

EXHIBIT 2

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 22-5

“Community Permitted Uses”

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

July 19, 2022

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

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or
- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

If the Planning Council chooses to require a second Planning Council public hearing per Article 1.2(A)(1)(2) or (3), such recommendation must be made as part of its motion.

II. Planning Council Transmittal Recommendation

July 28, 2022

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 13-0: Blackwelder, Castillo, Fernandez, Gomez, Good, Hardin, Horland, Levy, Rich, Rosenof, Ryan, Williams and DiGiorgio)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-5

BACKGROUND INFORMATION/OUTREACH

On June 23, 2022, the Broward County Planning Council initiated text amendments to the Broward County Land Use Plan (BCLUP) to update and incentivize affordable housing opportunities. The Planning Council authorized the Council staff to expedite any of these amendments as appropriate as the incentives are not requirements and local governments may be more restrictive than the BCLUP. The proposed amendment is to permit dwelling units restricted to "moderate-income," "low-income" or "very-low-income" dwelling units that are ancillary to the primary community facilities type uses on lands designated Community. **See Attachment 1.**

Upon initiation, Planning Council staff disseminated an email to all local government managers and planners on June 27, 2022, including a summary of the Council's action and potential timeline. Staff also requested that local governments submit any ideas or concepts regarding incentive-based programming or updates that could be appropriate to amend the BCLUP. Planning Council staff attended the Broward County Planning Director's Roundtable on July 18, 2022, to provide a more detailed overview of the proposed and potential amendments. In an effort to expedite the public hearing process, comments will be accepted throughout the review of the proposed amendment.

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-5

PLANNING ANALYSIS AND SUMMARY

BrowardNext - Broward County Land Use Plan (BCLUP) Community Permitted Uses allow for a wide range of regional and local community facilities and utilities uses to meet the current and future needs of Broward County and its local governments. Local governments may continue to separate the Community Facility and Utility uses to implement their plans.

The BCLUP Community Permitted Uses currently allows residential only for Special Residential Facilities and the proposed amendment would expand the uses to allow for affordable dwelling units that are ancillary to the primary community facilities uses.

Proposed BCLUP text amendment PCT 22-5 adds the following Community Permitted Use:

Proposed modification in underline:

9. Dwelling units which are ancillary to and owned/leased by an on-site or off-site primary community facility use at a maximum of 50 dwelling units per acre subject to being restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism. Units of local government shall address compatibility with existing and future land uses through its local land development regulations.

Planning Council Staff Comment: As previously stated, the BCLUP Community Permitted Uses currently allows residential only for Special Residential Facilities and the proposed amendment would expand the uses to allow for affordable dwelling units that are ancillary to the primary community facilities uses. Community facility uses are generally considered educational, hospitals, governmental, religious, civic, cultural and judicial uses. The expansion of the uses could provide increased affordable housing opportunities for community facility employees such as teachers, local government staffs, hospital staffs, religious institution members, etc.

Local governments can be more restrictive than the BCLUP and are not required to permit the use. In addition, the proposed use sets the maximum density and local governments can permit the use at a lower density if so desired. The proposed permitted use does not require the allocation of flexibility or redevelopment units to achieve the residential use; however, local governments would be required to update their future land use element to utilize the proposed incentive. It is noted that proposed residential uses that are not affordable **and** ancillary to the primary community facilities use would require an amendment to the BCLUP and corresponding local land use plan.

Conclusion

Planning Council staff recommends approval of the proposed amendment. **See Attachment 1.**

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-5

ATTACHMENT

1. Proposed Broward County Land Use Plan Amendment PCT 22-5

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN

Proposed Text Amendment

PCT 22-5

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: PERMITTED USES

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COMMUNITY USE

The Community permitted uses are proposed to be modified to permit accessory residential development if restricted to “moderate-income,” “low-income” or “very-low-income” dwelling units for a minimum of 30 years. All changes are indicated in ~~strike-through~~/underline format.

The areas designated for community use on the Future Broward County Land Use Plan Map (Series), ensure the availability of land necessary to provide for a full range of regional and community facilities and utilities to meet the current and future needs of Broward County. Municipal land use designations that are under the umbrella of community use include Community Facilities and Utilities.

The following uses may be permitted in the areas designated community use, as long as the location of these uses is deemed appropriate and compatible with surrounding planned land uses by the local government:

1. Communication facilities.
2. Community facilities, such as educational, hospitals, governmental, religious, civic, cultural, judicial, and correctional facilities.
3. Non-residential agricultural uses.
4. Other uses determined to be ancillary to the civic and utilities uses described above.
5. Recreation and open space uses, such as passive and active recreational uses, boat ramps/docks, camping grounds and facilities, golf courses intended to remain as open space.
6. Special Residential Facilities Category (1), (2) and (3) as defined in the Special Residential Facilities Permitted Uses subsection ~~of~~ and the Plan Implementation Requirements section of the Broward County Land Use Plan.

7. Utilities, such as water and wastewater treatment plants, pumping stations, electrical substations, solid waste disposal and transfer stations, excluding electrical power plants.
8. Community uses are also allowed in areas designated residential, commerce, activity center and agricultural.
9. Dwelling units which are ancillary to and owned/leased by an on-site or off-site primary community facility use at a maximum of 50 dwelling units per acre subject to being restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism. Units of local government shall address compatibility with existing and future land uses through its local land development regulations.