

EXHIBIT 2

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 24-1

“Section 2 – Implementation Requirements and Procedures”

RECOMMENDATIONS/ACTIONS

DATE

- I. Planning Council Executive Committee Recommendation October 26, 2023

Regarding the Community and Regional Parks Section, the Executive Committee directed Planning Council staff to proceed with drafting language related to beaches, golf courses, regional parks and private recreational acreage based on municipal comments and the Committee's discussion. The Committee further directed that the draft language return to a future Committee meeting to take an action prior to distribution to local governments and interested parties.

In addition, the Executive Committee recommended approval of the Implementation Regulations and Procedures as presented.

- II. Planning Council Executive Committee Recommendation January 25, 2024

Approval, incorporating the revision to increase the available regional park acreage and to eliminate the golf course acreage replacement requirement.

- III. 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 per the Executive Committee recommendation of January 25, 2024. **See Attachments 1.A. and 1.B.**

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

RECOMMENDATIONS/ACTIONS (continued)

DATE

III. Planning Council Staff Transmittal Recommendation (continued)

April 16, 2024

- (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.

IV. Planning Council Transmittal Recommendation

April 25, 2024

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 13-0: Castillo, Gomez, Greenberg, Hardin, Harrison, Horland, Newbold, Railey, Rosenof, Ryan, Werthman, Zeman and DiGiorgio)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 24-1

BACKGROUND INFORMATION

At its January 26, 2023, meeting, the Planning Council initiated a comprehensive review of Section 2: Implementation Requirements and Procedures of the BrowardNext - Broward County Land Use Plan (BCLUP). Section 2 consists of two (2) subsections: Community and Regional Parks and Implementation Regulations and Procedures.

Based on municipal input and the discussion and direction at its October 26, 2023, and January 25, 2024, meetings, the Planning Council Executive Committee recommended the following revisions to Section 2: Implementation Requirements and Procedures summarized as follows:

Community and Regional Parks Subsection

- Introduction renamed and modernized.
- Clarify that public plazas and green spaces may count towards municipal park and open space.
- Revise how public beach acreage is calculated.
- Relocate and streamline waterways and water bodies language.
- Increase allowable acreage of public and semi-public golf courses that may count towards municipal open space from 15% to 25%. See Attachment 2.
- Decrease threshold of private recreational and open space areas that may count towards municipal park and open space resulting in additional opportunities.
- Increase allowable acreage of regional parks that may count towards municipal open space. See Attachment 3.
- Clarify that former landfills must be available for open space and/or recreational use to count as park space.
- Clarify the definition of regional parks and open space and remove redundant language under that section.
- Minor edits for consistency.

See Attachment 1.A.

Implementation Regulations and Procedures Subsection

- Modernize language to ensure consistency with other sections of the BCLUP and the *Administrative Rules Document*.
- Ensure that statutory references, as well as State and County agency names, are accurate.
- Reorder 1 through 9 of the Implementation Regulations and Procedures section to reflect a more relevant flow.
- The Development Review Requirements have been updated to reflect appropriate public facilities and services that are contemplated by the Florida Statutes and BCLUP. Updates to f. and g. are based on input from the Broward County Aviation Department.
- Minor edits for consistency.

See Attachment 1.B.

OUTREACH

Planning Council staff distributed proposed revisions to the Community and Regional Parks subsection to municipal planning directors on February 15, 2024. Planning Council staff has prepared a response document to address comments received from the Broward County Urban Planning Division and the Broward County Parks and Recreation Division. **See Attachments 4 through 6.** Comments will continue to be accepted throughout the review of the proposed amendment.

CONCLUSION

Planning Council staff recommends approval of the proposed amendment. **See Attachments 1.A. and 1.B.**

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 24-1

ATTACHMENTS

1. A. Proposed Community and Regional Parks Subsection
 - B. Proposed Implementation Regulations and Procedures Subsection
2. Broward County Golf Courses
3. Broward County Regional Parks
4. Planning Council Staff Response Document
5. Comments Received from Broward County Urban Planning Division - March 18, 2024
6. Comments Received from Broward County Parks and Recreation Division – March 15, 2024

ATTACHMENT 1.A.

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: IMPLEMENTATION REQUIREMENTS AND PROCEDURES

COMMUNITY AND REGIONAL PARKS AND OPEN SPACE

The ~~Community and Regional Parks and Open Space~~ requirements of the BrowardNext - Broward County Land Use Plan are maintained based upon those standards recommended within the Open Space Study, 1975, which were mandatory requirements of the 1977 Broward County Land Use Plan. The updated Broward County Land Use Plan incorporates the Community and Regional parks standards in order to preserve open space and natural lands, to provide for public parks and the recreational needs of Broward County's residents and visitors ~~achieve a diversified and balanced parks and recreation system~~ and to establish consistent treatment standards for park facilities throughout Broward County.

Local governments within Broward County are required to provide for a minimum of three (3) acres of Community level pParks and Open Space for every 1,000 existing and projected permanent residents within their jurisdiction. In addition, tThe Broward County Board of County Commissioners is required to provides ~~for a minimum of three (3) acres of~~ Regional level pParks and Open Space to protect and enhance the County's diverse natural ecosystems, parks system and world-class recreational facilities ~~for every 1,000 existing and projected permanent residents.~~

The acreage that may be used to meet the ~~Community and Regional Parks~~ and Open Space requirements is as follows:

1. COMMUNITY PARKS AND OPEN SPACE

- a. All park and open space acreage, including public plazas and green spaces, that is owned by the local government, ~~and zoned and/or~~ utilized for open space or recreation use, and ~~which is~~ accessible to the public on a regular or continuous basis for the purpose in which it is intended. ~~For additional acreage to be eligible to count towards the "community park" requirement for existing residents, conspicuous signage indicating that the acreage is accessible to the public, including identification of safe access point(s), shall be required. Otherwise, such acreage shall be prohibited from counting as a municipal "community park." Further, any additional waterway or water body that is counted as a municipal "community park" must have sufficient safe public access from the landward side along the shoreline of the waterway/water body within the subject municipality. A waterway/water body with safe public access from a bordering municipality may be counted as a "Community" park for the municipality in which it is located as long as such waterway/water body is readily accessible for use by residents of the host municipality and the public for the recreation or environmental purpose intended. It is recognized that there may be several recreational/environmental purposes for a waterway/water body, and such may have different recreational/environmental purposes at different access points.~~

- b. Recreational acreage that is part of the educational facilities of the Broward County School Board and is either leased by the local government for public recreational purposes or made available to the public by other agreement with the ~~Broward County~~ School Board. Since the School Board may, ~~at some time in the future,~~ choose to terminate the lease or other agreement and/or sell the property, the local land use plan must include provisions for the replacement of the lost recreational land needed to meet ~~the required~~ its future Community Parks standards and Open Space requirements within three (3) years.
- c. The total area of beaches that are owned by ~~the local government~~ public entities as measured from the mean high water line and publicly accessible beaches as measured from the private property line seaward to the mean high water line.
- d. The total area of waterways or water bodies that provide sufficient safe public access from the landward side along the shoreline within the subject municipality. A waterway or water body with safe public access from a bordering municipality may be counted as a Community Open Space for the municipality in which it is located as long as it is readily accessible for use by residents of the host municipality and the public for the recreational or environmental purpose intended. (Note: This section was originally adopted in 2013 and is proposed to be streamlined and relocated from paragraph 1.a.)
- ~~de.~~ Up to 50% of the total acreage of publicly owned golf courses that are zoned for recreational use and semi-public golf courses that are either zoned and deed restricted for open space use or zoned and restricted by other development order, such as site plan or subdivision approval, for open space use. However, golf course acreage may satisfy no more than ~~15%~~ 25% of the total Community Park and Open Space requirement.
- ~~ef.~~ Other private recreational acreage or open areas over ~~0.5~~ 0.25 acres that are zoned and/or deed restricted for open space use including a mixture of active and passive recreational facilities. Up to 100% of the total acreage may be counted provided the area does not exceed 3 acres/1,000 residents sharing the facilities.
- ~~fg.~~ ~~Public or private~~ Regional Parks and Open Space located within municipal jurisdictions limited to ~~10% of the total acreage with a maximum of 10 acres per park if owned by a separate jurisdiction or agency~~ no more than 25% of the total Community Park and Open Space requirement.
- ~~g.~~ If the purchase of park land was/is a joint venture of Broward County and a local government, the local government is entitled to its proportionate share (based on financial contribution) of the acreage to apply towards the Community Parks requirements. ~~Acreage which has been used to satisfy the Community Parks requirements under the provisions of f. above may not be counted under these provisions for joint ventures.~~
- h. Former landfill sites shall not be counted towards the Community Parks and Open Space requirement ~~until~~ unless they are properly reclaimed and environmentally sound and are available for open space and/or recreational use.

- i. Acreage designated on the future land use plan map or deed-restricted as “conservation” may be counted toward the municipal ~~€Community p~~Parks and Open Space requirement if the “conservation” acreage is owned by or is within the jurisdictional responsibility of the municipality. Such “conservation” acreage may, due to a need to protect sensitive natural features and/or habitat, restrict regular or continuous public access but must be made available to the public when appropriate, as to ~~avoiding~~ negatively impacting the natural features and/or habitat in conjunction with an authorized educational or recreational program.

Any person who has questions regarding the validity of the status of any ~~€Community p~~Park or Open Space site listed on a municipal inventory may contact the Broward County Planning Council which shall then serve to coordinate with the municipality in a timely manner to address the question raised.

2. REGIONAL PARKS AND OPEN SPACE

All regional parks and open space owned by Broward County or the State of Florida and zoned and/or utilized for open space or recreation use, and which is accessible to the public on a regular or continuous basis for the purpose in which it is intended.

- ~~a. All publicly owned park acreage except that acreage used to help meet the Community Parks requirements of the Broward County Land Use Plan.~~
- ~~b. The total area of beaches that are in public ownership other than municipally owned public beaches.~~
- ~~c. Up to 50% of the total acreage of publicly owned golf courses that are either zoned and restricted by other development order, such as site plan or subdivision approval, for open space use. However, golf course acreage may satisfy no more than 15% of the total Regional Parks requirement.~~
- ~~d. If the purchase park land was/is a joint venture of Broward County and a local government, Broward County is entitled to its proportionate share of the acreage to apply towards the Regional Parks requirements.~~
- ~~e. Former landfill sites shall not be counted towards the Regional Parks requirement until they are properly reclaimed and environmentally sound.~~

Note: All changes are indicated in ~~strike-through~~/underline format.

ATTACHMENT 1.B.

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: IMPLEMENTATION REQUIREMENTS AND PROCEDURES

IMPLEMENTATION REGULATIONS AND PROCEDURES

Modernize language to ensure consistency with other sections of the Broward County Land Use Plan and the Administrative Rules Document.

Ensure that State Statutes references, as well as State and County agency names, are accurate.

1 through 9 of the Implementation Requirements and Procedures section have been reordered to reflect a more relevant flow.

The Development Review Requirements have been updated to reflect appropriate public facilities and services that are contemplated by the Florida Statutes and County Land Use Plan. Updates to f. and g. are based on input from the Broward County Aviation Department.

All changes are indicated in ~~strike-through~~/underline format.

1. DEVELOPMENT REVIEW REQUIREMENTS

A local government may grant an application for a development permit consistent with the Broward County Land Use Plan or a certified local land use plan when it has determined that the following requirements are met:

- a. ~~Traffic circulation, transit,~~ Transportation, parks and ~~recreation~~ open space, drainage and flood protection, potable water, solid waste, sanitary sewer public facilities and services, and public schools will be available to meet established level of service standards, consistent with Chapter 163.3180, Florida Statutes, and the concurrency management policies of the Broward County Land Use Plan.
- b. Local streets and roads will provide safe, adequate access ~~between buildings~~ within the proposed development and the trafficways identified on the Broward County Trafficways Plan prior to occupancy.
- c. Fire protection service will be adequate to protect people and property in the proposed development.
- d. Police protection service will be adequate to protect people and property in the proposed development.

- e. School sites and school buildings will be adequate to serve the proposed development.
- f. ~~A development~~ development does not include a structure, or alteration thereof, that is subject to the notice requirements of Title 14, Code of Federal Aviation Regulations (FAR), Part 77, Subpart B, unless the Federal Aviation Administration (FAA) issues, or has issued ~~within the previous ninety (90) days,~~ a written acknowledgment that said structure or alteration meets the FAA Part 77 criteria ~~would not constitute a hazard to air navigation and does not require increases to minimum instrument flight altitudes within a terminal area, increases to minimum obstruction clearance altitudes, or any other operational modifications at any existing airport or heliport or any planned or proposed airport as described in FAR Part 77.21(c)(2).~~
- g. No development permit shall be issued for the development, construction, establishment, enlargement, substantial alteration, or repair of a structure that would exceed the maximum height for the Airspace Imaginary Surface in which it is located, or is proposed to be located, unless Obstruction Approval has been issued by the Broward County Aviation Department, pursuant to Section 5-182 of the Broward County Code of Ordinances, and Chapter 333, Florida Statutes.

32. BROWARD COUNTY LAND USE PLAN AMENDMENT PROCEDURES

- a. The Broward County Land Use Plan may be amended by the Broward County Commission in the manner provided by the Broward County Charter and Florida ~~Local Government Comprehensive Planning and Land Development Regulation~~ Community Planning Act.
- b. The Broward County Planning Council shall adopt, within its *“Administrative Rules Document: BrowardNext,”* rules and regulations as may be necessary to provide for the consideration of proposals for the amendments to the Broward County Land Use Plan and the submittal of recommendations and proposals to the Broward County Commission.

23. PROCEDURES FOR CERTIFICATION OF LOCAL LAND USE PLANS

- a. Each local government within Broward County ~~may~~ shall prepare, in conformance with the requirements of the Broward County Land Use Plan and the Florida ~~Local Government Comprehensive Planning and Land Development Regulation~~ Community Planning Act, a local land use plan for submittal to the Broward County Planning Council. The local land use plan shall be certified by the Broward County Planning Council prior to ~~its final adoption by a local government~~ becoming effective.
- b. Pursuant to the Broward County Charter, and consistent with the Broward County Land Use Plan:
 - (1) The Broward County Planning Council shall adopt, within its *“Administrative Rules Document: BrowardNext,”* rules and regulations as may be necessary to provide for the certification, decertification and re-certification of local land use plans.

- (2) The Broward County Planning Council shall adopt, within its *“Administrative Rules Document: BrowardNext,”* rules and regulations after approval by the Broward County Commission as may be necessary to provide for:
- (a) The certification of ~~density~~ transfers of development rights;
 - (b) The receipt of data pertaining to development permits granted by local governments and land development regulations adopted by local governments; and
 - (c) Other matters pertinent to the ~~goals, objectives,~~ policies and implementation requirements of the Broward County Land Use Plan.
- c. Every local land use plan, and amendment thereto, submitted for review and certification by the Broward County Planning Council shall include the following:
- (1) A land use plan map, drawn to scale, with legend reflecting ~~proposed~~ future land uses and residential densities;
 - (2) ~~Goals, objectives and p~~olicies consistent with and furthering those contained within the Broward County Land Use Plan;
 - (3) Implementation provisions which establish a land use and density classification system, including a detailed listing of permitted land uses and densities allowed within each local land use classification.
 - (a) A land use permitted within a land use category by the Broward County Land Use Plan may be prohibited or limited by a local land use plan.
 - (b) A local land use plan may propose other permitted land uses and land use categories not specifically identified within the Broward County Land Use Plan, if consistent with the policies and requirements of the Broward County Land Use Plan;
 - (4) (a) A listing of Community level ~~p~~Parks and Open Space acreage counted by the local government to fulfill the parks requirements and consistent with the ~~“Regional and Community~~ Parks and Open Space” subsection of this Plan;
 - (b) The local land use plan map shall reflect, conceptually or at specific locations, existing and proposed park and recreational facility sites of sufficient size and quantity to provide Community level ~~p~~Parks and Open Space acreage consistent with the requirements of this ~~p~~Plan; and
 - (5) Other implementation provisions consistent with the policies and requirements of the Broward County Land Use Plan which will implement the local land use plan.

- d. The Broward County Planning Council shall certify each local land use plan, and amendment thereto, which is in substantial conformity with the Broward County Land Use Plan. A local land use plan shall be certified by the Broward County Planning Council when it finds that:
- (1) The maximum number of dwelling units permitted in the municipality by the local land use plan does not exceed the maximum number of dwelling units permitted by the Broward County Land Use Plan and that residential densities are distributed in a manner consistent with the policies of the Broward County Land Use Plan. The local government shall demonstrate to the Broward County Planning Council that the distribution of land uses by the local land use plan does not result in an increase in the number of permitted dwelling units as compared to the number of dwelling units permitted by the Broward County Land Use Plan;
 - (2) The arrangement of land uses on the local land use plan map bears a reasonable relationship to the arrangement of land uses on the Broward County Land Use Plan Map and permitted uses fall within the parameters for permitted uses established by the Broward County Land Use Plan;
 - (3) The goals, objectives and policies of the local land use plan are consistent with and further those of the Broward County Land Use Plan; and
 - (4) The implementation provisions meet or exceed the requirements of the Broward County Land Use Plan.
- e. Each local government is encouraged to develop innovative methods to regulate the development of land through its local land use plan and other land development regulations which may be proposed within its local land use plan. During the certification process, the Broward County Planning Council shall review and may approve such innovative methods which are consistent with the policies of the Broward County Land Use Plan and are in substantial conformity with the Broward County Land Use Plan.
- f. Each local government shall comply with Section 8.05 of the Broward County Charter and shall ~~make every reasonable effort to~~ prepare a local land use plan which will be in substantial conformity with the Broward County Land Use Plan. If the Broward County Planning Council determines that a local land use plan includes proposed land uses which are not in substantial conformity with the Broward County Land Use Plan, then it shall not certify the local land use plan unless the Broward County Commission:
- (1) Determines, within sixty (60) days after receipt of a written request by a local government, that the proposed land uses which are not in substantial conformity with the Broward County Land Use Plan must be permitted in order for the local government to comply with Section 8.05 of the Broward County Charter; or
 - (2) Finds that a final judicial decision has been rendered which requires a local government to permit the proposed land uses which are not in substantial conformity

with the Broward County Land Use Plan. The Broward County Commission shall make its finding at the request of any party to the litigation after the Broward County Commission has given at least thirty (30) days' notice by certified mail to all other parties to the litigation; or

- (3) Adopts an amendment to the Broward County Land Use Plan which brings the local land use plan proposed land uses into substantial conformity ~~to~~ with the Broward County Land Use Plan.

4. LOCAL LAND DEVELOPMENT REGULATIONS AND PROCEDURES

- a. The Broward County Land Use Plan shall be implemented by adoption and enforcement of appropriate local regulations on the development of lands and waters within the jurisdiction of the local government.
- b. ~~No~~ Public or private development may not be permitted except in compliance with the Broward County Land Use Plan or certified local land use plan.
- c. A local government which does not have a land use plan certified by the Broward County Planning Council:
 - (1) May grant an application for a development permit, provided:
 - (a) The proposed development would be consistent with the Broward County Land Use Plan; and
 - (b) The proposed development would be in compliance with local land development regulations; and
 - (c) The development permit is granted in compliance with the "Development Review Requirements" subsection of this ~~p~~Plan or with local land development regulations which meet or exceed the requirements of said subsection.
 - (2) May adopt land development regulations, and a land development code, or amendments thereto, which are consistent with the Broward County Land Use Plan.
 - (3) Shall transmit to the Broward County Planning Council for review, no less than forty-five (45) days prior to adoption, a copy of all proposed land development regulations, a land development code, or amendments thereto, and notice of all proposed changes of zoning districts.
- d. A local government which does have a land use plan certified by the Broward County Planning Council ~~and~~ that is effective:
 - (1) May grant an application for a development permit provided:

- (a) The proposed development would be consistent with the applicable certified land use plan; and
 - (b) The proposed development would be in compliance with local land development regulations; and
 - (c) The development permit is granted in compliance with the “Development Review Requirements” subsection of this ~~p~~Plan or with local land development regulations which meet or exceed the requirements of said subsection.
- (2) ~~(d)~~ May adopt land development regulations, a land development code or amendments thereto, and amend zoning districts consistent with its certified land use plan.

65. MONITORING AND ENFORCEMENT PROCEDURES FOR THE BROWARD COUNTY LAND USE PLAN

- a. Local governments shall prepare and transmit to the Broward County Planning Council the information listed below within the time periods specified. This information is for the purposes of monitoring compliance with the Broward County Land Use Plan and for maintaining current, countywide records of land development activities on which to base future planning. Information shall be transmitted in a format to be prescribed by the Broward County Planning Council.
 - (1) A yearly summary regarding allocation of acreage proposed for commercial or residential uses within lands designated Residential, Activity Center, or Commerce utilizing the “flexibility” provisions of the Broward County Land Use Plan, if certified within the local land use plan.
- b. Upon determination by the Broward County Commission that a local government has granted development permits or permitted uses which are inconsistent with the requirements of the Broward County Land Use Plan, or fails to act in substantial compliance with the Broward County Land Use Plan, the Broward County Commission shall take such actions as may be necessary and proper to enforce the requirements of the Broward County Land Use Plan.

56. PROCEDURES FOR FORMAL INTERPRETATIONS OF THE BROWARD COUNTY LAND USE PLAN

The Broward County Planning Council shall assist local governments with matters of interpretation of the Broward County Land Use Plan. Whenever a question of interpretation has not been resolved on an informal basis, the governing body of a local government may request in writing that the Broward County Planning Council issue a letter of interpretation on the matter; the Council may direct the Council staff to issue a revised interpretation or confirm the interpretation of staff. Upon receipt of a letter of interpretation from the Broward County Planning Council, the governing body of a local government may within 30 days of receipt, request in writing that the Broward County Commission review such letter

on any subject outside the scope of the Broward County Planning Council's adopted rules and regulations regarding certification of local land use plans and Broward County Land Use Plan amendment processing and recommendation procedures, or matters as contained within ~~the Plan~~ regarding Section 8.05 of the Broward County Charter.

The Broward County Commission, within ~~thirty (30)~~ forty-five (45) days after receipt of the request, shall review and either approve or approve with modifications, the Broward County Planning Council's letter of interpretation, which shall then be binding on the Broward County Commission, ~~on~~ the Broward County Planning Council, ~~on~~ the local government, and ~~on~~ any property owner given written notice and an opportunity to be heard on the matter. The failure of the County Commission to take any action on the appeal within the forty-five (45) day period shall be deemed a confirmation of the Planning Council interpretation. A written request to the Broward County Planning Council or the Broward County Commission pursuant to this section must contain the following information:

- (a) A statement of the question(s);
- (b) A statement of the facts necessary to answer the question(s); and
- (c) A statement of the position of the local government on the matter together with and legal authority or other support for said position.

87. LEGAL ACTIONS INVOLVING THE BROWARD COUNTY LAND USE PLAN

- a. (1) In any legal action challenging the Broward County Land Use Plan or any legal action challenging any decision of any governmental agency made pursuant to provisions of the Broward County Land Use Plan, Broward County shall be served with a copy of the Complaint and ~~be entitled to be heard~~ shall defend the Planning Council.
- (2) In any legal action challenging any certified land use plan or any legal action challenging any decision of any governmental agency made pursuant to provisions of any certified land use plan, Broward County shall be served with a copy of the Complaint and ~~be entitled to be heard~~ shall defend the Planning Council.
- b. In any legal action, challenging or affecting land development regulations, the ~~unit of~~ local government shall notice Broward County and provide copies of any papers served in connection therewith.

78. CRITERIA AND PROCEDURES FOR ENVIRONMENTALLY SENSITIVE LANDS AND LOCAL AREAS OF PARTICULAR CONCERN

Broward County will conduct a review of all Natural Resources as defined in the text and depicted on the Natural Resource Map Series of the Broward County Land Use Plan. The review will determine whether such lands are environmentally sensitive and shall provide the basis for the regulation of those lands found to be environmentally sensitive as is required by Section 163.3202, Florida Statutes.

The Broward County Commission shall conduct a review of the following maps and, utilizing the criteria enumerated herein or utilizing additional alternative criteria reviewed and approved by the County Commission, make a determination as to whether the designation and regulation of additional Environmentally Sensitive Lands is appropriate:

- a. Existing and Planned Potable Water Wells and Zones of Influence
- b. Wetlands
- c. Flood Plains, Flood Prone Areas and Coastal Storm Area
- d. Mineral Resources
- e. Beaches and Shores, including, Rivers, Bays, Harbors, Primary Drainage Canals, ~~Major~~ Lakes, Estuarine Systems and Dredge Spoil Disposal Sites
- f. Soils
- g. Local Areas of Particular Concern

Local Areas of Particular Concern (LAPCs) may be designated in six (6) categories according to the types of resources present. Unless otherwise indicated, LAPCs must have one (1) or more of the characteristics for the respective category.

1. Marine Resource Category

Coastal areas of unique, scarce, fragile, or vulnerable natural habitat, physical features and scenic importance, ~~or~~; coastal areas of high natural productivity or essential habitat for fish, wildlife, and the various trophic levels in the food web critical to their well-being, ~~or~~; coastal areas of substantial recreational value and/or potential; ~~or~~; areas needed to protect, maintain, or replenish coastal flood plains, coral and other reefs, beaches, offshore sand deposits and mangrove stands.

2. Natural Landforms and Features Category

A geological, hydrological, or physiographical feature confined to a small area of Broward County and considered quite rare locally or regionally, ~~or~~; a representative natural ecosystem and/or its units existing in a few isolated locations, but extirpated from most of the ~~€~~County.

3. Native Vegetative Communities Category

(a) A Local Area of Particular Concern (Native Vegetative Communities Category) is an area which shows a predominance of native vegetation associated with one or more of the following ecological communities: Beach and Dune Community; Coastal Strand Forest Community; Mangrove Community (Saltwater Swamp); Scrub Community; Pine Flatwoods Community; High Hammock Community; Low Hammock Community; Cypress Wetland Community (Freshwater Swamp); or Everglades Community (Freshwater Marsh).

(b) In addition, a Local Area of Particular Concern (Native Vegetative Communities Category) must satisfy at least three (3) of the following criteria:

- i. Uniqueness - The site contains a significant sample of rare or endangered species, or, the site is among a small number of sites in Broward County representing a particular ecological community.
- ii. Diversity - A significant sample of two (2) or more ecological communities are contained within the site.
- iii. Low Level of Exotic Invasion - The degree and nature of exotic invasion on the site is such that it can be easily managed or mitigated.
- iv. Potential for Protection - Ownership patterns, development status and other factors make the resources of a site likely to be successfully protected.
- v. Geography - The site has proximity to other resources which would heighten its value as a LAPC (e.g., other ESLs, public parks, waterfront).

4. Wildlife Category

Existing wildlife refuges, reserves, and sanctuaries, ~~or~~; known habitats of rare, threatened, or endangered species or species of special concern, ~~or~~; major wildlife intensive use areas such as well-developed hammock communities, highly productive coastal tidelands, and mangroves; ~~and~~ or; areas used for scientific study and research on wildlife.

5. Economic Resource Category

Existing ports, marinas, piers, energy resources, and artificial reefs, ~~or~~; areas noted for specific study and research concerning economic development.

6. Cultural Resource Category

Sites designated on the National Register of Historic Places or on the Florida Master Site File, ~~or~~; sites related to the general development of the local area, region, or State, ~~or~~; buildings which are significant examples of the architectural design of their period, ~~or~~; sites associated with the life/lives of important person(s), or social, political, cultural, or economic movements or with historical events; ~~and~~ or; archaeological or paleontological sites which have yielded useful information on the area's past.

9. CRITERIA FOR DESIGNATING ADAPTATION ACTION AREAS OF REGIONAL SIGNIFICANCE

As consistent with the Broward County Land Use Plan, Adaptation Action Areas (AAAs) may be designated by a local government in order to identify areas vulnerable to sea level rise, enhance the funding potential of infrastructure adaptation projects, and implement policies for adaptation.

To be eligible for ~~Adaptation Action Area~~ an AAA of Regional Significance designation, the applicant must clearly detail how vulnerabilities identified in the proposed ~~Adaptation Action Area~~ AAA will be exacerbated by climate change or sea level rise within a 50-year planning horizon. In addition, the proposed ~~Adaptation Action Area~~ AAA must meet at least one (1) of the following criteria:

- a. Areas which experience tidal or coastal flooding;
- b. Areas which have a hydrologic connection to coastal waters;
- c. Locations which are within areas designated as evacuation zones for storm surge;
- d. Areas vulnerable to flash floods and severe storm water runoff or coastal erosion; or
- e. Areas vulnerable to other predicted impacts of climate change and sea level rise where management strategies, infrastructure investments, and planning decisions can help to mitigate the magnitude or severity of future climate impacts.

Local governments may apply for ~~e~~County designation of an ~~Adaptation Action Area~~ AAA of Regional Significance within the Broward County Land Use Plan if the identified problem(s) conform(s) with one (1) or more of the criteria identified above, or additional demonstration of climate vulnerability is provided. In addition, proposed adaptation strategies for the designated area should demonstrate investments and benefits of regional significance. The Unified Sea Level Rise Projection for Southeast Florida and the Broward County Priority Planning Area Map may serve as reference materials in review of the request. Notice submitted to the Planning Council should include:

- a. The geographical area under consideration;
- b. Documentation of the issue(s) or vulnerability of the area;
- c. A description of strategies, policy and/or infrastructure improvements proposed; and
- d. Explanation of how these solutions will reduce risk and increase the area's resilience to climate impacts.

County staff will review and issue a joint recommendation pertaining to the requested ~~Adaptation Action Area~~ AAA of Regional Significance designation. ~~No~~ A fee will ~~not~~ be charged for review of the proposed ~~Adaptation Action Area~~ AAA designations. The Broward County Commission or the Broward County Planning Council may also initiate an application for ~~Adaptation Action Area~~ AAA designation. If the Broward County Commission or the Broward County Planning Council will be the applicant for an ~~Adaptation Action Area~~ (AAA) designation, the County or Planning Council staff, as applicable, shall notify, in writing, any municipality in which the proposed AAA is located. Such written notification shall be sent at least thirty-five (35) days before the first County Commission or Planning Council meeting to consider the AAA designation, and will solicit comment from the municipality. Municipal

comments received will be included as part of the AAA report reviewed by the County Commission and Planning Council. Applications may also be submitted for de-designation by the original applicant or property owner, the Broward County Planning Council or the Broward County Commission, based on adaptation investments, reduction of vulnerability, changes in community priorities, cost-benefit considerations, changes in land use, or other environmental, economic or social considerations which support de-designation.

Areas designated by the County as ~~Adaptation Action Areas~~ AAAs of Regional Significance will be added to the Broward County Priority Planning Areas for Sea Level Rise Map as part of the Broward County Land Use Plan.

Ref No. on SLR Map	AAA Name	Applicant	Qualifying Criteria Met	Strategies Proposed	Expected Benefits
1	Port Everglades Sand Bypass Project Area	Broward County	c) Storm Surge d) Coastal Erosion e) Sea Level Rise	-Sand bypass at Port Everglades -Beach renourishment -Shoreline management	-Protection of critical infrastructure -Protection of public and private property -Preservation of habitat for threatened and endangered species -Reduced shoaling in the navigation channel -Maintenance of recreational opportunities at John U. Lloyd Beach State Park -increased potential of f ederal permitting and funding support

ATTACHMENT 2

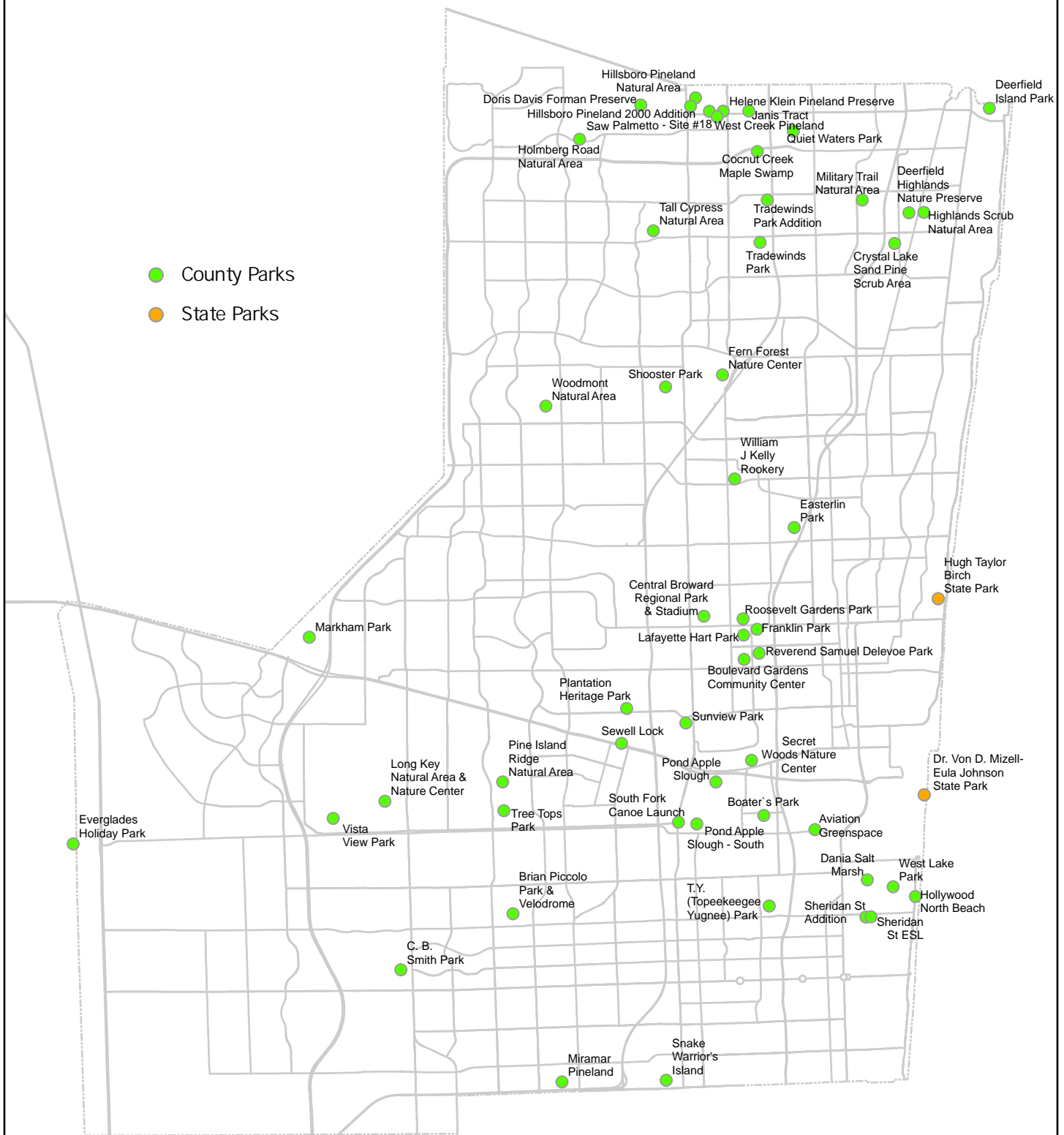
BROWARD COUNTY GOLF COURSES

CITY	GOLF COURSE	PROJECTED POPULATION AT BUILDOUT (2045*)	LOS ACRES REQUIRED	EXISTING PARKS ACRES	GOLF COURSE ACRES	ALLOWED ACRES (15%)	PROPOSED ALLOWED ACRES (25%)	PROPOSED ALLOWED ACRES (50%)	GC CREDIT TAKEN BY CITY (AC)
COCONUT CREEK	ADIOS (Private) WYNMOOR	64,885	194.66	281.00	209.00	29.20	48.66	97.33	31.00
					129.00				
					80.00				
COOPER CITY	COOPER COLONY	34,449	103.35	332.45	67.00	15.50	25.84	51.67	14.81
					67.00				
CORAL SPRINGS	CORAL SPRINGS EAGLE TRACE	142,885	428.66	807.00	327.00	64.30	107.16	214.33	63.00
					157.00				
					170.00				
DAVIE	DAVIE GRANDE OAKS PINE ISLAND RIDGE	123,564	370.69	930.40	416.00	55.60	92.67	185.35	0.00
					134.00				
					176.00				
					106.00				
DEERFIELD BEACH	DEER CREEK	93,188	279.56	398.54	148.00	41.93	69.89	139.78	41.93
					148.00				
FORT LAUDERDALE	AMERICAN CORAL RIDGE OSSWALD	247,613	742.84	1,090.93	215.00	111.43	185.71	371.42	7.00
					136.00				
					72.00				
					7.00				
HALLANDALE BEACH	DIPLOMAT (PARTIAL)	45,052	135.16	133.02	88.56	20.27	33.79	67.58	0.00
					88.56				
HOLLYWOOD	DIPLOMAT (PARTIAL) ECO EMERALD HILLS HOLLYWOOD BEACH ORANGEBROOK	180,453	541.36	746.23	593.72	81.20	135.34	270.68	96.79
					22.27				
					44.90				
					167.35				
					102.08				
					257.12				
LAUDERHILL	LAUDERHILL	81,628	244.88	307.94	16.36	36.73	61.22	122.44	7.50
					16.36				
MARGATE	ORIOLE	68,660	205.98	197.74	124.00	30.90	51.50	102.99	30.90
					124.00				
PARKLAND	PARKLAND	34,670	104.01	299.88	269.11	15.60	26.00	52.01	0.00
					269.11				
PEMBROKE PINES	FLAMINGO LAKES GRAND PALMS HOLLYBROOK PEMBROKE LAKES	171,178	513.53	1,190.00	594.66	77.03	128.38	256.77	230.00
					142.65				
					216.07				
					125.71				
					110.23				

CITY	GOLF COURSE	PROJECTED POPULATION AT	LOS ACRES REQUIRED	EXISTING PARKS ACRES	GOLF COURSE ACRES	ALLOWED ACRES (15%)	PROPOSED ALLOWED ACRES (25%)	PROPOSED ALLOWED ACRES (50%)	GC CREDIT TAKEN BY CITY (AC)
PLANTATION	FORT LAUDERDALE	104,456	313.37	530.45	954.00	47.01	78.34	156.68	43.66
	JACARANDA				293.00				
	LAGO MAR				285.00				
	PLANTATION PRESERVE				162.00 214.00				
POMPANO BEACH	POMPANO BEACH MUNICIPAL	139,760	419.28	636.90	736.73	62.89	104.82	209.64	76.60
	PALM-AIRE (CYPRESS)				298.94				
	PALM-AIRE (PALMS)				145.93				
	PALM-AIRE (OAKS)				131.47 160.39				
SUNRISE	SPRINGTREE	105,224	315.67	333.50	149.25	47.35	78.92	157.84	37.50
	SUNRISE LAKES (EAST)				62.90				
	SUNRISE LAKES (WEST)				41.40 44.95				
TAMARAC	COLONY WEST	71,897	215.69	338.37	512.66	32.35	53.92	107.85	29.33
	COLONY WEST - GLADES				156.36				
	WOODMONT				78.35 277.95				
WESTON	BONAVENTURE (EAST)	68,107	204.32	238.89	641.74	30.65	51.08	102.16	0.00
	BONAVENTURE (WEST)				182.92				
	WESTON HILLS				109.70 349.12				

* or 2020 Census population, whichever is greater

ATTACHMENT 3 BROWARD COUNTY REGIONAL PARKS AMENDMENT PCT 24-1



- County Parks
- State Parks

Note: This map is for illustrative purposes only.



NOT TO SCALE

Regional Parks Table

NAME	OWNER	TYPE	ADDRESS	MUNICIPALITY	ACREAGE	CITY PARK TABLES
Janis Tract	Broward County	County	3900 W Hillsboro Boulevard	Coconut Creek	7.12	
Helene Klein Pineland Preserve	Broward County	County	4600 W Hillsboro Boulevard	Coconut Creek	14.12	
Fern Forest Nature Center	Broward County	County	201 Lyons Road	Coconut Creek	247.10	10.00
				Margate		10.00
Hillsboro Pineland Natural Area	Broward County	County	5591 Northwest 74 Place	Coconut Creek	56.30	
Hillsboro Pineland 2000 Addition	Broward County	County	North State Road 7	Coconut Creek	11.75	
Tradewinds Park Addition	Broward County	County	Sample Road	Coconut Creek	30.92	5.00
Tradewinds Park	Broward County	County	3600 West Sample Road	Coconut Creek	626.70	5.00
Saw Palmetto - Site #18	Broward County	County	3450 West Hillsboro Boulevard	Coconut Creek	9.00	
West Creek Pineland	Broward County	County	4800 West Hillsboro Boulevard	Coconut Creek	7.43	
Coconut Creek Maple Swamp	Broward County	County	5900 Northwest 40 Avenue	Coconut Creek	10.91	
Brian Piccolo Park & Velodrome	Broward County	County	9501 Sheridan Street	Cooper City	175.20	10.00
Tall Cypress Natural Area	Broward County	County	3700 Turtle Run Boulevard	Coral Springs	66.00	39.00 Note 1
Dania Salt Marsh	Broward County	County	Dania Beach Boulevard	Dania Beach	86.26	
Pond Apple Slough	Broward County	County	2701 State Road 7	Dania Beach	229.17	4.60
				Davie		10.00
Aviation Greenspace	Broward County	County	Southwest Perimeter Rd	Dania Beach	30.68	
Boater`s Park	Broward County	County	North Side of Dania Cutoff Canal	Dania Beach	6.50	
South Fork Canoe Launch	Broward County	County	State Road 7	Dania Beach	0.86	
Dr. Von D. Mizell-Eula Johnson State Park	State of Florida	State	6503 North Ocean Drive	Dania Beach	391.02	
				Hollywood		10.00
Long Key Natural Area & Nature Center	Broward County	County	3501 Southwest 130 Avenue	Davie	164.80	10.00
Vista View Park	Broward County	County	3601 Southwest 142 Avenue	Davie	272.00	10.00
Tree Tops Park	Broward County	County	3900 Southwest 100 Avenue	Davie	243.30	
Pine Island Ridge Natural Area	Broward County	County	3900 Southwest 100 Avenue	Davie	101.20	10.00
Quiet Waters Park	Broward County	County	6601 North Powerline Road	Deerfield Beach	431.40	10.00
Military Trail Natural Area	Broward County	County	4600 Military Trail	Deerfield Beach	19.90	
Deerfield Island Park	Broward County	County	1720 Deerfield Island Park	Deerfield Beach	53.30	5.33
Franklin Park	Broward County	County	2501 Franklin Park Drive	Fort Lauderdale	3.07	
Roosevelt Gardens Park	Broward County	County	2841 Northwest 11 Street	Fort Lauderdale	5.06	
Reverend Samuel Delevoe Park	Broward County	County	2520 Northwest 6 Street	Fort Lauderdale	36.00	
Lewis Chisolm Park	Broward County	City	2620 Northwest 8 Street	Fort Lauderdale	0.44	
Lafayette Hart Park	Broward County	County	2851 Northwest 8 Road	Fort Lauderdale	1.14	
Pond Apple Slough - South	Broward County	County	4100 West Griffin Road	Fort Lauderdale	20.32	
Everglades Holiday Park	Broward County	County	21940 West Griffin Road	Fort Lauderdale	29.00	
William J Kelly Rookery	Broward County	County	5000 Northwest 31 Avenue	Fort Lauderdale	16.84	
Mills Pond Park Addition	Broward County	City	2201 Northwest 9 Avenue	Fort Lauderdale	63.76	63.76
Secret Woods Nature Center	Broward County	County	2701 West State Road 84	Dania Beach	57.00	5.70
Hugh Taylor Birch State Park	State of Florida	State	3109 East Sunrise Boulevard	Fort Lauderdale	166.02	
Sheridan St Addition	Broward County	County	1210 Sheridan Street	Hollywood	5.36	
Sheridan St Esl	Broward County	County	1200 Sheridan Street	Hollywood	12.45	
Hollywood North Beach	Broward County	County	3501 North Ocean Drive	Hollywood	56.00	6.13

Regional Parks Table

NAME	OWNER	TYPE	ADDRESS	MUNICIPALITY	ACREAGE	CITY PARK TABLES
T.Y. (Topeekeegee Yugnee) Park	Broward County	County	3300 North Park Road	Hollywood	138.60	10.00
West Lake Park	Broward County	County	1200 Sheridan Street	Hollywood	1,476.44	10.00
				Dania Beach		10.00
Central Broward Regional Park & Stadium	Broward County	County	3700 Northwest 11 Place	Lauderhill	110.00	10.00
Shooster Park	Broward County	County	Southwest 64 Terrace	Margate	9.76	1.98
Miramar Pineland	Broward County	County	3600 South University Drive	Miramar	157.00	159.11
Snake Warrior's Island	Broward County	County	4000 Southwest 64 Avenue	Miramar	53.30	5.50
Easterlin Park	Broward County	County	1000 Northwest 38 Street	Oakland Park	46.60	4.70
Doris Davis Forman Preserve	Broward County	County	7300 Parkside Drive	Parkland	19.32	20.04
Holmberg Road Natural Area	Broward County	County	8701 Holmberg Road	Parkland	38.31	
C.B. Smith Park	Broward County	County	900 North Flamingo Road	Pembroke Pines	299.00	
Sewell Lock	Broward County	County	Davie Road	Plantation	4.20	
Plantation Heritage Park	Broward County	County	1100 South Fig Tree Lane	Plantation	88.50	
Highlands Scrub Natural Area	Broward County	County	4050 North Dixie Highway	Pompano Beach	34.27	3.87
Deerfield Highlands Nature Preserve	Broward County	County	Northeast 5 Avenue	Pompano Beach	9.97	
Crystal Lake Sand Pine Scrub Area	Broward County	County	3299 Northeast 3 Avenue	Pompano Beach	24.20	2.42
Markham Park	Broward County	County	16001 West State Road 84	Sunrise	669.58	10.00
Woodmont Natural Area	Broward County	County	7250 Northwest 80 Avenue	Tamarac	21.10	2.10
TOTAL					6,965.55	

Note 1 - 3 ac (10% of County-owned 30 ac) + 36 ac of City-owned (100%)

ATTACHMENT 4

PLANNING COUNCIL STAFF RESPONSE DOCUMENT

SECTION 2: IMPLEMENTATION REQUIREMENTS AND PROCEDURES

COMMUNITY AND REGIONAL PARKS AND OPEN SPACE

The ~~Community and Regional Parks and Open Space~~ requirements of the BrowardNext - Broward County Land Use Plan are maintained ~~based upon those standards recommended within the Open Space Study, 1975, which were mandatory requirements of the 1977 Broward County Land Use Plan. The updated Broward County Land Use Plan incorporates the Community and Regional parks standards~~ in order to preserve open space and natural lands, to provide for public parks and the recreational needs of Broward County's residents and visitors ~~achieve a diversified and balanced parks and recreation system~~ and to establish consistent treatment standards for park facilities throughout Broward County.

Municipal Comment: Delete "treatment" and replace with "standards." See Attachment 5.

Planning Council Staff Response: Revised as depicted above and in Attachment 1.A.

Local governments within Broward County are required to provide for a minimum of three (3) acres of Community level pParks and Open Space for every 1,000 existing and projected permanent residents within their jurisdiction. In addition, tThe Broward County Board of County Commissioners is required to provides for a minimum of three (3) acres of Regional level pParks and Open Space to protect and enhance the County's diverse natural ecosystems, parks system and world-class recreational facilities for every 1,000 existing and projected permanent residents.

Municipal Comments: The changes removes the County's requirement to meet a regional LOS, but municipalities must provide three (3) acres per thousand. It is noted that Chapter 163.3180 Concurrency – Florida Statutes, requires municipalities and the county to establish and meet parks and open space level of service standards. The Broward County Comprehensive Plan Recreation and Open Space Element Policy R3.2 establishes a level of service standard for regional parks of three (3) acres per thousand persons (minimum). The Broward County Code of Ordinances, Chapter 5 – Building Regulations and Land Use, Article IX. – Broward County Land Development Code, Division 2.-Development Review Requirements, Section 5-182.7.-Adequacy of parks and recreation, requires that certain applications for development permit are subject to a determination of adequacy of regional parks and recreation facilities and the payment of impact fees. For consistency among the Broward County Land Use Plan, the Broward County Comprehensive Plan, and the Broward County Code of Ordinances, it is recommended that the County's requirement to meet a level of service standard of three (3) acres per thousand remain. See Attachment 5.

Planning Council Staff Response: Chapter 163.3180, Florida Statutes, addresses concurrency only for sanitary sewer, solid waste, drainage and potable water, not parks. In addition, the Broward County Code of Ordinances will continue to require the collection of recreational impact fees for new residential development.

The acreage that may be used to meet the ~~Community and Regional~~ Parks and Open Space requirements is as follows:

1. **COMMUNITY PARKS AND OPEN SPACE**

- a. All park and open space acreage, including public plazas and green spaces, that is owned by the local government, and ~~zoned and/or~~ utilized for open space or recreation use, and ~~which is~~ accessible to the public on a regular or continuous basis for the purpose in which it is intended. ~~For additional acreage to be eligible to count towards the "community park" requirement for existing residents, conspicuous signage indicating that the acreage is accessible to the public, including identification of safe access point(s), shall be required. Otherwise, such acreage shall be prohibited from counting as a municipal "community park." Further, any additional waterway or water body that is counted as a municipal "community park" must have sufficient safe public access from the landward side along the shoreline of the waterway/water body within the subject municipality. A waterway/water body with safe public access from a bordering municipality may be counted as a "Community" park for the municipality in which it is located as long as such waterway/water body is readily accessible for use by residents of the host municipality and the public for the recreation or environmental purpose intended. It is recognized that there may be several recreational/environmental purposes for a waterway/water body, and such may have different recreational/environmental purposes at different access points.~~

Comment: In scenarios where cities develop city-owned parks for housing, they should have to calculate the loss of park acreage in the Park impact fees/replacement acreage not just the total number of new residential units that will be constructed. The municipal park land developed for housing contributes to a real loss of recreation and open space that is not being accounted for. See Attachment 6.

Planning Council Staff Response: The collection of recreational impact fees for new residential development will continue. In addition, Broward County Land Use Plan (BCLUP) Policy 2.5.4 requires that amendments to the BCLUP which would result in the loss of open space is strongly discouraged and required to address how open space and recreation needs of the existing and projected residents of the community will be met, including how the negative impacts of the loss of open space on surrounding neighborhoods will be minimized or mitigated.

- d. The total area of waterways or water bodies that provide sufficient safe public access from the landward side along the shoreline within the subject municipality. A waterway or water body with safe public access from a bordering municipality may be counted as a Community Open Space for the municipality in which it is located as long as it is readily accessible for use by residents of the host municipality and the public for the recreational or environmental purpose intended.

Comment: Would places that are publicly accessible and in the public right-of-way, such as the Florida Turnpike interchanges, be counted? See Attachment 5.

Planning Council Staff Response: Drainage areas such as the Florida Turnpike or similar areas would continue to not meet the criteria above as they do not provide sufficient safe public access nor recreational purpose.

de. Up to 50% of the total acreage of publicly owned golf courses that are zoned for recreational use and semi-public golf courses that are either zoned and deed restricted for open space use or zoned and restricted by other development order, such as site plan or subdivision approval, for open space use. However, golf course acreage may satisfy no more than ~~15%~~ 25% of the total Community Park and Open Space requirement.

Municipal Comment: What is a semi-public golf course? A private golf course open to the public is usually called semi-private, meaning members get certain privileges such as priority tee times. See Attachment 5.

Planning Council Staff Response: A semi-public golf course is a privately owned golf course which is available for the public to use at certain times.

ef. Other private recreational acreage or open areas over ~~0.5~~ 0.25 acres that are zoned and/or deed restricted for open space use including a mixture of active and passive recreational facilities. Up to 100% of the total acreage may be counted provided the area does not exceed 3 acres/1,000 residents sharing the facilities.

Municipal Comment: Could this include private plazas? See Attachment 5.

Planning Council Staff Remarks: Private plazas could meet the criteria.

2. REGIONAL PARKS AND OPEN SPACE

All regional parks and open space owned by Broward County or the State of Florida and zoned and/or utilized for open space or recreation use, and which is accessible to the public on a regular or continuous basis for the purpose in which it is intended.

Municipal Comment: County won't be required to meet the three (3) acres per thousand level-of-service standard for regional parks, but only 25% of regional parks may be counted toward the municipal Community Park and Open Space Requirement. This also increases the inequity in municipalities that don't have a regional park. See Attachment 5.

Planning Council Staff Response: Municipalities with regional parks within its boundaries will be able to utilize this acreage to meet no more than 25% of its Community Park and Open Space requirement.

Municipal Comment: What is this saying? Is this the definition of Regional Parks and open space. This is unclear. See Attachment 6.

Planning Council Staff Response: This is a streamlined definition of regional parks and open space. Municipalities will be able to utilize regional parks acreage within its municipal boundaries to meet no more than 25% of its Community Park and Open Space requirement.

ATTACHMENT 5



Resilient Environment Department
URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521



DATE: March 4, 2024

TO: Deanne D. Von Stetina, AICP, Assistant Executive Director
Broward County Planning Council

FROM: Josie Sesodia, AICP, Director
Urban Planning Division Josie P. Sesodia

Digitally signed by Josie
P. Sesodia
Date: 2024.03.18
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SUBJECT: BCLUP Community and Regional Parks Criteria

On February 16, 2024, the Broward County Planning Council requested comments regarding a proposed update to the Community and Regional Parks Criteria of Section 2 (Implementation Requirements and Procedures) of the Broward County Land Use Plan.

The Broward County Resilient Environment Department's Urban Planning Division comments are listed below. Proposed additions are shown with a double underline and proposed deletions are shown with the ~~double strike through~~.

1. ~~COMMUNITY AND REGIONAL PARKS AND OPEN SPACE~~

The ~~Community and Regional Parks and Open Space~~ requirements of the BrowardNext - Broward County Land Use Plan are maintained based upon those standards recommended within the ~~Open Space Study, 1975, which were mandatory requirements of the 1977 Broward County Land Use Plan.~~ The updated Broward County Land Use Plan incorporates the ~~Community and Regional parks standards~~ in order to preserve open space and natural lands, to provide for public parks and the recreational needs of Broward County's residents and visitors achieve a diversified and balanced parks and recreation system and to establish consistent ~~treatment~~ standards for park facilities throughout Broward County.

2. Local governments within Broward County are required to provide for a minimum of three (3) acres of ~~Community level~~ Parks and Open Space for every 1,000 existing and projected permanent residents within their jurisdiction. ~~In addition, the Broward County Board of County Commissioners is required to provide~~ for a minimum of three (3) acres of Regional level Parks and Open Space to protect and enhance the County's diverse natural ecosystems, parks system and world-class recreational facilities for every 1,000 existing and projected permanent residents.

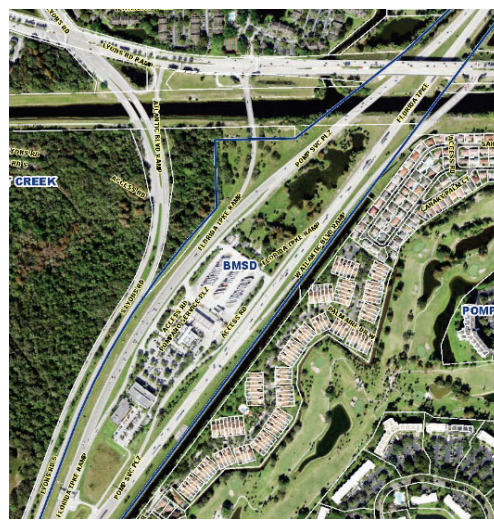
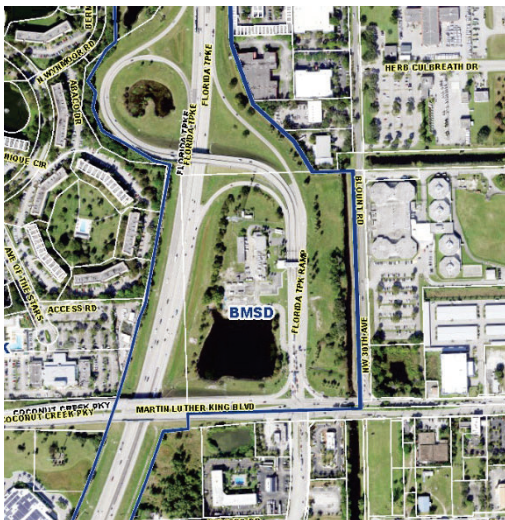
Comments: *The changes removes the County's requirement to meet a regional LOS, but municipalities must provide three (3) acres per thousand. It is noted that Chapter 163.3180 Concurrency - Florida Statutes, requires municipalities and the county to establish and meet parks and open space level of service standards.*

The Broward County Comprehensive Plan Recreation and Open Space Element Policy R3.2 establishes a level of service standard for regional parks of three (3) acres per thousand persons (minimum). The Broward County Code of Ordinances, Chapter 5 – Building Regulations and Land Use, Article IX. – Broward County Land Development Code, Division 2.-Development Review Requirements, Section 5-182.7.-Adequacy of parks and recreation, requires that certain applications for development permit are subject to a determination of adequacy of regional parks and recreation facilities and the payment impact fees.

For consistency among the Broward County Land Use Plan, the Broward County Comprehensive Plan, and the Broward County Code of Ordinances, it is recommended that the County’s requirement to meet a level of service standard of three (3) acres per thousand remain.

3. d. The total area of waterways or water bodies which provide sufficient safe public access from the landward side along the shoreline within the subject municipality. A waterway or water body with safe public access from a bordering municipality may be counted as a Community Open Space for the municipality in which it is located as long as it is readily accessible for use by residents of the host municipality and the public for the recreational or environmental purpose intended.

Comments: Would places that are publicly accessible and in the public right-of-way, such as the Florida Turnpike interchanges shown below, be counted?



4. de. Up to 50% of the total acreage of publicly owned golf courses that are zoned for recreational use and semi-public golf courses that are either zoned and deed restricted for open space use or zoned and restricted by other development order, such as site plan or subdivision approval, for open space use. However, golf course acreage may satisfy no more than ~~45%~~ 25% of the total Community Park and Open Space requirement.

Comments: *What is a semi-public golf course? A private golf course open to the public is usually called semi-private, meaning members get certain privileges such as priority tee times.*

5. ~~ef.~~ Other private recreational acreage or open areas over ~~0.5~~ 0.25 acres that are zoned and/or deed restricted for open space use including a mixture of active and passive recreational facilities. Up to 100% of the total acreage may be counted provided the area does not exceed 3 acres/1,000 residents sharing the facilities.

Comments: *Could this include private plazas?*

6. ~~fg. Public or private~~ Regional Parks and Open Space located within municipal jurisdictions limited to ~~40% of the total acreage with a maximum of 10-15 acres per park if owned by a separate jurisdiction or agency~~ no more than 25% of the total Community Park and Open Space requirement.

Comments: *County won't be required to meet the three (3) acres per thousand level-of-service standard for regional parks, but only 25% of regional parks may be counted toward the municipal Community Park and Open Space Requirement. This also increases the inequity in municipalities that don't have a regional park.*

ATTACHMENT 6

COMMENTS FROM BROWARD COUNTY PARKS AND RECREATION DIVISION

SECTION 2: IMPLEMENTATION REQUIREMENTS AND PROCEDURES

~~COMMUNITY AND REGIONAL PARKS AND OPEN SPACE~~

1. COMMUNITY PARKS AND OPEN SPACE

- a. All park and open space acreage, including public plazas and green spaces, that is owned by the local government, and ~~zoned and/or~~ utilized for open space or recreation use, and ~~which is~~ accessible to the public on a regular or continuous basis for the purpose in which it is intended.

Comment: In scenarios where cities develop city-owned parks for housing, they should have to calculate the loss of park acreage in the Park impact fees/replacement acreage not just the total number of new residential units that will be constructed. The municipal park land developed for housing contributes to a real loss of recreation and open space that is not being accounted for.

2. REGIONAL PARKS AND OPEN SPACE

All regional parks and open space owned by Broward County or the State of Florida and zoned and/or utilized for open space or recreation use, and which is accessible to the public on a regular or continuous basis for the purpose in which it is intended.

Comment: What is this saying? Is this the definition of Regional Parks and open space. This is unclear.