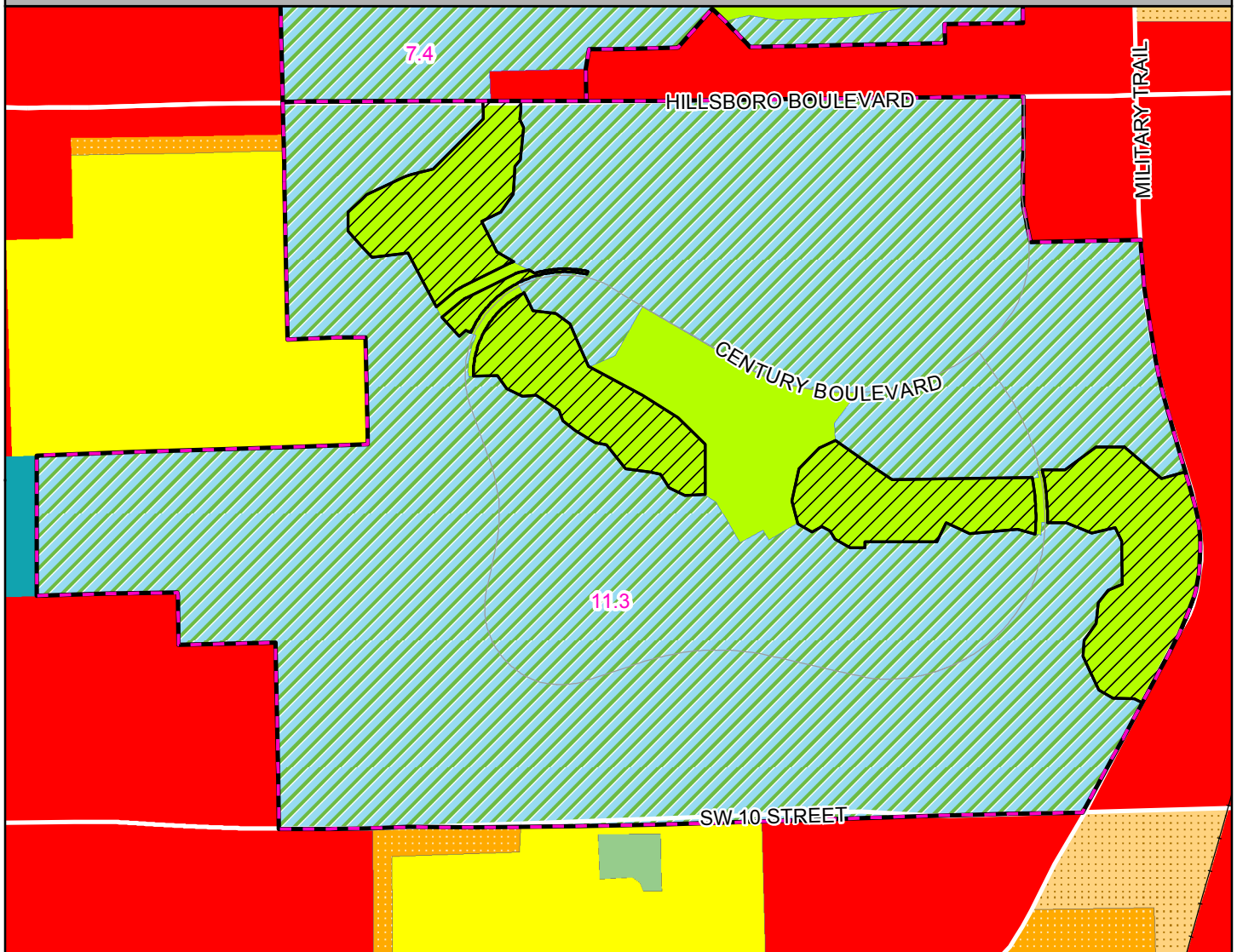
cc: Barbara Blake Boy, Executive Director, Broward County Planning Council
Josie P. Sesodia, Director, Planning and Development Management Division
Henry Sniezek, Director, Environmental Protection and Growth Management Division
Shannon Ley, P.E. Sunrise Community Development Director
Jim Koeth, Assistant Director, City of Sunrise Planning Division
Ashley Bosch, Rilea Group

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

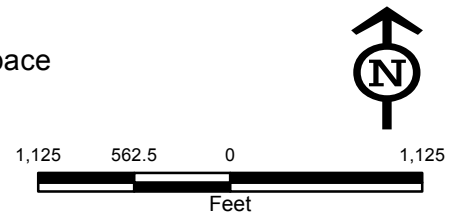
Current Land Use: Commercial Recreation within a Dashed-Line Area

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

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|----|-----------------------|---------------|---|
| 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.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.

EXHIBIT A

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 18-4

“Fracturing (i.e. fracking)”

RECOMMENDATIONS/ACTIONS

DATE

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

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. See Attachment 1.

- II. Planning Council Transmittal Recommendation March 22, 2018

Approval per Planning Council staff transmittal 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)

- 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.

- V. Planning Council Staff Final Recommendation June 19, 2018

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. See Attachment 1.

- VI. Planning Council Staff Final Recommendation June 28, 2018

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous: 13-0; Blackwelder, Blattner, Breslau, Brunson, DiGiorgio, Ganz, Gomez, Good, Graham, Grosso, Rich, Williams and Stermer)

ATTACHMENT 1

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN PROPOSED TEXT AMENDMENT PCT 18-4

Section 2: Policies

- .
- .
- .

MINING

- .
- .
- .

POLICY 2.9.3 Broward County continues to oppose and prohibit in any land use category the use of hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for the purposes of resource extraction.

NOTE: Proposed additions are indicated by underlined text.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.