



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Golden Farms Redevelopment	Number:	101-MP-86
Application Type:	Note Amendment	Legistar Number:	22- 1441
Applicant:	Housing Authority of the City of Pompano Beach	Commission District:	8
Agent:	KEITH	Section/Twn./Range:	38/48/42
Location:	North side of Martin Luther King Boulevard/Hammondville Road, between Powerline Road and Andrews Avenue Extension	Platted Area:	80.5 Acres
Municipality:	Pompano Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Meeting Date:	November 15, 2022		

A location map of the plat is attached, see **Exhibit 2**.

The Application is attached, see **Exhibit 8**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	March 3, 1987	Plat Book and Page Number:	131-05
Date Recorded:	May 8, 1987	Current Instrument Number:	107574625
Plat Note Restriction			
Current Note:	This plat is restricted to 48 three-bedroom single family units (existing), 48 two bedroom townhouse units (existing), 20 one bedroom townhouse units, 36 two bedroom townhouse units, 36 three bedroom townhouse units, 12 four bedroom townhouse units , a day care center, and 8,136 square feet of health center (3,636 feet proposed, 4,500 square feet existing) and 302 garden apartments consisting of 12 one bedroom very low income units, 27 two bedroom very low income units, 17 three bedroom very low income units, 2 four bedroom very low income units, 38 one bedroom low income units, 115 two bedroom low income units, 81 three bedroom low income units, and 10 four bedroom low income units.		
Proposed Note:	This plat is restricted to 48 single family homes, 152 townhouse units, 402 garden apartments , a day care center, and an 8,136 square feet of health center.		
Extension:	A Waiver of Extension was granted until February 4, 2024.		
Age Restricted/ Affordable Housing	This development project will have an increase of 100 age restricted and affordable garden apartment units.		

1. Land Use

Planning Council has reviewed this application and determined that the City of Pompano Beach Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat for the uses permitted in the “Low-Medium 5-10 DU/AC” land use category. The day care and health center uses are in compliance with the permitted uses of the effective land use plan. Also, the proposed residential development is in compliance with the permitted uses and densities of the effective land use plan, see **Exhibit 3**.

2. Affordable Housing

Applicant is requesting Affordable Housing waiver approval for the additional 100 residential units. Per Land Development Code Section 5-184(b)(4) the developer as condition of approval, shall record in the public records restrictive covenants upon the property, or shall enter into an agreement with Broward County acceptable to the Office of the County Attorney, to ensure that the affordability will be for persons meeting specified income levels.

3. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

4. Municipal Review

The City of Pompano Beach has submitted the Resolution No. 2022-223 adopted September 13, 2022, supporting the application, and the Letter of No Objection dated August 17, 2022, see **Exhibit 4**.

5. Concurrency – Transportation

This plat is located within the Northeast Transportation Concurrency Management Area which is subject to Transportation Concurrency fees, as defined in Section 5-182.1(a)(1)a) of the Land Development Code. The proposed note amendment will be an increase of 60 trips per PM peak hour.

	Existing Use Trips per (PM) Peak Hour	Proposed Use Trips per (PM) Peak Hour
Residential	329	389
Non-Residential	29	29
Difference	418-358 = 60	

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Pompano Beach	Broward County
Plant name:	Pompano Beach (02/22)	Broward County North Regional (BCN) (06/22)
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	1.826 MGD	70.18 MGD
Estimated Project Flow:	0.035 MGD	0.035 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

7. Concurrency - Public School

The School Board's review of the application found it will not generate any additional students for Broward County Public Schools and is considered exempt for purposes of public-school concurrency review. The School Board staff provided a School Capacity Availability Determination (SCAD) letter for the addition of 100 units garden apartment, see **Exhibit 5**.

No educational impact fees will be assessed for the proposed residential units, subject to developer placing an age restriction on this property through the execution of a Declaration of Restrictive Covenants, which must be recorded prior to recordation of the note amendment agreement.

8. Impact Fee Payment

The previous note amendment designated the residential components as "Affordable Housing" resulting in the waiver of the transit concurrency, regional park, and administrative fees as recorded in the Broward County Official Records the Declaration of Restrictive Covenants with Instrument No. 107574626. The Applicant is requesting that the additional 100 residential units be classified as Age Restrictive and "Affordable Housing" which requires the execution of a new Declaration of Restrictive Covenant exempting Impact Fees. Prior to plat recordation applicant must obtain an Affordable Housing Certificate from the Broward County Housing Finance Division, obtain from the Broward School Board a determination on the affordable housing waiver and through the Urban Planning Division the execution of a Declaration of Restrictive Covenants for Age Restricted and Affordable Housing.

Transportation Concurrency and administrative fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Urban Planning Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

9. Environmental Review

The plat note amendment application has been reviewed by Environmental Permitting Division. The attached document provides recommendations to the developer regarding environmental permitting for the future development, see **Exhibit 6**.

10. Historic Resources

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information includes archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF). The property is located in the City of Pompano Beach which is outside of the jurisdiction of the Broward County's historic preservation ordinance 2014-32. The property owner or agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations. Attached are the historic and archaeological comments, see **Exhibit 7**.

11. Aviation

The Broward County Aviation Department has no objections to this plat. However, this property may be within 20,000 feet of the Fort Lauderdale Executive Airport and/or Pompano Beach Airpark. Any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply to this development. Based on the location of the proposed project, the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at:

<http://oeaaa.faa.gov>. To initiate the local municipality review, please contact the City of Fort Lauderdale and/or City of Pompano Beach directly.

12. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

13. Notice to Applicant

The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. This plat satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
3. This plat satisfied the regional parks and recreation concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **November 15, 2023**.
2. Records a Declaration of Restrictive Covenants to place an age restriction on the plat prior to recordation of the note amendment agreement.
3. Records a Declaration of Restrictive Covenants to place an affordable housing restriction on the plat prior to recordation of the note amendment agreement.
4. Delete the plat note that references expiration of the Findings of Adequacy.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

MGA