EXHIBIT 2

SECTION I AMENDMENT REPORT BROWARD COUNTY LAND USE PLAN TEXT PROPOSED AMENDMENT PCT 24-2

"Update to Existing Policy 2.16.4"

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

April 16, 2024

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. **See Attachment 1.**

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.

II. <u>Planning Council Executive Committee Recommendation</u>

April 25, 2024

Approval per Planning Council staff transmittal recommendation.

RECOMMENDATIONS/ACTIONS (continued)

DATE

III. Planning Council Transmittal Recommendation

April 25, 2024

Approval per Planning Council Executive Committee recommendation, and that a second Planning Council public hearing only be required if any substantive comments are received from local governments or State of Florida review agencies upon the County Commission's pending transmittal. (Vote of the board; Unanimous; 16-0: Brunson, Castillo, Fisher, Gomez, Greenberg, Hardin, Harrison, Horland, Levy, Newbold, Railey, Rosenof, Ryan, Werthman, Zeman and DiGiorgio)

IV. <u>County Commission Transmittal Recommendation</u>

<u>June 4, 2024</u>

Approval per Planning Council transmittal recommendation. See Attachment 1.

V. Summary of State of Florida Review Agency Comments

July 3, 2024

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

SECTION II AMENDMENT REPORT PROPOSED AMENDMENT PCT 24-2

BACKGROUND INFORMATION

On February 6, 2024, the Broward County Board of County Commissioners initiated a text amendment to the BrowardNext – Broward County Land Use Plan (BCLUP) to update existing Policy 2.16.4 to include bonus density on lands designated Commerce and located within one-half (1/2) mile of passenger rail stations. **See Attachment 1.**

Upon the transmittal of the proposed amendment to Planning Council staff, an email request for comments was sent to all local government managers and planners on April 4, 2024, including a summary of the intent of the proposed amendment. No comments have been received as of this writing. To expedite the amendment process, comments will be accepted throughout the public hearing and statutory processes.

<u>Update: April 25, 2024:</u> Comments have been received from interested parties regarding the proposed amendment. **See Attachment 3.**

PLANNING ANALYSIS AND SUMMARY

The Broward County Board of County Commissioners adopted Policy 2.16.4 on March 9, 2021, per the Broward County Planning Council's final recommendation of January 28, 2021, which included an annual review of the implementation of the Policy. The Policy was subsequently updated in late 2022 in consideration of the comments submitted by local governments and interested parties upon the initial survey in 2022. The updated text clarified the corresponding unit types and proportionality of affordable to bonus unit types (2.16.4(2)) and modified the office and commercial component (2.16.4(5)), as well as the payment in-lieu fee to shift from the funding of full dwelling units to ensuring gap financing and funding for bond or tax credit deals (2.16.4(6)).

The proposed amendment expands bonus density to lands designated Commerce and located within one-half (1/2) mile of passenger rail stations. **See Attachment 1.** The Policy update will be applicable to all existing and potential passenger rail stations. Maps depicting existing Tri-Rail and Brightline stations are included in **Attachment 2**.

As the proposed amendment is in support of both affordable housing and densification strategies that are critical to the redevelopment of Broward County, Planning Council staff recommends approval of the proposed amendment and that a second Planning Council public hearing only be required if any substantive comments are received from local governments or State of Florida review agencies upon the Commission's pending transmittal to the review agencies. **See Attachment 1.**

SECTION III AMENDMENT REPORT PROPOSED AMENDMENT PCT 24-2

<u>ATTACHMENTS</u>

- 1. Proposed Broward County Land Use Plan Amendment PCT 24-2
- 2. Generalized Maps Depicting Future Land Uses within One-Half (1/2) Mile of Existing Passenger Rail Stations

Update: April 25, 2024:

3. Email correspondence from Interested Parties regarding the Proposed Amendment

ATTACHMENT 1

Proposed Text Amendment PCT 24-2

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

...

<u>AFFORDABLE HOUSING BONUS DENSITY</u>

...

The update to Policy 2.16.4 was initiated by the Broward County Commission to support the inclusion of Commerce designated lands located within one-half (1/2) mile of passenger rail stations. All changes are indicated in strike-through/underline format.

POLICY 2.16.4 Within parcels located west of and including US 1*, and that are designated "Commerce" on the Broward County Land Use Plan and are either, (1) fronting with direct access to a roadway classified as a State road, County arterial, per the Broward Highway Functional Classification map, or other road or portion thereof, as approved by the Board of County Commissioners ("Board"), herein after referred to as a "Qualified Road," or (2) are located no more than one-half (1/2) mile from a passenger rail station, defined as a station for the transportation of passengers by rail on board trains, locomotives, rail cars, or rail equipment pursuant to a passenger rail service provided by a governmental or non-governmental entity ("Qualified Rail Station"); or are within a parcel designated "Activity Center," multi-family residential use is permitted in addition to that permitted otherwise in those designations by this Plan, subject to the following:

- (1) One or more of the affordable housing categories, as defined by this Plan, must be a component of the residential development based on the following "bonus" units to "affordable" unit formula(s) described below:
 - (a) Moderate income: six (6) bonus units for every (1) one moderate income unit.
 - (b) Low income: nine (9) bonus units for every (1) one low income unit.
 - (c) Very-low income: nineteen (19) bonus units for every (1) one very-low income unit.
- (2) (a) Each required affordable housing unit must be no smaller than ten percent (10%) less than the average gross floor area of each bonus unit corresponding type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.) in the development project; or
 - (b) The number of bedrooms/bathrooms provided in the affordable units must be proportional to the number provided in the bonus units type (i.e., one-bedroom, two-bedroom, three-bedroom, etc.).

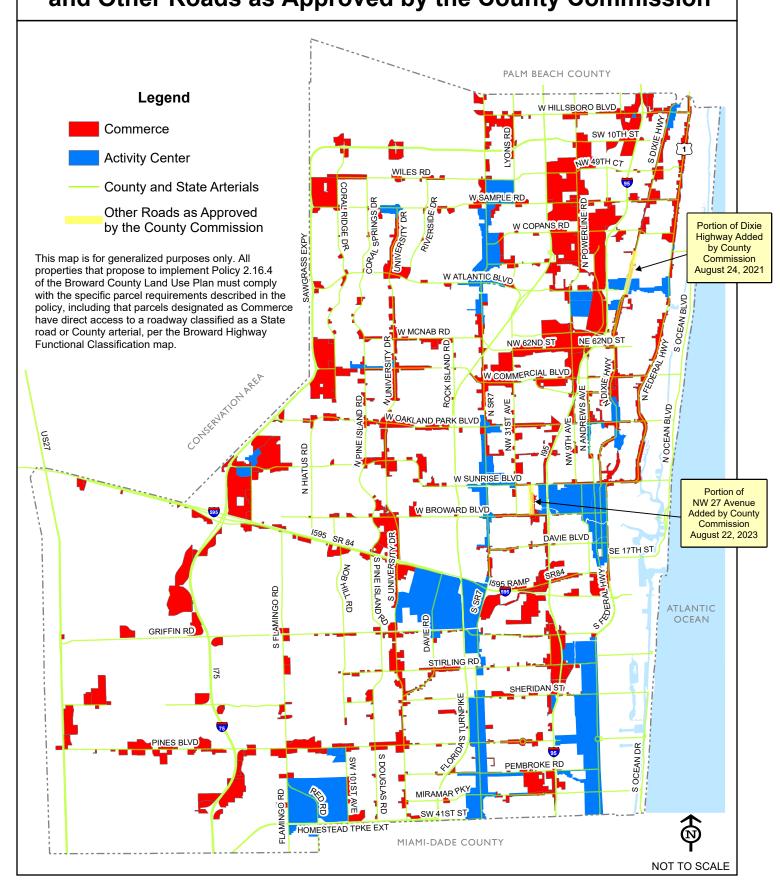
- (3) Single-family dwelling units are not permitted. Residential units shall not be permitted on the ground floor portion of any building that fronts a Qualified Road. As per Policy 2.2.5 of the Broward County Land Use Plan, studio or efficiency housing units, no greater than 500 square feet in size, may be counted by the local government as 0.5 dwelling units for residential density purposes.
- (4) These additional permitted residential density provisions are conditioned on the developer or purchaser providing, in a manner acceptable to the affected unit of local government, guarantees, at a minimum through the use of restrictive covenants, that the affordable unit(s) will be maintained as affordable to the applicable designated income group(s) for a minimum period of thirty (30) years.
- (5) Within a development containing residential units, the following shall apply:
 - (a) Office and commercial use may either be vertically or horizontally integrated providing the following:
 - At least fifty percent (50%) of the ground floor of any portion of a building or development, excluding ingress and egress, facing a Qualified Road shall provide office and/or commercial uses;
 - 2. Portions of a development not facing a Qualified Road within an Activity Center is not required, but encouraged, to provide for office and/or commercial uses.
 - (b) On parcels greater than five (5) acres, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for office and/or commercial uses not ancillary to the residential units.
- (6) "Affordable unit" requirements may be satisfied via an in-lieu payment to the Broward County Affordable Housing Trust Fund** equal to \$10,000 per unit (Note: Effective January 1, 2023) for the total number of units within the development which sum shall increase by 3% annually (Note: Beginning January 1, 2024).
- (7) Units of local government may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map.
- (8) Local government utilization of the additional permitted residential density provisions described in this Policy is subject to the following, as enforced by the applicable local government:
 - (a) One hundred percent (100%) of the "affordable" units shall be available for occupancy before the final twenty- five percent (25%) of bonus units are available for occupancy.
- (9) In addition to the provisions of this Policy, parcels designated "Commerce" and meeting the location, frontage, and access requirements of this Policy or within an Activity Center, where the residential development will be located within ¼ mile of a State road, County arterial, or other road or portion thereof, as approved by Board of County Commissioners ("Board"), or within one-half (1/2) mile from a Qualified Rail Station, the Board shall consider the following in the review of funding applications submitted by local governments for future public infrastructure and economic development projects:
 - (a) Local government adoption of this Policy into the municipal Comprehensive Plan;

- (b) Local government adoption of specific regulations, in the municipal zoning and/or land development code, to allow allocation of additional residential density units as a permitted use, by right, within specific zoning district(s);
- (c) Local government adoption of specific regulations to implement the provisions and criteria of this Policy, including:
 - 1. Establishment of a minimum net residential density of twenty-five (25) dwelling units per acre;
 - 2. Where a building is located within 100 feet of any parcel which prohibits, through the applicable zoning regulations, residential development of ten (10) dwelling units per gross acre or more, the local government may establish a maximum building height limit of not less than five (5) stories; and
 - 3. The zoning regulations that establish reduced on-site parking to accommodate the mixed uses.
- (d) The Urban Planning Division, in consultation with the Office of the County Attorney, must certify that all the foregoing requirements of this Section (9) have been satisfied.
- (10) Units of local government may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.
- * includes all parcels that front and have direct access to US 1 and, at the option of the applicable municipality as a permitted or special exception use, on parcels east of US 1 and west of the Intracoastal Waterway, provided the municipality makes a finding that the additional dwelling units on said parcels will not negatively impact hurricane evacuation clearance times and/or emergency shelter capacities. A local government is not required to apply this Policy to properties east of US 1 in order to be eligible for funding consideration by the Board of County Commissioners pursuant to Section (9) herein.
- ** Fifty percent (50%) of in lieu fees may be paid into an Affordable Housing Trust Fund of the applicable municipality, provided the municipality requires said monies to be used for the construction of new affordable units or home repair. All in-lieu payments shall be made at the time of issuance of building permit.

Planning County BROWARDNEXT

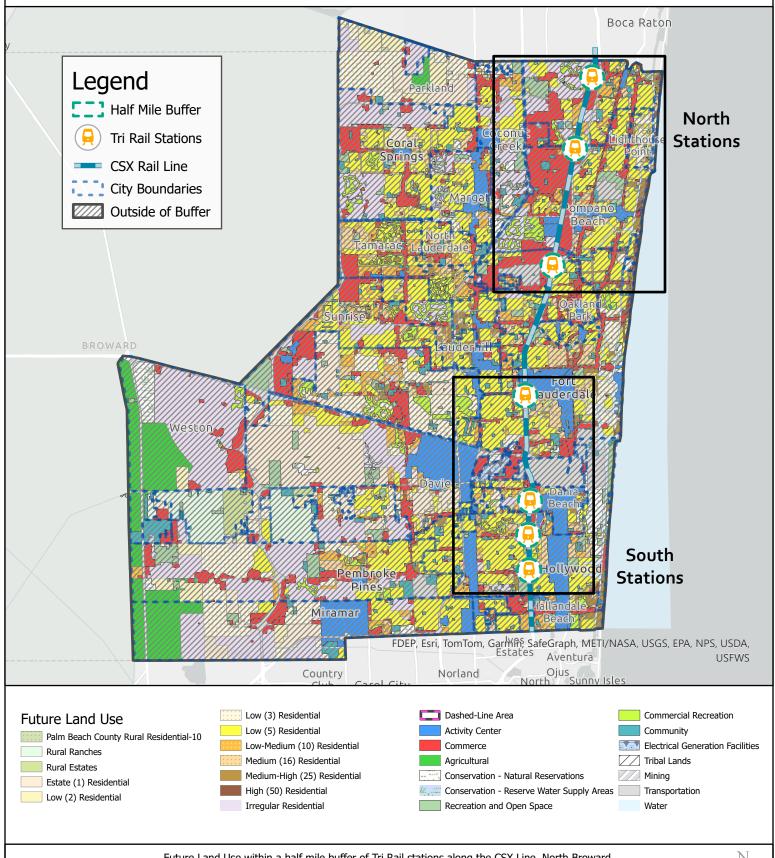
Commerce and Activity Center Land Use by County and State Arterial Roads and Other Roads as Approved by the County Commission





ATTACHMENT 2

Tri Rail Stations and Future Land Use

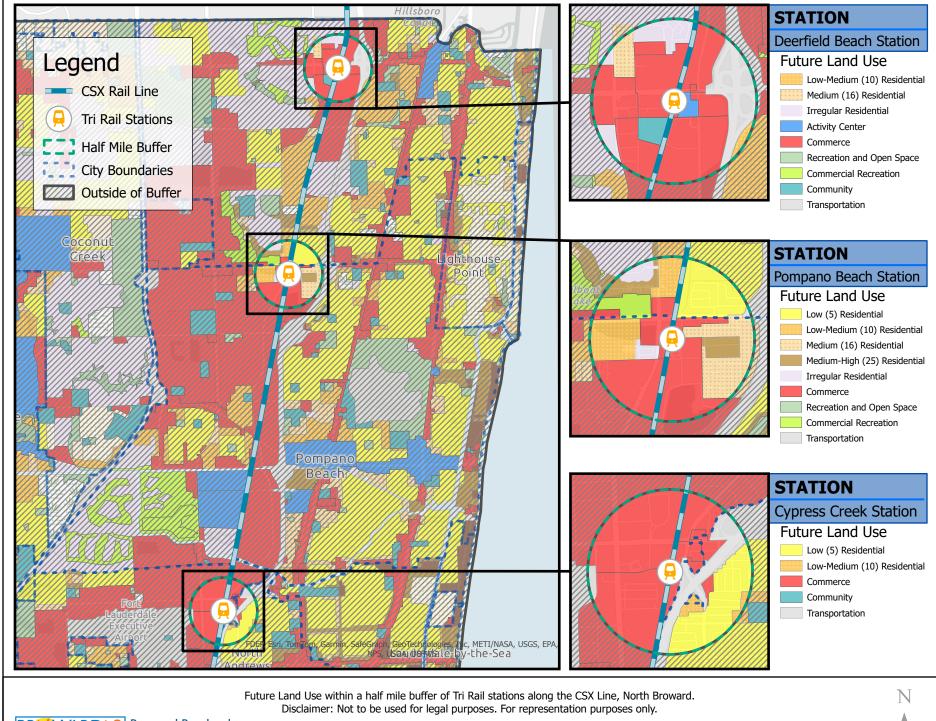


Future Land Use within a half mile buffer of Tri Rail stations along the CSX Line, North Broward. Disclaimer: Not to be used for legal purposes. For representation purposes only.





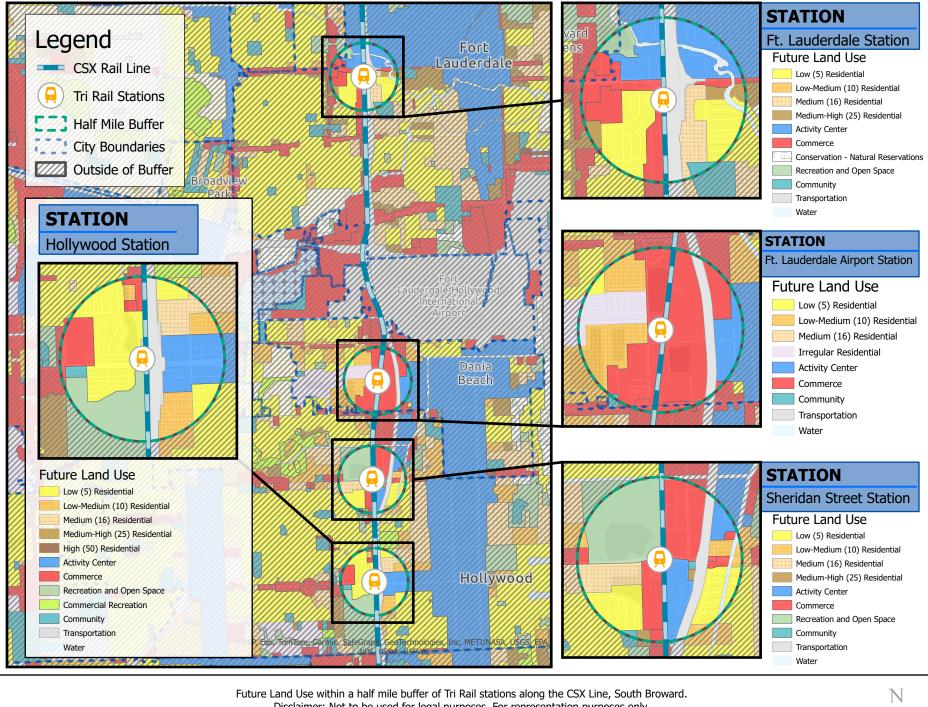










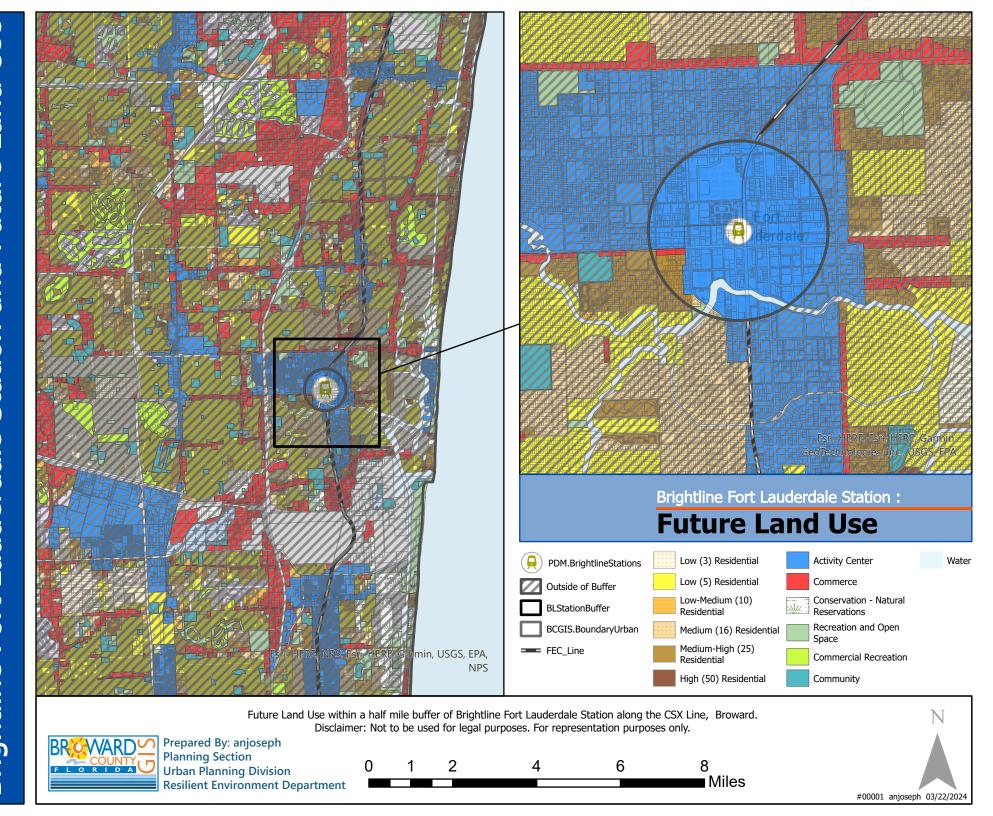


Disclaimer: Not to be used for legal purposes. For representation purposes only.



3





ATTACHMENT 3

From: <u>Maximiliano Goldstein</u>
To: <u>Planning Council</u>

Subject: Comments for item PH5/PCT 24-2 for the April 25th meeting

Date: Friday, April 19, 2024 10:29:32 AM

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Hello,

I am writing to the Planning Council to show my support for item PH5/PCT 24-2 to expand policy 2.16.4 for bonus density to the areas around rail stations. It's good policy to allow for more development near transit stations, as it allows us to increase our housing supply while minimizing the amount people will need to drive a car, and it provides more ridership and support for our public transit systems.

I recommend that this item be amended to include all land within 1/2 mile of rail stations and not just commercial land. To exclude a significant portion of the land within walking distance of rail stations from higher density development is planning malpractice, and has generally been done away with nationwide. The transportation agencies that serve us have already requested that we amend our practices in this regard. I also recommend that we amend the county's incentive of bonus points for surtax fund consideration to include a provision that cities eliminate minimum parking requirements within 1/2 mile of rail stations.

Tri-rail/SFRTA (whose board includes county commissioners) approved and published a request for the municipalities to rezone the areas within 1/2 mile of rail stations for higher density, mixed use neighborhoods with little to no parking. https://media.tri-rail.com/Files/About/SFRTA/Planning/Transit%20Oriented%20Development%20(TOD)/Resolution-17-01-POLICY-FOR-TRANSIT-ORIENTED-DEVELOPMENT.pdf

FDOT published a similar set of recommendations in their 2011 document titled "A Framework for TOD in Florida" where they recommend the entire 1/2 mile radius area around stations have high density, mixed use, and parking maximums rather than minimums. https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/transit/documents/todframeworkfinal.pdf?sfvrsn=2a95323d_2

TOD works best when the area around the station is a walkable neighborhood where people have access to daily needs like grocery stores and doctor's offices within walking distance. If something is not in their neighborhood, people should be able to take the transit and have those daily needs within walking distance of another station that they get off at. Saying that only the commerce land use parcels can have mixed use buildings means that each station will only get a couple of buildings. Not only is this hardly a neighborhood, it isn't enough development/density to support things like grocery stores and doctor's offices within the station area, meaning that the people living there still need cars for most of their daily needs, defeating the purpose of TOD or Transit-Oriented Neighborhoods as a traffic mitigation policy.

Kind regards, Max From: Alejandro Munoz
To: Planning Council

Subject: URGENT- Public Comment/Amendment Request for Item PH5/PCT 24-2

Date: Friday, April 19, 2024 12:12:19 PM

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Report Suspicious

Dear Members of the Broward County Planning Council,

I am writing to you as a member of Better Streets Broward, a local grassroots organization that advocates for more walkable and bikeable neighborhoods and policies that advance that goal.

An amendment to Policy 2.16.4 will be considering in your upcoming meeting on the 25th at 10 am; I would respectfully request that you consider an amendment to:

"Expand Policy 2.16.4 to apply the policy to all land within a 1/2 mile radius of rail stations, beyond just commercial zones."

We believe this is good public policy for Broward County because it would promote walkable neighborhoods, ensuring residents have access to essential services like groceries and healthcare within walking distance. It would also increase transit station utilization and encourage developments that transform transit stations into vibrant community hubs. These small changes would reduce car dependency and vehicle miles traveled, and align urban development with sustainability goals by minimizing the need for vehicle parking.

Here are some supporting documents:

-SFRTA/Tri-Rail 2017 Resolution: Advocates rezoning for high-density, mixed-use developments near stations

https://media.tri-

rail.com/Files/About/SFRTA/Planning/Transit%20Oriented%20Development%20(TOD)/Resolution-17-01-POLICY-FOR-TRANSIT-ORIENTED-DEVELOPMENT.pdf

-FDOT 2011 TOD Framework: Recommends similar zoning changes for enhanced community connectivity and reduced car dependency

 $\frac{https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/transit/documents/todframeworkfinal.pdf?sfvrsn=2a95323d_2$

We urge the Council to adopt this amendment to foster a more inclusive, sustainable urban development around our rail stations.

Thank you for your consideration.

Sincerely, Alejandro Munoz Better Streets Broward From: Sarah Clark <sarahclarkkaye@gmail.com>

Sent: Saturday, April 20, 2024 10:35 AM

To: Planning Council < Planning Council@broward.org>

Subject: URGENT- Public Comment/Amendment Request for Item PH5/PCT 24-2

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Hello all,

I've been reading up on Broward's transit-oriented development initiatives and I understand policy 2.16.4 will be coming to the council floor on April 25th. I wanted to reach out to your office to request that the council amend the policy to include all land within 1/2 mile of transit stations, not just commercial properties.

Failing to include a good mix of uses kind of defeats the purpose of transit oriented development. For TOD to work, the area needs to include a high density of both housing and commercial uses so that both residents and people arriving by transit can access amenities by walking rather than driving. This keeps businesses from needing to build so much parking, which makes the place even more walkable. This virtuous cycle has the power to strengthen both the transit system and our communities at large. But in order for that to work, we need policy 2.16.4 to apply to all land, including residential.

This isn't just my idea - in 2017, <u>Tri-rail and SFRTA requested</u> that all land within 1/2 mile of their stations be rezoned for high density mixed use with minimal vehicle parking. Even as far back as 2011, <u>FDOT published a document</u> entitled "a framework for TOD in Florida" that suggests the same improvements. It's clear based on expert opinions and evidence from other transit oriented developments around the world that including both residential and commercial uses in this policy is the way to go.

If you have any questions please let me know! I'm happy to set up a meeting or talk via phone or zoom.

Thanks for reading this and for your consideration!

--

Best Wishes,

Sarah Clark

From: Matthew McIntosh <mattmci92@gmail.com>

Sent: Sunday, April 21, 2024 7:44 PM

To: Planning Council < Planning Council@broward.org > **Subject:** Update of zoning within a 1/2 mile of rail stations

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Report Suspicious

Dear Members of the Broward County Planning Council,

I am writing to you as a leader of Better Streets Broward, a local grassroots organization that advocates for more walkable and bikeable neighborhoods and policies that advance that goal.

An amendment to Policy 2.16.4 will be in consideration in your upcoming meeting on the 25th at 10 am; I would respectfully request that you consider an amendment to:

"Expand Policy 2.16.4 to apply the policy to all land within a 1/2 mile radius of rail stations, beyond just commercial zones."

We believe this is good public policy for Broward County because it would promote walkable neighborhoods, more workforce housing, and increase safety of road users. It would also increase transit station utilization and encourage developments that transform transit stations into vibrant community hubs. These small changes would reduce car dependency and vehicle miles traveled, and align urban development with sustainability goals by minimizing the need for vehicle parking.

Here are some supporting documents:

-SFRTA/Tri-Rail 2017 Resolution: Advocates rezoning for high-density, mixed-use developments near stations https://media.tri-

rail.com/Files/About/SFRTA/Planning/Transit*20Oriented*20Development*20(TOD)/Resolution-17-01-POLICY-FOR-TRANSIT-ORIENTED-DEVELOPMENT.pdf ; JSUI!!DU4c0PqsyQ!xlXpCxLC5QY-kna EgETnKE45cWe ivwxstmO 1Lj8Bg4wecjrl9ldCBYSQw7iJlQra3vqhmmUf5sB0ih6OED44C\$

-FDOT 2011 TOD Framework: Recommends similar zoning changes for enhanced community connectivity and reduced car dependency

https://urldefense.com/v3/ https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/transit/documents/todframeworkfinal.pdf?sfvrsn=2a95323d_2_;!!DU4c0PqsyQ!xlXpCxLC5QY-kna EgETnKE45cWe ivwxstmO 1Lj8Bg4wecjrl9ldCBYSQw7iJlQra3vqhmmUf5sB0ih4-M98Ox\$

We urge the Council to adopt this amendment to foster a more inclusive, sustainable urban development around our rail stations.

Thank you for your consideration.

Matthew McIntosh

From: Cole Frishman

To: Planning Council

Subject: Public Comment for Item PH5/PCT 24-2

Date: Wednesday, April 24, 2024 11:20:32 PM

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Report Suspicious

Hi planning council,

I am a lifelong Broward resident and am writing to ask for an amendment to Policy 2.16.4 which will be considering in your upcoming meeting on the 25th at 10 am. I would appreciate it if you were to Expand Policy 2.16.4 that all land within 0.5 miles from rail stations would be zoned up, not just commercial zones. As a non-car owner, I find it frustrating that there is very little housing near major transit corridors. By allowing all land near a stop to have higher density, it would make finding housing near the train stop and other amenities easier to access for a larger number of households similar to mine.

Appreciated, Cole Frishman Ft. Lauderdale resident