



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Broward County Plat No. 2	Number:	082-MP-93
Application Type:	Note Amendment	Legistar Number:	23-473
Applicant:	Broward Partnership for the Homeless, Inc	Commission District:	8
Agent:	KEITH	Section/Twn./Range:	28/48/42
Location:	East side of Blount Road/Northwest 30 Avenue, between Herb Culbreath Drive and Northwest 19 Street	Platted Area:	94.2 acres
Municipality:	Pompano Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Meeting Date:	June 13, 2023		

A location map showing the parcels designated within the plat for the purpose of assigning development entitlement is attached, see **Exhibit 2**.

The Application is attached, see **Exhibit 8**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	September 8, 1994	Plat Book and Page Number:	159-16
Date Recorded:	October 4, 1995	Current Instrument Number:	118758217
Plat Note Restriction			
Current Plat:	This plat is restricted to 35.72 acres of industrial use (12.72 acres proposed, 23 acres existing) on Parcel A; 1,024-bed jail and 18.1 acres of jail support facilities to include ancillary uses such as but not restricted to kitchen facilities, administration and booking facilities, laundry facilities, and warehouse/storage facilities on Parcel B; 2,695-bed jail (161 proposed, 2,534 existing) on Parcel C; 2.09 acres of water management area (lake) on Parcel D; and 64,350 square feet of community facilities on Parcel E. Commercial/retail uses are not permitted without the approval of County Commissioners who shall review and address these uses for increased impacts.		
Proposed Note:	This plat is restricted to 35.72 acres of industrial use (12.72 acres proposed, 23 acres existing) on Parcel A; 1,024-bed jail and 18.1 acres of jail support facilities to include ancillary uses such as but not restricted to kitchen facilities, administration and booking facilities, laundry facilities, and warehouse/storage facilities on Parcel B; 2,695-bed jail (161 proposed, 2,534 existing) on Parcel C; 2.09 acres of water management area (lake) on Parcel D; 64,350 square feet of community facilities on Parcel E and 138 mid-rise residential units on Parcel F.		

In accordance with the Land Development Code, mid-rise units are defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) stories (exclusive of parking levels).

1. Land Use

Planning Council has reviewed this application and determined that the City of Pompano Beach Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat for the uses permitted in the "Commercial" land use category. The existing community facilities use is in compliance with the permitted uses of the effective land use plan. The City of Pompano Beach's certified land use plan permits residential uses on parcels of land 10 acres or less, or 20 acres or less for projects that include 15% affordable housing, in area designated "Commercial, "subject to the allocation of "flexibility units." The proposed development of 138 dwelling units (7 flexibility units plus 131 bonus units) is in compliance with the permitted uses of the effective land use plan, subject to a note on the face of the plat restricting 7 dwelling units to affordable housing, **Exhibit 3**.

2. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

3. Municipal Review

The City of Pompano Beach has submitted a letter of No Objection dated January 26, 2023, supporting the application, see **Exhibit 4**.

4. Affordable Housing

Pursuant to BCLUP Policy 2.16.3, Planning Council staff received confirmation that the City of Pompano Beach has allocated affordable housing density to Parcel F. As a condition of approval, per Land Development Code Section 5-184(b)(4), the developer shall record in the public records a restrictive covenant upon the property, or shall enter into an agreement with Broward County acceptable to the Office of the County Attorney, to ensure that the affordability will be for persons meeting specified income levels.

5. Concurrency – Transportation

This plat is located in the Northeast Concurrency Management Area which is subject to Transportation Concurrency fees, as defined in Section 5-182.1(a)(1)a) of Land Development Code. The proposed note amendment will be an increase of 54 trips per PM peak hour.

	Existing Use Trips per (PM) Peak Hour	Proposed Use Trips per (PM) Peak Hour
Residential	0	54
Non-Residential	2678	2678
Difference	(2732-2678) = 54	

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	Broward County	Broward County
Plant name:	Broward County North (09/22)	Broward County North Regional (BCN) (09/22)

Design Capacity:	30.00 MGD	95.00 MGD
Annual Average Flow:	16.38 MGD	70.04 MGD
Estimated Project Flow:	0.05 MGD	0.05 MGD

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

7. Concurrency - Public Schools

School Board staff has reviewed this application and determined that the proposed 138 mid-rise units are anticipated to generate 11 students. This application satisfies public school concurrency on the basis that there is adequate school capacity anticipated to be available to support the project as proposed. The School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 5**.

8. Impact Fee Payment

Transportation Concurrency and administrative fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Urban Planning Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

The (7) seven affordable units are eligible for waivers of concurrency and impact fees in accordance with Section 5-184(b)(4) of the Land Development Code. The developer must provide certification from the Broward County Housing Finance and Community Redevelopment Division stating that the project qualifies as affordable housing at a specified income level. Records a Declaration of Restrictive Covenants to place an affordable housing restriction on the plat prior to recordation of the note amendment agreement.

9. Environmental Review

The plat note amendment application has been reviewed by Environmental Permitting Division. The attached document provides recommendations to the developer regarding environmental permitting for the future development, see **Exhibit 6**.

10. Archaeological and Historic Resource Review

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information includes archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF). The property is located within the City of Pompano Beach which is outside the jurisdiction of the Broward County historic preservation ordinance 2014-32. Attached are the historic and archaeological comments, see **Exhibit 7**.

11. Aviation

The Broward County Aviation Department has no objections to this plat. However, this property may be within 20,000 feet of the Fort Lauderdale Executive Airport and/or Pompano Beach Airpark. Any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply to this development. Based on the location of the proposed project, the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the local municipality review, please contact the City of Fort Lauderdale and/or City of Pompano Beach directly.

12. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

13. 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 Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

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

1. This plat is located within the Northeast 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 satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.

RECOMMENDATIONS

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

1. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **June 13, 2024**.
2. Delete the plat note that references expiration of the Findings of Adequacy.
3. Records a Declaration of Restrictive Covenants to place an affordable housing restriction on the plat prior to recordation of the note amendment agreement.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

AO