

# EXHIBIT 1

## ORDINANCE NO. 2019-

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 OAKLAND PARK; 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);

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

WHEREAS, Broward County now wishes to propose an amendment to the Broward County Land Use Plan within the City of Oakland Park;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearings on January 24, 2019, and April 25, 2019, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on February 26, 2019, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held an adoption public hearing on June 4, 2019, 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 Wildlife

1 Conservation Commission, Department of Agriculture and Consumer Services, and  
2 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 Plan is consistent with the State  
5 Plan, Regional Plan, and the Plan; complies with the requirements of the Community  
6 Planning Act; and is in the best interests of the health, safety, and welfare of the residents  
7 of Broward County,

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

10 Section 1. The Plan is hereby amended by Amendment PC 19-2, which is an  
11 amendment to the Broward County Land Use Plan located in the City of Oakland Park,  
12 as set forth in Exhibit "A," attached hereto and incorporated herein.

13 Section 2. Severability.

14 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
15 portion will be stricken, and such striking will not affect the validity of the remainder of this  
16 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
17 legally applied to any individual, group, entity, property, or circumstance, such  
18 determination will not affect the applicability of this Ordinance to any other individual,  
19 group, entity, property, or circumstance.

20 Section 3. Effective Date.

21 (a) The effective date of the plan amendment set forth in this Ordinance will be  
22 the latter of:

23 (1) Thirty-one (31) days after the Department of Economic Opportunity notifies  
24 Broward County that the plan amendment package is complete;

1 (2) If the plan amendment is timely challenged, the date a final order is issued  
2 by the Administration Commission or the Department of Economic  
3 Opportunity finding the amendment to be in compliance;

4 (3) If the Department of Economic Opportunity or the Administration  
5 Commission finds the amendment to be in noncompliance, pursuant to  
6 Section 163.3184(8)(b), Florida Statutes, the date the Board of County  
7 Commissioners nonetheless, elects to make the plan amendment effective  
8 notwithstanding potential statutory sanctions; or

9 (4) If a Declaration of Restrictive Covenants or agreement is applicable, as per  
10 Exhibit "B," the date the Declaration of Restrictive Covenants or agreement  
11 is recorded in the Public Records of Broward County.

12 (b) This Ordinance is effective as of the date provided by law.

13  
14 ENACTED

15 FILED WITH THE DEPARTMENT OF STATE

16 EFFECTIVE

17 Approved as to form and legal sufficiency:  
18 Andrew J. Meyers, County Attorney

19 By /s/ Maite Azcoitia 04/25/19  
20 Maite Azcoitia (date)  
21 Deputy County Attorney

22 MA/gmb  
23 04/25/19  
24 PC19-2 City of Oakland Park Ord.  
Imanage File #80041

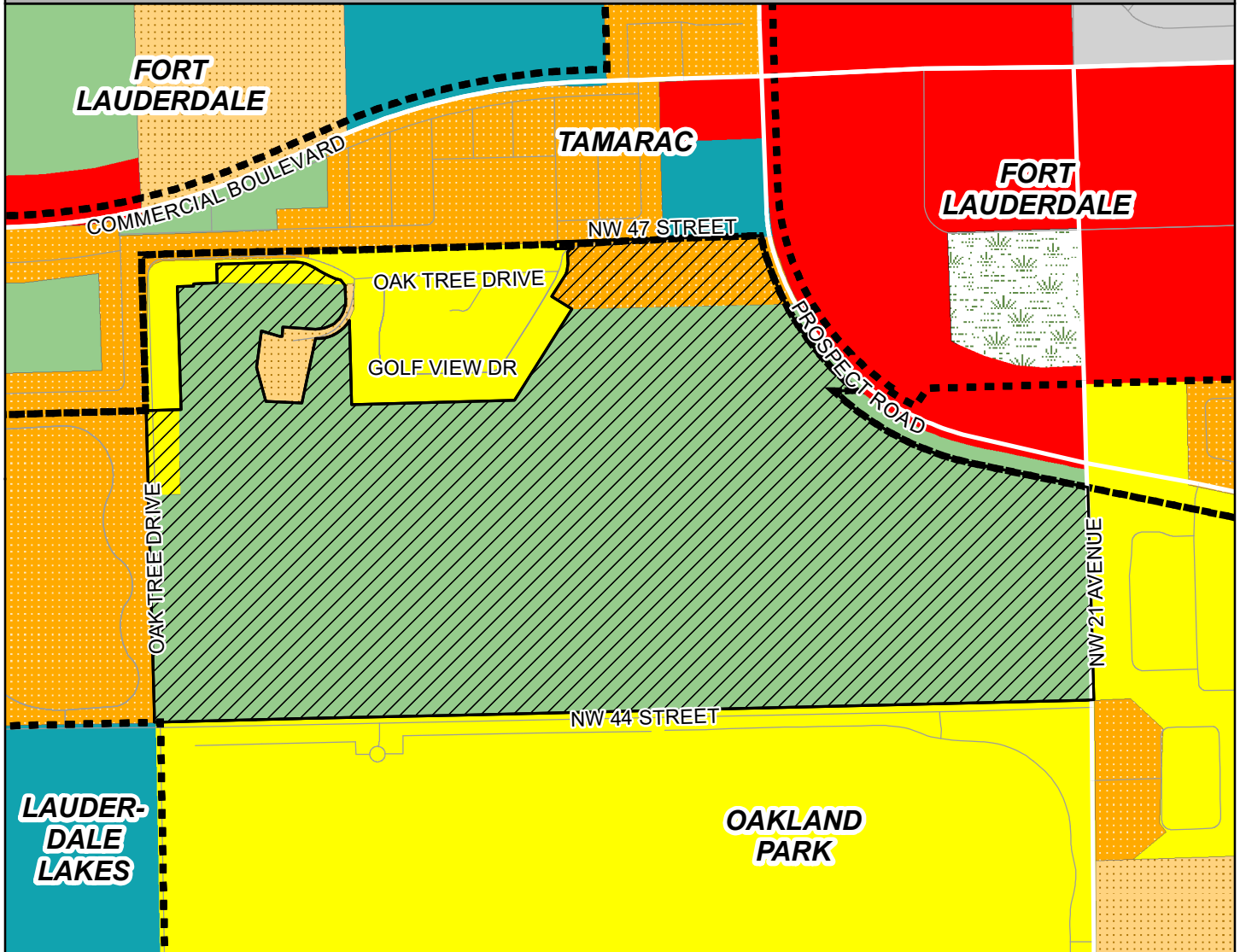
# EXHIBIT A










## BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 19-2

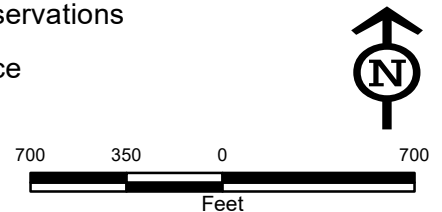
**Current Land Uses:** 132.7 acres of Recreation and Open Space, 6.0 acres of Low-Medium (10) Residential and 2.0 acres of Low (5) Residential

**Proposed Land Use:** Irregular (2.88) Residential

**Gross Acres:** Approximately 140.7 acres



- |   |                             |   |                                     |
|---|-----------------------------|---|-------------------------------------|
|  | Site                        |  | Commerce                            |
|  | Municipal Boundary          |  | Conservation - Natural Reservations |
|  | Low (5) Residential         |  | Recreation and Open Space           |
|  | Low-Medium (10) Residential |  | Community                           |
|  | Medium (16) Residential     |  | Transportation                      |



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 19-2**  
**(OAKLAND PARK)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation*

*January 15, 2019*

Planning Council staff finds 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 applicant's voluntary commitments to 1) dedicate a minimum of 9.0 acres of the property for community recreation and open space, 2) restrict the dwelling units to 273 single-family dwelling units and 132 townhouse dwelling units and 3) mitigate the impacts to the transportation network resulting from the proposed amendment.

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, the applicant's confirmation to 1) coordinate with the School Board regarding the existing Educational Mitigation Agreement for a 6.0 gross acre portion of the property related to BCLUP amendment PC 04-22, 2) comply with the environmental licensing and permitting requirements to redevelop the property with a residential use, and 3) coordinate with the City to maintain the municipality's current Community Rating System with the flood insurance program is recognized.

Further, the applicant submitted an affordable housing analysis, dated May 2018, and it has been found by the Broward County Planning and Development Management Division (PDMD) to be generally consistent with Policy 2.16.2. However, the PDMD has requested that the City provide additional information regarding its future supply of affordable housing and plans to address the current and future supply of affordable owner and rental housing units. See Attachment 8. The applicant, in coordination with the City, will provide an updated affordable housing analysis to address the PDMD comments prior to a second Planning Council public hearing consistent with the Council's revised Rules.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

**II. Planning Council Transmittal Recommendation**

**January 24, 2019**

Approval per Planning Council staff transmittal recommendation, including a second Planning Council public hearing. (Vote of the board; Unanimous: 14-0; Blackwelder, Blattner, Breslau, Brunson, Castillo, DiGiorgio, Good, Graham, Hardin, Rich, Rosenof, Rosenzweig, Williams and Stermer)

**III. County Commission Transmittal Recommendation**

**February 26, 2019**

Approval per Planning Council transmittal recommendation.

**IV. Summary of State of Florida Review Agency Comments**

**April 3, 2019**

The South Florida Water Management District (SFWMD) has commented on the proposed amendment:

**Comment:** The County is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on November 8, 2018. Therefore, the County's Work Plan needs to be updated and adopted by May 2020. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and reuse activities needed to meet the projected future demands. Planning tools are available on the District's website and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal.

**Response:** Broward County will revise the Work Plan by May 2020.

**V. Planning Council Staff Final Recommendation**

**April 16, 2019**

Planning Council staff finds 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 applicant's voluntary commitments to 1) dedicate a minimum of 9.0 acres of the property for community recreation and open space, 2) restrict the dwelling units to 273 single-family dwelling units and 132 townhouse dwelling units and 3) mitigate the impacts to the transportation network resulting from the proposed amendment.

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.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

V. Planning Council Staff Final Recommendation (continued)

April 16, 2019

In addition, the applicant's confirmation to 1) coordinate with the School Board regarding the existing Educational Mitigation Agreement for a 6.0 gross acre portion of the property related to BCLUP amendment PC 04-22, 2) comply with the environmental licensing and permitting requirements to redevelop the property with a residential use, and 3) coordinate with the City to maintain the municipality's current Community Rating System with the flood insurance program is recognized.

Regarding affordable housing, Planning Council staff notes that the applicant's affordable housing analysis, dated May 2018, was found to be generally consistent 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 request for additional information, the City of Oakland Park submitted an updated Affordable Housing Market Assessment, dated March 7, 2019, to provide additional information regarding its plans, policies and programs to address the current and future supply of affordable owner and rental housing units. The PDMD staff continue to find the City's housing analysis generally consistent with Policy 2.16.2, however, it recommends that the City 1) consider establishing a Housing Trust Fund to provide gap financing for new multi-family affordable rental units and 2) provide a copy of the City's forthcoming Comprehensive Housing Study for County review of findings.

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

April 25, 2019

Approval per Planning Council staff final recommendation, further recognizing the applicant's voluntary contribution of \$500 per dwelling unit towards affordable housing.

(Vote of the board; 14-2; Yes: Blattner, Breslau, Brunson, Castillo, DiGiorgio, Good, Graham, Hardin, Parness, Railey, Rosenof, Ryan, Williams and Stermer. No: Grosso and Rich)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 19-2**

**INTRODUCTION AND APPLICANT’S RATIONALE**

- I. Municipality: Oakland Park
- II. County Commission District: District 9
- III. Site Characteristics
  - A. Size: Approximately 140.7 acres
  - B. Location: In Section 17, Township 49 South, Range 42 East; generally located on the west side of Northwest 21 Avenue, between Commercial Boulevard and Northwest 44 Street.
  - C. Existing Use: Former golf course
- IV. Broward County Land Use Plan (BCLUP) Designations
  - A. Current Designations: 132.7 acres of Recreation and Open Space  
6.0 acres of Low-Medium (10) Residential  
2.0 acres of Low (5) Residential
  - B. Proposed Designation: Irregular (2.88) Residential
  - C. Estimated Net Effect: Addition of 335 dwelling units  
70 dwelling units currently permitted by the Broward County Land Use Plan  
405 total dwelling units  
Reduction of 132.7 acres of recreation and open space use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
  - A. Existing Uses:
    - North:* Single-family residential, religious institution and office
    - East:* Office and single-family residential
    - South:* Multi-family residential
    - West:* Multi-family residential and single-family residential



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

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

B.	<i>Planned Uses:</i>	<i>North:</i>	Low (5) Residential, Low-Medium (10) Residential, Community and Commerce
		<i>East:</i>	Commerce, Low (5) Residential and Recreation and Open Space
		<i>South:</i>	Low (5) Residential
		<i>West:</i>	Low-Medium (10) Residential and Low (5) Residential

VI. Applicant/Petitioner

A.	<i>Applicant:</i>	Pulte Group
B.	<i>Agent:</i>	Greenspoon Marder, P.A.
C.	<i>Property Owners:</i>	Blackwood Partners, LLC Blackshore Partners, LLC

VII. Recommendation of Local Governing Body:

The City of Oakland Park recommends approval of the proposed amendment. The City anticipates adoption of the corresponding local amendment in February of 2019.