

EXHIBIT 1

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY
3 LAND USE PLAN OF THE BROWARD COUNTY COMPREHENSIVE PLAN WITHIN
4 THE CITY OF FORT LAUDERDALE; AND PROVIDING FOR SEVERABILITY AND AN
5 EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, Broward County adopted the Broward County Comprehensive Plan
9 on April 25, 2017 (the Plan);

10 WHEREAS, the Department of Commerce has found the Plan in compliance with
11 the Community Planning Act;

12 WHEREAS, Broward County now wishes to propose an amendment to the Land
13 Use Plan within the City of Fort Lauderdale;

14 WHEREAS, the Planning Council, as the local planning agency for the Broward
15 County Land Use Plan, held its hearings on August 29, 2024, and January 23, 2025, with
16 due public notice;

17 WHEREAS, the Board of County Commissioners held its transmittal public hearing
18 on October 8, 2024, having complied with the notice requirements specified in
19 Section 163.3184(11), Florida Statutes;

20 WHEREAS, the Board of County Commissioners held an adoption public hearing
21 on February 11, 2025, at 10:00 a.m. [also complying with the notice requirements

22 specified in Section 163.3184(11), Florida Statutes] at which public comment was
23 accepted and comments of the Department of Commerce, South Florida Regional
24 Planning Council, South Florida Water Management District, Department of
25 Environmental Protection, Department of State, Department of Transportation, Fish and
26 Wildlife Conservation Commission, Department of Agriculture and Consumer Services,
27 and Department of Education, as applicable, were considered; and

28 WHEREAS, the Board of County Commissioners, after due consideration of all
29 matters, hereby finds that the following amendment to the Broward County
30 Comprehensive Plan is consistent with the State Plan, Regional Plan, and the Broward
31 County Comprehensive Plan; complies with the requirements of the Community Planning
32 Act; and is in the best interests of the health, safety, and welfare of the residents of
33 Broward County,

34 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
35 BROWARD COUNTY, FLORIDA

36 Section 1. The Broward County Comprehensive Plan is hereby amended by
37 Amendment PC 24-6, which is an amendment to the Land Use Plan within the City of Fort
38 Lauderdale, as set forth in Exhibit A, attached hereto and incorporated herein.

39 Section 2. Severability.

40 If any portion of this Ordinance is determined by any court to be invalid, the invalid
41 portion will be stricken, and such striking will not affect the validity of the remainder of this
42 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
43 legally applied to any individual, group, entity, property, or circumstance, such

44 determination will not affect the applicability of this Ordinance to any other individual,
45 group, entity, property, or circumstance.

46 Section 3. Effective Date.

47 (a) The effective date of the plan amendment set forth in this Ordinance shall
48 be the later of:

49 (1) Thirty-one (31) days after the Department of Commerce notifies Broward
50 County that the plan amendment package is complete;

51 (2) If the plan amendment is timely challenged, the date a final order is issued
52 by the Administration Commission or the Department of Commerce finding
53 the amendment to be in compliance;

54 (3) If the Department of Commerce or the Administration Commission finds the
55 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
56 Florida Statutes, the date the Board of County Commissioners nonetheless

57 elects to make the plan amendment effective notwithstanding potential
58 statutory sanctions;

59 (4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
60 date the Declaration of Restrictive Covenants is recorded in the Official
61 Records of Broward County; or

62 (5) If recertification of the municipal land use plan amendment is required, the
63 date the municipal amendment is recertified.

64 (b) This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Maite Azcoitia 01/03/2025
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
01/03/2025
PC 24-6 City of Fort Lauderdale Ordinance
#80041

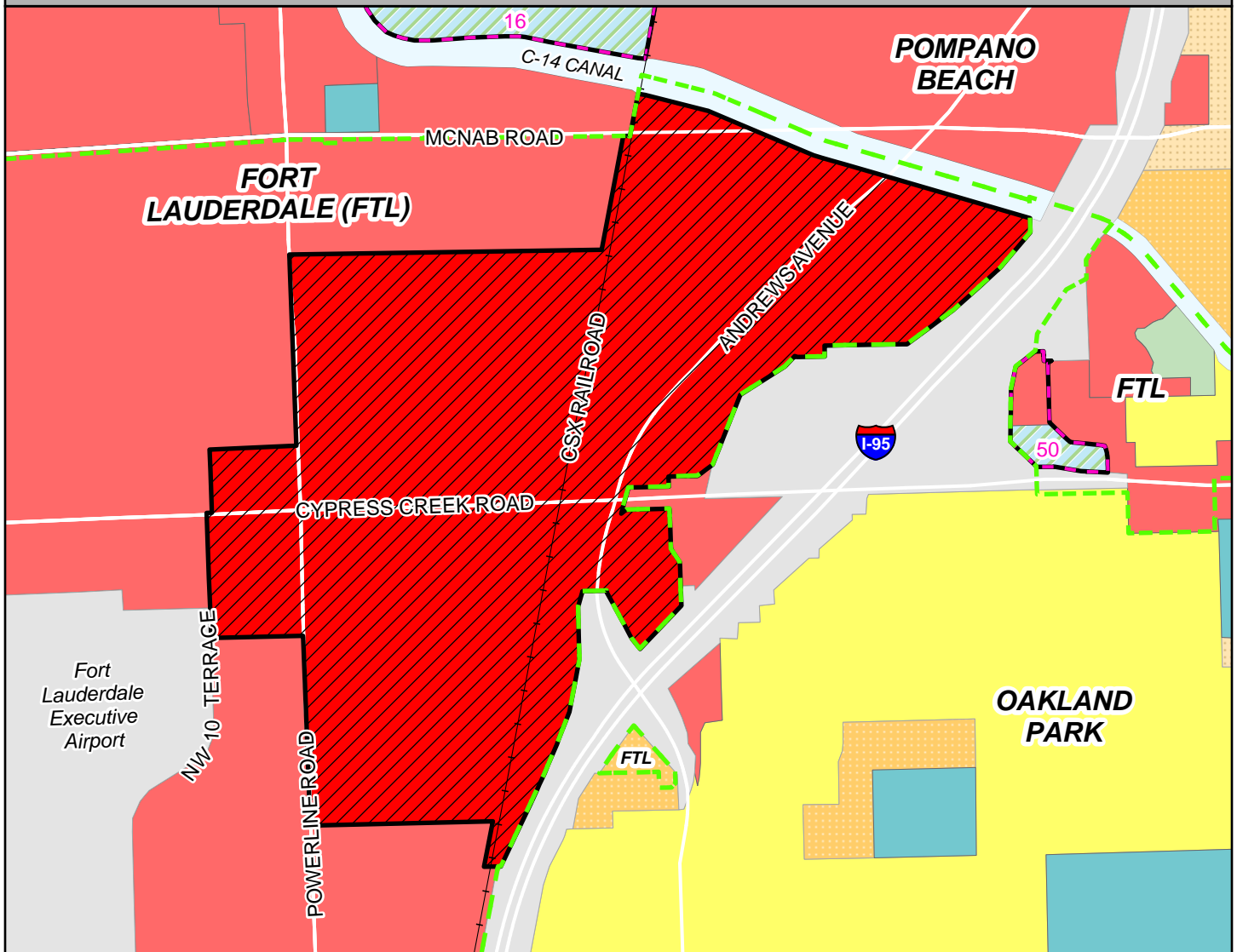
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 24-6

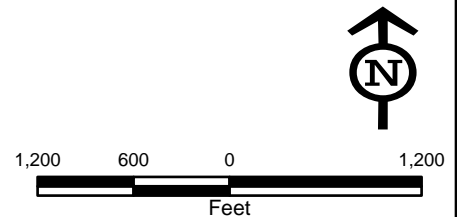
Current Land Use: Commerce

Proposed Land Use: Activity Center

Gross Acres: Approximately 361.7 acres



- | | |
|-----------------------------|---------------------------|
| Site | Irregular Residential |
| Municipal Boundary | Commerce |
| Dashed-Line Area | Recreation and Open Space |
| Low (5) Residential | Community |
| Low-Medium (10) Residential | Transportation |
| Medium (16) Residential | Water / Primary Drainage |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 24-6
(FORT LAUDERDALE)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

August 20, 2024

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan (BCLUP) and recommends **approval** subject to the City’s voluntary commitment to restrict 15% (at least 635) of the proposed dwelling units to **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years or in-lieu of payment, as memorialized in Attachment 1 of corresponding text amendment PCT 24-3.

It is noted that any approval associated with the proposed map and corresponding text amendment does not authorize any development on Site 66 on the Broward County Environmentally Sensitive Lands (ESL) Map unless the Site has been removed from the BCLUP Natural Resource Series ESL Map through the Florida Statutes, Chapter 163, comprehensive planning process. The City of Fort Lauderdale has acknowledged the pending request to remove Site 66 from the ESL Map and has confirmed that any development of the site will be consistent with the outcome of that process.

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.

RECOMMENDATIONS/ACTIONS (continued)

DATE

- I. Planning Council Staff Transmittal Recommendation (continued) August 20, 2024

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.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan 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 Broward County Land Use Plan 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 Transmittal Recommendation August 29, 2024

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 15-0: Abramson, Castillo, Fisher, Gomez, Greenberg, Hardin, Harrison, Horland, Levy, Newbold, Railey, Ryan, Werthman, Zeman and DiGiorgio)

- III. County Commission Transmittal Recommendation October 8, 2024

Approval per Planning Council transmittal recommendation.

- IV. Summary of State of Florida Review Agency Comments November 14, 2024

The Florida Department of Transportation (FDOT) issued the following technical assistance comments for the proposed Broward County comprehensive plan amendment with Florida Department of Commerce reference number 24-04ESR. Technical assistance comments will not form the basis of a legal challenge.

Technical Assistance Comments: “In accordance with subsection 163.3184(3)(b)2, F.S., the focus of our review was on important state resources and facilities that may be adversely impacted by the amendment if adopted. This includes impacts to the Strategic Intermodal System (SIS) and other transportation resources and facilities of state importance.

IV. **Summary of State of Florida Review Agency Comments (continued)** **November 14, 2024**

FDOT is providing the attached technical assistance comments and recommendations consistent with Section 163.3168(3), F.S. These comments from the City of Fort Lauderdale companion Uptown Urban Village amendments are reasserted for this review due to the consistent land use, transit-oriented development, and housing objectives shared between the amendments. The technical assistance comments are intended to strengthen the County’s comprehensive plan to foster a vibrant, healthy community and is designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. A summarization of the comments includes the following:

Comment 1 - No advanced consultation with the Department regarding potential Strategic Intermodal System (SIS) facility impacts.

Comment 2 - Issues regarding the methodology used in the traffic impact analysis regarding impacts to the SIS and other transportation resources and facilities of state importance.

Comment 3 - Not analyzing a maximum traffic impact scenario, and

Comment 4 - Lack of clarity and uncertainty regarding how the City of Fort Lauderdale will plan, fund, and implement a well-connected network of low traffic stress multimodal facilities to maximize convenient access to and utilization of transit facilities and services consistent with the Transit-Oriented Development (TOD) objectives of the amendment and to mitigate adverse transportation impacts identified in the traffic impact analysis.

The Department is actively working with the City of Fort Lauderdale to address the FDOT technical assistance comments and would like to encourage the City and County to coordinate with the Department prior to adoption of the amendments. The Department supports the TOD objectives of the amendment and is willing to collaborate with the City and County in this regard to the maximum extent feasible.”

Planning Council Staff Response:

FDOT Comment 1: No advanced consultation with the Department regarding potential Strategic Intermodal System (SIS) facility impacts.

Planning Council Staff Response: The City of Fort Lauderdale has been involved in extensive coordination efforts with FDOT, MPO and Broward County Planning Council staff since FDOT issued its initial technical assistance comments to the City on April 12, 2024.

FDOT Comment 2: Issues regarding the methodology used in the traffic impact analysis regarding impacts to the SIS and other transportation resources and facilities of state importance.

IV. **Summary of State of Florida Review Agency Comments (continued)** **November 14, 2024**

Planning Council Staff Response: Planning Council staff notes that the Broward County Land Use Plan (BCLUP) considers impacts to the regional roadway network based on current and proposed land use designations and the MPO long-range roadway capacity and volumes table. Further, Planning Council staff transportation impact analysis identified that the proposed amendment is not anticipated to negatively impact the operating conditions of the regional transportation network, including the SIS. Planning Council staff notes that all new development, independent of any land use plan amendment traffic analysis, is required to comply with Broward County traffic concurrency mitigation provisions, which is assessed at the plat/site planning stage, as well as the local government site specific analyses occurring during the municipal development process (i.e. site plan/plat).

FDOT Comment 3: Not analyzing a maximum traffic impact scenario.

Planning Council Staff Response: As noted above, the BCLUP considers impacts to the regional roadway network based on current and proposed land use designations and the MPO long-range roadway capacity and volumes table. FDOT requested an alternative traffic analysis based on current existing uses (2023) versus short-range (2030) and long-range (2045) scenarios with and without the proposed amendment. Roadway deficiencies within a two-mile radius were found in all three (3) scenarios with or without the amendment. The City has identified several mobility improvements to mitigate these deficiencies, including an MPO-funded Mobility Hub at Cypress Creek Road and North Andrews Way, which will help to reduce utilization of Interstate 95 and other FDOT-maintained facilities.

FDOT Comment 4: Lack of clarity and uncertainty regarding how the City of Fort Lauderdale will plan, fund, and implement a well-connected network of low traffic stress multimodal facilities to maximize convenient access to and utilization of transit facilities and services consistent with the Transit-Oriented Development (TOD) objectives of the amendment and to mitigate adverse transportation impacts identified in the traffic impact analysis.

Planning Council Staff Response: The City of Fort Lauderdale has committed to fund mobility concepts through both development obligations and public improvement projects. Projects will be reviewed for consistency with the Uptown Master Plan and will be required to construct streetscape zones, as well as tertiary streets if applicable. Public improvement projects will be coordinated with FDOT, MPO and Broward County utilizing the City's Capital Improvements Plan and the MPO's Transportation Improvement Plan.

RECOMMENDATIONS/ACTIONS (continued)

DATE

IV. Summary of State of Florida Review Agency Comments (continued) November 14, 2024

City of Fort Lauderdale Response: The City adopted a Master Plan for the area which contains a multi-modal framework including pedestrian and bicycle networks, bus circulation and access, streetscape designs and the creation of development blocks consistent with Transit Oriented Development. Several of these improvements are included in the MPO’s Transportation Improvement Plan, including a mobility hub at Cypress Creek Road and North Andrews Way. Further, the City has revised its traffic analysis consistent with FDOT’s suggestions and recognizes the area must contain multi-modal transportation options to support a mix of uses and emphasize pedestrian connectivity, mass transit and a reduction in auto-dependent uses and travel. The City has provided a timeline and narrative of its interaction with FDOT to resolve the Department’s technical assistance comments dated April 12, 2024. The City will continue to coordinate with and partner with FDOT, MPO and Broward County to create a viable mixed-use environment.

V. Planning Council Staff Final Recommendation January 14, 2025

Planning Council staff continues to support its initial recommendation that the proposed amendment be approved, subject to the City’s voluntary commitment to restrict 15% (at least 635) of the proposed dwelling units to **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years or in-lieu of payment, as memorialized in Attachment 1 of corresponding text amendment PCT 24-3.

It is noted that any approval associated with the proposed map and corresponding text amendment does not authorize any development on Site 66 on the Broward County Environmentally Sensitive Lands (ESL) Map unless the Site has been removed from the BCLUP Natural Resource Series ESL Map through the Florida Statutes, Chapter 163, comprehensive planning process. The City of Fort Lauderdale has acknowledged the pending request to remove Site 66 from the ESL Map and has confirmed that any development of the site will be consistent with the outcome of that process.

In addition, if the Broward County Land Use Plan 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 Broward County Land Use Plan 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.

RECOMMENDATIONS/ACTIONS (continued)

DATE

VI. Planning Council Final Recommendation

January 23, 2025

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous; 16-0: Abramson, Brunson, Castillo, Fisher, Geller, Gomez, Greenberg, Hardin, Horland, Levy, Newbold, Railey, Rosenof, Ryan, Zeman and DiGiorgio)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 24-6

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Fort Lauderdale
- II. County Commission District: Districts 4 and 8
- III. Site Characteristics
- A. Size: Approximately 361.7 acres
- B. Location: In Sections 3 and 10, Township 49 South, Range 42 East; generally located on the west side of Interstate 95, between McNab Road/C-14 Canal and Northwest 56 Street, bisected by Cypress Creek Road and the CSX Railroad.
- C. Existing Uses: Retail, office, warehouse, hotel, environmentally sensitive lands (including a mitigation area), utilities, Tri-Rail Station and Park and Ride facilities
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Commerce
- B. Proposed Designation: Activity Center consisting of:
4,239 dwelling units
4,374,186 square feet of office uses
1,449,494 square feet of commercial uses
2,262,922 square feet of industrial uses
152,611 square feet of community uses
1,600 hotel rooms
7.0 acres minimum of recreation and open space uses
- C. Estimated Net Effect: **Addition** of 4,239 dwelling units [0 dwelling units currently permitted by the BCLUP]
Reduction of 2,802,390 square feet of commercial uses
Reduction of 877,698 square feet of office uses
Reduction of 2,988,962 square feet of industrial uses

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

IV. Broward County Land Use Plan (BCLUP) Designations (continued)

- C. *Estimated Net Effect:* **Addition** of 152,611 square feet of community uses
Addition of 1,600 hotel rooms
Addition of 7.0 acres minimum designated for recreation and open space

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Area

- A. *Existing Uses (See Map 1):* *North:* Warehouses, hotel, religious institution and the C-14 Canal (City of Pompano Beach)
East: Interstate 95 and Park and Ride facilities (City of Oakland Park)
South: Community facility and warehouses
West: Office, warehouses and airport (Fort Lauderdale Executive)

- B. *Planned Uses (See Map 2):* *North:* Commerce and Water/Primary Drainage (City of Pompano Beach)
East: Transportation and Commerce (City of Oakland Park)
South: Commerce
West: Commerce and Transportation

VI. Applicant/Petitioner

- A. *Applicant:* City of Fort Lauderdale
- B. *Agents:* City of Fort Lauderdale
Barbara A. Hall, Esq., Greenberg Traurig
Nectaria M. Chakas, Esq., Lochrie and Chakas, PA
- C. *Property Owners:* There are numerous property owners in the subject area.

VII. Recommendation of Local Governing Body:

The City of Fort Lauderdale recommends approval of the proposed amendment.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.