



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER

Name: Mark A. Kutney, AICP
Phone: (954) 797-1101

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE TOWN OF DAVIE FUTURE LAND USE ELEMENT AND FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

Requesting a resolution to ask Broward County to recertify the Town of Davie's Future Land Use Plan Map and, as such, find it in compliance.

As required by Article 3 of the Administrative Rules Document of the Broward County Land Use Plan, all amendments to the Town's Land Use Plan Map must be recertified by the Broward County Planning Council. The attached document identifies all changes made to the Town's Land Use Plan Map including utilization of the 'flex' and 'reserve' provisions provided by the Broward County Land Use Plan.

The Broward County Land Use Map divides the Town of Davie into 12 'flexibility zones.' Within these zones, the rearrangements of land uses and residential densities is allowed pursuant to Article 1 of the Administrative Rules Document of the Broward County Land Use Plan. Any use of these flexible provisions by the Town is reviewed, for final approval, by Broward County for compatibility with adjacent land uses, and the impacts on public school facilities.

Upon approval, by resolution, to transmit this information to the Broward County Planning Council, the Planning Council will hold one public hearing to find the Town's Land Use Plan recertified. No further action will be required by the Town at that time.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None.

RECOMMENDATION(S): Motion to approve.

Attachment(s): Resolution with attachments.

**DEVELOPMENT SERVICES DEPARTMENT
Planning & Zoning Division**

MEMORANDUM

PZ 01-24-00

02/02/00 COUNCIL AGENDA ITEM

TO: Robert C. Middaugh, Town Administrator

THRU: Mark A. Kutney, AICP, Development Services Director

THRU: Jeff Katims, AICP, Planning & Zoning Manager

FROM: Marcie Oppenheimer Nolan, AICP, Planner II

DATE: 1/27/00

RE: Recertification of Land Use Plan Amendments

As required by Article 3 of the Administrative Rules Document of the Broward County Land Use Plan, all amendments to the Town's Land Use Plan Map, and use of flex and reserve units, must be recertified by the Broward County Planning Council.

The attached document identifies all changes made to the Town's Land Use Plan subsequent to the last recertification in November 13, 1997, including utilization of the flexibility and reserve provisions provided for by the Broward County Land Use Plan. The use of 'reserve' and 'flex' units by the Town enables the rearrangement of residential densities without the need for the town and/or applicant to go through a land use plan amendment. Flex and reserve units also enable the Town to encourage the location of residential land uses in target areas and allows the Town to provide bonus density to parcels of land where deemed appropriate. The recertification process ensures that the County Land Use Plan Map is consistent with the Town Land Use Plan Map and also ensures that both the Town's and the County's records are consistent.

Upon approval, by resolution, to transmit this information to the Broward County Planning Council, the Planning Council will hold one public hearing to find the Town's Land Use Plan recertified. No further action will be required by the Town at that time.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE TOWN OF DAVIE FUTURE LAND USE ELEMENT AND FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie has recently adopted text and map amendments to the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, Article 3, Subparagraph 3.5(A) of the Broward County Planning Council Administrative Rules Document requires that all amendments to certified local land use plans be recertified by the Planning Council; and

WHEREAS, the Town Council of the Town of Davie wishes to recertify the Town's land use plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie hereby requests the Broward County Planning Council recertify the Town of Davie Future Land Use Element and Future Land Use Plan Map to reflect amendments adopted subsequent to the last recertification, and hereby transmits the necessary recertification materials.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

Flexibility Chart for Reserve and Flex as of February 2, 2000

<i>Residential Reserve Units</i>				<i>Residential Flexibility Units</i>			
Flex Zone	Available Reserve	Available AFUs		Dwelling Units per BCLUP	Allowable per Town	Available Flex	Available AFUs
58	4	0	8*	368	316	49	2
77	0	0		0	0	0	0
81	12	1	1*	659	561	89	9
97	0	0		854	725	116	12
98	47	5		2615	2553	55	6
99	135	23	5*/9*	7837	8775	0	0
100	153	16	2*/7*	8598	8442	140	15
101	-1	0		35	35	0	0
102	141	15	3*	7795	7641	139	15
113	98	9	1-66/75*	9204	8784	303	33
115	0	0		0	0	0	0
117	40	4		2261	2222	35	3
Total	629	73		40226	40054	926	95

Bonus Sleeping Rooms

Allocated - 1

Remaining - 99

Notes

- 1* Results from LABC 96/2/BC 96-13; 4.25 ac from R-5 to Industrial for a loss of 21.25 d.u.
- 2* Results from LABC 96-1/BC 96-08; 37 ac from R-5 to R-8.5 for a net increase of 163.5 d.u.
- 3* Results from LABC 97-1C/BC 97-7; 15.7 ac of R-5 to 8.0 ac Residential Office (Town/Employment Center (County) and 7.7 ac Commercial for a decrease of 78.5 d.u. Additionally, 1 residential reserve unit was assigned from this flexibility zone as a bonus sleeping room for a special residential facility.
- 4* Results from LA/SS1 97-4B (local only); 2.65 ac from R-1 to Industrial
- 5* Results from allocation of one AFU and a correction for 10 reserve units assigned from flex zone 113 for affordable housing through Ordinance #97-16-1.
- 6* Results from a correction of 10 reserve units transferred to flex zone 99 for affordable housing from Ordinance #97-16-1.
- 7* Results from LABC 97-1A; 8.73 ac from R-5 to Commerce/Office (Commercial-BC) for a loss of 43 d.u.
- 8* Results from LABC 98-1D; 9.9 ac from R-10 to R-22 (Town) and R-25 (County) for an addition of 119 d.u. (Town) and 118 d.u. (BCLUP).
- 9* The Town's allowable unit count exceeds Broward County's unit count. This discrepancy is due to acreage within Arrowhead County Club which is reflected on the County Plan as residential 16 du/ac and on the Davie Plan as Residential 22 du/ac. Also, a portion of Rolling Hills Development has continued to be counted as commercial recreation in that the net increase in dwelling units from LABC 94-3 was determined by Broward County to be 169 units.

Plan Recertification by Flex Zone

Changes in Land Use Plan Acreage
from 1997 to Current

<u>Local County</u>	<u>From</u>	<u>To</u>	<u>Acreage</u>	<u>Date Adopted</u>
<u>Flex Zone 58</u>				
98-1D/98-2	R-10	R-22(Town) R-25(BCLUP)	9.9 ac	11/5/97
<u>Flex Zone 97</u>				
98-1A/98-1/98-7	R-10	RAC	225.18 ac	9/18/97
	R-22	RAC	28.27 ac	9/18/97
IND	RAC	219.95 ac	9/18/97	
<u>Flex Zone 98</u>				
98-1A/98-1/98-7	R-3	RAC	76.93 ac	9/18/97
	R-5	RAC	143.72 ac	9/18/97
	R-10	RAC	55.90 ac	9/18/97
R-16	RAC	70.54 ac	9/18/97	
	R-22	RAC	3.85 ac	9/18/97
COMM	RAC	49.81 ac	9/18/97	
	IND	RAC	38.71 ac	9/18/97
	UTILITY	RAC	4.05 ac	9/18/97
	CF	RAC	2.82 ac	9/18/97
	R/O	RAC	14 ac	9/18/97
	AG	RAC	40.96 ac	9/18/97
<u>Flex Zone 99</u>				
98-1A/98-1/98-7	R-1	RAC	10.03 ac	9/18/97
	R-10	RAC	36.53 ac	9/18/97
	R-16	RAC	64.66 ac	9/18/97
	R-22	RAC	26.16 ac	9/18/97
	COMM	RAC	110.77 ac	9/18/97
	Comm/Off	RAC	9.99 ac	9/18/97
	IND	RAC	215.73 ac	9/18/97
	CF	RAC	697.66 ac	9/18/97

Plan Recertification by Flex Zone
Changes in Land Use Plan Acreage
from 1997 to Current

<u>Local County</u>	<u>From</u>	<u>To</u>	<u>Acreage</u>	<u>Date Adopted</u>
<u>Flex Zone 100</u>				
97-4A/97-19	R-5	Comm/Off(Town)	8.73 ac	6/18/97
		Commercial(BCLUP)		
<u>Flex Zone 102</u>				
98-1A/98-1/98-7	R-10	RAC	18.89 ac	9/18/97
	R-16	RAC	5.94 ac	9/18/97
	R-22	RAC	11.54 ac	9/18/97
	COMM	RAC	31.07 ac	9/18/97
	CF	RAC	11.01 ac	9/18/97

OFFICE LAND USE DESIGNATION

ACRES FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE PER TOWN PLAN
58	0	0
77	0	0
81	0	0
97	0	0
98	0	0
99	*9.5	*9.5
100	0	0
101	0	0
102	0	0
113	0	0
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	9.5	0

***Reflects a 22 acre reduction per LABC 94-3. The previous acreage figure acreage figure per Town records is hereby corrected [previous acreage figure on chart should have reflected 31.5 acres] (4/1/95). Corresponding Town designation is Commerce/Office. Other parcels designated Commerce/Office are designated Commercial on the BCLUP, and are shown under the Commercial Land Use designation table.**

COMMERCIAL LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	0	0
77	7.9	7.9
81	30.7	40.5
97	0	0
98	(4)3.39	(4)3.39
99	(4)304.44	(4)380.44
100	(3)(1)179.99	(3)(1)231.19
101	0	0
102	(4)(2)554.53	(4)(2)548.53
113	266.5	250.19
115	0	0
117	<u>98.4</u>	<u>98.4</u>
<u>TOTAL</u>	1450.49	*1565.18

(1) Reflects LABC 96-1 / BC 96-08; 4 ac from Commercial to R-8.5 du/ac and 37 ac from R-5 to R-8.5.

(2) Reflects LABC 97-1C / BC 97-7; 7.7 ac from R-5 to Commercial and 8.0 ac from R-5 to Residential-Office (Town) / Employment Center (BCLUP).

(3) Reflects LABC 97-4A/BC 97-19; 8.73 ac from R-5 to Commerce/Office (Town), Commercial (BCLUP).

(4) Reflects LABC 98-1A/BC 98/7; 197 ac from Commercial to Regional Activity Center (RAC).

* Acreages shown for the Town include those areas designated Commercial and Commerce-Office.

Analysis of Compliance with 20% Commercial to Residential Rule per Section 2.5(A)(1) Administrative Rules Document: Per LA 95-1, LA 95-2, and ZB-5-3-98 (ZB-5-3-98, Ord.# 98-4; 2.2 ac from Commercial to RS-10 d.u.) a 18.51 acre reduction in commercial acreage was approved which amounts to 1.12% of the commercial acreage on the Broward County Land Use Plan.

INDUSTRIAL LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	476.7	476.7
77	0	0
81	(1)125.05	(1)125.05
97	(3)0	(3)0
98	(3)0	(3)0
99	(3)0	(3)0
100	0	0
101	0	0
102	18.0	18.0
113	(2)2.65	(2)2.65
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	622.4	622.4

(1) Results from LABC 96-2 / BC 96-13; 4.25 ac from R-5 to Industrial

(2) Results from LA 97-4B; 2.65 ac from R-1 to Industrial (already Industrial on BCLUP).

(3) Reflects LABC 98-1A/BC 98/7; 453.2 ac from Industrial to Regional Activity Center (RAC).

UTILITY LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	0	0
77	0	0
81	0	0
97	(1)0	(1)0
98	(1)0	(1)0
99	0	0
100	0	0
101	0	0
102	21.3	21.3
113	209.5	**9.5
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	230.8	30.8

(1) Reflects LABC 98-1A/BC 98/7; 23 ac from Utility to Regional Activity Center (RAC).

** The closed landfill site is designated as Recreation/Open Space on the Town plan and Utility on the County plan.

COMMUNITY FACILITY LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	0	0
77	0	0
81	12.5	12.5
97	0	0
98	(1)0	(1)0
*99	(1)0	(1)0
**100	.54	.54
101	0	0
102	(1)57.19	(1)59.99
113	0	0
115	0	0
117	<u>0</u>	<u>12.9</u>
<u>TOTAL</u>	70.21	89.31

(1) Reflects LABC 98-1A/BC 98/7; 679.51 ac from Community Facility to Regional Activity Center (RAC).

* Reflect .88 additional acres per LABC 92-1

**Reflects .54 additional acres per LABC 93-2

AGRICULTURE LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	0	0
77	0	0
81	0	0
97	0	0
98	(1)0	(1)0
99 0	0	
100	0	0
101	0	0
102	0	0
113	0	0
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	0	0

(1) Reflects LABC 98-1A/BC 98/7; 38 ac from Agricultural to Regional Activity Center (RAC).

TRANSPORTATION LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	158.6	158.6
77	29.1	29.1
81	9.5	9.5
97	42.1	42.1
98	13.8	13.8
99	182.4	182.4
100	115.1	115.1
101	0	0
102	14.4	14.4
113	515.4	515.4
115	72.0	72.0
117	<u>178.7</u>	<u>178.7</u>
<u>TOTAL</u>	1331.1	1331.1

RECREATION/OPEN SPACE LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	5.3	5.3
77	0	0
81	7.6	7.6
97	0	0
98	(1)7.2	(1)7.2
99	26.5	23.1
100	**221.8	35.6
101	0	0
102	34.8	34.8
113	132.6	**332.6
115	0	0
117	<u>2.2</u>	<u>2.2</u>
<u>TOTAL</u>	438	448.4

(1) Reflects LABC 98-1A/BC 98/7; 14 ac from Recreation/Open Space to Regional Activity Center (RAC).

** Within Flex Zone #100, the majority of Tree Tops Park is designated as Recreation/Open Space on the County plan and Residential 1 du/ac on the Town plan. Within Flex Zone #113, the County designates the closed Landfill site as Utility, while the Town designates it as Recreation/Open Space.

CONSERVATION LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	82.9	82.9
77	0	0
81	0	0
97	0	0
98	0	0
99	0	0
100	**68.7	0
101	0	0
102	0	0
*113	40	40
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	191.6	122.9

* Reflects 40 additional acres per LABC 93-3

** A portion of the Pine Island Ridge within Tree Tops Park is designated Conservation on the County Plan.

COMMERCIAL RECREATION LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	82.9	82.9
77	0	0
81	0	0
97	0	0
98	0	0
99	*110.84	**123.72
***100	10.6	10.6
101	0	0
102	0	0
113	40	40
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	244.34	257.22

Note The Rolling Hills DRI is designated as Commercial Recreation on the County plan while the Town indicates portions of the property as Residential 10 du/ac and Residential 16 du/ac.

* Reflects a reduction of .88 acres per LABC 92-1 and 201.7 acres per LABC 94-3.

**Reflects a reduction of .88 acres per LABC 92-1 and 122 acres per LABC 94.3.

***Reflects 10.6 additional acres per LABC 93-2.

REGIONAL ACTIVITY CENTER LAND USE DESIGNATION

FLEX ZONE #	ALLOWABLE ACRES PER COUNTY PLAN	ALLOWABLE ACRES PER TOWN PLAN
58	0	0
77	0	0
81	0	0
(1)97	493	493

(1)98	496	496
(1)99	1177	1177
100	0	0
101	0	0
(1)102	78	78
113	0	0
115	0	0
117	<u>0</u>	<u>0</u>
<u>TOTAL</u>	2,244	2,244

(1) Reflects LABC 98-1A/BC 98-7; 2,244 ac from R-3, 5, 10, 10,22, Commercial, Industrial, Utility, Commercial Facility, Recreation/Open Space, and Agricultural to Regional Activity Center (RAC).

UTILIZATION OF COMMERCIAL FLEXIBILITY RULES

5% RESIDENTIAL RULE (Policy 02.04.04)

<u>Flex Zone</u>	<u>Residential Acreage</u>	<u>5% Flex Allocated Pre-1996</u>	<u>5% Flex Allocated During '96</u>	<u>Total 5% Flex Allocated</u>	<u>5% Flex Recouped</u>	<u>5% Flex Remaining</u>
58	21.9	2.81	0	2.81*	0	0
77	0	0	0	0	0	0
81	65.55	3.33	0	3.33	0	0 (1)
97	0(12)	1.03	0	1.03	0	0
98	0(12)	.12	0	.12	0	0
99	793.72(12)	30.02	0	29.38	0	16.54(6)
100	4431.1	32.0	(21.72)	10.28	0	211.28(2)(3)
101	35.0	0	0	0	0	1.75
102	1055.14(12)	21.00	0	18.01	0(4)	77.14(4)(8)(9)(10)

113	5111.75	10	0	0	0	245.58 ⁽⁵⁾⁽⁷⁾⁽¹¹⁾
115	0	0	0	0	0	0
117	770.5	0	0	0	0	38.53

- (1) Residential acreage decreased per LABC 96-2 / BC 96-13
- (2) Residential acreage increased per LABC 96-1 / BC 96-08
- (3) Previous figure (189.36) incorrect, as it did not reflect the recovery of 21.72 acres of 50% flex
- (4) Residential acreage decreased per LABC 97-1C / BC 97-7, but .86 ac of commercial flex recouped.
- (5) Residential acreage decreased per LA 97-4B
- (6) Residential acreage decreased per Ord # 98-42 for 0.64 acres.
- (7) Residential acreage decreased per Ord # 99-03 for 6.45 acres.
- (8) Residential acreage decreased per Ord. # 98-022 for 1.47 acres.
- (9) Residential acreage decreased per Ord, # 97-052 for 1.52 acres.
- (10) Residential acreage decreased per Ord. #98-23 for .79 acres.
- (11) Residential acreage decreased per Ord. # 99-44 for 3.55 acres.
- (12) Residential increased decreased per LABC 98-1A/BC 98-7 from Residential for 736.78 acres

*This flex rezoning was approved under Hacienda Village jurisdiction. A larger acreage of Residential land use existed at the time and was revised to a Transportation land use designation due to the expansion of State Rd. 84/I-595 corridor.

20% INDUSTRIAL RULE (Policy 03.01.06)

		20% Flex	20% Flex	Total 20%		
	Industrial Acreage	Allocated Pre-1996	Allocated During '96	Flex Allocated	20% Flex Remaining	
Flex Zone						
58	476.7	7.86	0	7.86	87.48	
77	0	0	0	0	0	
(1)81	125.05	0	0	0	25.01	
97	(3)0	15.73*	0	15.73	0	
98	(3)0	0	0	0		
99	(3)0	7.00**	0**	7.00	0	
100	0	0	0	0	0	
101	0	0	0	0	0	
102	18.0	0	0	0	3.60	
(2)113	2.65	0	0	0	.53	
115	0	0	0	0		
117	0	0	0	0	0	

- (1) Industrial acreage increased by 4.25 ac from LABC 96-2 / BC 96-13
- (2) Industrial acreage increased by 2.65 ac from LA 97-4B
- (3) Reflects LABC 98-1A/BC 98/7; 416.63 ac from Industrial to Regional Activity Center (RAC).

*13.0 acres of flexibility reserved pursuant to Resolution #90-152

**7.0 acres of flexibility reserved pursuant to Resolution #90-151

20% EMPLOYMENT CENTER RULE (Policy 03.02.02)

<u>Acreage</u>	<u>Employment Center</u>	<u>20% Flex Allocated Pre-1996</u>	<u>20% Flex Allocated During '96</u>	<u>Total 20% Flex Allocated</u>	<u>20% Flex Remaining</u>
Flex Zone 58	0	0	0	0	0
77	0	0	0	0	0
81	0	0	0	0	0
97	0	0	0	0	0
98	0	0	0	0	0
99	0	0	0	0	0
100	0	0	0	0	0
101	0	0	0	0	0
102	0	0	0	0	0
113	0	0	0	0	0
115	0	0	0	0	0
117	0	0	0	0	0