



# Broward County

## Legislation Details (With Text)

**File #:** 22-1652 **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 Governmental Center East to consider adoption of a proposed Resolution, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ALLOCATING TEN (10) RESIDENTIAL FLEXIBILITY UNITS IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution to Set Public Hearing, 2. Exhibit 2 - Flexibility Units Resolution, 3. Exhibit 3 - Staff Report

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 Governmental Center East to consider adoption of a proposed Resolution, the title of which is as follows:

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#### Why Action is Necessary

The posting of notice and a public hearing is necessary for adoption of a Resolution allocating Residential Flexibility units.

#### What Action Accomplishes

Enables the posting of notice and a public hearing to consider the adoption of the proposed Resolution.

#### 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.

4211 SP, LLC applied to rezone the Project Site from Agricultural Estate District (A-1) to Planned Development District (PDD). The request includes the allocation of ten Residential Flexibility units as provided by Policy 2.2.3 of the BCLUP. This item addresses the Residential Flexibility allocation; the rezoning request is addressed under a separate companion item.

The Project Site is 5.01 net acres and is located at 4211 NW 74 Street in the Broward Municipal Services District (BMSD). The Future Land Use designation is Estate (1) Residential on both the BMSD Future Land Use Map and the Broward County Land Use Plan (BCLUP). This land use allows development of up to five dwelling units on the property. The addition of the ten Residential Flexibility units would bring the total to 15 dwelling units resulting in a low-density development pattern of three dwelling units per acre.

Policy 2.10.1 of the BCLUP allows cities bordering properties seeking Residential Flexibility allocation to request the Broward County Board of County Commissioners (Board) to determine whether such an allocation would be (1) compatible with adjacent land uses and (2) that impacts on public school facilities have been adequately considered, as provided in Section 3.4 of the Administrative Rules Document. The City of Coconut Creek borders all four sides of the Project Site and has requested the Board make a compatibility determination. Residential Flexibility Units cannot be allocated to the Project Site unless the Board determines the request is compatible with adjacent land uses consistent with the criteria in Section 3.4.

Staff finds the development pattern in the vicinity of the Project Site is characterized by existing and planned low density developments and that adjacent Environmentally Sensitive Lands are protected through conservation easements. Staff further finds the addition of the units does not negatively impact public school facilities. Therefore, this request to allocate ten Residential Flexibility units is considered generally consistent with the compatibility criteria provided Section 3.4 of the Administrative Rules Document.

### **Source of Additional Information**

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

### **Fiscal Impact**

#### **Fiscal Impact/Cost Summary**

No fiscal impact.