



# Broward County

## Legislation Details (With Text)

**File #:** 22-1205 **Version:** 1

**Status:** Agenda Ready

**In control:** REQUEST TO SET FOR PUBLIC HEARING

**On agenda:** 8/25/2022 **Final action:** 8/25/2022

**Title:** MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on September 20, 2022 at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE REZONING OF PROPERTY; CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING TRACT 39, BLOCK 83, OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, FROM A-1: AGRICULTURAL ESTATE TO PDD: PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT OF THE APPLICABLE ZONING DISTRICT MAPS; REPEALING CONFLICTING ZONING ORDINANCES AND ZONING RESOLUTIONS TO THE EXTENT OF ANY CONFLICT HERewith; PROVIDING THAT THE REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Resolution to Set Public Hearing, 2. Exhibit 2 - Ordinance, 3. Exhibit 3 - Staff Report, 4. Exhibit 4 - Attachments to Staff Report, 5. Exhibit 5 - Petition of Opposition, 6. Exhibit 6 - Public Comments through 7-21-22

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment **Division:** Urban Planning Division

### Information

#### Requested Action

MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on September 20, 2022 at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

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FROM A-1: AGRICULTURAL ESTATE TO PDD: PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT OF THE APPLICABLE ZONING DISTRICT MAPS; REPEALING CONFLICTING ZONING ORDINANCES AND ZONING RESOLUTIONS TO THE EXTENT OF ANY CONFLICT HERewith; PROVIDING THAT THE REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**Why Action is Necessary**

Section 125.66, Florida Statutes, requires notice of public hearing to be published prior to consideration of enactment of ordinances.

**What Action Accomplishes**

Provides the statutorily required notice of a public hearing to consider a proposed rezoning ordinance.

**Is this Action Goal Related**

No

**Previous Action Taken**

None taken.

**Summary Explanation/Background**

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE URBAN PLANNING DIVISION RECOMMEND APPROVAL OF THIS MOTION.

The applicant, 4211 SP, LLC, is requesting to rezone a site on the Broward Municipal Services District (BMSD) Zoning Map from A-1 Agricultural to PDD Planned Development District. The rezoning site is an unincorporated enclave near the City of Coconut Creek (Exhibit 4). The approximately 5.01 net acre site is located on the north side of NW 74 Street, between NW 44 Terrace and NW 39 Avenue.

The Future Land Use designation is Estate (1) Residential on both the BMSD and Broward County Land Use Plan (BCLUP) maps. Up to five (5) dwelling units are currently allowed on the property.

The proposed rezoning would allow the development of 15 single family homes. The applicant proposes to utilize ten (10) residential flexibility units, in accordance with the provisions of the BCLUP and the Broward County Comprehensive Plan's BMSD Element. The residential flexibility units are to be allocated by a separate resolution at the time of enactment of the proposed ordinance.

Staff finds that the proposed rezoning is consistent with the Broward County Comprehensive Plan and advises the applicant that a wetland determination is required from the Water and Environmental Licensing Section prior to any land clearing or filling; a Broward County Tree Removal License will be required for any tree removal; and, any public school facilities impacts must be mitigated during the platting and site planning processes (Exhibit 3). The Local Planning Agency (LPA) recommendation will be provided prior to the public hearing.

**Source of Additional Information**

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

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.