



Public Works and Environmental Services Department

HOUSING AND URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Arbor Estates	Application Number:	028-UP-25
Application Type:	New Plat	Legistar Number:	26-696
Owner/Applicant:	71 SP, LLC	Commission District:	2
Authorized Agent:	Perimeter Surveying and Mapping Inc.	Section/Twn./Range:	32/47/42
Location:	East side of Lyons Road, between Northwest 43 Avenue and Northwest 44 Terrace	Folio Number (s):	4742-32-01-0251; 4742-32-01-0260; 4742-32-01-0250
Municipality:	Broward Municipal Services District (Unincorporated)	Platted Area:	5 Acres
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Recommendation:	APPROVAL		
FS 125.022 Waiver	An extension waiver was granted until September 21, 2027		
Meeting Date:	August 20, 2026		

A location map of the plat is attached as **(Exhibit 2)**.

The Application is attached **(Exhibit 5)**. The Housing and Urban Planning Division (HUPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Existing and Future Land Use	
Existing Use:	1 Single Family Residence
Proposed Use:	14 Single Family Residences
Plan Designation:	Low (3) Residential
Adjacent Uses	Adjacent Plan Designations
North: Agriculture	North: Residential Estate 1 DU/AC/Estate (1) Residential
South: Commercial Shopping Center	South: Residential Estate 1 DU/AC/Estate (1) Residential
East: Single Family Residences	East: Residential Estate 1 DU/AC/Estate (1) Residential

West: Single Family Residences	West: Residential Estate 1 DU/AC/Estate (1) Residential
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In accordance with the Land Development Code, Single Family Residences is defined as one (1) dwelling unit, other than a mobile home, sharing no walls with another dwelling unit.

1. Land Use

The Housing and Urban Planning Division (HUPD) Planning Section has reviewed this application and determined that the site is designated “Low (3) Residential” on the Broward Municipal Services District Future Land Use Map (BMSD FLUM) and the Broward County Land Use Plan Future Land Use Map (BCLUP FLUM).

The proposed 14 units planned development are consistent with the “Low (3) Residential” future land use designation. Housing and Urban Planning memorandum is attached (**Exhibit 3**).

2. Affordable Housing

The proposed development is consistent with the permitted uses under the effective land use plan. As such, this plat is not subject to Policy 2.16.2 of the Broward County Land Use Plan.

3. Adjacent Municipality

The City of Coconut Creek was notified of this application and provided no response.

4. Trafficways

Trafficways was approved and will expire on October 5, 2026.

5. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and provided comments and recommendations with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum (**Exhibit 4**).

6. Concurrency – Transportation

This plat is located in the North Central Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in terms of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed development generates an increase of 13 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	1	14
Non-residential	0	0
Total	(14 – 1) = 13	

7. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Coconut Creek	Broward County
Plant name:	BC North District	BC North Regional (BCN) (03/26)
Design Capacity:	30.00 MGD	95.00 MGD

Annual Average Flow:	16.96 MGD	69.23 MGD
Available Plant Capacity:	13.04 MGD	To be calculated at EPD Licensing
Estimated Project Flow:	0.005 MGD	0.004 MGD

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

8. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.12
Local	0.12

9. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 14 single family residences will generate 5 (2 elementary, 1 middle, 2 high school) students. This plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code. This determination will expire on November 17, 2026.

10. Impact Fee

All impact fees (school impact fees, park impact fees, transportation impact fees, and administrative fees) will be calculated by the Housing and Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

At the time of plat application, a single-family home exists on the site which the applicant stated will be demolished. In accordance with the credit provisions of Sections 5-182.13 of the Land Development Code, this structure may be eligible for credit toward impact fees, provided appropriate documentation is submitted during the review of construction plans submitted for County environmental review approval.

11. Environmental Review

This plat was reviewed by Environmental Permitting Division and has the following recommendations regarding environmental permitting for the future development.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact Environmental Permitting Division at 954-519-1483 or WWW.License@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article

V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLICENSE@broward.org for specific code requirements.

In accordance with Chapter 27, Article V, Sections 27-198 through 27-200 of the Broward County Code, titled Water Resources Management, prior to any alteration to site grading, or construction of a surface water management system, a Broward County Surface Water Management License is required. Contact the Environmental Permitting Division at 954-519-1483 or SWMLICENSE@broward.org for specific code requirements.

B. Aquatic and Wetland Resources

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. 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).

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.

C. Tree Preservation

This site is subject to Chapter 27, Article XIV, Sections 27-401 through 27-414, titled Broward County Tree Preservation and Abuse Ordinance. A Broward County Tree Removal License will be required for any tree removal or relocation for this property. Contact the Environmental Permitting Division at 954-519-1483 or at Tree@broward.org for specific code requirements.

D. Clean-Up and Waste Regulation

The subject plat contains arsenic contamination, the cleanup of which is managed by the Broward County Environmental Permitting Division (EPD) as EPD Site No. NF-2201, 71 SP LLC Property, 4425 NW 71st St in Unincorporated Broward County. The site is subject to the contamination assessment and cleanup requirements of Chapter 62-780, FAC. While EPD is aware of the proposed site redevelopment, please note that construction or invasive activities overlying contaminants cannot cause or contribute to the migration or exacerbation of the contamination. Broward County EPD must review any construction plans submitted for Environmental Review. Questions may be directed to David Singleton, EPD Environmental Program Manager, (954) 519-1429 or dsingleton@broward.org.

The Cleanup and Waste Regulation Section must also approve any dewatering activities at this site. Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without

approval from EPD. In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at <https://www.broward.org/Environment/ContaminatedSites/Pages/Dewatering.aspx>. Any questions can be directed to (954) 519-1483 or EAR@broward.org.

E. Air Program

If any existing facility (e.g. existing structures on site including residential building(s) and/or utility building(s) or facility component (including roof system, insulation, walls, attached piping, mechanical systems, etc.) is planned to be demolished or renovated, the project shall comply with applicable asbestos regulations. More information on the asbestos requirements can be found at: <https://www.broward.org/ePermits/Pages/AsbestosCertificate.aspx>.

Submit a Statement of Responsibilities Regarding Asbestos (SRRA) electronically at ePermits.broward.org at least 10 working-days before commencing work on demolition and/or renovation of facility components subject to asbestos regulations. For assistance, contact Broward County's asbestos program at AsbestosHelp@broward.org or call 954-519-0340.

F. Natural Resources Division

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

12. Additional Environmental Protection Actions

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

13. Historical and Archaeological Resource Review

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological sensitivity.

The subject property is located within the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g), if, "in the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued, " and the property owner shall notify Rick Ferrer, Historic Preservation Officer, Resilient Environment Department, Broward County at 1 North University Drive Plantation, FL 33324, by phone at (954) 357-9731 or by email at rferrer@broward.org for additional information.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. The district medical examiner can be reached via email at Med Exam Trauma@broward.org or via phone at (954) 357-5200. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.

14. Aviation

Broward County Aviation Department has no objection. The applicant is advised that any proposed construction on

this property with a height exceeding 200 feet or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use). To initiate the Federal Aviation Review, access the FAA Web Page at: <https://oeaaa.faa.gov>.

15. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat application and did not provide a response.

16. Notice to Applicant

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

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

FINDINGS

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

1. This plat is located within the North Central Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)(a) of the Land Development Code.
2. This plat was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
3. This plat satisfies the drainage, water, wastewater and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.
5. The subject plat contains arsenic contamination, the cleanup of which is managed by the Broward County Environmental Permitting Division (EPD) as EPD Site No. NF-2201, 71 SP LLC Property, 4425 NW 71st St in Unincorporated Broward County. The site is subject to the contamination assessment and cleanup requirements of Chapter 62-780, FAC.

RECOMMENDATIONS

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

1. Conditions attached in the Highway Construction and Engineering Memorandum.

2. Place note on the face of the plat, preceding municipal official's signature, reading:

Concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.

3. Place a note on the face of the plat reading:

- a. This plat is restricted to 14 single family residences.
- b. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
- c. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

4. If this item is approved, the Mayor is authorized to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD]