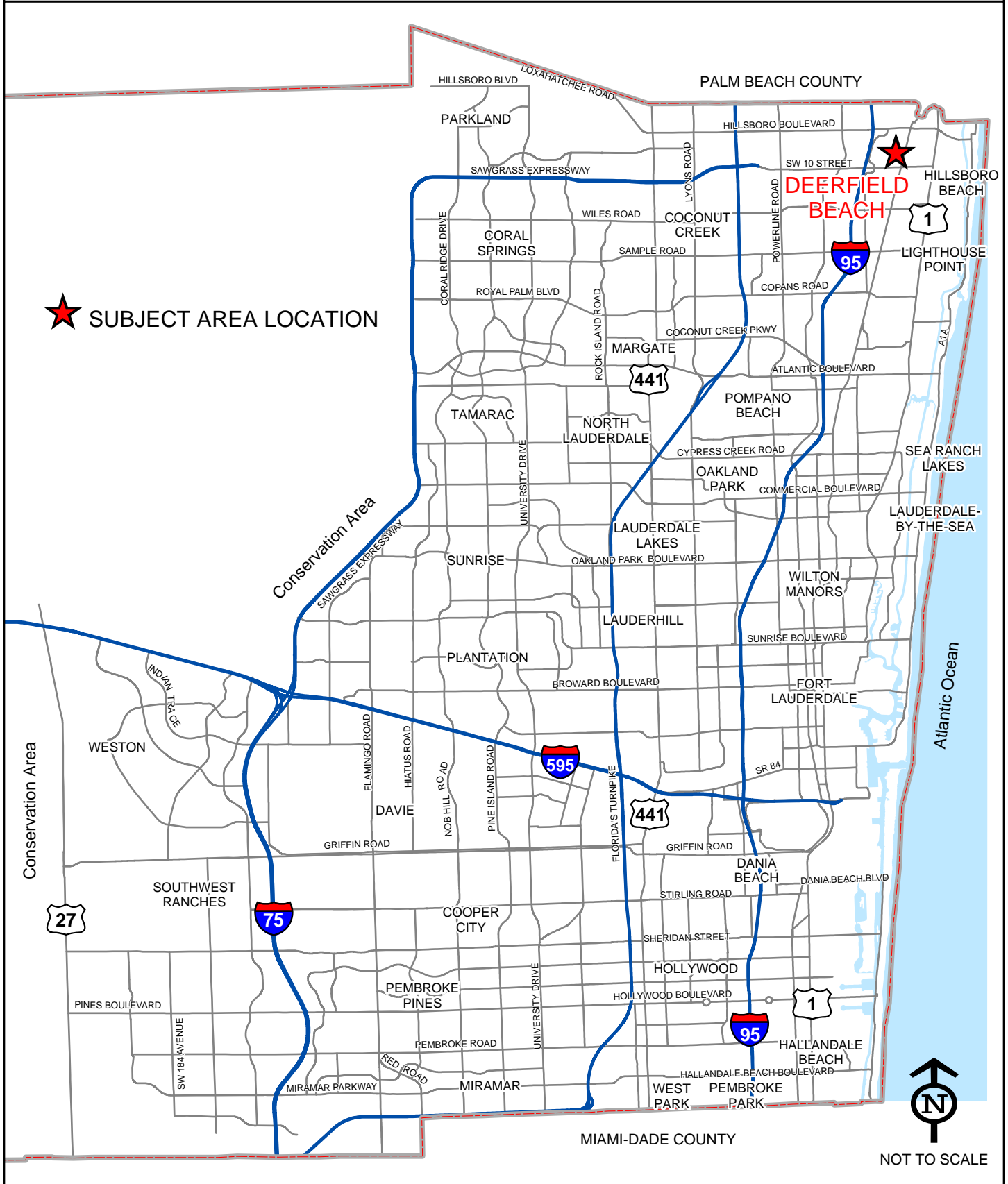
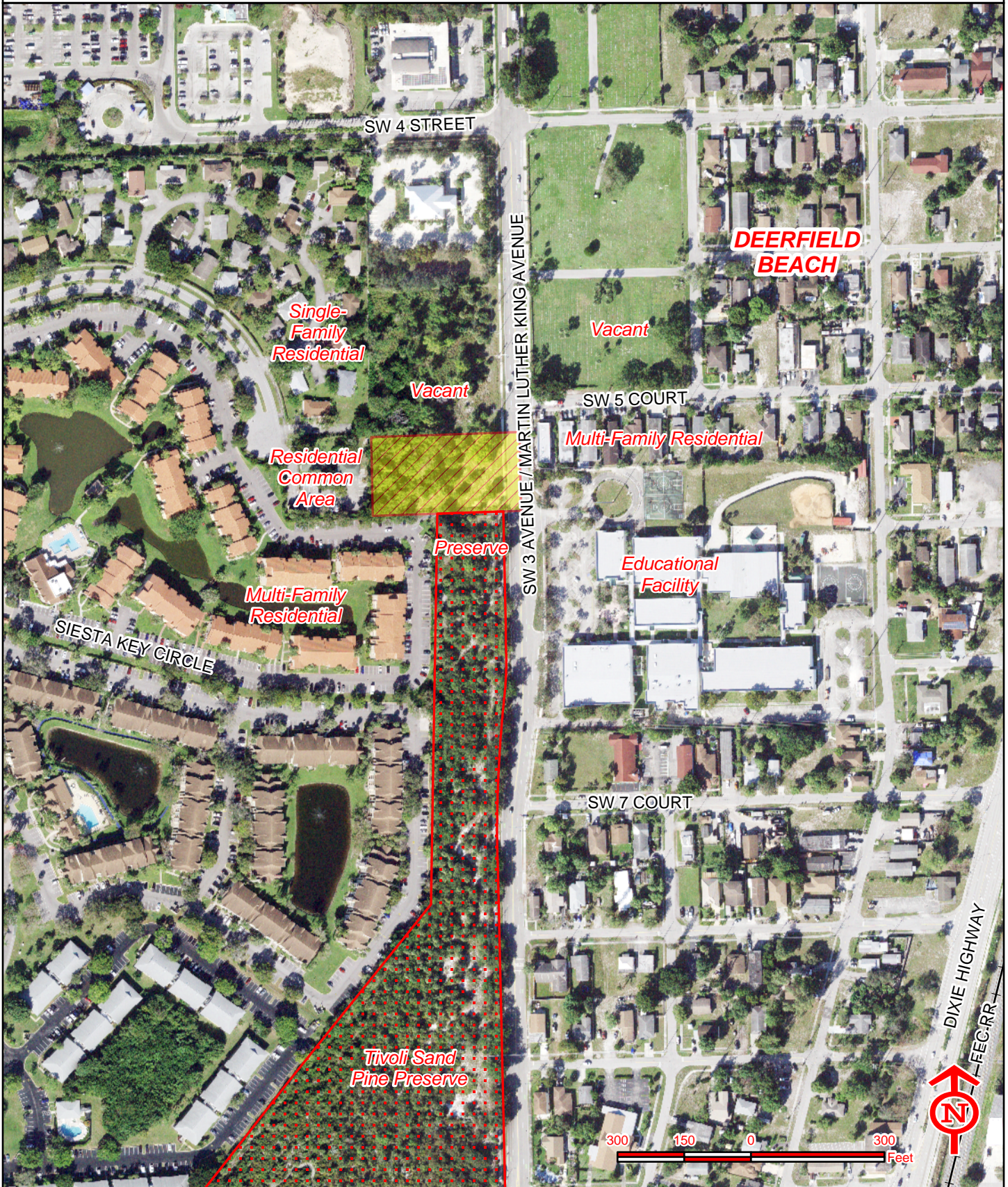


EXHIBIT 2

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN GENERALIZED LOCATION MAP AMENDMENT PC 24-2



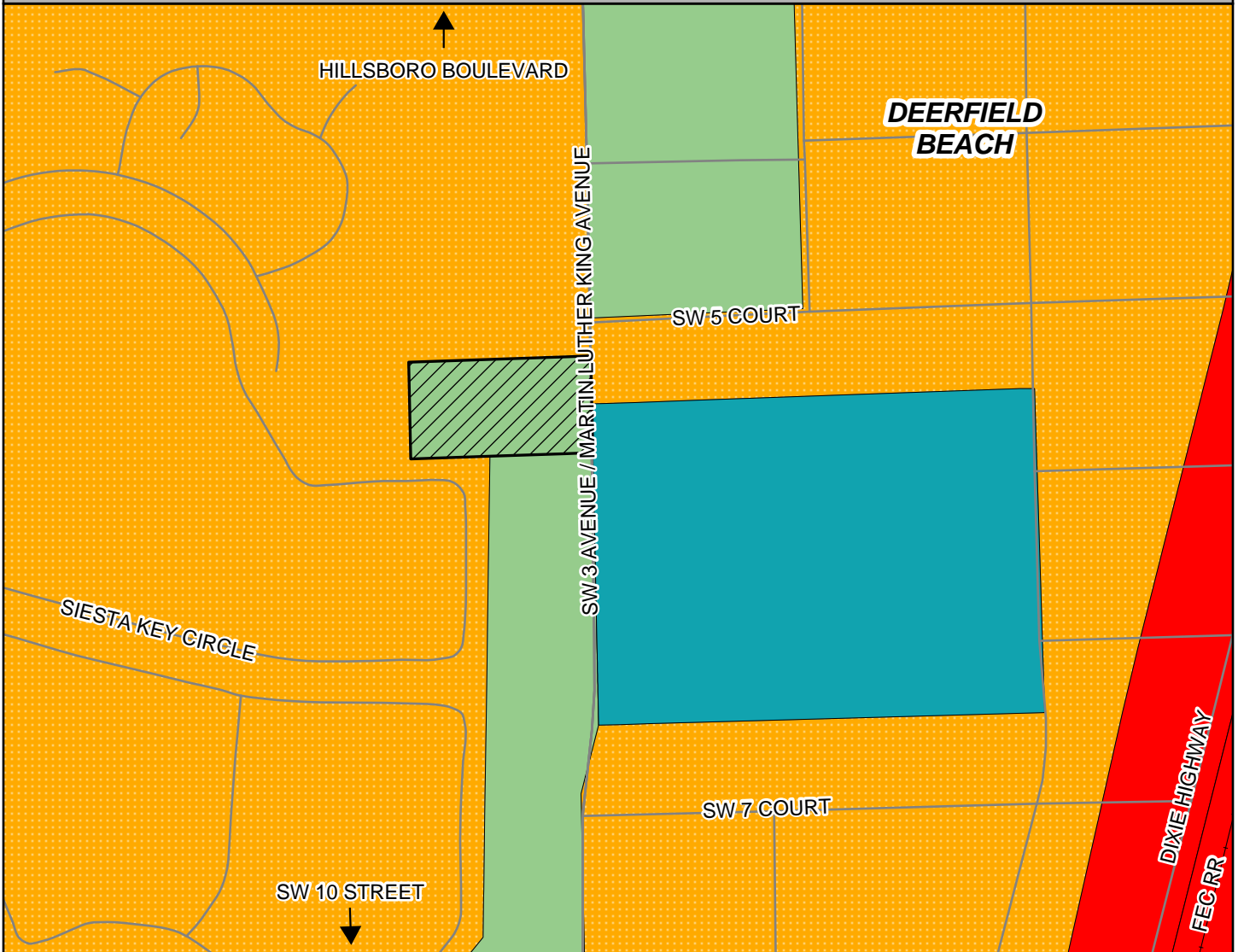
MAP 1
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH
AMENDMENT PC 24-2



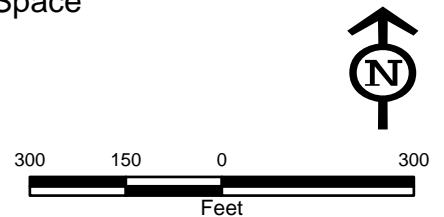
MAP 2
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
CURRENT FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 24-2

Current Land Use: Recreation and Open Space

Gross Acres: Approximately 1.4 acres



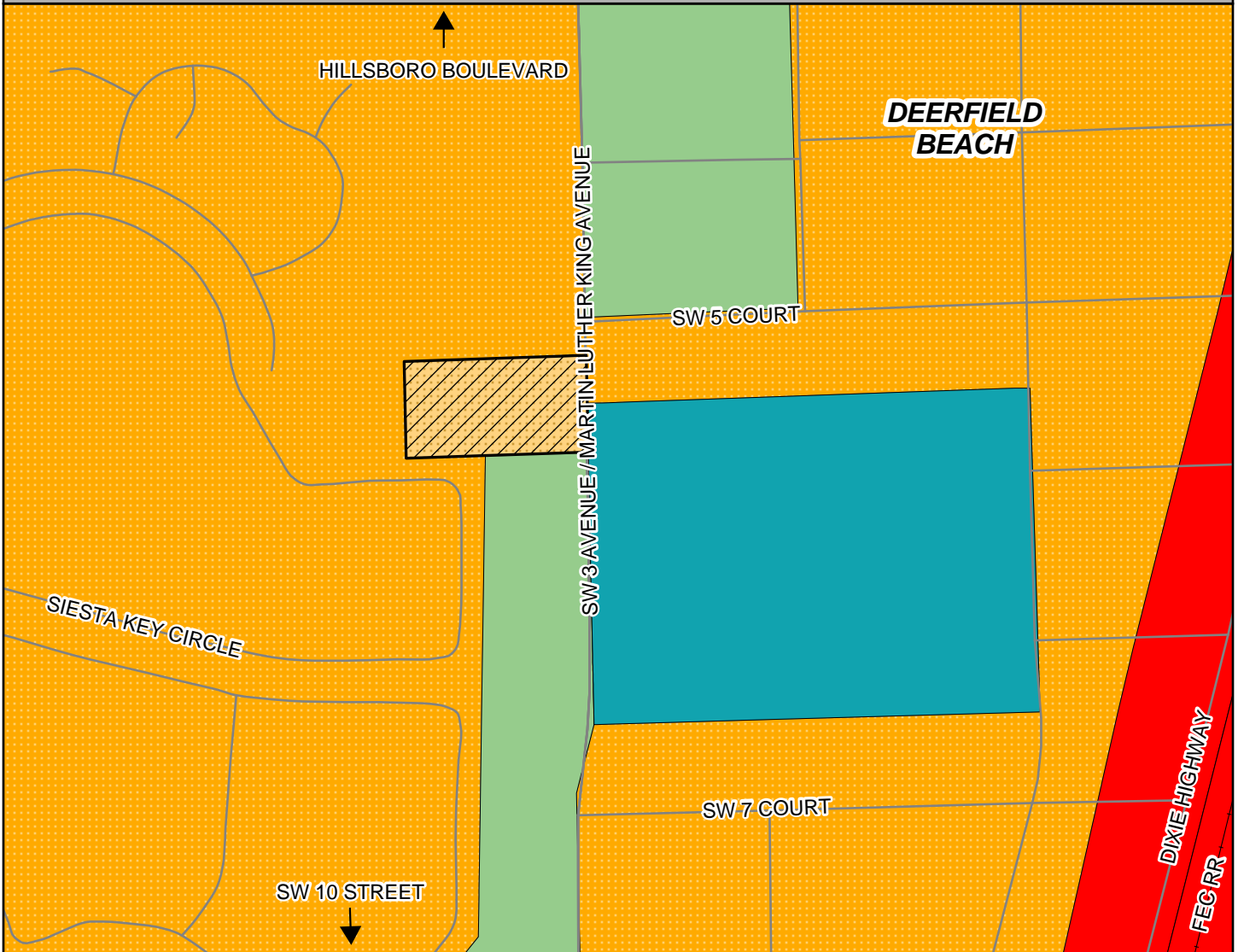
- Site
- Low-Medium (10) Residential
- Commerce
- Recreation and Open Space
- Community



MAP 3
 BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
PROPOSED FUTURE LAND USE DESIGNATIONS
 AMENDMENT PC 24-2

Proposed Land Use: Medium (16) Residential

Gross Acres: Approximately 1.4 acres



- | | |
|---|---|
|  Site |  Commerce |
|  Low-Medium (10) Residential |  Recreation and Open Space |
|  Medium (16) Residential |  Community |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 24-2
(DEERFIELD BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Recommendation June 18, 2024

Planning Council staff finds the proposed amendment to be generally consistent with the policies of the BrowardNext – Broward County Land Use Plan and recommends approval subject to the voluntary commitment to restrict 100% of the proposed dwelling units as affordable housing units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years. See Attachment 7.

Effectiveness of the approval of the land use plan amendment shall not occur until the municipal recertification of the local amendment is complete, subject to the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of a legally enforceable agreement, such as a Declaration of Restrictive Covenants, to memorialize the voluntary commitment proffered by the applicant, as an inducement for Broward County to favorably consider its application.

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

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

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

RECOMMENDATIONS/ACTIONS (continued)

DATE

I. Planning Council Staff Recommendation (continued)

June 18, 2024

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan (BCLUP) amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

II. Planning Council Public Hearing Recommendation

June 27, 2024

Approval per Planning Council staff recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 16-0: Abramson, Brunson, Castillo, Fisher, Gomez, Greenberg, Harrison, Horland, Levy, Newbold, Railey, Rosenof, Ryan, Werthman, Zeman and DiGiorgio)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Deerfield Beach
- II. County Commission District: District 2
- III. Site Characteristics
- A. Size: Approximately 1.4 acres
- B. Location: In Section 1, Township 48 South, Range 42 East; generally located on the west side of Southwest 3 Avenue/Martin Luther King Avenue, between Southwest 5 Court and Southwest 7 Court.
- C. Existing Use: Vacant
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Recreation and Open Space
- B. Proposed Designation: Medium (16) Residential
- C. Estimated Net Effect: Addition of 22 dwelling units
[Zero (0) dwelling units currently permitted by the Broward County Land Use Plan]
Reduction of 1.4 acres of recreation and open space use [Not utilized as a park or connected to the Preserve to the south of the site]
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses: *North:* Vacant
East: Multi-family residential and educational facility
South: Preserve
West: Residential common area
- B. Planned Uses: *North:* Low-Medium (10) Residential
East: Low-Medium (10) Residential and Community
South: Recreation and Open Space and Low-Medium (10) Residential
West: Low-Medium (10) Residential

INTRODUCTION AND APPLICANT’S RATIONALE (continued)

VI. Applicant/Petitioner

- A. *Applicant:* City of Deerfield Beach
- B. *Agent:* City of Deerfield Beach
- C. *Property Owner:* City of Deerfield Beach

VII. Recommendation of Local Governing Body:

The City of Deerfield Beach recommends approval of the proposed amendment.

VIII. Applicant’s Rationale

The applicant states: “The City of Deerfield Beach is the owner of this property and has identified this approximately 1.36-acre parcel as an area of opportunity for affordable housing development. In order for the City to be able to make this property available under the property disposition process, the land use must be amended. The current land use is Conservation under the City Future Land Use Map and Recreation & Open Space under the County Future Land Use Map. The property is not part of the Tivoli Sand Pine Preserve to the south. This property was dedicated to the City in 1974 and has been maintained as vacant land since that time. In order to amend the land use, the City must process a local and County land use plan amendment.

Upon approval of the land use change from Conservation to Residential Medium (15) on the City’s map, and Recreation & Open Space to Medium (16) Residential on the County’s map, the City will then amend the zoning on the site from S (Open Space) to RM-15 (Residence, Multi-Family).

Upon the completion of the land use and zoning amendments, the City will be able to offer this property as a developable property for affordable housing.”

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

REVIEW OF PUBLIC FACILITIES AND SERVICES

I. Potable Water/Sanitary Sewer/Solid Waste/Drainage/Parks & Open Space

Adequate potable water facility capacity and supply, sanitary sewer facility capacity, drainage and solid waste services, and park and open space acreage will be available to serve the proposed land use. Planning Council staff notes that this 1.4-acre site is not utilized as a park or open space and is not included in the City's park and open space inventory. Further, the City will continue to exceed the parks level of service of 3 acres per 1,000 persons. See Attachment 1.

II. Transportation & Mobility

The proposed amendment from the Recreation and Open Space land use category to the Medium (16) Residential land use category is **projected to have no net impact** on the number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon. See Attachment 2. As such, the proposed amendment would not negatively impact the operating conditions of the regional transportation network.

Planning Council staff notes the following roadway levels of service for informational purposes only:

- **Southwest 3 Avenue**, north of Southwest 10 Street, is currently operating at and projected to operate at level of service (LOS) "C," with or without the subject amendment.
- **Dixie Highway**, between Southwest 10 Street and Hillsboro Boulevard, is currently operating at LOS "C," and projected to operate at LOS "D," with or without the subject amendment.
- **Southwest 10 Street**, between Interstate 95 and Dixie Highway, is currently operating at and projected to operate at LOS "C," with or without the subject amendment.
- **Hillsboro Boulevard**, between Interstate 95 and Dixie Highway, is currently operating at and projected to operate at LOS "C," with or without the subject amendment.

The Broward County Transit Division (BCT) report states that current and planned fixed-route county transit service, as well as community shuttle service, is provided to the proposed amendment site. In addition, the BCT report identifies planned Transportation Surtax transit improvements to the county routes serving the amendment site such as shorter headways and increased span of service, as well as new amenities including demand-response service.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

Further, the BCT staff recommends that any proposed development be designed to provide safe movement for pedestrians and bicycles, including transit connectivity to the existing sidewalk/bicycle network and bus stops. See Attachment 3.

The Broward County Urban Planning Division (BCUPD) report recommends that development of the amendment site incorporate Complete Streets enhancements on-site, along adjacent roadways and connecting to site entrances. The BCUPD recommends wide sidewalks, pedestrian-scale lighting, bicycle parking and repair stations, and electric vehicle charging stations, as well as enhancing bicycle and pedestrian connections to future bus stops and the provision of safe circulation routes for pedestrians and bicycles. See Attachment 4. The City of Deerfield Beach acknowledges the recommendations of the BCUPD and will incorporate Complete Street elements during the planning and design process to encourage pedestrian safety. See Attachment 8.

The proposed amendment site is also located adjacent to one (1) public educational facility operated by the School Board of Broward County (SBBC). Planning Council staff contacted the SBBC Environmental Health and Safety Division regarding the “Safe Routes to School” program. The Safe Routes to School initiative is a grant program funded by the Florida Department of Transportation, not by the SBBC. However, the SBBC does require that sidewalks are constructed within new developments, as well as bridging any gaps in the existing perimeter sidewalk system. Students within two (2) miles of their schools must have a safe route to school (i.e. sidewalk system). Planning Council staff solicited comments from the SBBC in this regard and has not received any comments as of this writing.

III. Public Schools

The School Board of Broward County staff report states that the proposed amendment would generate 6 additional students into Broward County Public Schools, consisting of 3 elementary school students, 1 middle school student and 2 high school students. The report further states that Deerfield Park Elementary, Deerfield Beach Middle and Deerfield Beach High schools are all under-enrolled in the 2023-2024 school year and are anticipated to operate below the adopted level of service (LOS) of the higher of 100% of gross capacity or 110% of permanent capacity through the 2025-2026 school year. In addition, the School Board report indicates that there is one (1) charter school located within a two-mile radius of the proposed amendment site. See Attachment 5.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

III. Public Schools (continued)

The School Board report indicates that there are no planned improvements which increase the capacities of the affected elementary, middle and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. See Attachment 5.

Based on the School District's Seven Long Range Planning Areas, the proposed amendment is located within School District Planning Area "7," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. The residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 5.

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

REVIEW OF NATURAL RESOURCES

I. Designated Protected/Regulated Areas

The Broward County Resilient Environment Department (BCRED) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, or Urban Wilderness Inventory sites within its boundaries. However, the site is adjacent to Tivoli Sand Pine Preserve to its south, which is owned and managed by the City of Deerfield Beach. See Attachment 6. The City of Deerfield Beach has stated that the adjacent Preserve will not be impacted. See Attachment 8.

II. Wetlands

The BCRED report indicates that the proposed amendment site does not contain wetlands within its boundaries. Therefore, the proposed amendment is not expected to have a negative impact on wetland resources. The BCRED report also identifies that surface disturbing activities may require an Environmental Resource License. See Attachment 6. The City of Deerfield Beach has acknowledged that it will ensure that all required licenses be obtained prior to undertaking any site work. See Attachment 8.

III. Climate Resiliency & Sea Level Rise

The BCRED report indicates that 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. In addition, BCRED requests that the applicant takes the Climate Action Plan into consideration throughout the development process. See Attachment 6. The City of Deerfield Beach has stated that it is actively working to create a Climate Action Plan for the entire City. See Attachment 8.

IV. Other Natural Resources

Tree Canopy: The BCRED report states that the subject site contains mature tree canopy. Development of the site must comply with the tree preservation regulations of the City of Deerfield Beach. 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. The City of Deerfield Beach has acknowledged the tree preservation requirements. See Attachment 8.

REVIEW OF NATURAL RESOURCES (continued)

IV. Other Natural Resources (continued)

Vegetation: The BCRED report also notes that invasive exotic vegetation is encouraged to be removed during the development process and a management plan may be necessary to control reinvasion of same, nor should landscape material include any plants considered to be invasive. It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 6. The City of Deerfield Beach has acknowledged that the removal of exotic vegetation is required and will ensure that redevelopment of the site excludes any invasive exotic vegetation. See Attachment 8.

Water Recharge: The BCRED report indicates that the proposed amendment would involve an increase of impervious area. Although the change in recharge capacity resulting from the proposed amendment is expected to be insignificant, BCRED recommends that the residential design maximizes open space to offset negative impacts on water recharge capacity. Open space includes but is not limited to parks, stormwater retention, ponds, drainage easements, landscaped areas and other pervious areas. See Attachment 6. The City of Deerfield Beach has indicated that they will maximize efforts to offset negative impacts on recharge capacity. See Attachment 8.

Wellfields: The BCRED report indicates that the proposed amendment site is currently within wellfield zone of influence, Zone 3. Special restrictions apply under Broward County's Wellfield Protection regulations. See Attachment 6. The City of Deerfield Beach has acknowledged the requirement to comply with wellfield regulations. See Attachment 8.

V. Historical/Cultural Resources

The Broward County Urban Planning Division (BCUPD) report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 4.

SECTION V
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

OTHER PLANNING CONSIDERATIONS/INFORMATION

I. Affordable Housing

The subject land use plan amendment proposes an additional 22 residential units to be permitted by the Broward County Land Use Plan (BCLUP), and as such is not subject to BCLUP Policy 2.16.2. See Attachment 4. The amendment application was submitted with a voluntary commitment to dedicate 100% of the proposed dwelling units (22) as affordable housing units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years, exempting the proposed amendment from the application fee. The applicant (City) has submitted a draft Declaration of Restrictive Covenants to memorialize the voluntary commitment regarding affordable housing. See Attachment 7.

II. BrowardNext - Broward County Land Use Plan Policies

The proposed amendment is found to be generally consistent with the policies of the BrowardNext - Broward County Land Use Plan, including Policy 2.16.1 and Strategy AH-4 regarding providing, encouraging and enabling affordable housing opportunities.

III. Other Pertinent Information

This is a small-scale amendment pursuant to Chapter 163.3187, Florida Statutes. Therefore, the amendment review process includes up to two (2) Planning Council public hearings and only one (1) subsequent County Commission adoption hearing. The small-scale amendment is not subject to Florida Department of Commerce (FDOC) review; therefore, no report will be issued by the FDOC, or other State review agencies.

Regarding notification of the public, the *Administrative Rules Document: BrowardNext* requires courtesy notification to property owners and those owners within a 300-foot radius of the amendment site. Broward County Planning Council staff sent approximately 18 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

SECTION VI
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

PLANNING ANALYSIS

The proposed BrowardNext – Broward County Land Use Plan (BCLUP) amendment from Recreation and Open Space to Medium (16) Residential would result in an increase of 22 dwelling units. The proposed amendment is generally compatible with the surrounding existing single-family and multi-family developments, as well as the educational facility to the east and a preserve to the south. The City of Deerfield Beach has indicated the proposed amendment is to expand affordable housing opportunities within an established area that is served by transit and has submitted a voluntary commitment to designate 100% of the dwelling units for moderate-income affordable housing or below (up to 120% of median income) for a period of 30 years. See Attachment 7. It is noted that the amendment site is currently vacant and not utilized as park nor included in the City’s parks and open space inventory.

Development of the amendment site with affordable multi-family residential will serve to promote the transportation and housing connection recognized by the BCLUP, as the site is served by several transit routes, which the Transportation Surtax may further expand in the future. It is also noted that the proposed affordable housing development will be located in proximity to parks, an educational facility and the major thoroughfares/primary transportation corridors of Dixie Highway and Hillsboro Boulevard, which will provide ease of access to mobility options and community services to support the proposed affordable residential use.

Planning Council staff’s analysis finds that adequate **potable water plant capacity and supply, sanitary sewer, drainage, solid waste capacity and park acreage** will be available to serve the proposed land use. In addition, our analysis finds that the proposed amendment is not projected to negatively impact the operating conditions of the **regional transportation network**. See Attachment 2. Further, no adverse impacts to **historical or cultural resources** were identified.

Concerning impacts to **natural resources**, the Broward County Resilient Environment Department (BCRED) report indicates that any surface disturbing activities may require an Environmental Resource License. In addition, the BCRED report states that the amendment site is within, and in proximity to wellfield zone of influence, Zone 3, which is subject to special restrictions. Further, the BCRED staff recommends that open space be designed to improve water recharge capacity. See Attachment 6. The City of Deerfield Beach has acknowledged the BCRED comments and will ensure that all necessary approvals, permits and licenses have been obtained prior to development of the site. See Attachment 8.

PLANNING ANALYSIS (continued)

Regarding **public schools**, the School Board of Broward County staff report states that the proposed amendment is located within School District Planning Area “7,” which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, the residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 5.

The applicant submitted a draft Declaration of Restrictive Covenants to designate 100% of the dwelling units for moderate-income **affordable housing** (up to 120% of median income) for a period of 30 years. See Attachment 7.

In conclusion, Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan and recommends approval subject to the affordable housing voluntary commitment.

SECTION VII
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-2

ATTACHMENTS

1. Broward County Planning Council Supplemental Report of February 2024
2. Broward County Planning Council Traffic Analysis of January 3, 2024
3. Broward County Transit Division Report of January 23, 2024
4. Broward County Urban Planning Division Report of January 19, 2024
5. School Board of Broward County Consistency Review Report of February 9, 2024
6. Broward County Resilient Environment Department Report of January 23, 2024
7. Draft Declaration of Restrictive Covenants Regarding Affordable Housing
8. Correspondence from Eric M. Power, AICP, LIAF, Planning and Development Services Director, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated May 10, 2024
9. Broward County Parks and Recreation Division Report of January 25, 2024
10. Broward County Water Management Division Report of December 27, 2023

ATTACHMENT 1

BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PC 24-2

Prepared: February 2024

POTABLE WATER

The proposed amendment site will be served by the Deerfield Beach West Water Treatment Plant, which has a current capacity of 21 million gallons per day (mgd). The current and committed demand on the treatment plant is 10.41 mgd, with 10.59 mgd available. The wellfields serving the amendment site have a combined permitted withdrawal of 14.15 mgd available for water withdrawal, which expires on May 14, 2029. In addition, the City purchases 0.59 mgd from Broward County. Planning Council staff utilized a level of service of 170 gallons per day (gpd) per capita (2.34 persons per household (pph)) for residential uses. The amendment will result in a net increase in demand of 0.009 mgd. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site. Regarding the long-range planning horizon for potable water supply, it is noted that the City of Deerfield Beach adopted its 10-year Water Supply Facilities Work Plan on November 15, 2022.

SANITARY SEWER

The proposed amendment site will be served by the Broward County North Regional Wastewater Treatment Plant, which has a current capacity of 95 mgd. The current and committed demand on the treatment plant is 73.06 mgd, with 21.94 mgd available. Planning Council staff utilized a level of service of 106 gpd per capita (2.34 pph) for residential uses. The proposed amendment will result in a net increase of 0.005 mgd on the projected demand for sanitary sewer. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

SOLID WASTE

The proposed amendment site will be served by Waste Connections for solid waste disposal service. Waste Connections collects and transports the City's solid waste to the John E. Drury (JED) landfill, which has a capacity of 3.8 million tons per year and a demand of 72,000 tons per year from the City. Planning Council staff utilized a level of service of 7 pounds per capita (2.34 pph) per day for residential uses. The proposed amendment will result in a net increase in demand of 360 pounds per day or 0.18 tons per day. Sufficient solid waste capacity will be available to serve the proposed amendment site.

DRAINAGE

The proposed amendment site will be served by the South Florida Water Management District (SFWMD). A surface water management permit from SFWMD may be required prior to any construction.

PARKS AND OPEN SPACE

The City of Deerfield Beach has 398.54 acres in its parks and open space inventory. The proposed amendment site is not included in the City's parks and open space inventory. The 2045 projected population (93,188) requires approximately 279.56 acres to meet the community parks acreage requirement of 3 acres per one thousand persons population. The proposed amendment will result in a net increase of 0.15 acres on the projected demand for local parks. The City of Deerfield Beach continues to meet the community parks acreage requirement of the Broward County Land Use Plan of 3 acres per one thousand persons population.

ATTACHMENT 2

TRAFFIC ANALYSIS - Peak PC 24-2

Prepared: January 3, 2024

INTRODUCTORY INFORMATION

Jurisdiction: City of Deerfield Beach
Size: Approximately 1.4 acres

TRIPS ANALYSIS

Potential Trips – Current Land Use Designation

Current Designation: Recreation and Open Space
Potential Development: 1.4 acres of recreation and open space
Trip Generation Rate: “ITE Equation (411) Public Park”^{*}
Total P.M. Peak Hour Trips: 23 peak hour trips

Potential Trips – Proposed Land Use Designation

Proposed Designation: Medium (16) Residential
Potential Development: 22 multi-family dwelling units
Trip Generation Rate: “ITE Equation (221) Multifamily Housing (Mid-Rise)”
Total P.M. Peak Hour Trips: 23 peak hour trips

Net P.M. Peak Hour Trips 0 peak hour trips

PLANNING COMMENTS

The proposed amendment is projected to have no net impact on traffic volume on the regional transportation network at the long-range planning horizon.

*Institute of Transportation Engineers (ITE) traffic generation equations from “Trip Generation – 11th Edition,” the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



ATTACHMENT 3



Transportation Department
TRANSIT DIVISION- Service and Capital Planning
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

VIA EMAIL

January 23, 2024

Huda Ashwas, Planner Trainee
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

RE: Land Use Plan Amendment (LUPA) – PC 24-2 555 SW 3rd Ave (Deerfield Beach) -
Transit Verification Letter

Dear Ms. Ashwas,

Broward County Transit (BCT) has reviewed your correspondence dated December 26,
2023, regarding the proposed Land Use Plan Amendment (LUPA) for PC 24-2, 555 SW 3rd
Avenue, Deerfield Beach FL 33441 (Folio ID 484201000570), for current and planned transit
service. The transit service provided within a quarter mile of the amendment site is limited to
Community Shuttle Routes 728, 729 and BCT Fixed Route 50. Please refer to the following
table for detailed information.

The first row details the service for BCT Route 50 on weekdays, Saturdays, and Sundays line by line.
For example, on weekdays it runs 5:00 a.m. - 12:09 a.m. with a frequency of 33 minutes. The second
and third rows detail the service for BCT Routes 728 and 729 respectively, both of which run on
weekdays and Saturdays from 8:00 a.m. - 4:00 p.m. and have a frequency of 60 minutes.

Table with 4 columns: BUS ROUTE, DAYS OF SERVICE, SERVICE SPAN A.M. – P.M, SERVICE FREQUENCY. Rows include Route 50, Route 728 (Deerfield Beach Express I), and Route 729 (Deerfield Beach Express II).

BCT can accommodate additional transit demand, as described in the Mass Transit Analysis,
with planned fixed route bus service to the amendment site.



Transportation Department

TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

As part of the Transportation Surtax, BCT will be implementing fixed route bus improvements, including shorter headways and increased span of service on weekdays and weekends, in addition to new service types like demand-response. The development of subject property will support the utilization of mass transit by increasing the residential opportunities along an existing transit route. The proposed development will provide safe circulation routes for pedestrians and bicycles including transit connectivity between existing sidewalks and proposed future bus stops.

Please be advised that the needs of any existing or future bus stops located adjacent or within the amendment site will be addressed during the project's development review process.

Please feel free to call me at 954-357-5481 or email me at dacohen@broward.org if you require any additional information or clarification on this matter.

Sincerely,

Daniel Cohen

Daniel Cohen

Service Planner

Service and Strategic Planning – Broward County Transit

Broward County Board of County Commissioners

Torey Alston • Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Jared E. Moskowitz • Nan H. Rich • Tim Ryan • Michael Udine
www.broward.org



ATTACHMENT 4

Resilient Environment Department
URBAN PLANNING DIVISION
1 N. University Drive, Box 1021 Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521



DATE: January 19, 2024

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council

FROM: Josie P. Sesodia, AICP, Director
Urban Planning Division

Digitally signed by Josie P. Sesodia
Date: 2024.01.25 09:28:42 -05'00'

SUBJECT: *PC 24-2: City of Deerfield Beach (555 SW 3rd Ave)*

The Broward County Urban Planning Division (UPD) staff reviewed proposed amendment PC 24-2. The subject site is in Deerfield Beach involving approximately 1.4 acres. The amendment proposes:

Current Designations: Recreation and Open Space

Proposed Designation: Medium (16) Residential

Estimated Net Effect: *Addition of 22 dwelling units [Zero (0) dwelling units currently permitted by the Broward County Land Use Plan]*
Reduction of 1.4 acres of Recreation and Open Space Use

Analysis of Natural and Historic Resources

A. The County's archaeological consultant reviewed the application and based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), determined that the proposed project will have no adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.

B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:

1. The subject property is located within the City of Deerfield Beach. Archaeological resources in the city are included in the jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). Historical resources in the city are outside the jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). The property owner/ agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Attn: Director
Planning & Development Services

City of Deerfield Beach
150 NE 2nd Ave.
Deerfield Beach, Florida 33441
Tel.: (954) 480-4200

2. If, in the event that unmarked burials are discovered, then, pursuant to Florida 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
Website: <http://www.broward.org/MedicalExaminer>

Affordable Housing.

The Urban Planning Division (UPD) staff reviewed the application and determined that it is not subject the requirements of BCLUP Policy 2.16.2 and Article 5 of the Administrative Rules Document as the proposed amendment will add less than 100 units to the BCLUP.

The proposed amendment will add less than 100 units to the Broward County Land Use Plan (BCLUP). Amendments that propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the Administrative Rules Document. Policy 2.16.2 requires the involved municipality to estimate its supply of affordable housing utilizing the data and methodology referenced within the "Broward County Affordable Housing Needs Assessment," 2018, prepared by the Metropolitan Center Florida International University, as may be updated and accepted by the Broward County Board of County Commissioners, after January 7, 2021. A total of zero (0) residential units are currently permitted under the existing Land Use Plan. This request is for an increase of 22 dwelling units.

Although Policy 2.16.2 does not apply to this project, the applicant states that the subject site will be utilized for a future affordable housing project. A draft Declaration of Restrictive Covenants is attached to the application as EXHIBIT J. The applicant is advised that the voluntary commitment to provide affordable housing units is subject to the execution and recordation of a separate agreement with Broward County, acceptable to the County Attorney's Office, which restricts the additional 22 dwelling units as affordable housing units for a period of 30 years.

Redevelopment Analysis

The amendment site is not located within a Community Redevelopment Area.

Intergovernmental Coordination

The proposed amendment site is not adjacent to or in close proximity to any Broward County Unincorporated Area lands or County-owned facilities/property and is not adjacent to another municipality. However, the Tivoli Sand Pine Preserve (Preserve) is adjacent to the south of the amendment site. The 23-acre Preserve was dedicated by Broward County to the City of Deerfield Beach in 1985, which then entered into an agreement with Broward County to maintain the preserve as a wilderness park in perpetuity. The Preserve is designated by the City of Deerfield Beach as an Urban Wilderness Site by Policy 7.46. (Natural Resource Areas) of the City's Comprehensive Plan Natural Resources Element.

Complete Streets

The BCLUP contains policies to promote complete streets that integrate all modes and facilities for all users based on the context. The following apply to this proposed land use plan amendment:

Policy 3.6.2 Ample and secure bicycle parking should be incorporated into non-residential and mixed use redevelopments. The bicycle parking should be consistent with the Broward County "End-of-Trips Facilities" guidelines.

Policy 3.6.5 Development designs should be context-sensitive and consider existing and planned adjacent land uses. Development projects should be considered both separately and as part of a connected network with integrated pedestrian, bicycle and transit facilities generally consistent with the [Broward Complete Streets Guidelines](#) or equivalent principles.

The proposed amendment will potentially generate 100 additional daily trips, including nine PM Peak Trips. Broward County Transit Route 50 on Dixie Highway, near the subject site, has 20-30 minute headways on weekdays and 40-50 minute headways on weekends. The City of Deerfield Beach Community Shuttle Express Routes I and II run along SW 3rd Avenue adjacent to the subject site. The application states that numerous retail, office, community facilities, and employment opportunities are within reach along these transit routes and ultimately broader connections to transit throughout the County are accessible.

Staff suggests the following:

- Incorporate complete streets enhancements on-site along adjacent streets and connecting to site entrances. For example, consider providing:
 - o sidewalks along the property perimeter on street frontages;
 - o "end-of-trips facilities" consistent with the Broward Complete Streets Master Plan [Design Guidelines 2.0](#) and BrowardNEXT Policy 3.6.2;

- o sidewalks connecting from building entrances to perimeter sidewalks and safe transitions across onsite circulation lanes or parking areas;
 - o covered drop off areas for on demand mobility services and deliveries; and,
 - o awnings or covered areas at building entrances or along sidewalks.
- Consider providing electric vehicle charging stations, bike parking and lockers, and shared mobility opportunities (such as bike or scooter rentals).
- Enhance bicycle and pedestrian connections to bus stops and provide safe circulation routes for pedestrians and bicycles.
- Pedestrian-scale lighting that protects the adjacent pineland preserve from glare.

cc: Darby Delsalle, AICP, Assistant Director, Urban Planning Division
Heather Cunniff, AICP, Planning Section Supervisor, Urban Planning Division
Richard Ferrer, Historic Preservation Officer, Urban Planning Division
Susanne Carrano, Senior Planner, Urban Planning Division
Sara L Forelle, AICP, Senior Planner, Urban Planning Division
Ralph Stone, Director, Housing Finance Division
Leonard Vialpando, Director, Resilient Environment Department

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



LAND USE
SBBC-3759-2024
County No: PC24-2
Folio #: 484201000570
555 SW 3rd Avenue
February 9, 2024



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

ATTACHMENT 5

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION
Date: February 9, 2024	Units Permitted: 0 Units Proposed: 22	Existing Land Use: Recreation and Open
Name: 555 SW 3rd Avenue	NET CHANGE (UNITS): 22	Proposed Land Use: Medium (16) Residential
SBBC Project Number: SBBC-3759-2024	Students Permitted Proposed NET CHANGE	Current Zoning: S-Open Space
County Project Number: PC24-2	Elem 0 3 3	Proposed Zoning: RM-15 Residence,
Municipality Project Number: LUPA 66A	Mid 0 1 1	Section: 1
Owner/Developer: City of Deerfield Beach	High 0 2 2	Township: 48 S
Jurisdiction: Deerfield Beach	Total 0 6 6	Range: 42 E

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
Deerfield Park Elementary	751	826	460	-366	-20	55.7%
Deerfield Beach Middle	1,491	1,553	1,139	-414	-18	73.3%
Deerfield Beach High	2,848	2,848	2,094	-754	-30	73.5%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Capacity Adjusted Benchmark	Projected Enrollment				
				24/25	25/26	26/27	27/28	28/29
Deerfield Park Elementary	460	-366	55.7%	429	381	404	430	438
Deerfield Beach Middle	1,139	-414	73.3%	1,108	1,084	1,059	1,034	1,009
Deerfield Beach High	2,109	-475	74.1%	2,017	1,924	1,824	1,725	1,724

* See comments for additional Impacted Planning Area information

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	29/30	30/31	31/32	32/33	33/34
Area 7 - Elementary	17,526	11,746	-5,780	10,994	10,884	10,773	10,660	10,549
Area 7 - Middle	7,931	5,747	-2,184	5,325	5,274	5,223	5,170	5,119
Area 7 - High	11,160	8,389	-2,771	7,753	7,663	7,570	7,479	7,386

* See comments for additional Impacted Planning Area information

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2023-24 Contract Permanent Capacity	2023-24 Benchmark** Enrollment	Over/(Under)	Projected Enrollment		
				24/25	25/26	26/27
Somerset Academy Key Middle	495	423	-72	423	423	423

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

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

School(s)	Description of Capacity Additions
Deerfield Park Elementary	There are no capacity additions scheduled in the ADEFP that will increase the reflected FISH capacity of the school.
Deerfield Beach Middle	There are no capacity additions scheduled in the ADEFP that will increase the reflected FISH capacity of the school.
Deerfield Beach High	There are no capacity additions scheduled in the ADEFP that will increase the reflected FISH capacity of the school.

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

Capacity Additions for Planning Area 7	
School Level	Comments
Elementary	None
Middle	None
High	None

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 1.36-acre site is generally located west of Martin Luther King /SW 3rd Avenue between Hillsboro Blvd and SW 10th Street in the City of Deerfield Beach. The current land use designation for the site is Recreation and Open Space, which allows no residential units. The applicant proposes to change the land use designation to Medium (16) Residential to allow 22 townhouse (all three or more bedroom) residential units, which is anticipated to generate an additional 6 students (3 elementary, 1 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. 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 served the amendment site in the 2023/24 school year were Deerfield Park Elementary, Deerfield Beach Middle, and Deerfield Beach High. Based on the District's Public School Concurrency Planning Document, all the schools are operating below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities in the 2023/24 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2023/24- 2025/26), all the schools are expected to operate below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities through the 2025/26 school year. It should be noted that the permanent school capacity or Florida Inventory of School Housing (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 2023/24 to 2027/28. Also, 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. Charter schools located within a two-mile radius of the site in the 2023-24 school year are depicted herein.

Capital Improvements scheduled in the long-range section of the currently Five-Year Adopted DEFP FY 2023/24 to 2027/28 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 "7". The elementary, middle, and high schools currently serving Planning Area "7" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein.

Therefore, Planning Area "7" 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 School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

PROJECT NUMBER: SBBC-3759-2024

Reviewed By:

2/9/2024

Date

Glennika D. Gordon

Signature

Glennika D. Gordon, AICP

Name

Planner

Title

ATTACHMENT 6

RED Environmental Comments
PC 24-2
Page 1



RESILIENT ENVIRONMENT DEPARTMENT (RED) REVIEW AND COMMENTS ON PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT

For: Broward Planning Council

Applicant: City of Deerfield Beach

Amendment No.: PC 24-2

Jurisdiction: City of Deerfield Beach

Size: Approximately 1.4 acres

Existing Use: Vacant

Current Land Use Designation: Recreation and Open Space

Proposed Land Use Designation: Medium (16) Residential

Estimated Net Effect: Addition of 22 dwelling units
[Zero (0) dwelling units currently permitted by the Broward County Land Use Plan]
Reduction of 1.4 acres of recreation and open space use

Location: In Section 1, Township 48 South, Range 42 East; generally located on the west side of Martin Luther King Avenue/Southwest 3 Avenue, between Southwest 5 Court and Southwest 7 Court.

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

ANALYSIS AND FINDINGS

ENVIRONMENTAL PERMITTING DIVISION

Contaminated Sites - [CP Policies C1.6, C2.1, C2.4, C2.5, C2.7, WM3.6; BCLUP Strategy EP-3 and Policy 2.5.5]

The list of known contaminated sites (from RED's GIS Database of Contaminated Locations in Broward County) has been reviewed. There **are no (0)** listed contaminated sites that were found within one-quarter mile of the proposed amendment location. See attached map and database for further information as it relates to the land use amendment site.

The interactive map of contaminated sites in Broward County can be found on the internet at <https://www.broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed can be directed to (954) 519-1483 or EAR@broward.org. (AR 1/18/24)

Solid Waste - [CP Policies (SW) 6.1.2, 6.1.3, 6.2.6, 6.2.7, 6.2.10, WM3.18; BCLUP Policies 2.11.8, 2.20.3, 2.20.13, 2.34.1, 3.4.3 and Implementation Regulations and Procedures – 1. Development Review Requirements]

There **are no (0)** active or inactive solid waste facilities located within one mile of the proposed amendment location. (AR 1/18/24)

Wetlands - [CP: Objectives C8 and C9 Policies; BCLUP Strategy EP-2 and Policies 2.22.1, 2.22.2, 2.22.3]

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at [Florida Exotic Pest Plant Council \(invasive.org\)](http://FloridaExoticPestPlantCouncil.invasive.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Surface Water Management - [CP Policies BMSD1.2.2, BMSD1.1.3, BMSD1.2.3, IC7.4, WM2.4, WM2.5, WM3.4, WM3.5, WM3.9, WM3.10, WM3.15, WM3.23, WM3.34, WM4.6, CM6; BCLUP Strategy CCR-2, EP-2, DP-2, and Policies 2.12.5, 2.21.1, 2.21.3, 2.21.5, 2.21.7, 2.24.1, 2.24.2, 2.24.4, 2.24.5, 2.26.5]

The proposed project will be required a Broward County Surface Water Management License. The applicant can apply for the SWM through Broward County [Epermits](#).

Some requirements that need to be met when applying for a Surface Water Management License:

1. Meet the permitted criteria or Pre-vs-Post analysis including:
 - a. Broward County Parking Lot Protection - 5-yr, 1-day
 - b. Attenuation Requirement - 25-yr, 3-day
 - c. Flood Protection - 100-yr, 3-day (zero discharge)
2. FFE requirements – FEMA, Broward County 100-yr, 3-day flood map elevation, Broward County Future Conditions 100 yr flood map and site specific 100-yr, 3-day (zero discharge) peak stage.
3. Water table requirements - Broward County Current Wet Season Water Table and Future Groundwater Table Elevation.
4. This property is in a wellfield zone.

Upland Resources (including Tree Preservation and Greenways) - [CP Objective C6 and Policies C6.1, C6.7, C6.10, C6.11; BCLUP Strategy CCR-2 and EP-3 and Policies 2.5.5, 2.23.3, 3.3.1]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the tree preservation regulations of the City of Deerfield Beach. 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.

Hazardous Material Facilities - [CP Policies C2.2, (SW) 6.2.6, 6.2.7, WM3.18; BCLUP Strategy EP-3 and Policy 2.26.21]

The list of known hazardous material facilities and storage tank facilities (from EPD's GIS Database of hazardous material facilities in Broward County) has been reviewed. There are five (5) known hazardous material/storage tank facilities on, adjacent to, or within ¼ mile of the amendment site. Of the five (5) facilities, four (4) are hazardous material facilities, zero (0) storage tank facility, and one (1) facility that have both hazardous materials and storage tanks. (VP 01/02/2024)

Wellfield Protection - [CP Policies (SW) 6.2.7, WM3.6, WM3.8, WM3.18; BCLUP Policies 2.26.1, 2.26.2, 2.26.3]

The proposed amendment site is currently adjacent to, or within ¼ mile of a wellfield zone of influence. Special restrictions apply under Broward County's Wellfield Protection regulations. (VP 01/02/2024)

SARA TITLE III (Community Right to Know) - [CP Policy C2.5, (SW) 6.2.10, 6.2.12, WM3.18; BCLUP Strategy EP-3 and Policy 2.5.5, 2.26.1]

The list of known SARA Title III Facilities in Broward County has been reviewed. There is no known SARA Title III Facility on, adjacent to, or within ¼ mile of the proposed amendment site. (VP 01/02/2024)

NATURAL RESOURCES DIVISION

Air Quality - [CP Objective C1 and C2, and Policy C2.5, C2.6, C2.9, C2.10, (SW) 6.2.10; BCLUP Strategy EP-3 and Policies 2.9.2, 2.25.1]

The preliminary traffic analysis indicates that the proposed amendment would result in a change of **0 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 **moderate impact** on air quality.

The Air Quality Program recommends pro-active long-term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, bikeways and bike storage facilities, and the use of pedestrian friendly designs which will include native tree shaded areas.

There are no air permitted facility located within half a mile of the proposed amendment site, meaning that there are no nearby facilities with any air quality complaints nor any facilities in the area with existing or potential odor or noise problems. (AR 1/18/24)

Specially Designated Areas - [CP Objective C6 and policies C6.1, C6.3, C6.5, C6.6, C7.2, C7.4; BCLUP Strategies EP-3, IG-3 and Policies 2.5., 2.12.4, 2.23.1, 2.23.2, 2.23.3, 2.29.1, 3.3.7, 3.3.9, 3.3.10, Implementation Regulations and Procedures - 7. Criteria and Procedures For Environmentally Sensitive Lands And Local Areas of Particular Concern]

This project site is adjacent, along the southern boundary to Tivoli Sand Pine Preserve a City of Deerfield owned and managed Preserve. It is listed as a Designated Urban Wilderness and included in the Urban Wilderness Inventory.

<https://www.broward.org/PlanningCouncil/Documents/EnvironmentallySensitiveLands.pdf>

Protected Natural Lands – Project site is adjacent to Tivoli Sand Pine Preserve along the southern boundary. Tivoli Sand Pine Preserve is an approximately twenty-one acre sand pine included in the Protected Natural Lands 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 Objectives CM1, CM4 and Policies C.7.7 C7.6, C7.8; BCLUP Strategy EP-1 and Policies 2.7.1, 2.11.7, 2.20.3, 2.24.2, 2.27.1, 2.27.2, 2.27.3, 2.27.4, 2.27.5, 2.28.1, 3.3.4, 3.3.7, 3.3.9, 3.3.12]

While the County encourages applicants to consider the listed objectives, strategies, and policies during the site planning process, the proposed amendment site does not contain, fall within, or overlap with a coastal area. Therefore, Broward County Comprehensive Plan Objective CM4 and Policies C.7.6, C.7.7 and C.7.8 and Land Use Plan Strategy EP-1 and Policies 2.7.1, 2.11.7, 2.20.3, 2.27.1, 2.27.2, 2.27.3, 2.27.4, 2.27.5, 3.3.4, 3.3.9, 3.3.12 do not apply to the review of this project.

The proposed land use designation is not expected to have an impact on marine or riverine resources related to CP Objective CM4 and Policies C.7.6, C.7.7, C.7.8; BCLUP Strategy EP-1 and Policies 2.7.1, 2.11.7, 2.20.3, 2.24.2, 2.27.1, 2.27.2, 2.27.3, 2.27.4, 2.27.5, 2.28.1, 3.3.4, 3.3.9, 3.3.12.

Regarding Comprehensive Plan Objective CM1 and Land Use Plan Policy 3.3.7, please see the Analysis and Findings from the Environmental Permitting Division concerning wetlands impact from the proposed land use designation. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

The Division strongly encourages the applicant to review the Broward County Outdoor Lighting Ordinance (Chapter 27, Article IX, Sec. 39-112) to become familiar with preferred lighting standards to minimize sky glow and ways to minimize lighting disturbance of wildlife as it relates to Comprehensive Plan Policy C.7.6 and Broward County Land Use Plan Policy 2.28.1, recognizing that the proposed amendment area is not along the coast.

Climate Resiliency, Adaptation Action Areas, and Priority Planning Areas [CP Policies CC1.7, CC2.1, CC2.9, CC2.10, CC2.12, CC2.14, CC2.15, CC3.6, CM2.6; BCLUP Strategy CCR-2 and Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5, 2.21.6, 2.21.7]

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 2070. 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, Broward County Land Use Plan Policies 2.21.1, 2.21.5, and Comprehensive Plan Policies CC2.1, CC2.12 and CC2.14, do not apply to the review of this project.

However, Policy 2.21.6 is not limited to areas only covered by the PPA and states that Broward County shall support the goals and will, to the maximum extent feasible, implement, in coordination with affected stakeholders, the recommended actions of the Climate Action Plan, as approved by the Broward County Climate Change Task Force, and adopted by the Broward County Board of County Commissioners. The Resilient Environment Department asks that the applicant take those actions into consideration through the application, design, permitting and construction process, but specifically calls out the following Regional Climate Action Plan Recommendations related to natural areas and urban forests: NS-4.1, NS-15.5, ST-5.1, ST-5.2, ST-5.3, as this site is directly adjacent to the Tivoli Sand Pines Preserve which has been established as a wilderness area in Broward County; and recommendations related to heat islands: NS-15.4, PH-3.1, PH-3.3, and ST-14.3 for consideration.

The Resilient Environment Department also recommends review of the Future Conditions Map Series (Plate WM 2.1 – Future Conditions Average Wet Season Groundwater Elevation Map, and Plate WM 13.1 – Future Conditions 100-Year Flood Elevation Map), and their use as required by Broward County Code of Ordinances for permitting and design of the proposed site. The reviewer notes that Plate WM 13.1 – Future Conditions 100-Year Flood Elevation Map was not mentioned in the application.

NatureScape Program – [CP Policies C6.8, CC3.9, WM3.33, WM4.17; BCLUP 2.20.14, 2.20.17]

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>

Water Recharge - [CP Policies WM1.15, WM2.2, WM3.8, WM3.9, WM3.32, WM4.3; BCLUP Policies 2.5.5, 2.26.1]

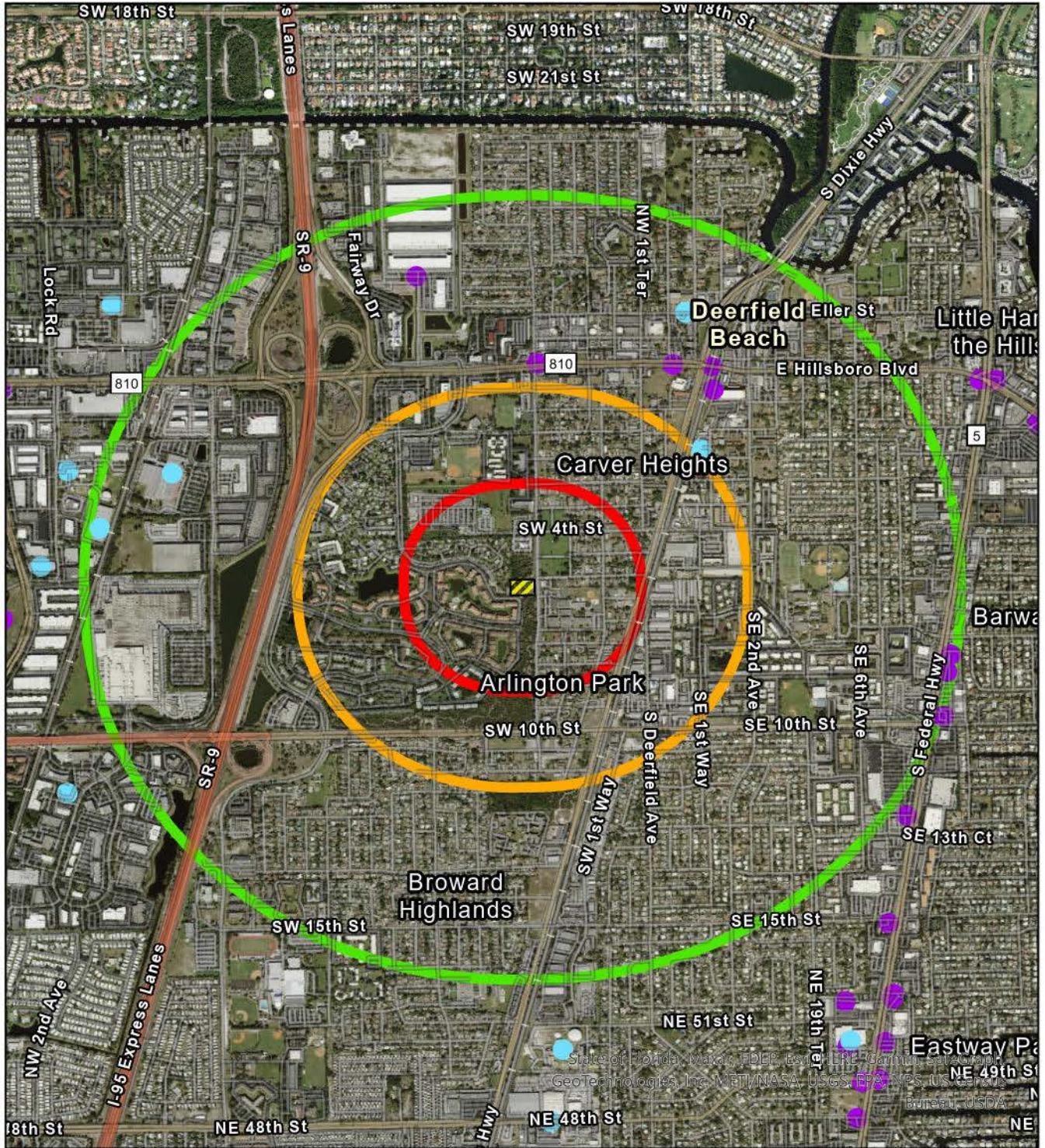
The purpose of this review is to consider County policies regarding water recharge. Aquifer recharge is one of several significant methods that will aid in the protection and conservation of the Surficial Aquifer System. Therefore, the County will continue to promote the development of alternative water supply strategies, including Aquifer recharge, and protect the quality of our potable water supply sources. [Applicable County Policies include: CP WM1.15, WM2.2, WM3.8, WM3.9, WM3.32, WM4.3; BCLUP Strategy CCR-3; Policies 2.5.5, 2.26.1, 2.26.2]

The proposed land use designation allows 75 percentage of impervious area on the property. Based on current and proposed land use designations, the development resulting from the proposed land use designation could potentially result in an increase of 65% impervious surface on the property. The change in recharge capacity resulting from development under the proposed designation is expected to be insignificant.

The 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.

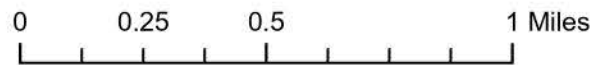
Staff suggests that the design of the new residential project seek to maximize open space or provide other alternatives to offset negative impacts on recharge capacity on the property. Open space can include but not be limited to parks and open space, stormwater retention, ponds, rain gardens, drainage easements, landscaped areas and other pervious areas fulfilling the goal of water recharge into the aquifer.

Broward County Land Use Plan Proposed Amendment 24-2



Legend

- Air Sites
- Contaminated Sites
- Proposed Site
- Quarter Mile Buffer
- Half Mile Buffer
- One Mile Buffer



Generated for location purposes only. Marker size is a visual aid, and neither represents exact location nor area of designated facility.
Prepared by: Ashley Robins on 12/28/23
Natural Resources Division



Date Prepared: 1/2/2024 1:22 PM
 Prepared by: VPHIPPS

Land Use Amendment Legend

- Wellfield Zone 1
- Wellfield Zone 2
- Wellfield Zone 3
- SARA_Title_III_Facility
- Hazardous_Materials_Facility
- BufferHMIntersect
- 0.25 Mile Buffer
- Proposed Amendment Site

Environmental Permitting Division review of Land Use Amendments for presence of hazardous materials and community right-to-know sites within Broward County. Review includes the location of Wellfield Protection Zones. The display is generated for location purposes only. Marker, if present, is a visual aid and neither represents exact location nor distance to project site. If data are associated, data are provided "as is". The division does not accept responsibility for damages suffered as a result of using, modifying, contributing or distributing the materials.

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
B'Nai B'Rith Apartments	299 SW 3RD AVE, Deerfield Beach, FL 33441	6513 - Multi-Family Residential Facility with Diesel Generator(s) or Pool Chemicals	Hazardous Material
City of Deerfield Beach Public Works and Garage	401 SW 4TH ST, Deerfield Beach, FL 33441	7538 - Municipal Equipment or Vehicle Maintenance	Hazardous Material and Storage Tank
Vector Fleet Management LLC	401 SW 4TH ST, #B Deerfield Beach, FL 33441	7538 - Fleet Service	Hazardous Material
Youth Automotive Training Center of Broward, Inc.	399 SW 3RD AVE, Deerfield Beach, FL 33441	7538 - Automotive Repair School	Hazardous Material
R.J. Trucking & Bulldozing Incorporated	231 SW 8TH ST, Deerfield Beach, FL 33441	7538 - Automotive Repair	Hazardous Material

BROWARD COUNTY PLANNING COUNCIL
WETLAND RESOURCE QUESTIONNAIRE
as completed by the
RESILIENT ENVIRONMENT DEPARTMENT

I. Description of the Site and Proposed Amendment

For: Broward Planning Council

Applicant: City of Deerfield Beach

Amendment No.: PC 24-2

Jurisdiction: City of Deerfield Beach

Size: Approximately 1.4 acres

Existing Use: Vacant

Current Land Use Designation: Recreation and Open Space

Proposed Land Use Designation: Medium (16) Residential

Estimated Net Effect: Addition of 22 dwelling units

[Zero (0) dwelling units currently permitted by the Broward County
Land Use Plan]

Reduction of 1.4 acres of recreation and open space use

Location: In Section 1, Township 48 South, Range 42 East; generally located on the west side of Martin Luther King Avenue/Southwest 3 Avenue, between Southwest 5 Court and Southwest 7 Court.

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

II. Wetland Review

A. *Are wetlands present on subject property?* No.

B. *Describe extent (i.e. percent) of wetlands present on subject property.*

C. *Describe the characteristics and quality of wetlands present on subject property.*

D. *Is the property under review for an Environmental Resource License?*

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?*

III. Comments:

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at [Florida Exotic Pest Plant Council \(invasive.org\)](http://FloridaExoticPestPlantCouncil.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Completed by: L. Sunderland 1/23/2024

**BROWARD COUNTY
WATER RECHARGE QUESTIONNAIRE
as completed by
RESILIENT ENVIRONMENT DEPARTMENT**

I. Information about the Proposed Amendment

For: Broward Planning Council
Applicant: City of Deerfield Beach
Amendment No.: PC 24-2
Jurisdiction: City of Deerfield Beach
Size: Approximately 1.4 acres
Existing Use: Vacant
Current Land Use Designation: Recreation and Open Space
Proposed Land Use Designation: Medium (16) Residential
Estimated Net Effect: Addition of 22 dwelling units
[Zero (0) dwelling units currently permitted by the Broward
County Land Use Plan]
Reduction of 1.4 acres of recreation and open space use

Location: In Section 1, Township 48 South, Range 42 East; generally located on the west side of Martin Luther King Avenue/Southwest 3 Avenue, between Southwest 5 Court and Southwest 7 Court.

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

II. Water Recharge Review based on Broward County Land Use Plan Designations

A. Impacts of the current land use designation on water recharge:

A typical value for an impervious area produced by this type of development is approximately 10 percent or equivalent to 0.14 acres.

B. Impacts of the proposed land use designation on water recharge:

A typical value for an impervious area produced by this type of development is potentially 75 percent or the equivalent of 1.05 acres.

C. General impacts of the proposed land use change on water recharge:

The change in land use (current to proposed) could potentially result in a increase of 65 percent impervious surface on the property, which is the equivalent of 0.91 acres of impervious surface and a loss in recharge capacity.

III. Analysis of Impact of Change in Land Use Designation

The purpose of this review is to consider County policies regarding water recharge. Aquifer recharge is one of several significant methods that will aid in the protection and conservation of the Surficial Aquifer System. Therefore, the County will continue to promote the development of alternative water supply strategies, including Aquifer recharge, and protect the quality of our potable water supply sources. [Applicable County Policies include: CP WM1.15, WM2.2, WM3.8, WM3.9, WM3.32, WM4.3; BCLUP Strategy CCR-3; Policies 2.5.5, 2.26.1, 2.26.2]

The proposed land use designation allows 75 percentage of impervious area on the property. Based on current and proposed land use designations, the development resulting from the proposed land use designation could potentially result in an increase of 65% impervious surface on the property. The change in recharge capacity resulting from development under the proposed designation is expected to be insignificant.

The 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.

IV. Comments

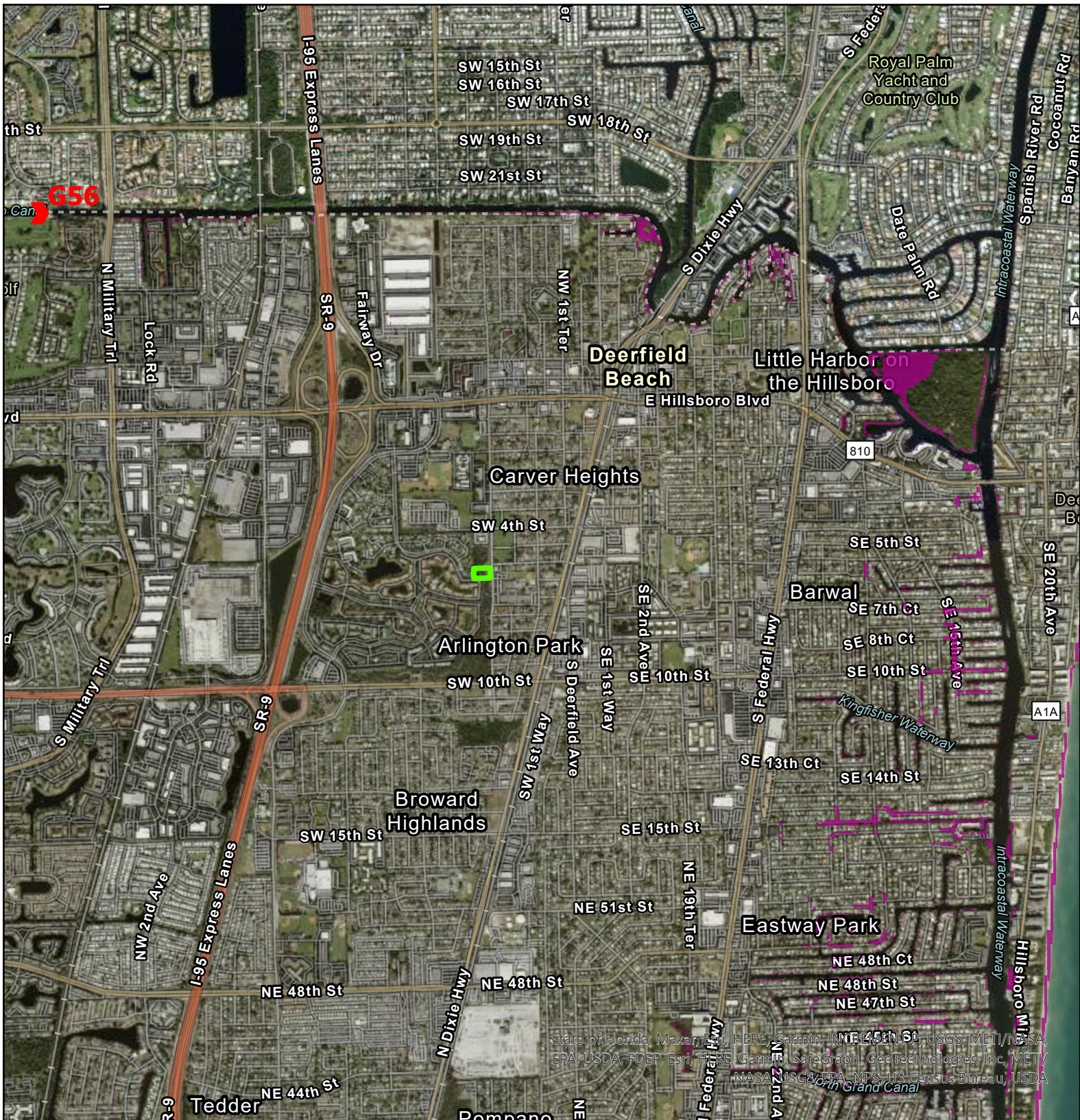
Staff suggests that the design of the new residential project seek to maximize open space or provide other alternatives to offset negative impacts on recharge capacity on the property. Open space can include but not be limited to parks and open space, stormwater retention, ponds, rain gardens, drainage easements, landscaped areas and other pervious areas fulfilling the goal of water recharge into the aquifer.


Prepared by: Monica Pognon, Broward County Natural Resources Division (1/23/2024).


Broward County Land Use Plan

Proposed Amendment

PCNRM 24-2



 Proposed Land Use Plan Amendment

 Priority Planning Areas for Sea Level Rise near tidal water bodies at an increased risk of inundation under a 40 inch sea level rise scenario projected to occur by 2070 (PC 24-2 is located outside of a Priority Planning Area)

0 0.5 1 Miles

ATTACHMENT 7

DRAFT

Return to: (enclose self-addressed stamped envelope)

Name: Leigh R. Kerr, AICP, President

Address:

808 E. Las Olas Blvd #104

Fort Lauderdale, FL 33301

This Instrument Prepared by:

Leigh R. Kerr, President

Leigh Robinson Kerr & Assoc., Inc.

808 E. Las Olas Blvd #104

Fort Lauderdale, FL 33301



SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") made this _____ of _____, 2023, by **CITY OF DEERFIELD BEACH**, a Public Entity, ("Declarant"), which shall be for the benefit of **BROWARD COUNTY, FLORIDA**, a political subdivision of the State of Florida ("County"), and the **CITY OF DEERFIELD BEACH**, a municipal corporation organized pursuant to the State of Florida ("City").

WITNESSETH:

WHEREAS, Declarant made applications to Broward County and the County Planning Council requesting that the land use plan designation on the Property be changed to add up to twenty-two (22) dwelling units on the City of Deerfield Beach Land Use Plan and up to twenty-four (24) dwelling units on the Broward County Land Use Plan in conjunction with redevelopment of the Property ("Project"); and

WHEREAS, in connection with the Project, Declarant has voluntarily agreed to place certain restrictions on the development of the Property as set forth below in favor of the County; and

WHEREAS, Declarant agrees to make certain provisions for affordable housing for the period of time provided herein.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Declarant hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Declaration by this reference.

2. Covenants. Declarant hereby declares the following: One hundred percent (100%) of the residential units to be constructed on the Property shall be affordable income units as defined in the County Comprehensive Plan, and as further restricted by this Declaration ("Affordable Housing Units").

3. Affordable Housing Units Offered For Sale. In the event of a Conversion, Declarant hereby declares all Affordable Housing Units offered for sale shall be purchased in accordance with the following:

- (a) All Affordable Housing Units constructed on the Property shall be used solely as each owner's principal residence and shall be used solely for residential purposes. No Affordable Housing Unit may be used for any non-residential purpose, other than home offices when permitted by applicable zoning regulations; and
- (b) All Affordable Housing Units shall be purchased solely by persons who meet the following criteria at the time of purchase of an Affordable Housing Unit. "Purchased" shall be defined to mean by sale, inheritance, court order, or other legal method of transfer or acquisition.
 - 1) One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of the median annual adjusted gross income for Broward County, adjusted for family size, shall occupy said Affordable Housing Unit. Said limits to be published annually by Broward County or other appropriate governmental entity designated by Broward County. For the purposes of this provision, the term "adjusted gross income" shall mean all wages, assets, regular cash or noncash contributions or gifts from persons outside the household and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under section 62 of the Internal Revenue Code. For the purposes of this provision, the term "adjusted for family size" means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four people, or higher for households with more than four people, based upon a formula as established by the United States Department of Housing and Urban Development; and
 - 2) The purchaser of the Affordable Housing Unit shall have monthly mortgage payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income; and
 - 3) Excluding government subsidies, the down payment, if any, for the purchase of the Property must not exceed twenty (20) percent of the purchase price; and
 - 4) During the term of this Declaration, as defined herein, every deed of sale or equivalent document transferring title to the Affordable Housing Unit shall include a restriction stating as follows:

This property is to be sold and occupied as an "Affordable Housing Unit," in accordance with the Declaration of Restrictive Covenants

recorded in the Official Records of Broward County at O.R. Book _____, Page_____.

- 5) Prior to any transfer of title or closing on a purchase of an Affordable Housing Unit, each purchaser shall cause to be provided to the County written certification that the criteria in (b) 1), 2), and 3) above have been satisfied.
- (c) At the time of sale of any Affordable Housing Unit, Declarant shall record a Notice of Designation of Affordable Housing Unit (an “Affordable Housing Notice”) corresponding to the sale, the form of which Affordable Housing Notice is set forth on “Exhibit B” attached hereto and incorporated herein.

4. Affordable Housing Units Offered For Rent. Declarant hereby declares all Affordable Housing Units offered for rent shall be rented in accordance with the following:

- (a) All Affordable Housing Units constructed on the Property shall be used solely as each renter's principal residence and shall be used solely for residential purposes. No Affordable Housing Unit may be used for any non-residential purpose, other than home offices when permitted by applicable zoning regulations; and
- (b) All Affordable Housing Units shall be rented solely by persons who meet the following criteria at the time of lease:
 - 1) One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of the median annual adjusted gross income for Broward County, adjusted for family size, shall occupy said Affordable Housing Unit. Said limits to be published annually by Broward County or other appropriate governmental entity designated by Broward County. For the purposes of this provision, the term "adjusted gross income" shall mean all wages, assets, regular cash or noncash contributions or gifts from persons outside the household and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under section 62 of the Internal Revenue Code. For the purposes of this provision, the term "adjusted for family size" means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four people, or higher for households with more than four people, based upon a formula as established by the United States Department of Housing and Urban Development; and
 - 2) The renter of an Affordable Housing Unit shall have monthly rental payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income.

- (c) On an annual basis, beginning no later than 12 months after the Effective Date of this Declaration, the owner of a Affordable Housing Unit offered for rent shall (through owner or owner's property manager or other owner representative) cause to be provided to the City written certification that the criteria in 4(b) has been satisfied.

5. Amendments. Except as otherwise provided herein, this Declaration shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved in writing by the County and City. The appropriate governmental authority of the County and City shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Declaration shall be recorded in the Public Records of Broward County, Florida, at the then owner's sole expense. No amendment to this Declaration shall be necessary in the event of a Conversion (as may occur from time to time).

6. Recordation and Effective Date.

- (a) This Declaration shall not become effective ("Effective Date") until the later of (i) Final Approval and (ii) recordation amongst the Public Records of Broward County, Florida. As used herein, "Final Approval" shall mean final approval and adoption of the City/County plan amendment application and the County plan amendment application, and the expiration of any appeal periods applicable thereto without an appeal having been taken or, if taken, when finally dismissed with no further appeal permitted.
- (b) Once recorded, this Declaration shall run with the Property for the sole benefit of the City and the County and does not operate as a restriction in favor of any Property owner, and shall bind all successors and assigns to the title of the Property.
- (c) From and after such time as any Affordable Housing Unit is conveyed by Declarant to a third party purchaser, following a Conversion, Declarant shall have no further obligations under this Declaration with respect to that particular Affordable Housing Unit and such third party purchaser shall be obligated to comply with all of the provisions of this Declaration with respect to said Affordable Housing Unit.

7. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Declaration invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue shall be Broward County, Florida.

8. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Declaration are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Declaration.

9. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

10. Term. Release and Termination. The restrictions, covenants, rights and privileges granted, made and conveyed herein ("Affordable Housing Restrictions") shall be valid for a period of thirty (30) years from the Effective Date ("Term"); thereafter the Affordable Housing Restrictions shall be of no further force and effect and shall automatically terminate without the consent of the City or the County, or the necessity to record any instrument in the Public Records of Broward County, Florida.

11. Remedies for Violation. In the event the Declarant, its successors or assigns, violate any of the covenants and restrictions contained herein, Declarant hereby acknowledges and agrees that the County may withhold further permits and approvals with respect to the Property, provided the County first provides Declarant with written notice and thirty (30) day opportunity to cure the violation. The County's option to withhold further permits and approvals with respect to the Property shall not be exercised if within the thirty (30) day notice period: (i) the violation is cured by Declarant; or (ii) the violation cannot reasonably be cured within that time period but the Declarant begins to cure such violation within such time period and thereafter diligently pursues such cure to completion, with such diligence period not to exceed one hundred and twenty (120) days from the date of the notice of violation. The County is the beneficiary of these covenants and restrictions, and as such, the County may enforce these covenants and restrictions by action at law or in equity, including, without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of these covenants and restrictions.

12. Waiver. Any failure of the County to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter. This document shall be construed in accordance with the laws of Florida and venue shall be Broward County, Florida.

IN WITNESS WHEREOF, Declarant has executed this Declaration on the day first above written.

CITY OF DEERFIELD BEACH
a public entity.

By: _____

Printed Name: _____

Printed Name: _____

STATE OF _____)

EXHIBIT A
Map of Subject Property

EXHIBIT B

Return to: (enclose self-addressed stamped envelope)

Name:

Address:

This Instrument Prepared by:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

Notice of Designation of Affordable Housing Unit

By recordation of this Notice, _____ hereby designates for the Restriction Period, as hereinafter defined, the following unit as an "Affordable Housing Unit," as defined by that certain Declaration of Restrictive Covenants recorded in Official Records Book _____, Page _____ of the public records of Broward County, Florida, which requires that Affordable Housing Units be sold only to persons who meet the following criteria at the time of sale: (a) one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of Broward County's median income as reported by the United States Department of Housing and Urban Development and adjusted to family size; and (b) the purchaser of the Affordable Housing Unit shall have monthly mortgage payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income.

Unit Address

and/or Unit Number: _____

The restriction of the foregoing designation shall be thirty (30) years from the recordation of this Notice against the applicable Affordable Housing Unit or until the expiration of the Term of the underlying Declaration, whichever time period expires first ("Restriction Period").

Witnesses:

By _____

Name typed:

Name:

Name typed:

Address:
_____ day of _____, 20__



May 10, 2024

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301

RE: PC-24-2 “555 SW 3rd Avenue” Land Use Plan Amendment – Responses to Review Agency Comments

Below is a response to all comments provided for the above application:

1. Parks and Recreation:

- a. Comment acknowledged. Regional parks impact fees will be required to be paid

2. Resilient Environment:

- a. Comment acknowledged. A surface water management license is required.
- b. Comment acknowledged. All invasive will be removed upon building permit approval.
- c. Comment acknowledged. The City will comply with tree canopy regulations.
- d. Comment acknowledged. The Tivoli Sand Pine Preserve will not be impacted.
- e. Comment acknowledged. A Environmental Resource license may be required.
- f. Comment acknowledged. The City is actively working to create a Climate Action Plan for the entire City.
- g. Comment acknowledged. At time of permit, the City will be required to maximize efforts to offset negative impacts for water recharge.
- h. Comment acknowledged. The City will comply with wellfield Zone 3 regulations and any necessary permits.

3. Transit:

- a. No comment response needed.

4. Water Management:

- a. No comment response needed.

More Than Just a Pretty Beach

5. Urban Planning:

- a. Deerfield Beach is a Complete Streets City. Improvements to SW 3rd Avenue for Complete Streets is a separate project, but is in review for improvements beginning in 2025.

6. Attorney Comments:

- a. All note related to 20 and 21 units was removed and replaced with 22 units.
- b. Changes to the Declaration of Restrictive Covenants were updated to amend Section 6(a).

7. School Board of Broward County:

- a. A School Consistency Review Report was submitted and paid for by the City.

Sincerely,

A handwritten signature in blue ink, appearing to read "E.M. Power", with a long horizontal flourish extending to the right.

Eric M. Power, AICP, LIAF
Planning & Development Services Director
City of Deerfield Beach



ATTACHMENT 9

PARKS AND RECREATION DIVISION • Administrative Offices
950 N.W. 38th St. • Oakland Park, FL 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-357-5991

Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Park and Recreation Agencies (CAPRA)



MEMORANDUM

January 25, 2024

To: Huda Ashwas, Planner Trainee
Broward County Planning Council

Thru: Dan West, Director
Parks and Recreation Division West, Dan
Digitally signed by West, Dan
Date: 2024.01.25 14:06:04 -05'00'

From: Linda Briggs Thompson, Environmental Program Manager Briggs, Linda
Parks and Recreation Division
Digitally signed by Briggs, Linda
Date: 2024.01.25 15:49:32 -05'00'

Re: Land Use Plan Amendment Comments
Proposed Amendment PC 24-2 555 SW 3 Avenue, Deerfield Beach

Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan 555 SW 3 Avenue LUPA (Deerfield Beach). Our comment is as follows:

PC 24-2 Regional park impact fees will be required for the additional 22 dwelling units planned for this project. While we are cognizant of the pressure to construct more housing, it is continually concerning to see land designated as Recreation and Open space developed for other purposes. The intent of the development code was for more recreation and open space to be designated as more housing units are developed, not less.

If you or your staff has any questions about our comments, please call me at 954-357-8120.



ATTACHMENT 10



WATER MANAGEMENT DIVISION / PUBLIC WORKS
2555 West Copans Road, Pompano Beach, Florida (954) 831-0751

December 27, 2023

Huda Ashwas, Planner Trainee
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

via email: hashwas@broward.org

**SUBJECT: 555 Southwest 3 Avenue, Deerfield Beach
Land Use Plan Amendment PC 24-2– Drainage Analysis**

Dear Ms. Ashwas:

The information in the above-captioned proposed land use plan amendment (LUPA) for drainage is essentially correct. Our office has no objection to this LUPA.

As noted in the application, the future development will require a Broward County Surface Water Management License. Broward County Environmental Engineering – Surface Water Section should be contacted for more information.

It does appear that the application incorrectly identifies the site location relative to a wellfield. Section H states the site is within Wellfield Zone 1. However, Broward County GIS maps show the site as being within Zone 3 (<https://geohub-bcgis.opendata.arcgis.com/documents/99a45ea5580344fdb5fee03ecd4ebf77/explore>).

Sincerely,

Susan Juncosa, Natural Resources Specialist
Water and Wastewater Services/**WATER MANAGEMENT DIVISION**
2555 West Copans Road, Pompano Beach FL 33069
OFFICE: (954) 831-0778 MOBILE: (954) – 551-3506
E-MAIL: sjuncosa@broward.org FAX: (954) 831-3285