



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: October 18, 2022

TITLE: Public Hearing - Ordinance Adopting a Comprehensive Plan Amendment
to Add Utility, Excluding Electrical Power Plants, Use to the Employment
Center Land Use Designation - Citywide - Case No. UDP-L22002 -
(Commission Districts 1, 2, 3 and 4)

Recommendation

Staff recommends the City Commission consider adopting an amendment to the City of Fort Lauderdale Comprehensive Plan Future Land Use Element to add utilities as a permitted use to Employment Center Future Land Use designation.

Background

The purpose of the proposed amendment is to allow utilities, excluding electrical power plants as a permitted use in the Employment Center future land use designation. The utility use includes water and wastewater treatment plants, pumping and transfer stations, solid waste disposal and transfer stations, electric substations, and excludes electric power plants. Similar Comprehensive Plan non-residential future land use designations that allow utilities include Commercial, Commercial Recreation, and Office Park. The County's future land use designation of "Commerce" correlates to the City's "Employment Center" future land use designation and allows utilities, excluding electrical power plants, as a permitted use. Therefore, adding utilities, excluding electric power plants, as a permitted use to the City's Employment Center future land use category will be consistent and compatible with the Broward County Land Use Plan.

A new potable water treatment plant is proposed to be constructed at 5900 Hawkins Road, a city-owned property that has an Employment Center future land use designation. The addition of utilities to the Employment Center future land use designation will allow the City to develop the proposed water treatment plant at this location. The proposed amendment is provided as Exhibit 1.

The amendment was reviewed by the Development Review Committee (DRC) on May 24, 2022. The DRC comments are attached as Exhibit 2. The Planning and Zoning Board (PZB) voted (7-0) recommending that the City Commission approve the ordinance amending the Comprehensive Plan. The PZB staff report and meeting minutes are

attached as Exhibit 3 and Exhibit 4, respectively.

The City Commission approved the ordinance on first reading (4-0) at their August 16, 2022 meeting and the amendment was transmitted to the Florida Department of Economic Opportunity (DEO) and the state agencies that review comprehensive plans such as the Florida Department of Transportation, the South Florida Water Management District, and the South Florida Regional Planning Council. DEO issued a letter dated September 16, 2022 indicating the agency has reviewed the proposed amendment and has no comments. The letter is attached as Exhibit 5. No comments were received from other reviewing agencies.

Review Criteria

Per ULDR Section 47-24.8, Comprehensive Plan Amendment, an application shall be submitted to the Department of Development Services for review by the Local Planning Agency (Planning and Zoning Board) and for approval and adoption by the City Commission, in accordance with the requirements of Chapter 163, Florida Statutes.

Should the City Commission adopt the comprehensive amendment on second reading of the ordinance by the City Commission, the adopted amendment will be transmitted to the Florida Department of Economic Opportunity and the Broward County Planning Council. Amendments to the City's Comprehensive Plan must be recertified by the Broward County Planning Council before they take effect.

Comprehensive Plan Consistency

The amendment is consistent and compatible with the Broward County Land Use Plan (BCLUP). Policy 2.3.1 of the BCLUP states that local governments may through their land use plan, zoning, and land development codes differ the intensity of permitted commerce development compatible with adjacent and surround land uses. In addition, BCLUP Policy 2.3.2 states that local governments shall employ their local land use plans and development regulations to establish appropriate intensity standards for non-residential future land use categories compatible with adjacent existing and future land uses. Consistent with the above stated policies, the City maintains separate categories of land use designations, one of which is Employment Center, that allow for the differentiation of intensity of uses permitted in the BCLUP Commerce land use designation.

The amendment supports the City's Comprehensive Plan Sanitary Sewer, Water, and Stormwater (SWS) Element Goal 3, which states that the City will develop and maintain an adequate water supply, treatment and distribution system, which meets the existing and projected needs of the service area in an efficient, economical, and environmentally sensitive manner. The amendment also supports Objective SWS 3.2 regarding expanding the necessary facets of the water supply system to meet the projected demand for the service area and Policy SWS 3.2.12 that the City will review the need for a future water treatment plant in the future. Furthermore, the Future Land Use Element Objective FLU 2.1 requires protecting existing and future residential neighborhoods from impacts by more intense adjacent uses such as utilities, excluding power plants. Policy FLU 2.1.2

states that the City will maintain through the Unified Land Development Regulations, buffering provisions, including setbacks, buffer landscaping to protect residential areas from adjacent uses of greater intensity.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *2021 Top Commission Priority*, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- The Infrastructure Focus Area
- Goal 6: Build a Sustainable and Resilient Community
- Objective: Proactively maintain our water, wastewater, stormwater, road, and bridge infrastructure.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Infrastructure Focus Area
- The Sanitary Sewer, Water, and Stormwater Element
- Goal 4: The City will develop and maintain an adequate water supply, treatment and distribution system, which meets the existing and projected needs of the service area in an efficient, economical, and environmentally sensitive manner.

Attachments

Exhibit 1 – Proposed Amendment to Comprehensive Plan Future Land Use Element

Exhibit 2 – May 24, 2022, DRC Comments

Exhibit 3 – June 15, 2022, PZB Staff Report

Exhibit 4 – June 15, 2022, PZB Meeting Minutes

Exhibit 5 – September 16, 2022, Letter from the Florida Department of Economic Opportunity

Exhibit 6 – Ordinance

Prepared by: Lorraine Tappen, Principal Urban Planner, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department