



# Broward County

## Legislation Details (With Text)

**File #:** 22-1643      **Version:** 1

**Status:** Agenda Ready

**In control:** REQUEST TO SET FOR PUBLIC HEARING

**On agenda:** 11/15/2022      **Final action:** 11/15/2022

**Title:** MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on December 13, 2022, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REZONING OF PROPERTY; CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING TRACT 39, BLOCK 83, OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM A-1: AGRICULTURAL ESTATE TO PDD: PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT OF THE APPLICABLE ZONING DISTRICT MAPS; REPEALING CONFLICTING ZONING ORDINANCES AND ZONING RESOLUTIONS TO THE EXTENT OF ANY CONFLICT HERewith; PROVIDING THAT THE REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution to Set Public Hearing, 2. Exhibit 2 - Ordinance, 3. Exhibit 3 - Staff Report, 4. Exhibit 4 - Attachments to Staff Report, 5. Exhibit 5 - Petition of Opposition, 6. Exhibit 6 - Public Comments through 7-21-22, 7. Exhibit 7 - LPA Minutes 7-22-22, 8. Exhibit 8 - LPA Minutes 8-16-22

Date	Ver.	Action By	Action	Result
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### **Broward County Commission Regular Meeting**

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment      **Division:** Urban Planning Division

### Information

#### Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on December 13, 2022, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

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PROVIDING FOR AMENDMENT OF THE APPLICABLE ZONING DISTRICT MAPS; REPEALING CONFLICTING ZONING ORDINANCES AND ZONING RESOLUTIONS TO THE EXTENT OF ANY CONFLICT HERewith; PROVIDING THAT THE REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**Why Action is Necessary**

Section 125.66, Florida Statutes, requires notice of public hearing to be published prior to consideration of enactment of ordinances.

**What Action Accomplishes**

Provides the statutorily required notice of a public hearing to consider a proposed rezoning ordinance.

**Is this Action Goal Related**

No

**Previous Action Taken**

None taken.

**Summary Explanation/Background**

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE URBAN PLANNING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

The applicant, 4211 SP, LLC, is requesting to rezone a property within the Broward Municipal Services District (BMSD) from A-1 Agricultural Estate to PDD Planned Development District to allow up to 15 single family residential units. The Project Site is located at 4211 NW 74 Street in an unincorporated enclave near the City of Coconut Creek of approximately 5.01 net acres (Exhibit 4). The Project Site's Future Land Use designation of Estate (1) Residential on both the BMSD and Broward County Land Use Plan (BCLUP) maps allows up to five dwelling units. The proposed rezoning seeks to add ten more units through the allocation of Residential Flexibility.

The BCLUP Policy 2.10.1 provides for the Board to make a compatibility determination at the request of an adjacent municipality. The Project Site abuts properties in the City of Coconut Creek (City). Staff notified the City of the application, and on August 23, 2022, the City requested a Compatibility Determination. Consideration of the Compatibility Determination and Residential Flexibility allocation is provided for under a separate companion item to this rezoning request.

Staff finds that the proposed rezoning is consistent with the Broward County Comprehensive Plan and advises the applicant that a wetland determination is required from the Water and Environmental Licensing Section prior to any land clearing or filling, a Broward County Tree Removal License will be required for any tree removal, and any public-school facilities impacts must be mitigated during the platting and site planning processes (Exhibit 3). On August 16, 2022, the Local Planning Agency (LPA) found the proposed rezoning consistent with the Broward County Comprehensive Plan.

**Source of Additional Information**

Josie P. Sesodia, AICP, Director, Urban Planning Division, 954-357-6602.

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.