

BROWARD COUNTY
Planning Council



February 12, 2020

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Florida Department of Economic Opportunity
Caldwell Building
107 East Madison, MSC 160
Tallahassee, FL 32399

Dear Mr. Eubanks:

On February 11, 2020, the Broward County Board of County Commissioners held a public hearing in accordance with Chapter 163, Florida Statutes, and voted to adopt Ordinance Number 2020-06, amending the Broward County Comprehensive Plan. The enclosed ordinance adopts a Small-Scale amendment to the Broward County Land Use Plan (BCLUP) map (PC 20-3).

Broward County hereby submits the adopted Small-Scale amendment in accordance with Chapter 163.3187(1), Florida Statutes. The amendment brings Broward County's cumulative total of Small-Scale amendment acreage for 2020 to 4.2 acres for the BCLUP.

A copy of the adoption ordinance and the adopted amendment and map are provided (one hard copy and two digital copies). In addition, one digital copy of this submittal is being provided directly to the South Florida Regional Planning Council by copy of this letter.

Please feel free to contact me or Deanne Von Stetina, AICP, Assistant Executive Director for the Planning Council, if you have any questions or require additional information.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:DDV
Enclosures

cc/enc: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council
Maite Azcoitia, Deputy County Attorney, Broward County

cc: Bertha Henry, Broward County Administrator
Josie P. Sesodia, AICP, Director, Broward County Planning and Development Management
Division
David Recor, Director, Pompano Beach Development Services

PUBLIC HEARING BROWARD COUNTY COMPREHENSIVE PLAN NOTICE OF CHANGE OF LAND USE

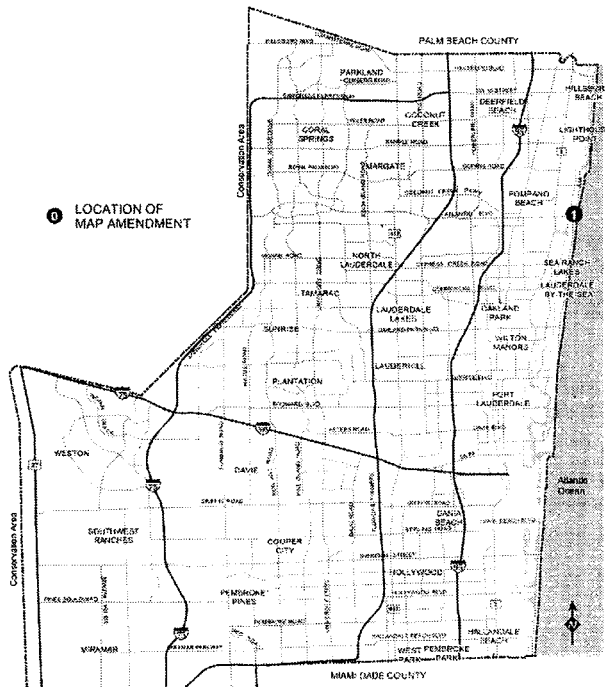
Broward County proposes amendments to the Broward County Comprehensive Plan, which includes the Broward County Land Use Plan. The amendment proposes a change to the use of land within the area described below and shown on the map in this advertisement. The Broward County Board of County Commissioners will hold a public hearing on Tuesday, February 11, 2020, at 10:00 A.M. in Room 422, Governmental Center Building, 115 South Andrews Avenue, Fort Lauderdale, to consider adoption of Item 1, per Chapter 163, Florida Statutes, as amended.

At the public hearing, any citizen, property owner, public official or local government representative shall be entitled to be heard for or against the subject of the public hearing, in person or by letter addressed to the County Commission. Time allotted to speakers, other than staff, members of the Commission and applicants for amendments, may be limited by the Mayor for each public hearing agenda item to allow maximum participation by the public at large. Potential speakers shall be prohibited from assigning allotted time, unless specifically authorized to do so by the Commission. All potential speakers, excluding staff, members of the Commission and applicants for amendments, shall be required to sign in on the requisite sign in sheet as to each public hearing agenda item. Strict order and decorum shall be preserved. The Mayor shall limit repetitive debate. If you require communication aids, please contact the Office of the County Administrator at 954.357.7000 or Hearing Impaired/TTY at 954.831.3940. Please make accommodation requests at least three (3) days in advance.

Information on the amendment is presented below. For additional information contact the Broward County Planning Council, 115 South Andrews Avenue, Room 307, Fort Lauderdale, Florida 33301, Phone: 954.357.6695.

PUBLIC HEARING AGENDA BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS BROWARD COUNTY COMPREHENSIVE PLAN FEBRUARY 11, 2020 - 10:00 A.M.

ITEM 1 AMENDMENT PC 20-3
 Small Scale Amendment to the Broward County Land Use Plan – City of Pompano Beach
From 3.5 acres of Recreation and Open Space and 0.7 acres of Community to Commerce
 Approximately 4.2 acres; generally located on the north side of Atlantic Boulevard, between Riverside Drive and State Road A1A.



Notice to Members of the Public: If you wish to appeal any decision made by the Broward County Commission, with respect to any matter considered at such meeting or hearing, you will need a record of the proceedings. You may thus need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice is given pursuant to Section 286.0105, Florida Statutes.

SUN SENTINEL

Published Daily

Fort Lauderdale, Broward County, Florida

Boca Raton, Palm Beach County, Florida

Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE

Before the undersigned authority personally appeared

Mark Kuznitz who on oath says that he/she is a duly authorized representative of the Classified Department of the Sun-Sentinel, daily newspaper published in Broward/Palm Beach/Miami-Dade County, Florida, that the attached copy of advertisement, being, a NOTICE

OF PUBLIC HEARING in the matter of THE BROWARD COUNTY PLANNING COUNCIL - COMPREHENSIVE PLAN appeared in the paper on

FEBRUARY 3, 2020 AD ID# 6589264 further says that

the said Sun-Sentinel is a newspaper published in said Broward/Palm Beach/ Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Broward/Palm Beach/Miami-Dade County, Florida, each day, and has entered as second class matter at the post office in Fort Lauderdale, in said Broward County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant says that he/she has neither paid, nor promised, any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

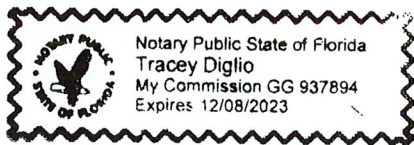
Handwritten signature of Mark Kuznitz

Mark Kuznitz, Affiant

Sworn to and subscribed before me on FEB 3, 2020

Handwritten signature of Tracey Diglio

(Signature of Notary Public)



(Name of Notary typed, printed or stamped)

Personally Known X or Produced Identification

PUBLIC HEARING BROWARD COUNTY COMPREHENSIVE PLAN NOTICE OF CHANGE OF LAND USE

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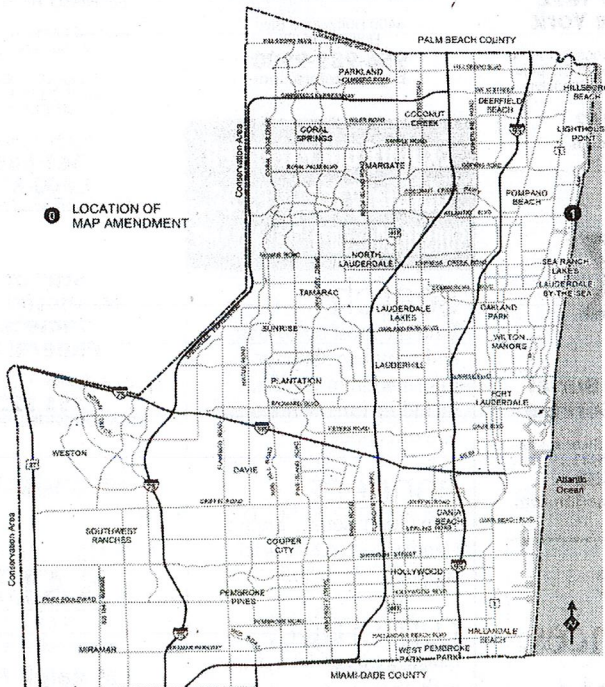
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ITEM 1

AMENDMENT PC 20-3

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ORDINANCE NUMBER 2020 - 06

ORDINANCE TO ADOPT AMENDMENT PC 20-3

ORDINANCE NO. 2020-06

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE BROWARD COUNTY LAND USE PLAN WITHIN THE CITY OF POMPANO BEACH; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

WHEREAS, the Department of Economic Opportunity has found the Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the Broward County Land Use Plan within the City of Pompano Beach;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearing on December 12, 2019, with due public notice;

WHEREAS, the Board of County Commissioners held an adoption public hearing on February 11, 2020, at 10:00 a.m., having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes, at which public comment was accepted and considered;

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

1 WHEREAS, the proposed amendment constitutes a Broward County permitted
2 small scale amendment to the Plan pursuant to Section 163.3187(1), Florida Statutes,

3 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
4 BROWARD COUNTY, FLORIDA:

5 Section 1. The Broward County Land Use Plan is hereby amended by
6 Amendment PC 20-3 in the City of Pompano Beach, set forth in Exhibit "A," attached
7 hereto and incorporated herein.

8 Section 2. Severability.

9 If any portion of this Ordinance is determined by any court to be invalid, the invalid
10 portion will be stricken, and such striking will not affect the validity of the remainder of this
11 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
12 legally applied to any individual, group, entity, property, or circumstance, such
13 determination will not affect the applicability of this Ordinance to any other individual,
14 group, entity, property, or circumstance.

15 Section 3. Effective Date.

16 1. The effective date of the plan amendment set forth in this Ordinance shall
17 be the latter of:

- 18 (a) Thirty-one (31) days after the adoption of this Ordinance;
- 19 (b) The date a final order is issued by the Department of Economic Opportunity
20 or the Administration Commission finding the amendment to be in
21 compliance;
- 22 (c) If the Department of Economic Opportunity or the Administration
23 Commission finds the amendment to be in noncompliance, pursuant to
24 Section 163.3184(8)(b), Florida Statutes, the date the Board of County

1 Commissioners nonetheless, elects to make the plan amendment effective
2 notwithstanding potential statutory sanctions; or

3 (d) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
4 date the Declaration of Restrictive Covenants is recorded in the Public
5 Records of Broward County.

6 2. This Ordinance is effective as of the date provided by law.

7
8 ENACTED February 11, 2020

9 FILED WITH THE DEPARTMENT OF STATE

10 EFFECTIVE

11
12 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

13
14 By /s/ Maite Azcoitia 01/06/20
15 Maite Azcoitia (date)
16 Deputy County Attorney

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18
19
20
21
22 MA/gmb
23 PC20-3 City of Pompano Beach.SmallScaleOrd.
01/06/20
24 #80041

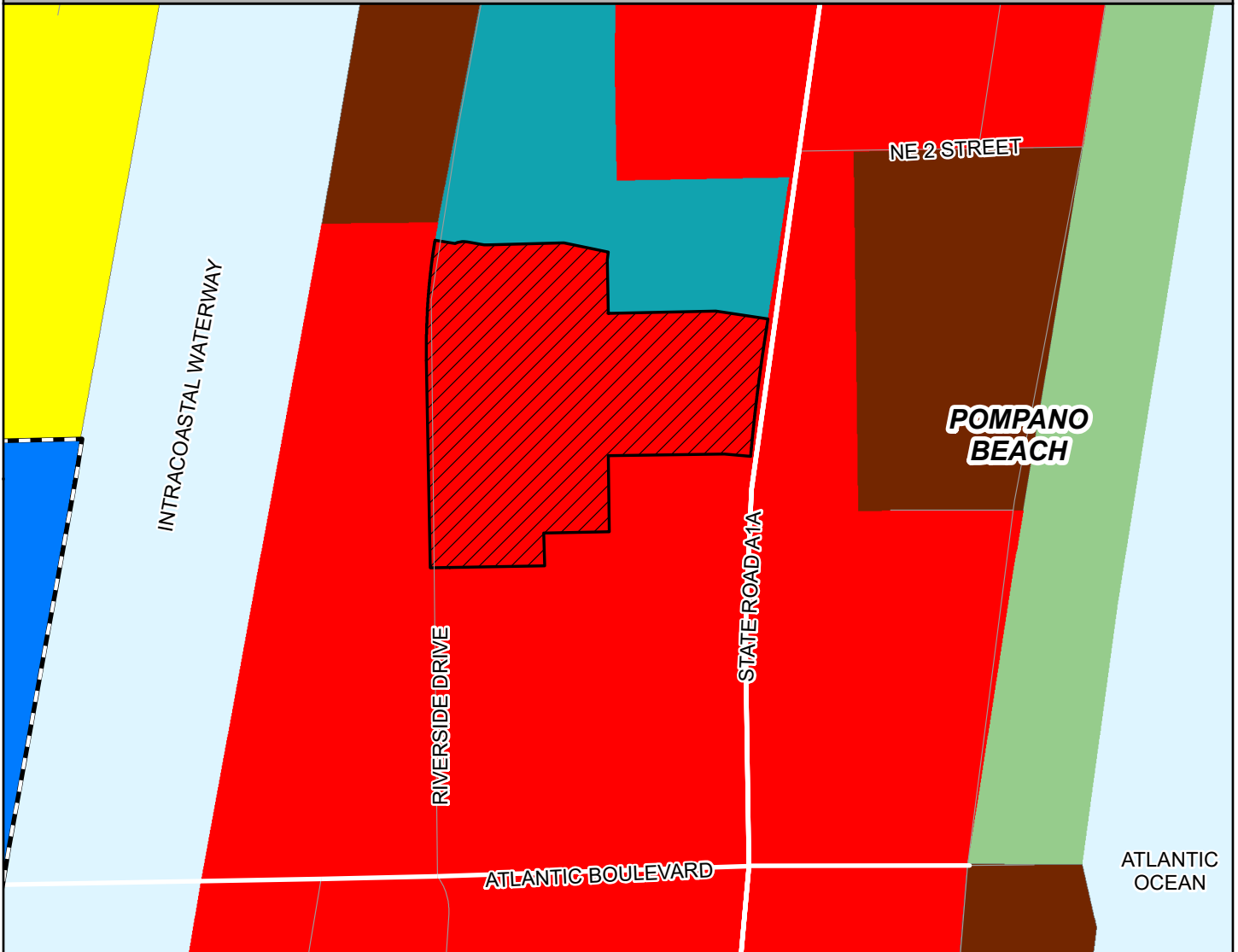
EXHIBIT A









BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 20-3

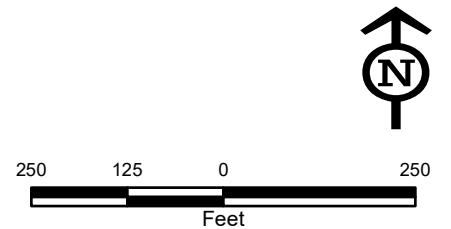
Current Land Uses: 3.5 acres of Recreation and Open Space and 0.7 acres of Community

Proposed Land Use: Commerce

Gross Acres: Approximately 4.2 acres



- | | |
|---|---|
|  Site |  Commerce |
|  Low (5) Residential |  Recreation and Open Space |
|  High (50) Residential |  Community |
|  Activity Center |  Water |



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 20-3
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

- I. Planning Council Staff Recommendation December 3, 2019

As the proposed amendment has not yet demonstrated compliance with BrowardNext - Broward County Land Use Plan (BCLUP) Policy 2.14.9, Planning Council staff would generally recommend denial. However, due to the unanticipated delay regarding the review of the applicant's proposed transportation methodology and mitigation strategy, Planning Council **staff recommends approval subject to compliance with BCLUP Policy 2.14.9, prior to a second Planning Council public hearing.**

- II. Planning Council Recommendation December 12, 2019

Approval, recognizing the City of Pompano Beach's General Obligation Bond Complete Street project for State Road A1A and its micro-transit program along Atlantic Boulevard, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous: 12-0; Blackwelder, Breslau, Brunson, Castillo, Fernandez, Gomez, Graham, Hardin, Maxey, Parness, Rosenof and Stermer)

- III. County Commission Final Action February 11, 2020

Approved per Planning Council recommendation.

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 20-3

INTRODUCTION AND APPLICANT'S RATIONALE

- I. Municipality: Pompano Beach
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 4.2 acres
- B. Location: In Section 31, Township 48 South, Range 43 East; generally located north of Atlantic Boulevard, between Riverside Drive and State Road A1A.
- C. Existing Use: Surface parking lot
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designations: 3.5 acres of Recreation and Open Space
0.7 acres of Community
- B. Proposed Designation: Commerce
- C. Estimated Net Effect: **Addition** of 42,000 square feet of commerce use
Reduction of 3.5 acres of recreation and open space
Reduction of 7,000 square feet of community use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses: *North:* Fire station
East: Retail and multi-family residential
South: Multi-family residential
West: Marina and hotel
- B. Planned Uses: *North:* Community
East: Commerce
South: Commerce
West: Commerce

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

A. *Applicant:* City of Pompano Beach

B. *Agent:* City of Pompano Beach

C. *Property Owner:* City of Pompano Beach

VII. Recommendation of
Local Governing Body:

The City of Pompano Beach recommends approval of the proposed amendment.

EXHIBIT B

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

TABLE OF CONTENTS

**SMALL SCALE
AMENDMENT TO THE
BROWARD COUNTY COMPREHENSIVE PLAN
PC 20-3
ADOPTION**

FEBRUARY 11, 2020

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EXPLANATION OF TRANSPORTATION TERMINOLOGY

Year 2040:	Long Range Regional Transportation Network
I.T.E.:	Institute of Transportation Engineers Trip Generation Manual
Capacity:	Capacity at Level of Service D in thousands of vehicles at p.m. peak hour
P.M. Peak Hour:	Traffic in thousands of vehicles per peak hour (i.e. one hour measured between 4:00 and 6:00 p.m.)
Annual Average Daily Traffic (A.A.D.T.):	The volume passing a point or segment of a roadway in both directions for one year divided by the number of days in the year. ¹
Significance Threshold:	Corresponding to additional p.m. peak hour trips at three-percent (3%) or more of such capacity of a regional transportation link at the long-range planning horizon per BrowardNext - Broward County Land Use Plan Policy 2.14.9.
LOS:	Level of Service ² (LOS D is a policy of the Broward County Board of County Commissioners)
A	LOS A describes primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the given street class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.
B	LOS B describes reasonable unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the street class. The ability to maneuver within the traffic stream is only slightly restricted, and control delays at signalized intersections are not significant.
C	LOS C describes stable operations; however, ability to maneuver and change lanes in midblock locations may be more restricted than at LOS B, and longer queues, adverse signal coordination, or both may contribute to lower average travel speeds of about 50 percent of the free-flow speed for the street class.
D	LOS D borders on a range in which small increases in flow may cause substantial increases in delay and decreases in travel speed. LOS D may be due to adverse signal progression, inappropriate signal timing, high volumes, or a combination of these factors. Average travel speeds are about 40 percent of free-flow speed.
E	LOS E is characterized by significant delays and average travel speeds of 33 percent or less of the free-flow speed. Such operations are caused by a combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.
F	LOS F is characterized by urban street flow at extremely low speeds, typically one-third to one-fourth of the free-flow speed. Intersection congestion is likely at critical signalized locations, with high delays, high volumes, and extensive queuing.

¹ Definition provided by the Broward Metropolitan Planning Organization.

² Highway Capacity Manual. Transportation Research Board: National Research Council, Washington, D.C. 2000, page 10-5.