

Planning and Development Management Division

Staff Report

AMENDMENT 19-M1: GATOR ACRES

I. Item Summary

| | |
|---|--|
| Location | South side of Loxahatchee Road and east of the Water Conservation Area. Within the “Wedge” area that was annexed into Broward County from Palm Beach County in 2009. |
| Size | 4.77 acres |
| Effect of Proposed Change | Increase of 118 dwelling units. |
| Existing Land Use | Commercial recreation (Loxahatchee Everglades Airboat Tours and Rides: 15490 Loxahatchee Road) and one office/non-professional services building, one story. |
| Current Future Land Use Designation | Palm Beach Rural Residential 10 (One (1) dwelling unit per 10 gross acres) |
| Proposed Future Land Use Designation | Medium High (25) Residential |
| Current Zoning District | AR-PBC: Agricultural Residential Palm Beach County |
| Commission District | 3 |
| Applicant/Agent | Evans Land Consulting, LLC |
| Property Owner | TLH Sabra 2 LLC |
| Address | 15490 Loxahatchee Road, Unincorporated Broward County, FL, 33076 |
| Folio Number | 474119010013 |

II. Environmental Protection and Growth Management Department (EPGMD) Local Planning Agency (LPA Recommendation. *The LPA held a public hearing on August 23, 2019 and recommended the proposed amendment be forwarded to the Board of County Commissioners for consideration with a recommendation to accept the public comments on proposed amendment and staff recommendations.*

III. Staff Recommendation. *The Environmental Protection and Growth Management Department’s Planning and Development Management Division staff recommends the Local Planning Agency transmit the proposed amendment to the Board of County Commissioners, with a recommendation to deny the amendment as proposed and in support of a low density residential future land use designation. The staff recommendation is based upon the following findings:*

- *The proposed twenty-five (25) dwelling units per acre is:*
 - *Inconsistent with Broward County Land Use Plan Policies 2.10.2, 2.16.2, 2.20.1, and 2.22.2.*

- *Inconsistent with Broward County Comprehensive Plan Policies BMSD 1.1.3, BMSD 1.1.5, BMSD 1.2.3, and BMSD 1.3.3.*
- *Conventional land subdivision practices are constrained by the presence of wetlands, thereby restricting site design options.*
- *A low density future land use designation would allow single-family dwelling units that are compatible with the lower density character of the surrounding land uses.*

Staff further recommends that:

- *Pedestrian and bicycle connectivity be addressed during the site plan and/or platting processes to the maximum extent feasible to:*
 - *Provide safe connectivity to the Conservation Levee Greenway, Arthur R. Marshall Loxahatchee Wildlife Refuge, and the surrounding transportation network.*
 - *Coordinate development with Broward County, the Broward Metropolitan Planning Organization, and the Florida Department of Transportation to ensure compatibility with a proposed mobility project.*
- *If approved for the requested Medium-High (25) future land use designation:*
 - *Private shuttle service should be considered to provide transit connectivity for future residents.*
 - *Installation of electric vehicle charging stations or dedicated parking for low emission vehicles for use by future residents who wish to reduce their carbon footprint should be considered.*
 - *Amenities, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations should be incorporated within and around the development.*

Staff notes that:

- *Regional park impact fees will be required based on the number of permitted units at the time of platting.*
- *Public school concurrency review and mitigation, if applicable, will be required at the time of platting and/or site plan review.*
- *Various permits and licenses, such as tree removal and environmental resource licenses, may be required prior to site development.*

Staff recognizes the Palm Beach Rural Residential-10 future land use designation stipulates a much lower density than is allowed throughout most of Broward County. Staff supports a low density residential future land use designation.

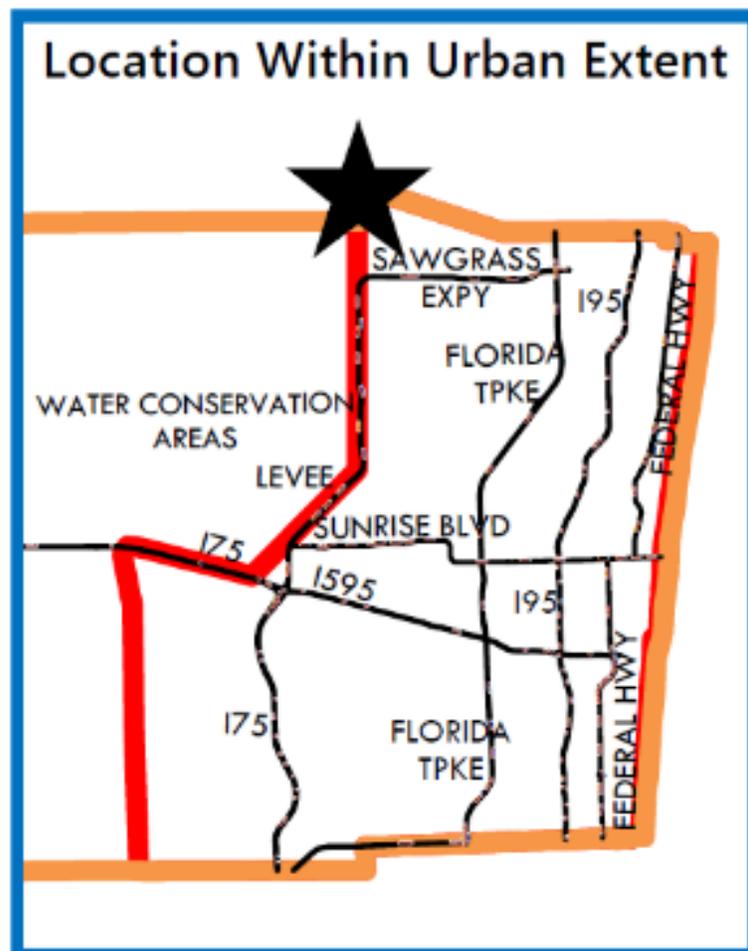
IV. Location, Maps, and Attachments

A. Location. The amendment site is located in the northwest corner of Broward County's developable area, adjacent to the Water Conservation Areas, also referred to as the undevelopable area and the historic Everglades.

B. Maps and Attachments

- Attachment 1: Location Map
- Attachment 2: Aerial Map
- Attachment 3: Current Future Land Use Map

- Attachment 4: Proposed Future Land Use Map
- Attachment 5: Zoning Map
- Attachment 6: Additional Information Provided by the Applicant
- Attachment 7: Staff Response to Additional Information Provided by the Applicant
- Attachment 8: School Consistency Report
- Attachment 9: Transportation Comments
- Attachment 10: North Springs Improvement District Comments
- Attachment 11: Water Management Division Comments
- Attachment 12: Broward County Parks and Recreation Division Comments
- Attachment 13: Broward County Environmental Protection and Growth Management Department Comments, including:
 - Environmental Engineering and Permitting Division
 - Environmental and Consumer Protection Division
 - Environmental Planning and Community Resilience Division
- Attachment 14: Historic Resource Comments
- Attachment 15: Affordable Housing Comments
- Attachment 16: City of Parkland Comments



V. Background. This site is part of the "wedge property" annexed into Broward County from Palm Beach County in 2009. The annexation was executed as part of a change to the Palm Beach County boundary through House Bill 1315. Pursuant to the terms of the annexation, the site retained Palm Beach County's Rural Residential 10 future land use designation that allows one (1) dwelling unit per ten (10) acres. The approximately five-acre site is a legal nonconforming parcel which does not meet the minimum lot size requirements for the Palm Beach County Rural Residential 10 future land use designation.

In July 2017, the applicant submitted an application to change the future land use designation of the site to Medium High (25) Residential. At that time, the applicant proposed the development of a seven-story tower that included 125 age-restricted (+55) dwelling units. Staff found the proposed amendment inconsistent with the Broward County Comprehensive Plan. The applicant withdrew the application prior to consideration by the Board of County Commissioners.

In April 2019, the applicant submitted a second application to change the future land use designation of the site from Palm Beach County Rural Residential 10 to Medium-High (25) Residential. An age restriction is not proposed.

On June 17, 2019, a Staff Report was issued that recommended denial of the amendment. In response, the applicant requested the LPA be postponed in order for the applicant to address the staff's recommendation of denial.

On July 30, 2019, the applicant submitted a response and continues to propose a FLUMS amendment to Medium-High (25) Residential. Staff reviewed the response and continues to support its original recommendation of denial. Attachment 6 includes additional information provided by the applicant in response to the initial staff report. Attachment 7 includes the staff response to additional information provided by the applicant.

VI. Applicant's Rationale. The applicant contends that property value is diminished by the future location of a 300 feet tall Emergency Services Broadcast Tower on the site. To this point, the applicant states:

1. A site plan cannot be developed that does not place single-family houses in the tower's required buffer area.
2. The tower lowers property values to the extent that it cannot be recovered through single-family home development.
3. Multi-family development allows:
 - a. Flexibility in site design that accommodates a buffer area around the broadcast tower.
 - b. Mitigation of the financial burden imposed by the tower location without the expenditure of public funds.
 - c. Diversification of the existing housing stock.
 - d. Provision of some critically needed workforce housing.

Staff Response:

1. Housing Stock: The prevailing land use pattern in the northwest portion of Broward County is large lot single-family development. *While the proposed amendment allows diversity in the housing stock, the site is not appropriate for medium-high density residential land uses.*
2. Buffer Area: A buffer area is not required.

VII. Planning Data and Analysis.

A. Population.

| Person per Household 2013-2017 ¹ | Additional Dwelling Units | Projected Population Increase |
|--|------------------------------|----------------------------------|
| 2.59 | 118 | 305 |

¹ United States Census, City of Parkland.

B. Land Use.

| Location | Existing Land Use | Current Zoning | Current Future Land Use |
|-------------------------------|---|--|--|
| Subject Site (Gator Acres) | Residence and store | AR: Agricultural Residential – Palm Beach County | Rural Residential 10 (RR-10) – Palm Beach County |
| North (Palm Beach County) | Loxahatchee Road, then Canal, then cell tower | AR: Agricultural Residential – Palm Beach County | Rural Residential 10 (RR-10) – Palm Beach County |
| East (Parkland) | Vacant (North Springs Improvement District) | AR-PBC: Agricultural Residential Palm Beach County | Low (3) Residential |
| South (Parkland) | Vacant (North Springs Improvement District) | AR-PBC: Agricultural Residential Palm Beach County | Irregular (1.4) Residential |
| West (Palm Beach County) | Canal, Levee Greenway, boat launch, Water Conservation Area 2A. | Conservation | Conservation |

- C. Compatibility.** The Broward County Land Use Plan Policy 2.10.2 states the compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use

plans. It further states that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns. The Broward County Land Use Plan defines compatibility “as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.” Staff evaluates compatibility based upon the characteristics of the proposed use in relation to the surrounding uses.

Staff finds the proposed future land use designation increases the allowed dwelling units from one to 119 and the allowed density from 0.1 dwelling units per acre to 25 dwelling units per acre. The increased density allowed by the proposed amendment also changes the allowed dwelling unit type from single-family to multi-family.

The future land use designation to the east and south of the site is currently Rural Residential 10; however, the City of Parkland is considering a future land use map amendment that would change these areas to Low (3) Residential. The City of Parkland City Commission passed the proposed amendment at first reading.

Broward County Land Use Plan Policy 2.20.2 provides for “medium” to “high” densities where compatible with the physical location and services needs of residents in all age and income groups. Areas designated for Medium-High (25) Residential future land use designation on the Broward County Land Use Plan’s Future Land Use Map are generally located close to employment, shopping, services, and major transportation corridors with frequent transit service. Staff finds the proposed Medium-High (25) future land use designation:

- Allows a density that is not compatible with the existing, planned, and emerging low density residential land use pattern, both adjacent to and within the vicinity of the proposed amendment site.*
- Is not located in an urban area that is close to employment, shopping, services, and major transportation corridors with frequent transit service.*

D. Public Infrastructure and Facilities.

1. Public Schools. The Broward County Land Development Code (“Code”), Chapter 5-Building Regulations and Land Use, Article IX, Broward County Land Development Code, Division 2-Development Review Requirements, (m) Adequacy of School Sites and Facilities, addresses public school concurrency. Pursuant to the Code, public school concurrency review is conducted when the property is subject to the platting and site plan phases of the development review process. Accordingly, “Broward County shall not approve an application for a residential plat, replat, plat note amendment, findings of adequacy, or any unincorporated area site plan (application) that generates one (1) or more students or is not exempt or vested from the requirements of public school concurrency, until the school concurrency requirement has been satisfied.”

The School Board of Broward County issued a Public Schools Consistency Review Report for the proposed amendment on February 21, 2019.

| Projected Students | | |
|--------------------|--------|------|
| Elementary | Middle | High |
| 3 | 2 | 2 |

| Current and Projected Level-of-Service | | | |
|--|--|-------------|---------------|
| Assigned School | Over/Under Level-of-Service (Students) | Current LOS | Projected LOS |
| Heron Heights Elementary | +46 | 114.7% | 100.4% |
| Park Trails Elementary | -243 | 91.7% | >100% |
| Westglades Middle | -33 | 98.2% | 100.6% |
| Stoneman Douglas High | -554 | 85.7% | >100% |
| Public schools facilities level-of-service standard is the higher of 100% of gross capacity or 110% of permanent capacity. | | | |

The School Board's report indicates that the proposed amendment site is located within the Schools District's Planning Area "A" which is anticipated to have excess capacity to support the students generated by the proposed amendment.

Staff finds the proposed amendment is not anticipated to have a negative impact on public schools; however, the applicant will be subject to public school concurrency review and mitigation may be required at the time of platting and/or site plan review.

2. Mobility.

Bicycle and Pedestrian. The proposed amendment site is accessed from Loxahatchee Road, a 2-lane roadway without dedicated bicycle facilities and a discontinuous sidewalk on the south side. The amendment site is adjacent to the south entrance of the Arthur R. Marshall Loxahatchee Wildlife Refuge and the Conservation Levee Greenway. A mobility project is planned for Loxahatchee Road that includes two 11-foot wide vehicular lanes, 5-foot wide bicycle lanes with 3 feet buffers, a median that varies between 8-feet and 16.5-feet wide, and a sidewalk that varies between 6-feet and 10-feet wide on the south side. If constructed, the project would create continuous bicycle and pedestrian connectivity along Loxahatchee Road from Arthur R. Marshall Loxahatchee Wildlife Refuge to State Road 7/US 441.

Staff recommends the applicant incorporate pedestrian and bicycle connectivity during the site plan and/or platting processes to the maximum extent feasible, including the following:

- *Configure development to ensure safe connectivity to the Conservation Levee Greenway, Arthur R. Marshall Loxahatchee Wildlife Refuge, and the surrounding transportation network.*

- *Enhance quality of service by considering amenities, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development.*
- *Coordinate any development on the amendment site with Broward County, the Broward Metropolitan Planning Organization, and the Florida Department of Transportation to ensure compatibility with the proposed mobility project.*

Public Transit. The closest transit stop is over 4 miles away along Broward County Transit (BCT) Bus Route 88 at Coral Ridge Drive and Holmberg Road. The BCT's Transit Development Plan and the Broward Metropolitan Planning Organization's Long-Range Transportation Plan do not include any planned transit expansions that would create new routes or realign existing routes to provide connectivity to the amendment site.

Staff recommends that private shuttle service be considered to provide transit connectivity for future residents.

Electric vehicles. *Staff recommends that the applicant consider the installation of electric vehicle charging stations or dedicated parking for low emission vehicles for use by future residents who wish to reduce their carbon footprint.*

Traffic Circulation. The proposed amendment site is located within the Northwest Transportation Concurrency District and is subject to road impact fees. For the purpose of issuing development permits, the peak hour LOS standard for road segments within the Northwest District is the Generalized Two-way Peak Hour (LOS) "D" Volumes for Florida's Urbanized Areas Table in FDOT's most current Quality/Level of Service Handbook. Loxahatchee Road serves the proposed amendment site is currently operates at Level-of-Service (LOS) B.

Development of the proposed amendment site is subject to compliance with the Broward County Code of Ordinances, Chapter 5-Building Regulations and Land Use, Article IX.-Broward County Land Development Code, Division 2.-Development Review Requirements, regarding adequacy of the regional roadway network. The table below provides an estimate of road impact fees under the current fee schedule.

| Trips: Current Designation | |
|----------------------------|----------------------|
| Potential Development | 1 dwelling unit |
| Trip Generation rate | 1.01 (Single-Family) |
| Total PM Peak Hour Trips | 1.01 |
| Fee per Trip (Zone 3) | \$623 |
| Total Fee | \$629 |

| Trips: Proposed Designation | |
|-----------------------------|--------------------|
| Proposed FLUMS | |
| Potential Development | 119 dwelling units |

| | |
|--------------------------|------------------|
| Trip Generation rate | 0.66 (Townhouse) |
| Total PM Peak Hour Trips | 78.54 |
| Fee per Trip (Zone 3) | \$623 |
| Total Fee | \$48,594 |

Staff notes the applicant will be required to comply with Transportation Concurrency, including payment any required impact fees, during development permitting process.

3. **Potable Water.** The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider. The NSID stated that it does not have comments.
4. **Sanitary Sewer.** The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District is the service provider. The NSID stated that it does not have comments.
5. **Solid Waste.** The proposed amendment site is served by the Wheelabrator Technologies waste-to-energy facility, located at 4400 SR 7/US 441.

| Figure 9: Solid Waste Impacts | |
|---|----------------------|
| Demand per Unit | 8.9 lbs. per day |
| Demand per Current Future Land Use Designation | 8.9 lbs. per day |
| Demand per proposed Future Land Use Designation | 1,103.6 lbs. per day |
| Net Change | 1,094.7 lbs. per day |

Staff concludes adequate solid waste disposal facilities exist to serve the proposed amendment site.

6. **Drainage and Aquifer Recharge.** The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider.

The Broward County Environmental Planning and Community Resilience Division notes the site is located within the jurisdictions of the NSID and the South Florida Water Management District (SFWMD). Development is required to meet drainage standards set forth by the NSID, SFWMD, and Broward County. Compliance with these standards should reduce the potential danger from flooding and maintain surface water quality. A surface water management permit may be required.

The Federal Emergency Management Agency (FEMA) flood insurance zone AH (NAVD 88 of 11 feet) is found on the proposed amendment site. Flood Zone AH is subject to areas of shallow flooding with average depths between 1 and 3 feet.

Development of the site consistent with the proposed future land use designation would involve a major percentage of impervious area and would result in a net decrease in the volume of water available for recharge. The proposed amendment would result in a minor change in aquifer recharge.

The NSID stated that it does not have comments.

7. Recreation and Open Space.

a. Local Parks.

Broward County provides approximately 5.2 acres of local parks per thousand population. The level-of-service standard for local parks is three (3) acres per thousand population. It is projected the supply of local parks will be sufficient to meet the demand through at least 2045.

b. Regional Parks.

Broward County provides approximately 4.09 acres of regional parks per thousand population. The level-of-service standard for regional parks is three (3) acres per thousand population. It is projected the supply of regional parks will be sufficient to meet the demand through at least 2045. However, at the time of platting, the Parks and Recreation Division will require regional park impact fees based on the number of units permitted on the site by the County Commission.

E. Natural and Historic Resources.

1. **Air Quality.** The preliminary traffic analysis indicates that the proposed amendment would result in an increase by **79 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels-of-service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a minimal impact on air quality.

There are no air permitted facilities in this area, therefore, there are no existing or potential odor or noise concerns.

2. **Wellfield Protection.** The proposed amendment site is not located within a wellfield zone of influence.
3. **Specially Designated Areas.** Specially designated areas may include Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, and Urban Wilderness Inventory sites. Broward County has not assigned any special designations to the proposed amendment site.
4. **Protected Natural Land.** The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and

are managed for conservation purposes. The project site is not included in or located adjacent to a site listed in the Protected Natural Lands Inventory.

5. **Wetlands.** This site contains approximately three (3) acres of herbaceous and forested wetlands. Any impacts to wetlands and creation or filling of surface waters requires a license from the Environmental Engineering and Permitting Division.

An Environmental Resource License application was submitted on March 22, 2018, that included the subject site and the adjacent parcel (Folio # 474119020010). Additional information was requested from the applicant on April 2, 2018. No response has yet been received. If this parcel is sold, a separate application would be required from the new owner. No impacts (clearing, filling, etc.) are authorized until an Environmental Resource License has been issued.

6. **Upland Resources (Tree Preservation).** Aerial photographs indicate the subject site contains mature tree canopy. Development of the site must comply with the Broward County Tree Preservation and Abuse Ordinance (Chapter 27, Article XIV, Broward County Code of Ordinances). A Broward County Tree Removal License may be required for any proposed tree removal or relocation. As part of the licensing process, the applicant is required to minimize the number of trees removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

7. **Marine and Riverine Resources.** The proposed amendment is not expected to impact marine or riverine resources.

8. **Proximity to Solid Waste Facilities, Contaminated Sites, SARA Title III (Community Right to Know) Facilities, Hazardous Materials Facilities.**

- a. Solid Waste Facilities. The Broward County Environmental Engineering and Permitting Division's database of Licensed Solid Waste Facilities and Borrow Pits indicates there is a permitted compost facility (Lox Road Vegetative Recycling) located at 15800 Loxahatchee Road.
- b. Contaminated Sites. The EPGMD's GIS Database of Contaminated Locations in Broward County does not include any contaminated site within a ¼-mile of the proposed amendment site. However, it shows **three (3)** contaminated sites within one (1) mile of the proposed amendment location. Attachment 13 includes a map and database for further information as it relates to the land use amendment site.
- c. SARA Title III (Community Right to Know). There are not any SARA Title III facilities located on or adjacent to the proposed amendment site.
- d. Hazardous Materials Facilities. One (1) active Hazardous Material Facility exists on, adjacent to, or within ¼-mile of the proposed amendment site.

9. Historic Resources.

Based upon a review of available historic resource information, including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF), the County's archaeological consultant determined that the proposed project will not impact any previously identified significant historic, archaeological, or paleontological resources.

The subject property is located within the jurisdictional boundaries of Broward County's historic preservation ordinance (BC. Ord. 2014-32). One structure exists on the proposed amendment site that is identified in the Florida Master Site File 8BD6075 (15490 Loxahatchee Road). It is a masonry block structure with no known historical associations and previously determined ineligible for local historical designation or inclusion on the National Register of Historic Places.

In the event unmarked burials are discovered, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified as required by Chapter 872.05, FS. Activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: Med_Exam_Trauma@broward.org
Website: <http://www.broward.org/MedicalExaminer>

10. Endangered, Threatened or Species of Special Concern; Plants Listed in the Regulated Plant Index. The adjacent Water Conservation Areas provide critical habitat for protected species such as the Florida panther, Snail Kite and Wood Stork. They also provide habitat for the threatened Audubon's crested caracara. These species are not known to inhabit the proposed amendment site.

11. Priority Planning Areas for Sea Level Rise. The Priority Planning Areas for Sea Level Rise Map does not include the proposed amendment site within an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map.

F. Hurricane Evacuation. The proposed amendment site is not located within an evacuation zone.

G. Affordable Housing. Broward NEXT 2.0, Housing Element Policy H1.7, states that Broward County shall support the affordable housing requirements of Broward County Land Use Plan (BCLUP) Policy 2.16.2 and Article 5 of the

Administrative Rules Document for amendments to the BCLUP which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP. The applicant proposed to increase the number of allowable dwelling units by 118 dwelling units for a total of 119 dwelling units; *therefore, Policy 2.16.2 applies to this project.*

Policy 2.16.2 requires the involved local government to provide those professionally accepted methodologies, policies, and best available data and analysis, which the local government has used to define affordable housing needs and solutions.

The applicant submitted an “Affordable Housing Analysis” dated July 30, 2019. It states that the proposed residential project will not generate or add any additional demand for affordable housing, but will provide multifamily housing units that have lower price points than the area’s large-lot, single-family houses. It further states that 15% of the proposed additional 118 multi-family housing units will be designated for workforce housing.

H. Redevelopment and Urban Infill. The proposed amendment site is not located within a Community Redevelopment Area and is not an urban infill project.

I. Intergovernmental Coordination. The City of Parkland strongly opposes the proposed amendment for the following reasons:

- The applicant cites a financial need resulting from Broward County’s taking of the northwest portion of the site as justification for the proposed amendment. The City of Parkland states that financial need does not form “a basis for sound land use planning or for granting a land use plan amendment.” The City asserts that “compatibility is the principle defining criterion to determine if an amendment requests merits favorable consideration.”
- Compatibility: The proposed density of 25 dwelling units per acre is incompatible with adjacent existing and planned residential uses.
- Access: The proposed density of 25 dwelling units per acre will negatively impact the level-of-service on Lox Road.

The City of Parkland City Commission supported an amendment on first reading that would change the future land use designation of the Rural Residential-10 parcels located to the east and south to three (3) dwelling units per acre. They would be age restricted.

The City of Parkland contends the logical density for the proposed amendment site is 1.5 dwelling units per acre, as a transition between the Water Conservation Areas to the west and the proposed three (3) dwelling units per acre to the east. The City also supports two (2) dwelling units per acre without an age restriction or three (3) dwelling units per acre with an age restriction.

J. Comprehensive Plan Consistency. The Environmental Protection and Growth Management Department's Planning and Development Management Division staff finds that the proposed amendment is ***not consistent*** with the following:

1. Broward County Land Use Plan Policies:

a. Compatibility

- **POLICY 2.10.2** The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns.

b. Affordable Housing

- **POLICY 2.16.2** For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. In addressing amendments which proposed to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, the municipality, without limitation, may include consideration and implementation of the following affordable housing strategies:
 - a. programs and policies involving mechanisms such as, but not limited to, impact fees, in-lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide for the construction or supply of affordable housing;
 - b. programs and policies involving mechanisms such as, but not limited to, impact fees, in-lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide funding to facilitate the affordable purchase or renting of housing;
 - c. programs and policies in which the municipality, and/or Broward County, and/or other appropriate agencies, facilitate the maintenance of the existing supply of affordable housing stock, if any;
 - d. property tax abatement programs aimed at preserving or creating affordable housing;
 - e. streamlined and reduced-cost permitting procedures for affordable housing;
 - f. specific minimum set-aside requirements for new affordable housing construction;

- g. use of appropriate existing public lands, or public land-banking, to facilitate an affordable housing supply;
- h. programs and policies to facilitate the development and use of municipal and/or Broward County affordable housing density bonus provisions;
- i. land development regulations which promote the availability of affordable housing such as reduced lot size and floor area for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, and the allowance of accessory dwelling units;
- j. the existing supply of affordable housing.

The affected municipality shall demonstrate compliance with this Policy at the time of the County's consideration of the applicable land use plan amendment, by establishing that the municipality has implemented or ensured adoption of appropriate policy and program measures to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. The local government shall estimate its supply of affordable housing utilizing the data and methodology referenced within the "Administrative Rules Document: Broward County Land Use Plan." For the purposes of this Policy, the term "affordable housing" shall include the meaning as defined by the BCLUP. The median annual income estimate should be updated at least yearly.

c. Smart Growth

- **POLICY 2.20.1** Adopt, implement and encourage land use provisions which promote the principles of the "Smart Growth" initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

d. Wetlands

- **POLICY 2.22.2** Broward County and its local governments shall consider the impacts of land use plan amendments on wetland resources and minimize those impacts to the maximum extent practicable.

2. Broward County Comprehensive Plan Policies

a. Public Facilities, Services, and Compatibility

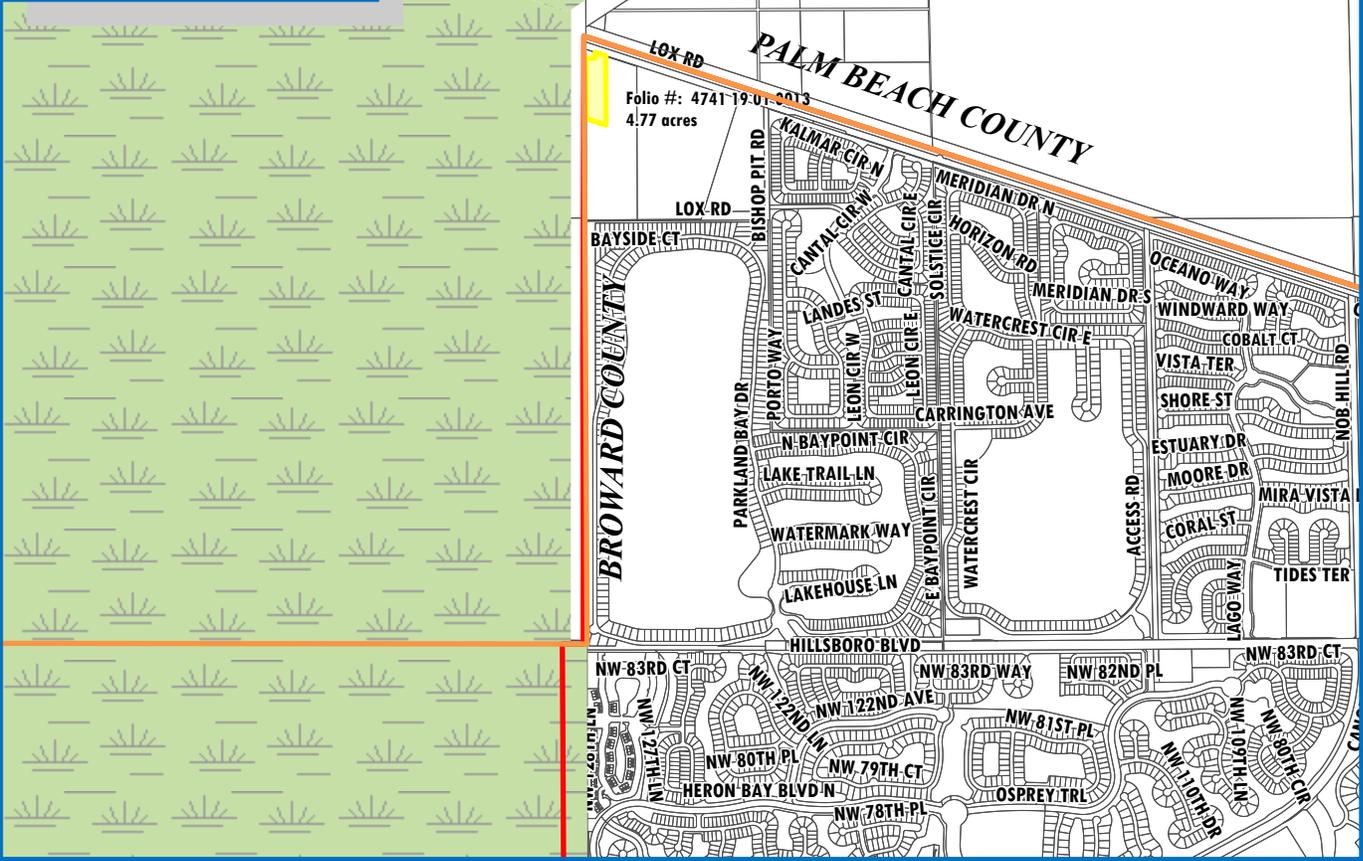
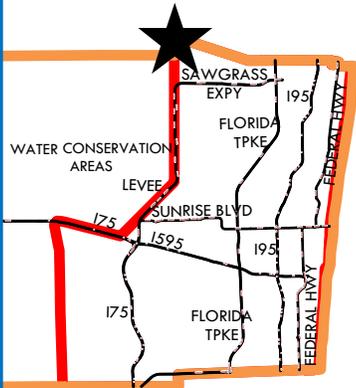
- **Policy BMSD 1.1.5** Future land uses shall be coordinated with the availability of public facilities and services.
- **Policy BMSD 1.3.3** Proposed amendments to the BMSD Future Land Use Map designations within BMSD enclaves shall be evaluated based on the availability and cost of providing public facilities and services, in addition to site suitability, compatibility with surrounding uses, complete

streets, transportation infrastructure, affordable housing, and potential impacts on natural resources.



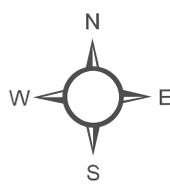
Attachment O U

Location Within Urban Extent



-  19-M1 Site Location
-  Broward County Boundary
-  Broward County Urban Extent Boundary
-  Site Location Within Urban Extent

 Water Conservation Areas



Prepared by:
Planning and Development Management Division
Environmental Protection and Growth Management Department

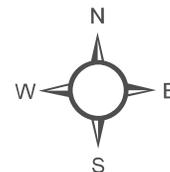
This map is for conceptual purposes only and should not be used for legal boundary determinations.



Attachment 2: Aerial Map



-  19-M1 Site Location
-  Broward County Boundary
-  Broward County Urban Extent Boundary

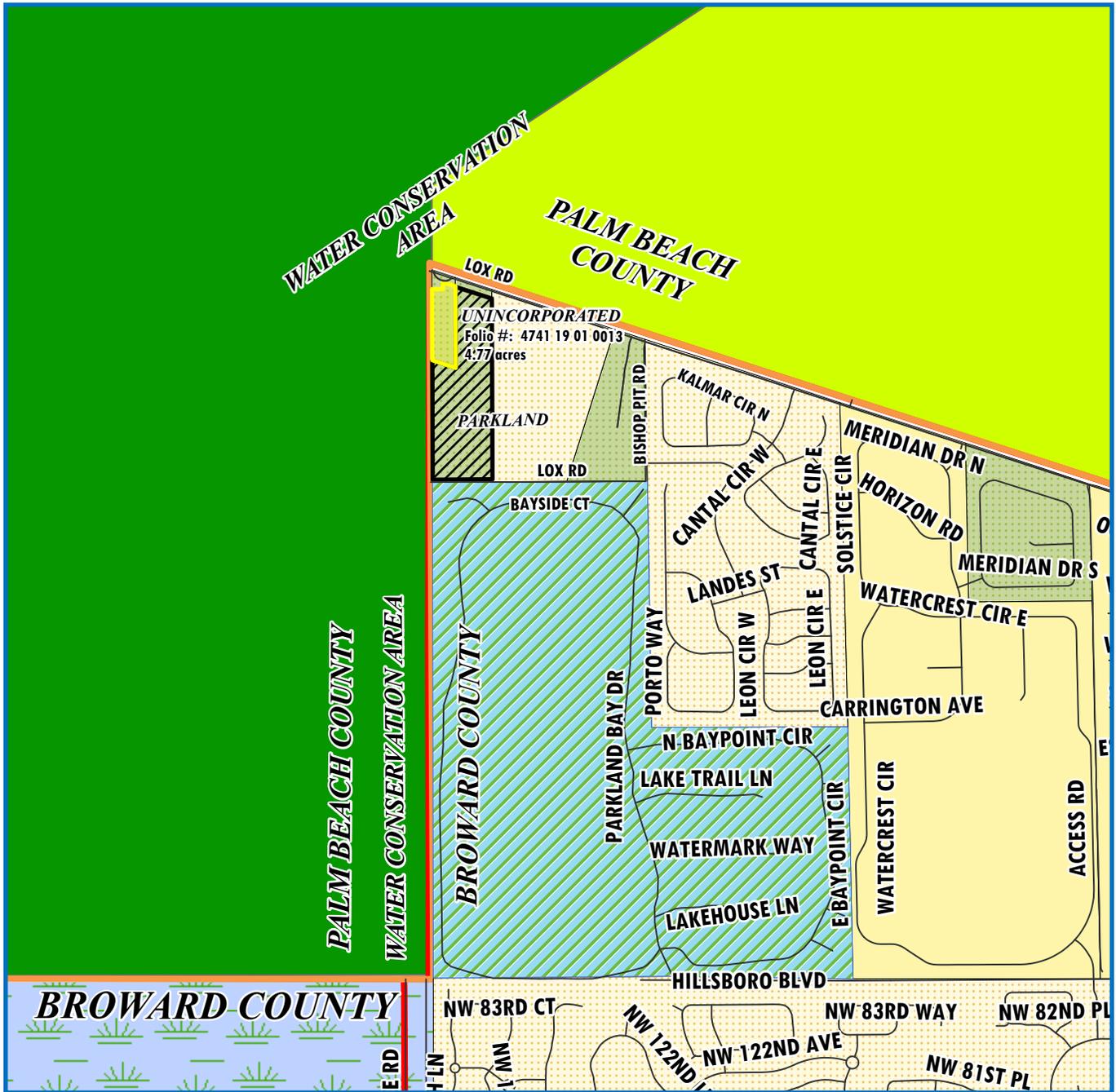


Prepared by:
Planning and Development Management Division
Environmental Protection and Growth Management Department

This map is for conceptual purposes only and should not be used for legal boundary determinations.



Attachment 3: Current Future Land Use Map



Broward County Future Land Use

- Palm Beach County Rural Residential 10
- Low (2) Residential
- Low (3) Residential
- Irregular Residential
- Conservation - Reserve Water Supply Areas
- 19-M1 Site Location

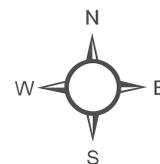
Broward County Boundary

Broward County Urban Extent Boundary

Proposed Amendment PC 19-5: Low (3) Residential

Palm Beach County Future Land Use

- Conservation
- Rural Residential



Prepared by:
Planning and Development Management Division
Environmental Protection and Growth Management Department

This map is for conceptual purposes only and should not be used for legal boundary determinations.



Attachment 4: Proposed Future Land Use Map

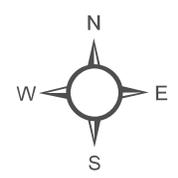


- 19-M1 Proposed Future Land Use Designation: Medium-High (25) Residential
- Proposed Amendment PC 19-5: Low (3) Residential
- Broward County Boundary
- Broward County Urban Extent Boundary

Broward County Future Land Use
 Conservation
 Palm Beach County Rural Residential 10

- Low (2) Residential
- Low (3) Residential
- Irregular Residential
- Conservation - Reserve Water Supply Areas

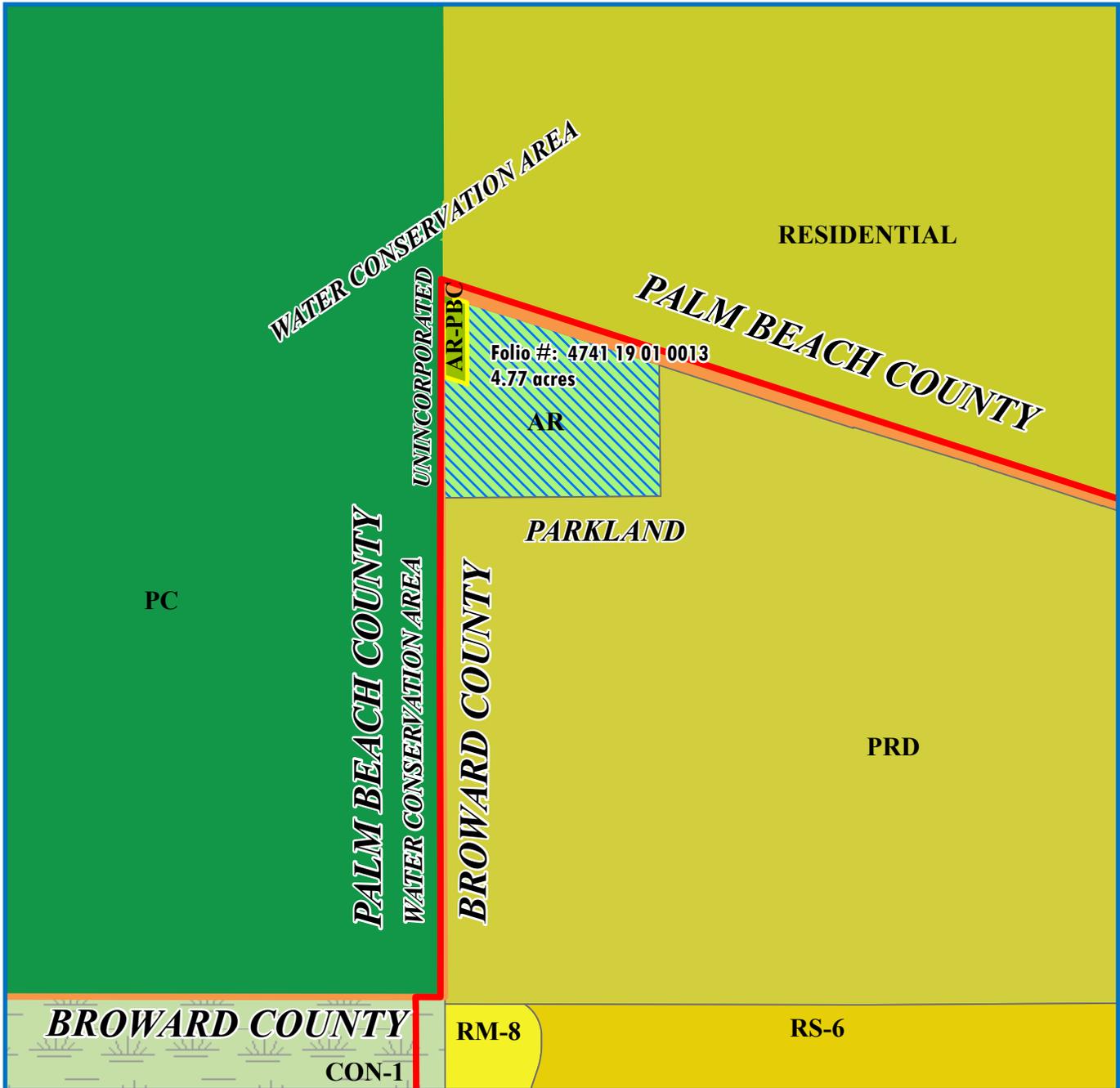
Palm Beach County Future Land Use
 Conservation
 Rural Residential



Prepared by:
 Planning and Development Management Division
 Environmental Protection and Growth Management Department
 This map is for conceptual purposes only and should not be used for legal boundary determinations.



Attachment 5 - U



Broward County Unincorporated Zoning

Zoning Legend

- AR-PBC, Agricultural Residential
- CON-1, Conservation Water Supply Areas
- 19-M1 Site Location
- Broward County Urban Extent Boundary

Broward County Boundary

City of Parkland Zoning

Zoning Legend

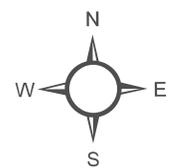
- AR: Agricultural Residential
- PRD: Planned Residential Development
- RM-8: Multi-Family, Low Medium-Density

RS-6: Special Single-Family Residential

Palm Beach County Zoning

Zoning Legend

- PC: Preservation/Conservation
- Residential



Prepared by:
Planning and Development Management Division
Environmental Protection and Growth Management Department

This map is for conceptual purposes only and should not be used for legal boundary determinations.



Mr. Jeff Evans
TLH Sabra2, LLC
7457 Park Lane
Lake Worth, FL 33449



Dear Mr. Evans:

PFM Group Consulting has reviewed the Planning and Development Management Division Staff Report for Amendment 19-M1: Gator Acres, along with the cited Broward County Land Use Plan Policies and Broward County Comprehensive Plan Policies. Our responses follow. The Staff comments and Policies are provided in italics and the PFM responses are provided in bold type face.

Planning Data and Analysis.

Population.

| <i>Person per Household 2013-2017</i> | <i>Additional Dwelling Units</i> | <i>Projected Population Increase</i> |
|--|---|---|
| 3.19 | 118 | 376 |
| <i>United States Census, City of Parkland.</i> | | |

The projected population is based upon Parkland’s average household size of 3.19 persons per household. The proposed multifamily units at Gator Acres will include 2 and 3-bedroom apartments. These units are not expected to the same household population as the 3, 4 and 5-bedroom single-family units in Parkland. At a more realistic 2.5 persons per household, the total population increase is projected to be approximately 295 people (PFM estimate).

Compatibility. *The Broward County Land Use Plan Policy 2.10.2 states the compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It further states that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns. The Broward County Land Use Plan defines compatibility “as a condition in which land uses or conditions can coexist*



in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.” Staff evaluates compatibility based upon the characteristics of the proposed use in relation to the surrounding uses.

The subject parcel has been negatively impacted for single-family development purposes as a result of the County’s action of eminent domain and construction of the 300 foot broadcast tower. The subject parcel is smaller, reducing the available development potential. The tower is also too large to buffer from adjacent properties, reducing the sites desirability for residential construction.

The subject parcel is zoned for 1 unit per 10 acres, but the entire parcel has been reduced to 4.77 acres. A zoning change is required for any development to take place. The area to the south of the subject parcel was a borrow pit. It has been developed as “Irregular Residential”. As a blighted parcel, the County should consider all alternative zoning types for which the site is suitable.

Staff finds the proposed future land use designation increases the allowed dwelling units from one to 119 and the allowed density from 0.1 dwelling units per acre to 25 dwelling units per acre. The increased density allowed by the proposed amendment also changes the allowed dwelling unit type from single-family to multi- family.

The future land use designation to the east and south of the site is currently Rural Residential 10; however, the City of Parkland is considering a future land use map amendment that would change these areas Low (3) Residential. The City of Parkland City Commission passed the proposed amendment at first reading.

Broward County Land Use Plan Policy 2.20.2 provides for “medium” to “high” densities where compatible with the physical location and services needs of residents in all age and income groups. Areas designated for Medium-High (25) Residential future land use designation on the Broward County Land Use Plan’s Future Land Use Map are generally located close to employment, shopping, services, and major transportation corridors with frequent transit service. Staff finds the proposed Medium-High (25) future land use designation:

- *Allows a density that is not compatible with the existing, planned, and emerging low density residential land use pattern, both adjacent to and within the vicinity of the proposed amendment site.*



- *Is not located in an urban area that is close to employment, shopping, services, and major transportation corridors with frequent transit service.*

At the requested density of 24.7 units per acre, the project would fall within the County's "Medium-High Residential" future land use. This land use is typically seen on arterials and is often used as a buffer between commercial development and lower density residential development. The future land use map has numerous sites where medium and medium-high residential abuts lower density residential neighborhoods. The proposed development is an appropriate buffer to the surrounding land uses and does not generate any compatibility issues that are different from other similar developments already approved in Broward County and part of the future land use plan.

The proposed development is located just north of the County's new 300 foot broadcast tower. The presence of the tower negatively impacts the development potential of the site due to the inability to buffer the visual impact of the tower. Multifamily development not only serves as a buffer to the tower's presence, but can be planned so as to mitigate the visual impacts through site planning techniques.

The subject site is located on and has direct access to Loxahatchee Road, which is an arterial road which also serves as a county boundary. The proposed development will have primary access from Loxahatchee Road resulting in fewer trips through the other residential areas of Parkland. Living in the Parkland area is a lifestyle choice. No one chooses to live in extreme Broward County and has the expectation that shopping or jobs will be nearby, or that public transit will be readily available.

Staff further finds a minimal increase in density is warranted in consideration of the existing and emerging land use pattern. Consequently, staff recommends the subject site be changed from Rural Residential-10 future land use to Low (3) Residential. This staff recommendation is subject to consent by the applicant.

The property is a legal, non-conforming parcel which does not meet the minimum lot size requirement for its exiting land use designation. The increase in density proposed by Staff makes profitable development of the property difficult. The Applicant is requesting that the density be increased to allow 118 multifamily units to be constructed on the site.



Public Schools.

Staff finds the proposed amendment is not anticipated to have a negative impact on public schools; however, the applicant will be subject to public school concurrency review and mitigation may be required at the time of platting and/or site plan review.

Mobility.

Bicycle and Pedestrian. *The proposed amendment site is accessed from Loxahatchee Road, a 2-lane roadway without dedicated bicycle facilities and a discontinuous sidewalk on the south side. The amendment site is adjacent to the south entrance of the Arthur R. Marshall Loxahatchee Wildlife Refuge and the Conservation Levee Greenway.*

Staff recommends the applicant incorporated pedestrian and bicycle connectivity during the site plan and/or platting processes to the maximum extent feasible, including the following:

- Configure development to ensure safe connectivity to the Conservation Levee Greenway, Arthur R. Marshall Loxahatchee Wildlife Refuge, and the surrounding transportation network.*
- Enhance quality of service by considering amenities, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development.*
- Coordinate any development on the amendment site with Broward County, the Broward Metropolitan Planning Organization, and the Florida Department of Transportation to ensure compatibility with the proposed mobility project.*

The Applicant will agree to these features and anticipates a project design with amenities which will enhance the resident's access to and enjoyment of the surrounding natural resources.

Public Transit. *The closest transit stop is over 4 miles away along Broward County Transit (BCT) Bus Route 88 at Coral Ridge Drive and Holmberg Road.*

Staff recommends that private shuttle service be considered to provide transit connectivity for future residents.

People that require public transportation rarely choose to reside outside of the urban service area. Since the proposed development is located on the extreme northwest boundary of Broward County, it is unlikely that any householder will rely on public transportation. The Applicant does not foresee a need for a shuttle to provide transit connectivity.



Electric vehicles. Staff recommends that the applicant consider the installation of electric vehicle charging stations or dedicated parking for low emission vehicles for use by future residents who wish to reduce their carbon footprint.

The Applicant will consider the usefulness and demand for electric vehicle charging stations. Electric vehicles do not tend to be numerous in the more distant parts of the county, but an electric charging station amenity is possible.

Traffic Circulation. The proposed amendment site is located within the Northwest Transportation Concurrency District and is subject to road impact fees. For the purpose of issuing development permits, the peak hour LOS standard for road segments within the Northwest District is the Generalized Two-way Peak Hour (LOS) "D" Volumes for Florida's Urbanized Areas Table in FDOT's most current Quality/Level of Service Handbook. Loxahatchee Road serves the proposed amendment site is currently operates at Level-of-Service (LOS) B.

| • Trips: Proposed Designation | |
|-------------------------------|----------------------|
| • Potential Development | • 119 dwelling units |
| • Trip Generation rate | • 0.66 (Townhouse) |
| • Total PM Peak Hour Trips | • 78.54 |
| • Fee per Trip (Zone 3) | • \$623 |
| • Total Fee | • \$48,594 |

Staff notes the applicant will be required to comply with Transportation Concurrency, including payment any required impact fees during development permitting process.

The proposed development will not significantly affect the current Level of Service for Loxahatchee Road. The Applicant will be required to comply with Transportation Concurrency and pay any required impact fees.

Potable Water The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider. The NSID stated that it does not have comments.



Sanitary Sewer *The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District is the service provider. The NSID stated that it does not have comments.*

The proposed development is located within a water management division which provides water and sanitary sewer. As such, it will not rely on septic systems and will not have a negative impact on the local aquifer.

Solid Waste *The proposed amendment site is served by the Wheelabrator Technologies waste-to-energy facility, located at 4400 SR 7/US 441.*

Staff concludes adequate solid waste disposal facilities exist to serve the proposed amendment site.

Drainage and Aquifer Recharge.

The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider.

The Broward County Environmental Planning and Community Resilience Division notes the site is located within the jurisdictions of the NSID and the South Florida Water Management District (SFWMD). Development is required to meet drainage standards set forth by the NSID, SFWMD, and Broward County. Compliance with these standards should reduce the potential danger from flooding and maintain surface water quality. A surface water management permit may be required.

Development of the site consistent with the proposed future land use designation would involve a major percentage of impervious area and would result in a net decrease in the volume of water available for recharge. The proposed amendment would result in a minor change in aquifer recharge.

The NSID stated that it does not have comments.

The proposed development is located within a water management division which provides water and sanitary sewer. As such, it will not rely on septic systems. The impervious area will not have a significant impact on the water recharge system.



Recreation and Open Space.

Local Parks: Broward County provides approximately 5.2 acres of local parks per thousand population. The level-of-service standard for local parks is three (3) acres per thousand population. It is projected the supply of local parks will be sufficient to meet the demand through at least 2045.

Regional Parks: Broward County provides approximately 4.09 acres of regional parks per thousand population. The level-of-service standard for regional parks is three (3) acres per thousand population. It is projected the supply of regional parks will be sufficient to meet the demand through at least 2045. However, at the time of platting, the Parks and Recreational Division will require regional park impact fees based on the number of units permitted on the site by the County Commission.

There are sufficient local parks and regional parks to serve the demand generated by the proposed development without impacting the recommended LOS. The Applicant will be responsible for any park and recreation impact fees that may be payable as a result of the development of the subject property.

Natural and Historic Resources.

Air Quality: The preliminary traffic analysis indicates that the proposed amendment would result in an increase by 79 PM peak hour trips per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a minimal impact on air quality.

The proposed development will not have any significant impact on the air quality.

There are no air permitted facilities in this area, therefore, there are no existing or potential odor or noise concerns.

Wellfield Protection: The proposed amendment site is not located within a wellfield zone of influence.

The proposed development will not significantly impact any important wellfields.

Specially Designated Areas: Specially designated areas may include Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, and Urban Wilderness Inventory sites. Broward County has not assigned any special designations to the proposed amendment site.

The proposed development will not impact any specially designated areas.



Protected Natural Land: The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The project site is not included in or located adjacent to a site listed in the Protected Natural Lands Inventory.

The subject property is not within a Protected Natural Lands area.

Wetlands: This site contains approximately three (3) acres of herbaceous and forested wetlands. Any impacts to wetlands, and creation or filling of surface waters requires a license from the Environmental Engineering and Permitting Division.

An Environmental Resource License application was submitted on March 22, 2018 that included the subject site and the adjacent parcel (Folio # 474119020010). Additional information was requested from the applicant on April 2, 2018. No response has yet been received. If this parcel is sold, a separate application would be required from the new owner. No impacts (clearing, filling, etc..) are authorized until an Environmental Resource License has been issued.

The Applicant acknowledges that these licenses must be in place before development may occur. The Developer will comply with licensing requirements and any mitigation requirements affecting the on-site wetlands.

Upland Resources (Tree Preservation): Aerial photographs indicate the subject site contains mature tree canopy. Development site must comply with the Broward County Tree Preservation and Abuse Ordinance (Chapter 27, Article XIV, Broward County Code of Ordinances). A Broward County Tree Removal License may be required for any proposed tree removal or relocation. As part of the licensing process the applicant is required to minimize the number of trees removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

The Applicant acknowledges that tree removal licenses may be required and will follow the County's requirements. The site has been previously cleared and revegetated by exotic and invasive plant and tree species. No native habitat remains. The site does not appear to contain any trees that fall within the guidelines that merit preservation. Site development is not expected to have a significant impact on the County's upland resources.



Marine and Riverine Resources: *The proposed amendment is not expected to impact on marine or riverine resources.*

The proposed project will not impact marine or riverine resources.

Proximity to Solid Waste Facilities, Contaminated Sites, SARA Title III (Community Right to Know) Facilities, Hazardous Materials Facilities.

Solid Waste Facilities. *The Broward County Environmental Engineering and Permitting Division's database of Licensed Solid Waste Facilities and Borrow Pits indicates there is a permitted compost facility (Lox Road Vegetative Recycling) located at 15800 Loxahatchee Road.*

Contaminated Sites. *The EPGMD's GIS Database of Contaminated Locations in Broward County does not include any contaminated site within a ¼-mile of the proposed amendment site. However, it shows three (3) contaminated sites within one (1) mile of the proposed amendment location. See attached map and database for further information as it relates to the land use amendment site.*

The Applicant acknowledges that there are a few contaminated sites within a mile of the proposed development. These facilities are not expected to impact the proposed development.

Historic Resources: *The subject property is located within the jurisdictional boundaries of Broward County's historic preservation ordinance (BC. Ord. 2014-32). Archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) were reviewed to determine the potential of proposed amendment site to include any previously identified significant historic, archaeological, or paleontological resources.*

No significant historic resources are expected to be located on the subject property. The Applicant acknowledges that stated County procedures will be followed should any historic resources be uncovered.

Endangered, Threatened or Species of Special Concern; Plants Listed in the Regulated Plant Index: *The adjacent Water Conservation Areas provide critical habitat for protected species such as the Florida panther, Snail Kite and Wood Stork. They also provide habitat for the threatened Audubon's crested caracara. These species are not known to inhabit the proposed amendment site.*

The proposed development will not negatively impact any endangered, threatened, species of special concern, or regulated plant species.



Priority Planning Areas for Sea Level Rise: *The Priority Planning Areas for Sea Level Rise Map does not include the proposed amendment site within an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map.*

The subject property is not expected to be impacted by sea level rise.

Hurricane Evacuation: *The proposed amendment site is not located within an evacuation zone.*

The proposed development will not impact the County's hurricane evacuation plans.

Affordable Housing.

Broward NEXT 2.0, Housing Element Policy H1.7, states that Broward County shall support the affordable housing requirements of Broward County Land Use Plan (BCLUP) Policy 2.16.2 and Article 5 of the Administrative Rules Document for amendments to the BCLUP which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP. The applicant proposed to increase the number of allowable dwelling units by 118 dwelling units for a total of 119 dwelling units; therefore, Policy 2.16.2 applies to this project.

Policy 2.16.2 requires the involved local government to provide those professionally accepted methodologies, policies, and best available data and analysis, which the local government has used to define affordable housing needs and solutions.

The applicant states that 15% of the units will be designated as Workforce Housing. The workforce housing units would provide two- and three-bedroom apartment units for teachers, police, firefighters, and others who qualify.

In order for staff to determine if this application satisfies the requirements of Policy 2.16.2, the applicant must submit the following, in accordance with Article 5.4 of the Administrative Rules Documents:

- The local government shall provide an estimate of the existing supply of affordable housing within the local government's boundaries in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply.*
- The local government must demonstrate how its chosen affordable housing strategy will satisfactorily achieve and/or maintain a sufficient supply consistent with the local government's planning horizon.*
- The study, report, or information submitted by the local governing body addressing Article 5.3 must utilize the methodology described in the report*



entitled “Recommended Methodology for Supply and Demand Analysis for Broward County’s Affordable Housing Market,” prepared by Meridian Appraisal Group, dated June 9, 2015.

The Applicant has provided an Affordable Housing report with tables derived from the Metropolitan Center at Florida International University. This residential project does not increase the demand for affordable units. Housing data provided by the County found an unmet demand for additional affordable housing countywide and within the City of Parkland. The study found that many lower-income and moderate-income households in Parkland were cost-burdened, paying more than 30 percent of their income for housing.

The affordable housing study found two multifamily apartment developments within Parkland and one under construction. All are located on the perimeter of the city. The 1-bedroom units ranged in price from \$1,467 to \$3,467. The 2-bedroom units ranged from \$1,912 to \$5,340. Most of these units were senior housing which does not support the local workforce.

The applicant has proposed that 15 percent of the 118 units will remain affordable, workforce housing. Please see the Gator Acres Affordable Housing report provided in this submittal.

Redevelopment and Urban Infill: The proposed amendment site is not located within a Community Redevelopment Area and is not an urban infill project.

Intergovernmental Coordination: The City of Parkland strongly opposes the proposed amendment for the following reasons:

Applicant Justification: The applicant cites a financial need resulting from Broward County’s taking of the northwest portion of the site as justification for the proposed amendment. The City of Parkland states that financial need does not form “a basis for sound land use planning or for granting a land use plan amendment.” The City asserts that “compatibility is the principle defining criterion to determine if an amendment requests merits favorable consideration.”

The reduction in parcel size and the construction of a 300-foot broadcast tower greatly diminish the development potential for the subject site. An amendment is required because the parcel is a legal non-conforming parcel which does not meet the minimum lot size requirements of the existing land use designation. Further, as stated in an earlier comment, low density residential is not



compatible with the already existing 300-foot tower, whereas multifamily can be designed in ways to reduce the impact of the tower.

Compatibility: The proposed density of 25 dwelling units per acre is incompatible with adjacent existing and planned residential uses.

The City of Parkland is primarily comprised of low-density, single-family homes. There is little diversity of housing type and the result is a city with a median housing value of around \$613,000. This prices most workforce households out of the market. The Applicant is requesting a zoning change to allow the development of 118 multifamily units. These units will be market driven, but valued below the existing single-family median. This will add needed diversity to the community and provide homes for many workforce households.

As stated elsewhere in this response, the medium and medium-high density residential land uses are found throughout the county and are typically used as a buffer between lower density residential and more intense commercial uses. Medium-high density residential is also appropriate for development along major roads and arterials. The subject site is located on and has primary access to/from Loxahatchee Road. The proposed land use is not unique in its alignment with other residential development in Broward County. The multifamily land use is appropriate for the subject site.

Access: The proposed density of 25 dwelling units per acre will negatively impact the level-of-service on Lox Road.

The proposed development is projected to generate only 78.54 total PM peak hour trips. The primary access to the property will be Loxahatchee Road. Loxahatchee Road currently operates at LOS B, while the County standard is LOS D. The proposed development will not significantly deteriorate the level of service on Loxahatchee Road, which will remain well above the county standard.

The City of Parkland City Commission supported an amendment on first reading that would change the future land use designation of the Rural Residential-10 parcels located to the east and south to three (3) dwelling units per acre. They would be age restricted.

This action had taken place prior to the tower being located on the site. The development of the 300-foot broadcast tower has changed the circumstances. The Gator Acre project is not located within the City of Parkland at this time.



The City of Parkland contends the logical density for the proposed amendment site is 1.5 dwelling units per acre, as a transition between the Water Conservation Areas to the west and the proposed three (3) dwelling units per acre to the east. The City also supports two (2) dwelling units per acre without an age restriction or three (3) dwelling units per acre with an age restriction.

The Broward County Future Land Use Map shows that virtually any land use is appropriate when adjacent to the Water Conservation Areas. The Map shows that low-density and medium-density residential exists adjacent to the conservation areas, as does significant amounts of irregular residential and commercial development. The Map also shows that medium density residential is often used as a buffer between the lower-density residential and more intense land uses. The proposed land use density is appropriate for the subject property.

Comprehensive Plan Consistency

The Environmental Protection and Growth Management Department's Planning and Development Management Division staff finds that the proposed amendment is not consistent with the following:

Broward County Land Use Plan Policies:

Compatibility

POLICY 2.10.2: The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns.

The subject property is a legal, non-conforming parcel that does not meet existing minimum lot size. A land use amendment is required for any development to occur. The Project has requested a density of 24.7 residential units per acre, qualifying for the "Medium-High Residential" future land use. This land use has used throughout Broward County as a buffer between commercial development and lower density residential development. The future land use map has numerous sites where



medium-high and medium density residential abuts lower density residential neighborhoods. The proposed development is an appropriate buffer to the surrounding land uses and does not generate any compatibility issues that are different from other similar developments already approved in Broward County and part of the future land use plan. Another consideration is that the concept of compatibility is to protect the rights of adjacent property owners. In this instance, the only adjacent property owner (with the exception of the public water conservation area) is the same property owner. Gator Acres and the adjacent NSID property are owned by the same partners. There is no compatibility issue with the adjacent low-density residential development on the east side of the subject property.

The property to the south of the subject has been developed with a broadcast tower. Further south is a borrow pit with “irregular residential” development. There is no compatibility issue with the development to the south.

The water conservation area and canals make up the western border of the subject property. Broward County has many examples of medium density residential, irregular residential and commercial development adjacent to the water conservation areas. There is no compatibility issue with the property to the west.

Loxahatchee Road provides the northern border of the subject property. It is also the county boundary. Palm Beach County is on the north side of the road. That land has a designation of low density residential. The small 5-acre cluster of multifamily residences will not negatively impact the future development of the Palm Beach County parcels.

The subject site is located directly on Loxahatchee Road. Loxahatchee Road is an arterial road which also serves as a county boundary. The proposed development will have its primary access from Loxahatchee Road resulting in fewer trips through the other residential areas of Parkland.



The availability of water and sanitary sewer further enhance the subject property as capable of higher density development. Sanitary sewer eliminates the problems associated with septic systems. These septic system problems are partially the reason why properties outside of the urban service area are initially zoned lower density.

Affordable Housing

POLICY 2.16.2 For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. In addressing amendments which proposed to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, the municipality, without limitation, may include consideration and implementation of the following affordable housing strategies:

- *programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide for the construction or supply of affordable housing;*
- *programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide funding to facilitate the affordable purchase or renting of housing;*
 - a. *programs and policies in which the municipality, and/or Broward County, and/or other appropriate agencies, facilitate the maintenance of the existing supply of affordable housing stock, if any;*
 - b. *property tax abatement programs aimed at preserving or creating affordable housing;*
 - c. *streamlined and reduced-cost permitting procedures for affordable housing;*



- d. *specific minimum set-aside requirements for new affordable housing construction;*
- e. *use of appropriate existing public lands, or public land-banking, to facilitate an affordable housing supply;*
- f. *programs and policies to facilitate the development and use of municipal and/or Broward County affordable housing density bonus provisions;*
- g. *land development regulations which promote the availability of affordable housing such as reduced lot size and floor area for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, and the allowance of accessory dwelling units;*
- h. *the existing supply of affordable housing.*

The affected municipality shall demonstrate compliance with this Policy at the time of the County's consideration of the applicable land use plan amendment, by establishing that the municipality has implemented or ensured adoption of appropriate policy and program measures to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. The local government shall estimate its supply of affordable housing utilizing the data and methodology referenced within the "Administrative Rules Document: Broward County Land Use Plan." For the purposes of this Policy, the term "affordable housing" shall include the meaning as defined by the BCLUP. The median annual income estimate should be updated at least yearly.

An affordable housing report has been attached to this submittal. The study by The Metropolitan Center at Florida International University found that Parkland had an unmet demand for both low and moderate income units. The study found that a significant number of owner households (34.5%) and rental households (68.2%) were cost-burdened, meaning that they pay more than 30% of their household income on housing.

The proposed development is strictly residential and will not generate more than a few managerial and/or property maintenance jobs.

The project will build 118 units, of which 15 percent are to be priced within the affordable housing guidelines. Approximately 18 additional "workforce" units will be brought on line with this project, providing additional inventory for the cost-burdened households.



The proposed development will not add to the demand for affordable housing, but will add to the supply of units needed for Broward’s workforce.

Smart Growth

POLICY 2.20.1: Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

The proposed development complies with Policy 2.20.1 in that it provides a diversity of housing that will be more affordable than the single-family homes in the Parkland area. The primary transportation route is on Loxahatchee Road. This road is at LOS B and will not be significantly impacted by the proposed development. The development will have access to public utilities, including potable water and sanitary sewer. The property is located adjacent to the water conservation area and will not have any impact on the conservation of natural resources.

Wetlands

POLICY 2.22.2: Broward County and its local governments shall consider the impacts of land use plan amendments on wetland resources and minimize those impacts to the maximum extent practicable.

The proposed development will be constructed within the County’s guideline for development on and around wetlands. Strategic positioning of buildings and offsite wetland mitigation credits from an approved wetlands mitigation bank will be purchased, consistent with County policies and codes.

Broward County Comprehensive Plan Policies

Topography, Soil, and Floodplains

Policy BMSD 1.1.3: Future land uses shall be designated with consideration of appropriate topography, soil conditions, and floodplain elevation to avoid flooding, erosion, and repetitive property loss.



The proposed development will be designed with consideration of the topography, soil conditions and floodplain elevation. Proper drainage and elevation will be incorporated into the final plan design.

Policy BMSD 1.2.3 The following site characteristics shall be considered to determine its suitability for the proposed use:

Soils

Topography and floodplain elevations

Natural resources

Presence of historic and archaeological resources

The proposed development will be designed with consideration of the topography, soil conditions and floodplain elevation. The wetlands, hardwood trees and other natural resources will be impacted according to County guidelines. If historic or archaeological resources are discovered, the County guidelines will be followed.

Public Facilities, Services, and Compatibility

Policy BMSD 1.1.5: Future land uses shall be coordinated with the availability of public facilities and services.

The proposed development has coordinated with the local public facilities and service providers. The School District currently has capacity for the anticipated students. Loxahatchee Road is the primary transportation route to and from the site. It is currently operating at LOS B and will not be significantly impacted by the project. Public transit is not servicing the Parkland area and is not expected to provide service in the near future. Potable water and sanitary sewer will be provided by the North Spring Improvement District, which has available capacity. Solid waste will be service by Wheelabrator Technologies, which has capacity for the project. The project will be developed with appropriate on-site drainage and at necessary elevation. Broward County has indicated that there is sufficient local parks and regional parks to meet demand through 2045. All public facilities and services appear to have sufficient capacity to cover the needs generated by the proposed project.



Policy BMSD 1.3.3 Proposed amendments to the BMSD Future Land Use Map designations within BMSD enclaves shall be evaluated based on the availability and cost of providing public facilities and services, in addition to site suitability, compatibility with surrounding uses, complete streets, transportation infrastructure, affordable housing, and potential impacts on natural resources.

As seen in response to BMSD 1.3.2, there is sufficient availability of all public facilities and services for the subject property. The developer will cover the fair-share capital facilities costs through the payment of impact fees for education, recreation and roads as well as connection fees for water and sewer. The project is providing affordable workforce housing on site (see response to Land Use Plan Policy 2.16.2 above). The on-site wetlands and upland resources will be addressed as required by County Code. County Staff did not find any other natural resources that would be significantly impacted by the proposed project. Compatibility was addressed under the response to Land Use Plan Policy 2.10.2 above.



This response to Staff comments and Policies, along with the Gator Acres Affordable Housing report comprise out analysis of the proposed project. We believe that the 118-unit Gator Acres project, as submitted, is compatible with the surrounding development; does not generate any demand for additional public facilities; will have to pay its fair share in impact fees and potential mitigation; will provide a housing alternative for householders desiring close proximity to the conservation area and Palm Beach County; and will provide affordable workforce housing for some of the cost-burdened households already in Parkland.

Sincerely,

Steven K Schriever
Senior Managing Consultant
PFM Group Consulting LLC

I. Planning Data and Analysis.

A. Population.

| Population. Person per Household 2013-2017 | Additional Dwelling Units | Projected Population Increase |
|---|----------------------------------|--------------------------------------|
| 3.19 | 118 | 376 |
| <i>United States Census, City of Parkland.</i> | | |

Applicant’s Response: The projected population is based upon Parkland’s average household size of 3.19 persons per household. The proposed multifamily units at Gator Acres will include 2 and 3-bedroom apartments. These units are not expected to the same household population as the 3, 4 and 5-bedroom single-family units in Parkland. At a more realistic 2.5 persons per household, the total population increase is projected to be approximately 295 people (PFM estimate).

Staff Response: The 2017 Broward County Population Forecasting and Allocation Model indicates an average household size of 2.59 in 2020. Staff adjusted the projected population to 305.

B. Compatibility.

- The Broward County Land Use Plan Policy 2.10.2 states the compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It further states that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns. The Broward County Land Use Plan defines compatibility “as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.” Staff evaluates compatibility based upon the characteristics of the proposed use in relation to the surrounding uses.*

Applicant’s Response: The subject parcel has been negatively impacted for single-family development purposes as a result of the County’s action of eminent domain and construction of the 300-foot broadcast tower. The subject parcel is smaller, reducing the available development potential. The tower is also too large to buffer from adjacent properties, reducing the sites desirability for residential construction.

The subject parcel is zoned for 1 unit per 10 acres, but the entire parcel has been reduced to 4.77 acres. A zoning change is required for any development to take place. The area to the south of the subject parcel was a borrow pit. It has been developed as “Irregular Residential”. As a blighted parcel, the County should consider all alternative zoning types for which the site is suitable.

Staff Response:

Broward County purchased the site to construct a communications tower that will ensure efficient and unbroken communications among emergency service providers. Since the property owner was not a willing seller, Broward County was compelled to acquire the site through eminent domain. It is noted that the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, issued a Stipulated Order of Taking and the property owner was justly compensated. The Order may be viewed in the official records of Broward County, Florida under Instrument Number 115447861. The Order notes that Broward County properly exercised its power of eminent domain and that the Declaration of Taking by Broward County was made in good faith and based upon a valid appraisal.

The Declaration further notes that TLH Sabra “waives and agrees not to seek any damages, including but not limited to business damages or claim of loss of income it has or may have, resulting from the demolition of the Building and any related improvement on the Subject Property.” The applicant now asserts that the taking, in combination with pre-existing conditions on an adjacent parcel, cause the property to be blighted. Staff notes the property is a previously undeveloped parcel, located adjacent to the historic Everglades, that is not blighted. Staff further notes that a taking does not cause conditions of deterioration that are associated with blight.

2. *Staff finds the proposed future land use designation increases the allowed dwelling units from one to 119 and the allowed density from 0.1 dwelling units per acre to 25 dwelling units per acre. The increased density allowed by the proposed amendment also changes the allowed dwelling unit type from single-family to multi-family.*

The future land use designation to the east and south of the site is currently Rural Residential 10; however, the City of Parkland is considering a future land use map amendment that would change these areas Low (3) Residential. The City of Parkland City Commission passed the proposed amendment at first reading.

The Broward County Land Use Plan Policy 2.20.2 provides for “medium” to “high” densities where compatible with the physical location and services needs of residents in all age and income groups. Areas designated for Medium-High (25) Residential future land use designation on the Broward County Land Use Plan’s Future Land Use Map are generally located close to employment, shopping, services, and major transportation corridors with frequent transit service. Staff finds the proposed Medium-High (25) future land use designation:

- *Allows a density that is not compatible with the existing, planned, and emerging low density residential land use pattern, both adjacent to and within the vicinity of the proposed amendment site.*
- *Is not located in an urban area that is close to employment, shopping, services, and major transportation corridors with frequent transit service.*

Applicant’s Response: At the requested density of 24.7 units per acre, the project would fall within the County’s “Medium-High Residential” future land use. This land use is

typically seen on arterials and is often used as a buffer between commercial development and lower density residential development. The future land use map has numerous sites where medium and medium-high residential abuts lower density residential neighborhoods. The proposed development is an appropriate buffer to the surrounding land uses and does not generate any compatibility issues that are different from other similar developments already approved in Broward County and part of the future land use plan.

The proposed development is located just north of the County's new 300 foot broadcast tower. The presence of the tower negatively impacts the development potential of the site due to the inability to buffer the visual impact of the tower. Multifamily development not only serves as a buffer to the tower's presence, but can be planned so as to mitigate the visual impacts through site planning techniques.

The subject site is located on and has direct access to Loxahatchee Road, which is an arterial road which also serves as a county boundary. The proposed development will have primary access from Loxahatchee Road resulting in fewer trips through the other residential areas of Parkland. Living in the Parkland area is a lifestyle choice. No one chooses to live in extreme Broward County and has the expectation that shopping or jobs will be nearby, or that public transit will be readily available.

Staff Response:

Staff agrees that higher density residential future land use designations often abut arterial roadways and may be used to transition between lower density residential and commercial uses. However, staff does not agree that the "proposed development is an appropriate buffer to the surrounding land uses and does not generate any compatibility issues that are different from other similar developments already approved in Broward County." Such "other similar developments" typically involve intensely-developed commercial corridors with high trip generation rates. These circumstances require such a transition. Such circumstances are not applicable to the proposed amendment site. The proposed amendment site is located within a low density, residential area at the end of a lightly travelled, non-arterial roadway. It also is adjacent to the historic Everglades, which is designated for Conservation use. Based upon surrounding existing and planned low density residential and conservation uses, the Medium-High (25) Residential future land use designation will allow an incompatible land use, not create a buffer.

3. *Staff further finds a minimal increase in density is warranted in consideration of the existing and emerging land use pattern. Consequently, staff recommends the subject site be changed from Rural Residential-10 future land use to Low (3) Residential. This staff recommendation is subject to consent by the applicant.*

Applicant's Response: The property is a legal, non-conforming parcel which does not meet the minimum lot size requirement for its existing land use designation. The increase in density proposed by Staff makes profitable development of the property difficult. The

Applicant is requesting that the density be increased to allow 118 multifamily units to be constructed on the site.

Staff Response:

The current Palm Beach County Rural Residential future land use designation requires at least 10 acres to build one dwelling unit. The undersized parcel was reduced from 5.01 acres to 4.77 acres and continues to be a legal, non-conforming parcel. However, one dwelling unit was allowed prior to the reduction in parcel size and one dwelling is currently allowed. Staff agrees the current and emerging development pattern in the vicinity of the proposed amendment site warrants a modest density increase. Staff continues to support its original recommendation that a Low (3) Residential future land use designation is appropriate.

C. Public Schools.

Staff finds the proposed amendment is not anticipated to have a negative impact on public schools; however, the applicant will be subject to public school concurrency review and mitigation may be required at the time of platting and/or site plan review.

Applicant's Response: None

Staff Response: Not applicable

D. Mobility.

- 1. Bicycle and Pedestrian.** *The proposed amendment site is accessed from Loxahatchee Road, a 2-lane roadway without dedicated bicycle facilities and a discontinuous sidewalk on the south side. The amendment site is adjacent to the south entrance of the Arthur R. Marshall Loxahatchee Wildlife Refuge and the Conservation Levee Greenway.*

Staff recommends the applicant incorporated pedestrian and bicycle connectivity during the site plan and/or platting processes to the maximum extent feasible, including the following:

- Configure development to ensure safe connectivity to the Conservation Levee Greenway, Arthur R. Marshall Loxahatchee Wildlife Refuge, and the surrounding transportation network.*
- Enhance quality of service by considering amenities, such as pedestrian- scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development.*
- Coordinate any development on the amendment site with Broward County, the Broward Metropolitan Planning Organization, and the Florida Department of Transportation to ensure compatibility with the proposed mobility project.*

Applicant's Response: The Applicant will agree to these features and anticipates a project design with amenities which will enhance the resident's access to and enjoyment of the surrounding natural resources.

Staff Response: Staff accepts applicant's response.

- 2. Public Transit.** *The closest transit stop is over 4 miles away along Broward County Transit (BCT) Bus Route 88 at Coral Ridge Drive and Holmberg Road. Staff recommends that private shuttle service be considered to provide transit connectivity for future residents.*

Applicant's Response: People that require public transportation rarely choose to reside outside of the urban service area. Since the proposed development is located on the extreme northwest boundary of Broward County, it is unlikely that any householder will rely on public transportation. The Applicant does not foresee a need for a shuttle to provide transit connectivity.

Staff Response: Staff accepts applicant's response.

- 3. Electric vehicles.** *Staff recommends that the applicant consider the installation of electric vehicle charging stations or dedicated parking for low emission vehicles for use by future residents who wish to reduce their carbon footprint.*

Applicant's Response: The Applicant will consider the usefulness and demand for electric vehicle charging stations. Electric vehicles do not tend to be numerous in the more distant parts of the county, but an electric charging station amenity is possible.

Staff Response: Staff accepts applicant's response.

- 4. Traffic Circulation.** *The proposed amendment site is located within the Northwest Transportation Concurrency District and is subject to road impact fees. For the purpose of issuing development permits, the peak hour LOS standard for road segments within the Northwest District is the Generalized Two-way Peak Hour (LOS) "D" Volumes for Florida's Urbanized Areas Table in FDOT's most current Quality/Level of Service Handbook. Loxahatchee Road serves the proposed amendment site is currently operates at Level-of-Service (LOS) B.*

| <i>• Trips: Proposed Designation</i> | |
|--------------------------------------|-----------------------------|
| <i>• Potential Development</i> | <i>• 119 dwelling units</i> |
| <i>• Trip Generation rate</i> | <i>• 0.66 (Townhouse)</i> |
| <i>• Total PM Peak Hour Trips</i> | <i>• 78.54</i> |
| <i>• Fee per Trip (Zone 3)</i> | <i>• \$623</i> |
| <i>• Total Fee</i> | <i>• \$48,594</i> |

Staff notes the applicant will be required to comply with Transportation Concurrency, including payment any required impact fees during development permitting process.

Applicant's Response: The proposed development will not significantly affect the current Level of Service for Loxahatchee Road. The Applicant will be required to comply with Transportation Concurrency and pay any required impact fees.

Staff Response: Staff accepts applicant's response.

- E. Potable Water:** *The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider. The NSID stated that it does not have comments.*

Applicant's Response: The proposed development is located within a water management division which provides water and sanitary sewer. As such, it will not rely on septic systems and will not have a negative impact on the local aquifer.

Staff Response: Staff accepts applicant's response.

- F. Sanitary Sewer:** *The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District is the service provider. The NSID stated that it does not have comments.*

Applicant's Response: The proposed development is located within a water management division which provides water and sanitary sewer. As such, it will not rely on septic systems and will not have a negative impact on the local aquifer.

Staff Response: Staff accepts applicant's response.

- G. Solid Waste:** *The proposed amendment site is served by the Wheelabrator Technologies waste-to-energy facility, located at 4400 SR 7/US 441.*

Staff concludes adequate solid waste disposal facilities exist to serve the proposed amendment site.

Applicant's Response: Not applicable.

Staff Response: Not applicable.

- H. Drainage and Aquifer Recharge:** *The Broward County Water Management Division does not object to the proposed amendment, noting that the North Springs Improvement District (NSID) is the service provider.*

The Broward County Environmental Planning and Community Resilience Division notes the site is located within the jurisdictions of the NSID and the South Florida Water Management District (SFWMD). Development is required to meet drainage standards set forth by the NSID, SFWMD, and Broward County. Compliance with these standards should reduce the potential danger from flooding and maintain surface water quality. A surface water management permit may be required.

Development of the site consistent with the proposed future land use designation would involve a major percentage of impervious area and would result in a net decrease in the volume of water available for recharge. The proposed amendment would result in a minor change in aquifer recharge.

The NSID stated that it does not have comments.

Applicant's Response: The proposed development is located within a water management division which provides water and sanitary sewer. As such, it will not rely on septic systems. The impervious area will not have a significant impact on the water recharge system.

Staff Response: Staff accepts applicant's response.

I. Recreation and Open Space:

- 1. Local Parks**: *Broward County provides approximately 5.2 acres of local parks per thousand population. The level-of-service standard for local parks is three (3) acres per thousand population. It is projected the supply of local parks will be sufficient to meet the demand through at least 2045.*
- 2. Regional Parks**: *Broward County provides approximately 4.09 acres of regional parks per thousand population. The level-of-service standard for regional parks is three (3) acres per thousand population. It is projected the supply of regional parks will be sufficient to meet the demand through at least 2045. However, at the time of platting, the Parks and Recreational Division will require regional park impact fees based on the number of units permitted on the site by the County Commission.*

Applicant's Response: There are sufficient local parks and regional parks to serve the demand generated by the proposed development without impacting the recommended LOS. The Applicant will be responsible for any park and recreation impact fees that may be payable as a result of the development of the subject property.

Staff Response: Staff accepts applicant's response.

J. Natural and Historic Resources:

- 1. Air Quality**: *The preliminary traffic analysis indicates that the proposed amendment would result in an increase by 79 PM peak hour trips per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a minimal impact on air quality.*

Applicant's Response: The proposed development will not have any significant impact on the air quality. There are no air permitted facilities in this area, therefore, there are no existing or potential odor or noise concerns.

Staff Response: Staff accepts applicant's response.

- 2. Wellfield Protection**: *The proposed amendment site is not located within a wellfield zone of influence.*

Applicant's Response: The proposed development will not significantly impact any important wellfields.

Staff Response: Staff accepts applicant's response.

3. ***Specially Designated Areas:*** *Specially designated areas may include Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, and Urban Wilderness Inventory sites. Broward County has not assigned any special designations to the proposed amendment site.*

Applicant's Response: The proposed development will not impact any specially designated areas.

Staff Response: Staff accepts applicant's response.

4. ***Protected Natural Land:*** *The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The project site is not included in or located adjacent to a site listed in the Protected Natural Lands Inventory.*

Applicant's Response: The subject property is not within a Protected Natural Lands area.

Staff Response: Staff accepts applicant's response.

5. ***Wetlands:*** *This site contains approximately three (3) acres of herbaceous and forested wetlands. Any impacts to wetlands, and creation or filling of surface waters requires a license from the Environmental Engineering and Permitting Division.*

An Environmental Resource License application was submitted on March 22, 2018 that included the subject site and the adjacent parcel (Folio # 474119020010). Additional information was requested from the applicant on April 2, 2018. No response has yet been received. If this parcel is sold, a separate application would be required from the new owner. No impacts (clearing, filling, etc.) are authorized until an Environmental Resource License has been issued.

Applicant's Response: The Applicant acknowledges that these licenses must be in place before development may occur. The Developer will comply with licensing requirements and any mitigation requirements affecting the on-site wetlands.

Staff Response: Staff accepts applicant's response.

6. ***Upland Resources (Tree Preservation):*** *Aerial photographs indicate the subject site contains mature tree canopy. Development site must comply with the Broward County Tree Preservation and Abuse Ordinance (Chapter 27, Article XIV, Broward County Code of Ordinances). A Broward County Tree Removal License may be required for any proposed*

tree removal or relocation. As part of the licensing process the applicant is required to minimize the number of trees removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Applicant's Response: The Applicant acknowledges that tree removal licenses may be required and will follow the County's requirements. The site has been previously cleared and revegetated by exotic and invasive plant and tree species. No native habitat remains. The site does not appear to contain any trees that fall within the guidelines that merit preservation. Site development is not expected to have a significant impact on the County's upland resources.

Staff Response: Staff accepts applicant's response.

- 7. *Marine and Riverine Resources:*** *The proposed amendment is not expected to impact on marine or riverine resources.*

Applicant's Response: The proposed project will not impact marine or riverine resources.

Staff Response: Staff accepts applicant's response.

- 8. *Proximity to Solid Waste Facilities, Contaminated Sites, SARA Title III (Community Right to Know) Facilities, Hazardous Materials Facilities:***

Solid Waste Facilities. The Broward County Environmental Engineering and Permitting Division's database of Licensed Solid Waste Facilities and Borrow Pits indicates there is a permitted compost facility (Lox Road Vegetative Recycling) located at 15800 Loxahatchee Road.

Contaminated Sites. The EPGMD's GIS Database of Contaminated Locations in Broward County does not include any contaminated site within a ¼-mile of the proposed amendment site. However, it shows three (3) contaminated sites within one (1) mile of the proposed amendment location. See attached map and database for further information as it relates to the land use amendment site.

Applicant's Response: The Applicant acknowledges that there are a few contaminated sites within a mile of the proposed development. These facilities are not expected to impact the proposed development.

Staff Response: Staff accepts applicant's response.

- 9. *Historic Resources:*** *The subject property is located within the jurisdictional boundaries of Broward County's historic preservation ordinance (BC. Ord. 2014-32). Archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) were*

reviewed to determine the potential of proposed amendment site to include any previously identified significant historic, archaeological, or paleontological resources.

Applicant's Response: No significant historic resources are expected to be located on the subject property. The Applicant acknowledges that stated County procedures will be followed should any historic resources be uncovered.

Staff Response: Staff accepts applicant's response.

- 10. Endangered, Threatened or Species of Special Concern; Plants Listed in the Regulated Plant Index:** *The adjacent Water Conservation Areas provide critical habitat for protected species such as the Florida panther, Snail Kite and Wood Stork. They also provide habitat for the threatened Audubon's crested caracara. These species are not known to inhabit the proposed amendment site.*

Applicant's Response: The proposed development will not negatively impact any endangered, threatened, species of special concern, or regulated plant species.

Staff Response: Staff accepts applicant's response.

- 11. Priority Planning Areas for Sea Level Rise:** *The Priority Planning Areas for Sea Level Rise Map does not include the proposed amendment site within an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map.*

Applicant's Response: The subject property is not expected to be impacted by sea level rise.

Staff Response: Staff accepts applicant's response.

- 12. Hurricane Evacuation:** *The proposed amendment site is not located within an evacuation zone.*

Applicant's Response: The proposed development will not impact the County's hurricane evacuation plans.

Staff Response: Staff accepts applicant's response.

- 13. Affordable Housing:** *Broward NEXT 2.0, Housing Element Policy H1.7, states that Broward County shall support the affordable housing requirements of Broward County Land Use Plan (BCLUP) Policy 2.16.2 and Article 5 of the Administrative Rules Document for amendments to the BCLUP which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP. The applicant proposed to increase the number of allowable dwelling units by 118 dwelling units for a total of 119 dwelling units; therefore, Policy 2.16.2 applies to this project.*

Policy 2.16.2 requires the involved local government to provide those professionally accepted methodologies, policies, and best available data and analysis, which the local government has used to define affordable housing needs and solutions.

The applicant states that 15% of the units will be designated as Workforce Housing. The workforce housing units would provide two- and three-bedroom apartment units for teachers, police, firefighters, and others who qualify.

In order for staff to determine if this application satisfies the requirements of Policy 2.16.2, the applicant must submit the following, in accordance with Article 5.4 of the Administrative Rules Documents:

-The local government shall provide an estimate of the existing supply of affordable housing within the local government's boundaries in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply.

-The local government must demonstrate how its chosen affordable housing strategy will satisfactorily achieve and/or maintain a sufficient supply consistent with the local government's planning horizon.

-The study, report, or information submitted by the local governing body addressing Article 5.3 must utilize the methodology described in the report entitled "Recommended Methodology for Supply and Demand Analysis for Broward County's Affordable Housing Market," prepared by Meridian Appraisal Group, dated June 9, 2015.

Applicant's Response: The Applicant has provided an Affordable Housing report with tables derived from the Metropolitan Center at Florida International University. This residential project does not increase the demand for affordable units. Housing data provided by the County found an unmet demand for additional affordable housing countywide and within the City of Parkland. The study found that many lower-income and moderate-income households in Parkland were cost-burdened, paying more than 30 percent of their income for housing.

The affordable housing study found two multifamily apartment developments within Parkland and one under construction. All are located on the perimeter of the city. The 1-bedroom units ranged in price from \$1,467 to \$3,467. The 2-bedroom units ranged from \$1,912 to \$5,340. Most of these units were senior housing which does not support the local workforce.

The applicant has proposed that 15 percent of the 118 units will remain affordable, workforce housing. Please see the Gator Acres Affordable Housing report provided in this submittal.

Staff Response: Staff accepts applicant's response.

- 14. Redevelopment and Urban Infill:** *The proposed amendment site is not located within a Community Redevelopment Area and is not an urban infill project.*

Applicant's Response: N/A

15. Intergovernmental Coordination:

The City of Parkland strongly opposes the proposed amendment for the following reasons:

The applicant cites a financial need resulting from Broward County's taking of the northwest portion of the site as justification for the proposed amendment. The City of Parkland contends that financial need does not form "a basis for sound land use planning or for granting a land use plan amendment." The City asserts that "compatibility is the principle defining criterion to determine if an amendment requests merits favorable consideration."

Applicant's Response: The reduction in parcel size and the construction of a 300-foot broadcast tower greatly diminish the development potential for the subject site. An amendment is required because the parcel is a legal non-conforming parcel which does not meet the minimum lot size requirements of the existing land use designation. Further, as stated in an earlier comment, low density residential is not compatible with the already existing 300-foot tower, whereas multifamily can be designed in ways to reduce the impact of the tower.

Staff Response: The additional information was sent to the City of Parkland for review.

16. Compatibility: *The proposed density of 25 dwelling units per acre is incompatible with adjacent existing and planned residential uses.*

Applicant's Response: The City of Parkland is primarily comprised of low-density, single-family homes. There is little diversity of housing type and the result is a city with a median housing value of around \$613,000. This prices most workforce households out of the market. The Applicant is requesting a zoning change to allow the development of 118 multifamily units. These units will be market driven, but valued below the existing single-family median. This will add needed diversity to the community and provide homes for many workforce households.

As stated elsewhere in this response, the medium and medium-high density residential land uses are found throughout the county and are typically used as a buffer between lower density residential and more intense commercial uses. Medium-high density residential is also appropriate for development along major roads and arterials. The subject site is located on and has primary access to/from Loxahatchee Road. The proposed land use is not unique in its alignment with other residential development in Broward County. The multifamily land use is appropriate for the subject site.

Staff Response: See Section I.B.

17. Access: *The proposed density of 25 dwelling units per acre will negatively impact the level-of-service on Lox Road.*

Applicant's Response: The proposed development is projected to generate only 78.54 total PM peak hour trips. The primary access to the property will be Loxahatchee Road.

Loxahatchee Road currently operates at LOS B, while the County standard is LOS D. The proposed development will not significantly deteriorate the level of service on Loxahatchee Road, which will remain well above the county standard.

Staff Response: Staff accepts the applicant's response.

18. Parkland Comments:

- a. *The City of Parkland City Commission supported an amendment on first reading that would change the future land use designation of the Rural Residential-10 parcels located to the east and south to three (3) dwelling units per acre. They would be age restricted.*

Applicant's Response: This action had taken place prior to the tower being located on the site. The development of the 300-foot broadcast tower has changed the circumstances. The Gator Acre project is not located within the City of Parkland at this time.

Staff Response: The additional information was sent to the City of Parkland for review.

- b. *The City of Parkland contends the logical density for the proposed amendment site is 1.5 dwelling units per acre, as a transition between the Water Conservation Areas to the west and the proposed three (3) dwelling units per acre to the east. The City also supports two (2) dwelling units per acre without an age restriction or three (3) dwelling units per acre with an age restriction.*

Applicant's Response: The Broward County Future Land Use Map shows that virtually any land use is appropriate when adjacent to the Water Conservation Areas. The Map shows that low-density and medium-density residential exists adjacent to the conservation areas, as does significant amounts of irregular residential and commercial development. The Map also shows that medium density residential is often used as a buffer between the lower-density residential and more intense land uses. The proposed land use density is appropriate for the subject property.

Staff Response: The additional information was sent to the City of Parkland for review.

19. Comprehensive Plan Consistency

The Environmental Protection and Growth Management Department's Planning and Development Management Division staff finds that the proposed amendment is not consistent with the following:

A. Broward County Land Use Plan Policies

1. *Compatibility*

POLICY 2.10.2: The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and

deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns.

Applicant's Response: The subject property is a legal, non-conforming parcel that does not meet existing minimum lot size. A land use amendment is required for any development to occur. The Project has requested a density of 24.7 residential units per acre, qualifying for the "Medium-High Residential" future land use. This land use has used throughout Broward County as a buffer between commercial development and lower density residential development. The future land use map has numerous sites where medium-high and medium density residential abuts lower density residential neighborhoods. The proposed development is an appropriate buffer to the surrounding land uses and does not generate any compatibility issues that are different from other similar developments already approved in Broward County and part of the future land use plan. Another consideration is that the concept of compatibility is to protect the rights of adjacent property owners. In this instance, the only adjacent property owner (with the exception of the public water conservation area) is the same property owner. Gator Acres and the adjacent NSID property are owned by the same partners. There is no compatibility issue with the adjacent low-density residential development on the east side of the subject property.

The property to the south of the subject has been developed with a broadcast tower. Further south is a borrow pit with "irregular residential" development. There is no compatibility issue with the development to the south.

The water conservation area and canals make up the western border of the subject property. Broward County has many examples of medium density residential, irregular residential and commercial development adjacent to the water conservation areas. There is no compatibility issue with the property to the west.

Loxahatchee Road provides the northern border of the subject property. It is also the county boundary. Palm Beach County is on the north side of the road. That land has a designation of low density residential. The small 5-acre cluster of multifamily residences will not negatively impact the future development of the Palm Beach County parcels.

The subject site is located directly on Loxahatchee Road. Loxahatchee Road is an arterial road which also serves as a county boundary. The proposed development will have its primary access from Loxahatchee Road resulting in fewer trips through the other residential areas of Parkland.

The availability of water and sanitary sewer further enhance the subject property as capable of higher density development. Sanitary sewer eliminates the problems associated with septic systems. These septic system problems are

partially the reason why properties outside of the urban service area are initially zoned lower density.

Staff Response: The current Palm Beach County Rural Residential future land use designation requires at least 10 acres to build one dwelling unit. The undersized parcel was reduced from 5.01 acres to 4.77 acres and continues to be a legal, non-conforming parcel. The applicant state that a land use amendment is required for any development to occur. However, one dwelling unit was allowed prior to the reduction in parcel size and one dwelling is currently allowed.

The applicant states that the Medium-High (25) Residential future land use designation is used throughout Broward County as a buffer between commercial development and lower density residential development. Staff agrees that a step-down residential density scenario is frequently found along major roadways that carry high traffic volumes and where higher residential densities prevail. However, Loxahatchee Road is not a major roadway that carries high traffic volumes, there is not a need to buffer lower density development from the roadway by higher density residential development, and lower residential densities prevail.

Staff agrees the density currently allowed is low in consideration of the surrounding existing residential density and emerging development pattern in the vicinity of the proposed amendment site. Consequently, staff continues to support its original recommendation that a Low (3) Residential future land use designation is appropriate.

2. Affordable Housing

POLICY 2.16.2 For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. In addressing amendments which proposed to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, the municipality, without limitation, may include consideration and implementation of the following affordable housing strategies:

- *programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide for the construction or supply of affordable housing;*
- *programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities*

(including, but not limited to, major employers), provide funding to facilitate the affordable purchase or renting of housing;

- a. programs and policies in which the municipality, and/or Broward County, and/or other appropriate agencies, facilitate the maintenance of the existing supply of affordable housing stock, if any;*
- b. property tax abatement programs aimed at preserving or creating affordable housing;*
- c. streamlined and reduced-cost permitting procedures for affordable housing;*
- d. specific minimum set-aside requirements for new affordable housing construction;*
- e. use of appropriate existing public lands, or public land-banking, to facilitate an affordable housing supply;*
- f. programs and policies to facilitate the development and use of municipal and/or Broward County affordable housing density bonus provisions;*
- g. land development regulations which promote the availability of affordable housing such as reduced lot size and floor area for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, and the allowance of accessory dwelling units;*
- h. the existing supply of affordable housing.*

The affected municipality shall demonstrate compliance with this Policy at the time of the County's consideration of the applicable land use plan amendment, by establishing that the municipality has implemented or ensured adoption of appropriate policy and program measures to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing. The local government shall estimate its supply of affordable housing utilizing the data and methodology referenced within the "Administrative Rules Document: Broward County Land Use Plan." For the purposes of this Policy, the term "affordable housing" shall include the meaning as defined by the BCLUP. The median annual income estimate should be updated at least yearly.

Applicant's Response: An affordable housing report has been attached to this submittal. The study by The Metropolitan Center at Florida International University found that Parkland had an unmet demand for both low and moderate income units. The study found that a significant number of owner households (34.5%) and rental households (68.2%) were cost-burdened, meaning that they pay more than 30% of their household income on housing.

The proposed development is strictly residential and will not generate more than a few managerial and/or property maintenance jobs.

The project will build 118 units, of which 15 percent are to be priced within the affordable housing guidelines. Approximately 18 additional “workforce” units will be brought on line with this project, providing additional inventory for the cost-burdened households.

The proposed development will not add to the demand for affordable housing, but will add to the supply of units needed for Broward’s workforce.

Staff Response: Staff finds that this application is generally consistent with BCLUPA Policy 2.16.2, Section 5.4(D) regarding voluntary commitments, as the property owner proposes the minimum set aside of 15% (or 18 units) of the additional project housing units. This approval is subject to the execution and recordation of a legal instrument deemed acceptable by the County Attorney’s Office.

3. Smart Growth

POLICY 2.20.1: Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

Applicant’s Response: The proposed development complies with Policy 2.20.1 in that it provides a diversity of housing that will be more affordable than the single-family homes in the Parkland area. The primary transportation route is on Loxahatchee Road. This road is at LOS B and will not be significantly impacted by the proposed development. The development will have access to public utilities, including potable water and sanitary sewer. The property is located adjacent to the water conservation area and will not have any impact on the conservation of natural resources.

Staff Response: Staff agrees that the proposed amendment site is located within the developable portion of Broward County.

4. Wetlands

POLICY 2.22.2: Broward County and its local governments shall consider the impacts of land use plan amendments on wetland resources and minimize those impacts to the maximum extent practicable.

Applicant’s Response: The proposed development will be constructed within the County’s guideline for development on and around wetlands. Strategic positioning of buildings and offsite wetland mitigation credits from an approved wetlands mitigation bank will be purchased, consistent with County policies and codes.

Staff Response: Staff accepts the applicant's response.

B. Broward County Comprehensive Plan Policies

1. Topography, Soil, and Floodplains

- a. *Policy BMSD 1.1.3: Future land uses shall be designated with consideration of appropriate topography, soil conditions, and floodplain elevation to avoid flooding, erosion, and repetitive property loss.*

Applicant's Response: The proposed development will be designed with consideration of the topography, soil conditions and floodplain elevation. Proper drainage and elevation will be incorporated into the final plan design.

Staff Response: Staff accepts the applicant's response.

- b. *Policy BMSD 1.2.3 The following site characteristics shall be considered to determine its suitability for the proposed use:*

Soils

Topography and floodplain elevations

Natural resources

Presence of historic and archaeological resources

Applicant's Response: The proposed development will be designed with consideration of the topography, soil conditions and floodplain elevation. The wetlands, hardwood trees and other natural resources will be impacted according to County guidelines. If historic or archaeological resources are discovered, the County guidelines will be followed.

Staff Response: Staff accepts the applicant's response.

2. Public Facilities, Services, and Compatibility

- a. *Policy BMSD 1.1.5: Future land uses shall be coordinated with the availability of public facilities and services.*

Applicant's Response: The proposed development has coordinated with the local public facilities and service providers. The School District currently has capacity for the anticipated students. Loxahatchee Road is the primary transportation route to and from the site. It is currently operating at LOS B and will not be significantly impacted by the project. Public transit is not servicing the Parkland area and is not expected to provide service in the near future. Potable water and sanitary sewer will be provided by the North Spring Improvement District, which has available capacity. Solid waste will be service by Wheelabrator Technologies, which has capacity for the project. The project will be developed with appropriate on-site drainage and at necessary elevation. Broward County has indicated that there is sufficient local parks and regional parks to meet demand through 2045. All

public facilities and services appear to have sufficient capacity to cover the needs generated by the proposed project.

Staff Response: Staff accepts the applicant's response.

- b. *Policy BMSD 1.3.3 Proposed amendments to the BMSD Future Land Use Map designations within BMSD enclaves shall be evaluated based on the availability and cost of providing public facilities and services, in addition to site suitability, compatibility with surrounding uses, complete streets, transportation infrastructure, affordable housing, and potential impacts on natural resources.*

Applicant's Response: As seen in response to BMSD 1.3.2, there is sufficient availability of all public facilities and services for the subject property. The developer will cover the fair-share capital facilities costs through the payment of impact fees for education, recreation and roads as well as connection fees for water and sewer. The project is providing affordable workforce housing on site (see response to Land Use Plan Policy 2.16.2 above). The on-site wetlands and upland resources will be addressed as required by County Code. County Staff did not find any other natural resources that would be significantly impacted by the proposed project. Compatibility was addressed under the response to Land Use Plan Policy 2.10.2 above.

Staff Response: Staff accepts the applicant's response, except with regard to compatibility.

C. Summary:

Applicant's Response: This response to Staff comments and Policies, along with the Gator Acres Affordable Housing report comprise out analysis of the proposed project. We believe that the 118-unit Gator Acres project, as submitted, is compatible with the surrounding development; does not generate any demand for additional public facilities; will have to pay its fair share in impact fees and potential mitigation; will provide a housing alternative for householders desiring close proximity to the conservation area and Palm Beach County; and will provide affordable workforce housing for some of the cost-burdened households already in Parkland.

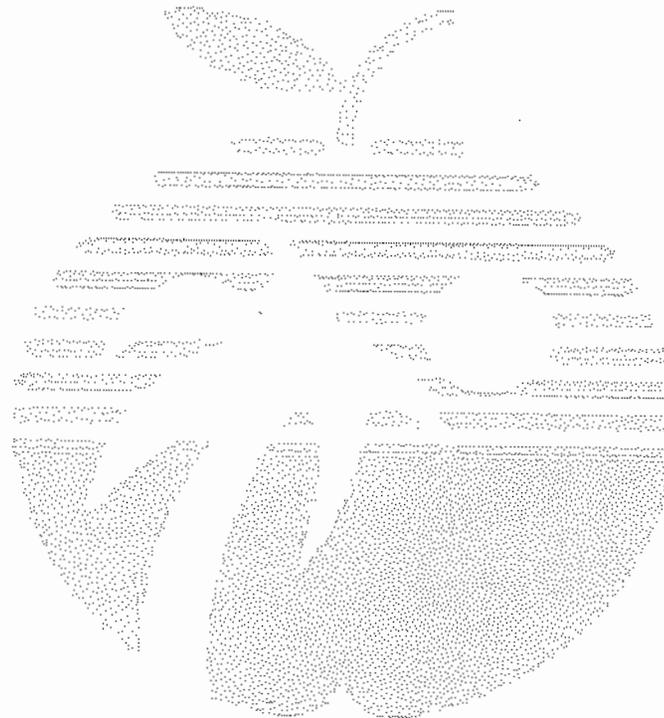
Staff Response:

Staff analysis does not support the density increase requested by the applicant with regard to compatibility.

School Board of Broward County, Florida Comments
The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

LAND USE
SBBC-2595-2019
County No: TBD
Gator Acres

February 21, 2019



Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

| PROJECT INFORMATION | IMPACT OF PROPOSED CHANGE | PROPERTY INFORMATION | | | | | | | | | | | | | | | | | | | | |
|--|---|--------------------------|-----------|------------|------------|------|---|---|---|-----|---|---|---|------|---|---|---|-------|---|---|---|--------------------|
| Date: February 21, 2019 | Units Permitted: 0 Units Proposed: 118 | Existing Land Use: RR-10 | | | | | | | | | | | | | | | | | | | | |
| Name: Gator Acres | NET CHANGE (UNITS): 118 | Proposed Land Use: R-25 | | | | | | | | | | | | | | | | | | | | |
| SBBC Project Number: SBBC-2595-2019 | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Students</th> <th>Permitted</th> <th>Proposed</th> <th>NET CHANGE</th> </tr> </thead> <tbody> <tr> <td>Elem</td> <td>0</td> <td>3</td> <td>3</td> </tr> <tr> <td>Mid</td> <td>0</td> <td>2</td> <td>2</td> </tr> <tr> <td>High</td> <td>0</td> <td>2</td> <td>2</td> </tr> <tr> <td>Total</td> <td>0</td> <td>7</td> <td>7</td> </tr> </tbody> </table> | Students | Permitted | Proposed | NET CHANGE | Elem | 0 | 3 | 3 | Mid | 0 | 2 | 2 | High | 0 | 2 | 2 | Total | 0 | 7 | 7 | Current Zoning: AR |
| Students | | Permitted | Proposed | NET CHANGE | | | | | | | | | | | | | | | | | | |
| Elem | | 0 | 3 | 3 | | | | | | | | | | | | | | | | | | |
| Mid | | 0 | 2 | 2 | | | | | | | | | | | | | | | | | | |
| High | | 0 | 2 | 2 | | | | | | | | | | | | | | | | | | |
| Total | 0 | 7 | 7 | | | | | | | | | | | | | | | | | | | |
| County Project Number: TBD | Proposed Zoning: R-25 | | | | | | | | | | | | | | | | | | | | | |
| Municipality Project Number: | Section: 19 | | | | | | | | | | | | | | | | | | | | | |
| Owner/Developer: TLH Sabra 2, LLC | Township: 47 | | | | | | | | | | | | | | | | | | | | | |
| Jurisdiction: Unincorporated | Range: 41 | | | | | | | | | | | | | | | | | | | | | |

SHORT RANGE - 5-YEAR IMPACT

| Currently Assigned Schools | Gross Capacity | LOS Capacity | Benchmark* Enrollment | Over/Under LOS | Classroom Equivalent Needed to Meet LOS | % of LOS Capacity |
|----------------------------|----------------|--------------|-----------------------|----------------|---|-------------------|
| Heron Heights Elementary | 996 | 1,096 | 1,142 | 46 | 3 | 114.7% |
| Park Trails Elementary | 1,330 | 1,463 | 1,220 | -243 | -13 | 91.7% |
| Westglades Middle | 1,825 | 1,825 | 1,792 | -33 | -1 | 98.2% |
| Stoneman Douglas High | 3,873 | 3,873 | 3,319 | -554 | -22 | 85.7% |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Currently Assigned Schools | Adjusted Benchmark | Over/Under LOS-Adj. Benchmark Enrollment | % LOS Capacity Adjusted Benchmark | Projected Enrollment | | | | |
|----------------------------|--------------------|--|-----------------------------------|----------------------|-------|-------|-------|-------|
| | | | | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 |
| Heron Heights Elementary | 1,142 | 46 | 114.7% | 1,121 | 1,100 | 1,098 | 1,093 | 1,100 |
| Park Trails Elementary | 1,220 | -243 | 91.7% | 1,299 | 1,337 | 1,365 | 1,391 | 1,404 |
| Westglades Middle | 1,792 | -33 | 98.2% | 1,821 | 1,836 | 1,844 | 1,865 | 1,907 |
| Stoneman Douglas High | 3,319 | -554 | 85.7% | 3,394 | 3,449 | 3,505 | 3,560 | 3,616 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

LONG RANGE - TEN-YEAR IMPACT

| Impacted Planning Area | School District's Planning Area Data | | | Aggregate Projected Enrollment | | | | |
|------------------------|--------------------------------------|----------------------|-----------------------------------|--------------------------------|--------|--------|--------|--------|
| | Aggregate School Capacity | Aggregate Enrollment | Aggregate Over/(Under) Enrollment | 23/24 | 24/25 | 25/26 | 26/27 | 27/28 |
| Area A - Elementary | 15,883 | 13,889 | -1,994 | 14,832 | 15,128 | 15,424 | 15,720 | 16,017 |
| Area A - Middle | 7,889 | 6,738 | -1,151 | 7,193 | 7,155 | 7,116 | 7,078 | 7,040 |
| Area A - High | 13,491 | 11,770 | -1,721 | 10,681 | 10,670 | 10,660 | 10,649 | 10,638 |

CHARTER SCHOOL INFORMATION

| Charter Schools within 2-mile radius | 2018-19 Contract Permanent Capacity | 2018-19 Benchmark* Enrollment | Over/(Under) | Projected Enrollment | | |
|--------------------------------------|-------------------------------------|-------------------------------|--------------|----------------------|-------|-------|
| | | | | 18/19 | 19/20 | 20/21 |
| No Charter Schools | | | | | | |
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Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Exhibit 1
Page 5 of 18

PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN (Years 1 - 5)

| School(s) | Description of Capacity Additions |
|--------------------------|---|
| Heron Heights Elementary | Capacities from the three modular classrooms addition included in the DEFP is already reflected in the current FISH capacity of the school. |
| Park Trails Elementary | Capacities from the three modular classrooms addition included in the DEFP is already reflected in the current FISH capacity of the school. |
| Westglades Middle | There are no capacity addition scheduled in the DEFP that increase the reflected FISH capacity of the school. |
| Stoneman Douglas High | A new replacement building reflected in the DEFP will not increase the current FISH capacity of the school. |
| | |
| | |
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| | |

PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN (Years 6 - 10)

| Capacity Additions for Planning Area A | |
|--|----------|
| School Level | Comments |
| Elementary | None |
| Middle | None |
| High | None |

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 4.77-acre site is generally located south of Loxahatchee Road in the northwestern corner of the Broward County line in the Unincorporated Area of Broward County. The current land use designation for the site is Rural Residential (RR) 10, which allows no residential units. The applicant proposes to change the land use designation to Residential 25 to allow 118 (all two-bedroom or more bedroom) mid-rise units, which are anticipated to generate 7 additional students (3 elementary, 2 middle, and 2 high) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2018-19 school year are Heron Heights and Park Trails Elementary, Westglades Middle, and Stoneman Douglas High. Based on the District's Public School Concurrency Planning Document, Park Trails Elementary, Westglades Middle, and Stoneman Douglas High schools are operating below the adopted LOS of the higher of 100% gross capacity or 110% permanent capacities in the 2018-19 school year. Heron Heights Elementary school is operating above (at 114.7%) the adopted LOS of the higher of 100% gross capacity or 110% permanent capacities in the 2018-19 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2018-19 – 2020-21), Park Trails Elementary and Stoneman Douglas High schools are expected to operate below the adopted LOS of the higher of 100% gross capacities or 110% permanent through the 2020-21 school year. Heron Heights Elementary and Westglades Middle schools are expected to operate above (100.4% and 100.6% respectively) the adopted LOS of the higher of 100% gross capacities or 110% permanent through the 2020-21 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2018-19 – 2022-23. In addition, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. No charter school is located within a two-mile radius of the subject site in the 2018-19.

Capital Improvements scheduled in the long-range section (2023-24 to 2027-28) of the currently Adopted DEFP Fiscal Years 2018-19 – 2022-23 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "A" and the elementary, middle, and high schools currently serving Planning Area "A" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "A" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT
PROJECT NUMBER: SBBC-2595-2019

February 21, 2019

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

Attachment 9
Transportation Comments



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
115 S. Andrews Avenue, Suite 329-K, Ft. Lauderdale, FL 33301 T: 954-357-6634 F: 954-357-8655

DATE: May 28, 2019

TO: Heather Cunniff, AICP, Senior Planner
Planning and Development Management Division

FROM: Nicholas Sofoul, AICP, Senior Transportation Planner
Planning and Development Management Division **NICHOLAS SOFOUL**

Digitally signed by
NICHOLAS SOFOUL
Date: 2019.05.28
17:56:38 -04'00'

SUBJECT: Subject: Proposed Future Unincorporated Area Land Use Map Amendment – 19-M1 (Gator Acres)

I have received the land use plan amendment to the Broward County Land Use Plan: 19-M1, located in Unincorporated Broward County. The proposed amendment is from a Palm Beach County Rural Residential-10 future land use designation to a Broward County Medium-High (25) Residential future land use designation.

Accessibility to the amendment site is limited to Loxahatchee Road which is currently configured as a 2-lane undivided roadway with no dedicated bicycle facility and discontinuous sidewalk on the south side. There is an existing mobility project planned for Loxahatchee Road that proposes two 11 foot vehicular lanes, 5 foot bicycle lanes with 3 foot buffer, an 8-16.5 foot median, and a 6-10 foot sidewalk on the south side of the roadway. If constructed, the project would create continuous bicycle and pedestrian connectivity along Loxahatchee Road from Arthur R. Marshall Loxahatchee Wildlife Refuge to State Road 7/US 441. It is recommended that any development on the amendment site is closely coordinated with Broward County, Broward MPO, and FDOT to ensure compatibility with the proposed mobility project.

The closest transit stop to the amendment site is over 4 miles away along BCT Bus Route 88 at Coral Ridge Drive and Holmberg Road. There are no transit proposals in the BCT Transit Development Plan or Broward MPO Long Range Transportation Plan to create new or realign routes to provide connectivity to the amendment site. It is recommended that private shuttle service be considered to provide transit connectivity for future residents.

The amendment site is adjacent to the south entrance of the Arthur R. Marshall Loxahatchee Wildlife Refuge and the Conservation Levee Greenway. It is recommended that any development on the amendment site be constructed to ensure safe pedestrian connectivity to the Conservation Levee Greenway, Wildlife Refuge, and the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, consider including amenities, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development. For the convenience of future residents who

Memorandum
19-M1 Gator Acres
May 28, 2019
Page 2 of 2

wish to reduce their carbon footprint, consider providing electric vehicle charging stations or dedicated parking for low emission vehicles.

I can be reached at 954-357-6644 or nsofoul@broward.org, should you have any questions.

cc: Sara Forelle, AICP, Planning Section Supervisor, Broward County Planning and Development Management Division



Attachment 10
North Springs Improvement District Comments

From: [Katherine Castro](#)
To: [Cunniff, Heather](#)
Subject: Re: BCFLUMS: Gator Acre (19-M1)
Date: Monday, June 24, 2019 12:13:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

External Email: Do not reply, click links, or open attachments unless you recognize the sender's **email address** as legitimate and know the content is safe.

Good afternoon Heather,

Hope you had a great weekend.

At this time NSID does not have any comments in regards to the above referenced.

Please let me know if you need anything else.

On Mon, Jun 17, 2019 at 11:53 AM Cunniff, Heather <HCUNNIFF@broward.org> wrote:

Please find attached the Planning and Development Management Division's request for comments.



HEATHER E. CUNNIFF, AICP, SENIOR PLANNER
Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
115 S. Andrews Ave Rm. 329K | Fort Lauderdale, FL 33301
hcunniff@broward.org | 954.357.5657
Broward.org/Planning | [#BrowardNEXT](https://twitter.com/BrowardNEXT) | [Twitter](#)

*In planning for the next 100 years,
what should Broward County focus on?*



Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

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Katherine Castro
Executive Assistant
North Springs Improvement District
9700 NW 52 ST
Coral Springs, FL 33076
Phone: (954) 796-5084
Fax: (954) 755-7317
Email: KatherineC@nsidfl.gov

Attachment 11
Water Management Division Comments

Exhibit 1
Page 72 of 88

To: Heather E. Cunniff
Planning And Development Management Division
115 S. Andrews Ave Rm. 329K | Fort Lauderdale, FL 33301

FROM: Joe Heilman
Broward County Water Management Division

SUBJECT: Proposed Future Land Use Map Amendment – 19-M1 (Gator Acres) (Folio #474119010013)

Ms. Cunniff:

The Broward County Water Management Division has no objection to the above mentioned Land Use Plan Map Amendment. The North Springs Improvement District will ultimately be the service provider for this property.

Sincerely,



Joe Heilman
Construction Project Manager
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0764
E-mail: JHeilman@Broward.org

June 18, 2019

Attachment 12
Parks and Recreation Division Comments

Exhibit 1
Page 73 of 88

From: [Fiore, John](#)
To: [Cunniff, Heather](#)
Cc: [Briggs, Linda](#)
Subject: Gator Acres FLUMS 19-M1
Date: Tuesday, June 18, 2019 11:28:56 AM

The Broward County Parks and Recreation Division has no objections to Gator Acres FLUMS 19-M1. However, at the time of platting, the Parks and Recreational Division will require regional park impact fees based on the number of units permitted on the site by the County Commission.

John R. Fiore, Planner

Liaison, Broward County Marine Advisory Committee

Broward County Parks and Recreation Division

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**ENVIRONMENTAL PROTECTION &
GROWTH MANAGEMENT DEPARTMENT
REVIEW AND COMMENTS ON
PROPOSED FUTURE LAND USE PLAN MAP AMENDMENT**

For: Broward County Planning Development Management Division (PDMD)

Applicant: TLH Sabra 2, LLC

Amendment No.: FLUMA 19 – M1

Jurisdiction: Unincorporated **Size:** Approximately 4.77 acres

Existing Use: Commercial recreation and one office/non-professional services building, one story

Current Land Use Designation: Palm Beach County Rural Residential -10 (1 dwelling unit per 10 acres)

Proposed Land Use Designation: Medium High (25) Residential

Location: In Section 19, Township 47 South, Range 41 East; generally located on the south side of Loxahatchee Road, east of Levee 36 Canal/County line

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

ANALYSIS AND FINDINGS:

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

Wetlands - [CP Policies C6.12, C7.4, C8.1, C8.2, C8.3, C8.5, C8.6, C8.7, C8.9, C8.10, C8.11, C8.12, C7.4, CM1.1; BCLUP Policies 2.22.01, 2.22.2]

Any impacts to wetlands, and creation or filling of surface waters would require a license from this Department. An Environmental Resource License application was submitted on March 22, 2018. This parcel was included in the application which also included the adjacent parcel (Folio # 474119020010). A request for additional information was sent to the applicant on April 2, 2018. No response has been received to date. This site contains approximately 3 acres of wetlands. If this parcel is sold, a separate application would be required from the new owner. **No impacts (clearing, filling, etc.) are authorized until a license has been issued.**

Upland Resources (including Tree Preservation and Greenways) - [CP Policies C6.1, C6.7, C6.10, C6.11, C7.2; BCLUP Policies 2.20.17]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the Broward County Tree Preservation and Abuse Ordinance (Chapter 27, Article XIV, Broward County Code of Ordinances). A Broward County Tree Removal License may be required for any proposed tree removal or relocation. As part of the licensing process the applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Air Quality - [CP Policy C2.4, C2.6, C2.10; BCLUP Policy 2.25.1]

The preliminary traffic analysis indicates that the proposed amendment would result in an increase by **79 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a minimal impact on air quality. There are no air permitted facilities in this area, therefore, there are no existing or potential odor or noise concerns. (MO 6/3/2019)

Contaminated Sites - [CP Policies C2.5, C2.7, 13.2.1, 13.2.6, 13.2.7; BCLUP Policies]

The list of known contaminated sites (from EPGMD's GIS Database of Contaminated Locations in Broward County) has been reviewed. **Three** listed contaminated sites were found within one mile of the proposed amendment location. See attached map and database for further information as it relates to the land use amendment site. (MO 06/03/2019)

Solid Waste - [CP Policies 6.1.2, 6.1.3, 13.2.7; BCLUP Policies 3.4.2, 3.4.3, 2.11.8]

There is **one** active solid waste facility located within one mile of the amendment site. There are no inactive solid waste facilities located within one mile of the site. See attached map and database for further information as it relates to the land use amendment site. (MO 06/03/2019)

ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION

Wellfield Protection - [CP Policies WM3.4, WM3.5, WM3.6, WM3.7; BCLUP Policies 2.26.2, 2.26.3, 2.11.5]

The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations.

SARA TITLE III (Community Right to Know) - [CP Policy 13.2.7; BCLUP Policies] There are no SARA Title III Facilities on or adjacent to the proposed amendment site.

Hazardous Material Facilities - [CP Policies C2.7; BCLUP Policies]

There is **one** (1) active Hazardous Material Facility on, adjacent or within ¼ mile to the proposed amendment site.

ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:

Specially Designated Areas - [CP policies C6.1, C6.2, C6.3, C6.4, C6.9; BCLUP Policies 2.23.1, 2.23.2, 2.23.3, 3.3.9, 3.3.10]

County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site.

Protected Natural Lands – The project site is not included in the Protected Natural Lands Inventory and not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>

Marine and Riverine Resources - [CP Policies CM1.1, CM1.4, CM 1.6,, C6.6, C7.4, C7.6, C7.7, C9.6, C9.7, C9.8, C9.10, C9.11, C9.12,C10.1; BCLUP Policies 3.3.4, 2.11.6, 2.27.1, 2.27.2, 2.27.3, 2.11.7, 3.3.12, 2.27.4, 2.24.2] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

Priority Planning Areas for Sea Level Rise – [CP Policies CM2.6, CC1.7, CC2.1, CC2.7, CC2.9, CC2.11, CC2.12, CC2.14, CC2.15; BCLUP Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of flooding due to, or exacerbated by, sea level rise by the year 2060. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from

rising sea levels.

While the County encourages applicants to consider these and other impacts from climate change during the site planning process, the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policy 2.21.1 and portions of policy 2.21.5 do not apply to the review of this project.

NatureScape Program – [CP Policies 4.4.8, C6.8, CM 2.4, WM4.17, WM3.33; BCLUP 2.20.14] NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding Naturescape can be accessed at:
<http://www.broward.org/NatureScape/Pages/Default.aspx>

Surface Water Management - [CP Policies CM6.1, C8.2, WM2.10, WM3.6, WM 2.2; BCLUP Policies 2.24.1, 2.24.2, 2.21.5]

The proposed amendment site is located within the jurisdiction of the North Springs Improvement District (NSID), and South Florida Water Management District. Development within the site will be required to meet the drainage standards of NSID , Broward County and the South Florida Water Management District. Successful compliance with the criteria established should result in reducing the potential danger from flooding and maintaining the quality of surface waters. A surface water management permit may be required.

Tract within the proposed amendment site are located within the Federal Emergency Management Agency (FEMA) flood insurance zone AH with NAVD 88 of 11 feet. Flood insurance rate zone that corresponds to areas of shallow flooding with average depths between 1 and 3 feet.

Water Recharge - [CP Policies WM3.6, WM3.7, WM3.31, WM3.9, WM2.2; BCLUP Policies 2.26.1]

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

See attached Water Recharge Questionnaire.

BROWARD COUNTY PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
WATER RECHARGE QUESTIONNAIRE

as completed by

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. Amendment No.:*** FLUMA 19-M1
- B. Municipality:*** Unincorporated
- C. Applicant:*** TLH Sabra 2, LLC

II. Site Characteristics

- A. Size:*** 4.77 acres
- B. Location:*** South side of Loxahatchee Road and east of the Water Conservation Area. Within the “Wedge” area that was annexed into Broward County from Palm Beach County in 2009.
- C. Existing Use:*** Commercial recreation and one office/non-professional services building, one story

III. Broward County Land Use Plan Designation

Current Land Use Designation: Palm Beach County Rural Residential – 10 (1 dwelling unit per 10 acres)

Proposed Land Use Designation: Medium High (25) Residential

IV. Water Recharge Review

- A. Describe the general impacts of the current land use designation on water recharge:***

The current land use designation is Palm Beach County Rural Residential – 10 (1 dwelling unit per 10 acres)

A typical value for an impervious area produced by this type of development is approximately 10 percent.

B. Describe the general impacts of the proposed land use designation on water recharge:

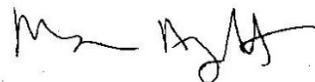
The proposed land use designation is Medium High (25) Residential. A typical value for an impervious area produced by this type of development is approximately 80 percent.

V. Impact of Change in Land Use Designation

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

VI. Comments



By: _____

Date 6/7/2019

Maena Angelotti

Environmental Planning and Community Resilience Division

BROWARD COUNTY PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

WETLAND RESOURCE QUESTIONNAIRE

as completed by the

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. Amendment No.:** LUMA_19-M1
- B. Municipality:** Unincorporated
- C. Project Name:** Gator Acres

II. Site Characteristics

- A. Size:** 4.77 acres
- B. Location:** Parkland
- C. Existing Use:** Commercial recreation and one office/non-professional services building, one story

III. Broward County Land Use Plan Designation

- A. Current Designation:** Palm Beach County Rural Residential -10 (1 dwelling unit per 10 acres)
- B. Proposed Designation:** Medium-High (25) Residential

IV. Wetland Review

- A. Are wetlands present on subject property?** YES
- B. Describe extent (i.e. percent) of wetlands present on subject property.** Approx. 3 acres
- C. Describe the characteristics and quality of wetlands present on subject property.** . Herbaceous and forested wetlands.
- D. Is the property under review for an Environmental Resource License?** Yes – DF18-1067
- E. Has the applicant demonstrated that should the proposed Land Use designation be approved, the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances?** Application is under review. Last request for information was sent on 4/2/18. No response to date.

V. Comments:

This parcel was included in the application referenced above which also included the adjacent parcel (Folio # 474119020010). If this parcel is sold, a separate application would be required.

Completed by: Linda Sunderland, NRS
Natural Resources Manager

| Contaminated Sites | | | | | | | | |
|--------------------|------------------------------|-----------------------|----------|----------|---|---------------|---------------------|--------|
| Site Number | Facility Name | Street Address | City | Zip Code | Pollutant | Facility Type | DEP Facility Number | Active |
| NF-2985 | Misty Meadows Property | 15040 Loxahatchee Rd. | Parkland | 33076 | Arsenic | Other | | No |
| NF-2992 | Atlas-Lox Rd., Inc. | 15400 Loxahatchee Rd. | Parkland | 33076 | Arsenic, metals, phenols, ammonia | Vacant Lot | | Yes |
| NF-2925 | South Florida Bushog Service | 11900 Loxahatchee Rd. | Parkland | 33076 | Gasoline | Fuel Facility | 69200337 | No |

| Active Solid Waste Facilities | | | | | | |
|-------------------------------|-----------------------|----------|----------|--------------------|--------|-------------|
| Facility | Street Address | City | Zip Code | Nature of Facility | Status | Description |
| Lox Road Vegetative Recycling | 15800 Loxahatchee Rd. | Parkland | 33076 | Compost Facility | Active | |



Generated for location purposes only.

Marker Size is a visual aid and neither represents exact location nor area of designated facility.

Prepared by: MOSPINA - June 2019 - Environmental Engineering and Permitting Division

June 12, 2019

Heather Cunniff
Planning and Development Management Division
Environmental Protection and Growth Management Department
Planning and Development Management Division
115 S. Andrews Ave, Rm 329K
Fort Lauderdale, Florida 33301

RE: Historic Resource Review
 LUPA 19-M1 (Gator Acres)

Dear Heather Cunniff,

In my capacity as the County's archaeological consultant I have reviewed proposed. The subject site is in the City of Parkland involving approximately 4.77 acres (BCPA Folio 4741 1901 0013). The amendment proposes:

CURRENT DESIGNATIONS: Palm Beach Rural Residential 10.
(One (1) dwelling per 10 gross acres).

PROPOSED DESIGNATIONS: Broward County Medium-High (25) Residential.

ESTIMATED NET EFFECT: Addition of up to 118 dwelling units.

ITEM 7 – Historical / Archaeological Resources

- A. In my capacity as the County's archaeological consultant, based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), it is my determination that the proposed project will not impact any previously identified significant historic, archaeological, or paleontological resources.

The proposed project will impact one (1) previously identified historic resource: FMSF 8BD6075 (15490 Loxahatchee Road) a masonry block structure with no known historical associations and previously determined ineligible for local historical designation or inclusion on the National Register of Historic Places.

- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
1. The subject property is located within the jurisdictional boundaries of Broward County's historic preservation ordinance (BC. Ord. 2014-32).

2. If unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, “all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.”

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: [Med Exam Trauma@broward.org](mailto:Med_Exam_Trauma@broward.org)
Website: <http://www.broward.org/MedicalExaminer>

Please contact me if you have any questions or if you would like additional information regarding these comments.

Sincerely,

Matthew A. DeFelice, M.A., President
Coastal Archaeology & History Research, Inc.

In capacity as:
County Archaeological Consultant
Planning and Development Management Division
115 S. Andrews Ave, Room 329K
Fort Lauderdale, Florida 33301
Tel.: (954) 357-5506
Email: mdefelice@broward.org

Cc: Rick Ferrer, Historic Preservation Officer, Planning and Development Management Division

HOUSING COMMENTS FOR 19-M1 GATOR ACRES

| | |
|---|--|
| Location | South side of Loxahatchee Road and east of the Water Conservation Area. Within the "Wedge" area that was annexed into Broward County from Palm Beach County in 2009. |
| Size | 4.77 acres |
| Proposed Use on Site | 119 dwelling units |
| Existing Land Use | Commercial recreation (Loxahatchee Everglades Airboat Tours and Rides: 15490 Loxahatchee Road) and one office/non-professional services building, one story |
| Current Future Land Use Designation | Palm Beach Rural Residential 10 (One (1) dwelling unit per 10 gross acres) |
| Proposed Future Land Use Designation | Medium High (25) Residential |
| Effect of Proposed Change | Increase of 118 dwelling units. |

Broward NEXT 2.0, Housing Element POLICY H1.7, states that Broward County shall support the affordable housing requirements of Broward County Land Use Plan (BCLUP) Policy 2.16.2 and Article 5 of the Administrative Rules Document for amendments to the BCLUP which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP.

Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of one (1) residential unit is permitted under the current Future Land Use Plan and this application represents an increase of 118 dwelling units for a total of 119 dwelling units; **therefore, Policy 2.16.2 applies to this project.**

At this time, the applicant states that 15% of the units will be designated as Workforce Housing. Specifically, this includes two- and three-bedroom apartment units intended to provide housing to working teachers, police and firefighters with families (and others who qualify), who have few residential options in Parkland due to the high cost of housing in the area.

However, in order for staff to determine if this application satisfies the requirements of Policy 2.16.2, the applicant must submit the following, in accordance with Article 5.4 of the Administrative Rules Documents:

- (A) The local government shall provide an estimate of the existing supply of affordable housing within the local government's boundaries in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply.
- (B) The local government must demonstrate how its chosen affordable housing strategy will satisfactorily achieve and/or maintain a sufficient supply consistent with the local government's planning horizon.
- (C) The study, report, or information submitted by the local governing body addressing Article 5.3 must utilize the methodology described in the report entitled "Recommended Methodology for Supply and Demand Analysis for Broward County's Affordable Housing Market," prepared by Meridian Appraisal Group, dated June 9, 2015.

The applicant should contact the Planning Council regarding any questions related to the Land Use Plan and Administrative Rules Document requirements.



CITY OF PARKLAND

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www.cityofparkland.org

June 18, 2019

Heather E. Cunniff, AICP, Senior Planner
Environmental Protection and Growth Management Department
Planning and Development Management Division
115 S. Andrews Avenue, Room 329K
Fort Lauderdale, FL 33301
hcunniff@broward.org

Re: Proposed Future Land Use Map Amendment – 19-M1 (Gator Acres) (Folio # 474119010013)

Dear Ms. Cunniff:

The City of Parkland has reviewed the referenced request for a land use plan amendment from Palm Beach County Residential at 1 unit per 10 acres to Broward County Residential at 25 units per acre. The City is strongly **opposed** to this request.

The applicant states an overriding financial need as the justification for the request. Based on generally accepted land use planning practices and principles, however, personal financial hardship, regardless of the reason, is not --- and never has been --- a basis for sound land use planning or for granting a land use plan amendment. Rather, compatibility is the principle defining criterion to determine if an amendment request merits favorable consideration.

To the north of the subject site is Loxahatchee Road and the Hillsboro Canal and, beyond that, undeveloped land owned by the South Florida Water Management District. To the east and south is property that has a land use designation of Palm Beach County Residential at 1 unit per 10 acres, although a land use plan amendment has passed on first reading through the City of Parkland for 3 units per acre (age restricted). To the west is the Everglades. Given the parcel's location, the land use designation should logically be considered at 1.5 units per acre, which would be a transition from the 3 units per acre to the east and south, west to the Everglades. As an alternative, 2 units per acre (without an age restriction) or 3 units per acre (age restricted) would be compatible with other parcels

developed in the Wedge within the City of Parkland. The requested 25 units per acre, however, is in no way compatible with existing or planned development and should be denied.

Although the lack of land use compatibility is sufficient to deny the request, it is important to note that the only access to the subject site is by way of Loxahatchee (Lox) Road. This roadway is a 2-lane undivided roadway for approximately 6 miles. The right of way is restricted for approximately 3 of those 6 miles. While the City has collaborated with the County and the State Department of Transportation to improve the road, the improvements will only entail enhancing the roadway and will not result in an increase of the number of travel lanes. While Lox Road currently functions at a passing level of service, future scenarios show that it will not. Hence, approving the subject request at the incompatible density of 25 units per acre will over-burden the roadway and only serve to further degrade future operational characteristics.

In summary, the City of Parkland opposes the proposed land use plan amendment because of its lack of compatibility and its negative impact on Lox Road. Kindly advise as to when public meetings will be held so that representatives from the City can attend and voice their concern.

Sincerely,



Michele C. Mellgren, AICP
Planning & Zoning Director

Copy: Nancy Morando, Acting City Manager
Sowande Johnson, Assistant City Manager