

ORDINANCE NO. C-21-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA AMENDING THE FORT LAUDERDALE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT BY INCORPORATING BROWARD COUNTY'S LAND USE PLAN POLICIES AND ADDING A NEW PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, TRANSMITTAL TO THE APPLICABLE REVIEWING AGENCIES, AND PROVIDING FOR AN EFFECTIVE DATE

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WHEREAS, pursuant to Ordinance No. C-20-05 adopted by the City Commission of the City of Fort Lauderdale on November 17, 2020, the City Commission adopted an update to the 2020 Advance Fort Lauderdale Comprehensive Plan for the City of Fort Lauderdale ("Plan"); and

WHEREAS, the City Commission desires to amend the City's "Advance Fort Lauderdale" Comprehensive Plan Future Land Use Element to fully comply with "BrowardNext" - Broward County Land Use Plan requirements for certification, to incorporate new policies, and to comply with statutory requirements, specifically by adding to the City's Comprehensive Plan a new Property Rights Element approved during the 2020-2021 legislative session; and

WHEREAS, the Planning and Zoning Board at its meeting of August 18, 2021, recommended that the City Commission approve the amendments for transmittal to the Florida Department of Economic Opportunity (DEO) by adding, deleting and modifying goals, objectives and policies; and amending the Future Land Use Element; and

WHEREAS, the City of Fort Lauderdale wishes to adopt the proposed amendments to the City of Fort Lauderdale Comprehensive Plan as provided herein and transmit the proposed amendments to the Broward County Planning Council, Florida Department of Economic Opportunity and other reviewing agencies; and

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida held a public hearing on November 2, 2021, which hearing was advertised in accordance with the provisions of Section 163.3184(11) of the Florida Statutes; and

WHEREAS, the Department of Sustainable Development transmitted the proposed amendments, supporting data and analysis to the applicable reviewing agencies; and

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida held a public hearing on [date to be determined], which hearing was advertised in accordance with the provisions of Section 163.3184(11) of the Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City of Fort Lauderdale's Comprehensive Plan Future Land Use Element shall be amended as described in the Exhibit attached hereto to incorporate Broward County Land Use Policies and to add a new Property Rights Element.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That the Department of Sustainable Development is hereby authorized to transmit the proposed amendments, supporting data and analyses to the applicable reviewing agencies.

SECTION 5. That this Ordinance shall be in full force and effect upon the date when the compliance review requirements as provided in Chapter 163, Florida Statutes, have been met.

PASSED FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

PASSED SECOND READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

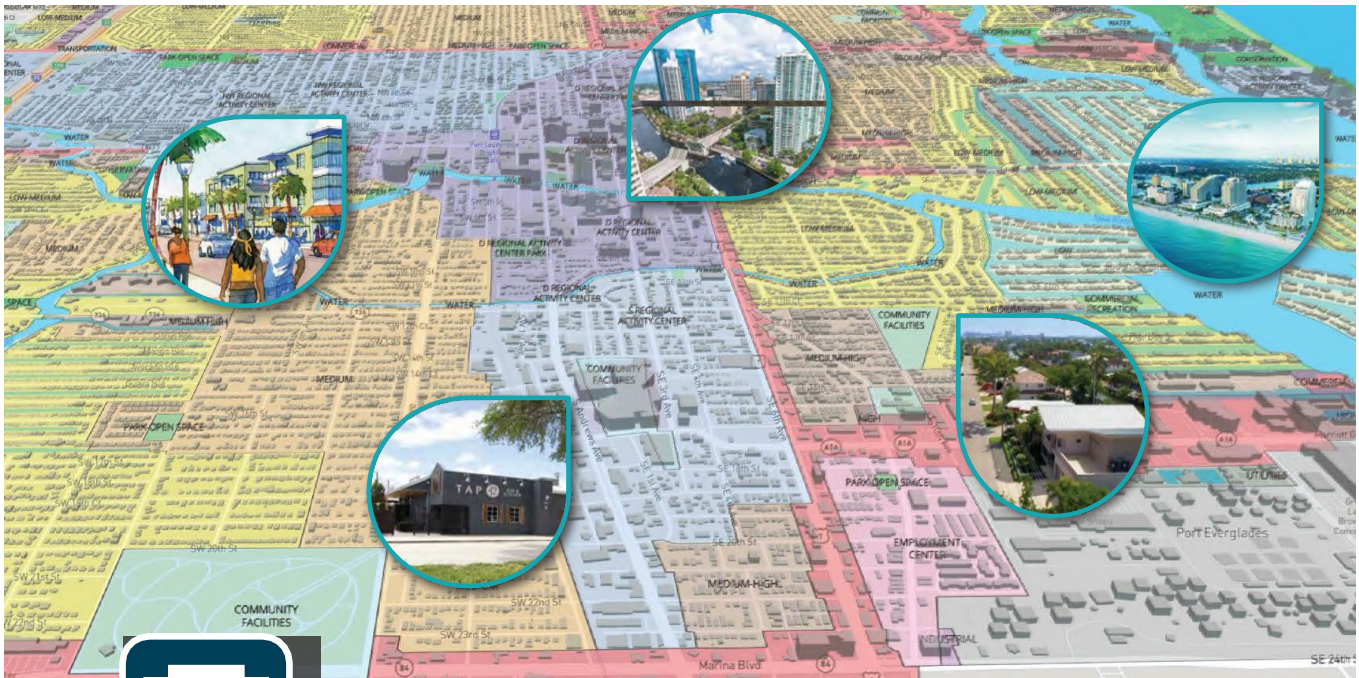
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Mayor  
DEAN J. TRANTALIS

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI



# NEIGHBORHOOD ENHANCEMENT

## FUTURE LAND USE ELEMENT PRINCIPLES

The intent of the Future Land Use Element is to guide orderly and sustainable development and meet the City's vision for its future built environment.

The City's future land use map along with the goals, objectives and policies included in this element help to define existing and future land uses, guide the designation of proposed future land use distribution, location, and intensity, while meeting social, economic and environmental needs, providing for adequate services and facilities, and ensuring compatibility of land uses.

The goals, objectives and policies place special focus on the context and character of specific areas and neighborhoods, promoting an appropriate mix of uses, supporting access to a local and regional multi-modal transportation network, ensuring capital investments support future growth and contribute to a sustainable environment.



## GOALS, OBJECTIVES, POLICIES, AND EVALUATION MEASURES

**GOAL 1 - Permitted Uses:** Uses and densities permitted in the future land use categories are established within the City of Fort Lauderdale Land Use Plan. Development Regulations as to permitted uses and densities must be in compliance with the permitted uses of the City Land Use Plan as shown on the Future Land Map (Series).

The City's Unified Land Development Regulations (ULDR) may prohibit or restrict any of the land uses permitted within any land use category of the City's Land Use Plan.

### OBJECTIVE FLU 1.1: Ensure Adherence to Standards

The following establishes the Future Land Use designations, permitted uses and special considerations:

**EVALUATION MEASURE FLU 1.1a:** Annual record of the City's adherence to the density standards and permitted uses, as provided by the Future Land Use Element.

**EVALUATION MEASURE FLU 1.1b:** Annual record of consideration of the neighborhood compatibility as part of the development review process.

**POLICY FLU 1.1.1:** Density and intensity standards are utilized to control the intensity or density of all uses within the City in order to ensure compliance with the Goals, Objectives and Policies of the Plan. These standards include, but are not limited to:

- The regulation of the amount of open space surfaces required for a development to control the intensity of development, especially in areas of sensitive natural resources to reduce environmental impacts;
- Consideration of unique characteristics of the land or site to determine its capacity for residential and/or non-residential uses;
- The regulation of the amount of impervious surfaces provided on a development site;
- The regulation of density through density ranges and housing types;
- The regulation of structures on a development site through the application of minimum lot sizes, yards and setbacks, height and bulk control planes, floor area ratios, off-street parking and loading;
- The regulation of uses permitted in each land use category in order to prevent the mixing of incompatible uses, which may have a negative effect on another; and
- The reduction of nonconforming uses.

**POLICY FLU 1.1.2:** The development review process to foster innovative and flexible planning and development strategies in order to ensure adequate reuse and redevelopment when applying such intensity standards, while ensuring that adequate measures are used to regulate intensity and density in accordance with the Plan. Such intensity standards also include, but are not limited to:

- Principles of urban form and interrelationship with anticipated future land uses;
- Achieving a cleaner, healthier environment;
- Protecting natural areas;
- Advancing the efficient use of land and other resources;
- Creating a quality community and jobs for residents of the City;
- Distribution, extent and location of future land uses proposed within a development; and
- Anticipated impacts on future land uses and on public services and facilities.

**POLICY FLU 1.1.3:** All references to density within the City's Land Use Plan mean net density, with the exception of mixed use development, which shall have a density limitation based on gross acres, as defined by the Broward County Land Use Plan.

a. Mixed Use Development - Single Use Buildings. A mixed use development, which contains both residential and commercial business, uses that are housed in separate buildings.

b. Mixed Use Development - Mixed Use Buildings. A mixed use development which contains a mixture of residential and commercial business uses within the same building." Net density means the number of dwelling units constructed or proposed within an area, divided by the net acreage of the area. Net acreage means the total number of acres in an area, excluding public rights-of-ways and public waterways and other publicly dedicated land.

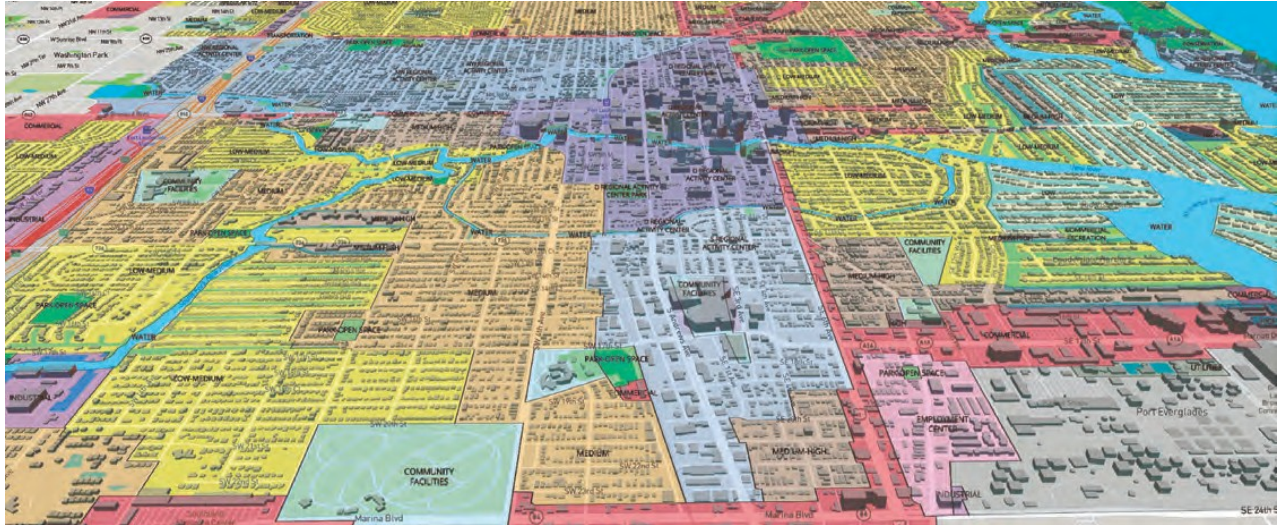
**POLICY FLU 1.1.4:** Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the City's Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not exceeded. The distribution of units will be determined by zoning of the parcel and other restrictions imposed by the Unified Land Development Regulations.

**POLICY FLU 1.1.5:** A studio housing unit or efficiency housing unit, no greater than 500 square feet in size may be counted by the local government as 0.5 dwelling units for residential density calculations. (Cross-reference BCLUP\* Policy 2.2.5 and AFLCP\*\* Policy HS 1.3.11.)

**POLICY FLU 1.1.56:** The city shall employ its comprehensive plan (land use plan), zoning ordinances and land development codes to establish differing intensities of commerce development compatible with adjacent and surrounding land uses, including but not limited to lands designated Commercial, Employment Center, Office Park and Industrial.

**POLICY FLU 1.1.67:** The city shall employ the comprehensive plan (land use plan) and development regulations to establish appropriate intensity standards for non-residential future land use categories compatible with adjacent existing and future land uses.





**POLICY FLU 1.1.78:** In compliance with Section 163.3177(6)(a), Florida Statutes, the City has adopted a city-wide Floor Area Ratio (FAR) as a standard for use in establishing a measure to calculate the impacts of proposed nonresidential land use amendments upon the City's ability to serve the proposed land use amendment. For these purposes, FAR is defined as follows: "the gross floor area of all buildings or structures on a plot of land divided by the total plot area, excluding such features as stairwells and cupolas." There is a city-wide maximum FAR of 3.

**POLICY FLU 1.1.89:** Calculations of acreage covered by different land use categories on the City's Future Land Use Plan Map (Series) will necessarily be approximate, due to the scale of the map. Where edges of land use categories are close to property lines, streets, transmission lines or other existing lines, edges should be construed to follow those lines. A lake or canal should be construed as having been assigned the same land use category as that assigned to adjacent unsubmerged land.

**POLICY FLU 1.1.10:** Priority shall be given to water-dependent uses such as marinas and public access to waterways, in decisions affecting waterfront property. (Cross-reference BCLUP Policy 2.27.2.)

**POLICY FLU 1.1.11:** The City's land use plan shall give priority to protecting public beach access sites. (Cross-reference BCLUP Policy 2.27.3.)

**POLICY FLU 1.1.912:** The following Future Land Use designations shall be applied to the Future Land Use Map Series:

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#### **POLICY FLU 1.1.10:**

##### **Citywide Nonresidential Intensity**

In compliance with Section 163.3177(6)(a), Florida Statutes, the City has adopted the Floor Area Ratio (FAR) as a standard for use in establishing a measure to calculate the impacts of proposed nonresidential land use amendments upon the City's ability to serve the proposed land use amendment. For these purposes, FAR is defined as follows: "the gross floor area of all buildings or structures on a plot of land divided by the total plot area, excluding such features as stairwells and cupolas." There is a city-wide maximum FAR of 3.

**POLICY FLU 1.1.11:** Calculations of acreage covered by different land use categories on the City's Future Land Use Plan Map (Series) will necessarily be approximate, due to the scale of the map. Where edges of land use categories are close to property lines, streets, transmission lines or other existing lines, edges should be construed to follow those lines. A lake or canal should be construed as having been assigned the same land use category as that assigned to adjacent unsubmerged land.

**POLICY FLU 1.1.12:** Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the City's Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not exceeded. The distribution of units will be determined by zoning of the parcel and other restrictions imposed by the Unified Land Development Regulations.

**POLICY FLU 1.1.13:** The City of Fort Lauderdale adopts the following definition for Special Residential Facilities as permitted by the Broward County Land Use Plan:

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**GOAL 2 - Sustainable Development:** The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

**OBJECTIVE FLU 2.1: Neighborhood Compatibility**

Protect existing and future residential neighborhoods from impacts created by more intense adjacent uses.

**EVALUATION MEASURE FLU 2.1a:** Annual record of development permits issued for non-residential development adjacent to residential neighborhoods.

**POLICY FLU 2.1.1:** Continue to utilize intensity criteria contained in the Future Land Use Element to ensure that all new development is compatible with adjacent residential land uses.

**POLICY FLU 2.1.2:** Maintain, through the ULDR, buffering provisions, including setbacks and buffer landscaping, which are necessary to protect residential areas from adjacent uses of greater intensity.

**POLICY FLU 2.1.3:** Through the design review process, the City shall continue to maintain provisions which address the potential adverse impacts of noise, vibration, air pollution, glare, heat, solid waste, hazardous waste, fire and explosion.

**POLICY FLU 2.1.4:** The City shall review all proposed development with respect to the potential for related impacts to the regional air quality, negative impacts eliminated or effectively mitigated. (Cross-reference BCLUP Policy 2.25.1.)

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## OBJECTIVE FLU 2.7: Preservation of Environmental

**Assets** Continue to comply with Broward County regulations concerning Local Areas of Particular Concern and Natural Resource Areas and develop local initiatives to protect and conserve the natural and vegetative resources of the City.

**EVALUATION MEASURE FLU 2.7a:** Annual record of local initiatives to protect and conserve the natural and vegetative resources of the City.

**EVALUATION MEASURE FLU 2.7b:** Record of permits issued for lot clearing in designated Natural Resource Areas.

**EVALUATION MEASURE FLU 2.7c:** Designation of Conservation Areas on the City's Future Land Use Map.

**POLICY FLU 2.7.1:** The City shall monitor development activity in designated Natural Resource Areas in accordance with the Broward County Lot Clearing Ordinance.

**POLICY FLU 2.7.2:** The development review process shall consider the presence of environmentally sensitive lands in formulating these recommendations for development approvals. Plats which include Local Areas of Particular Concern, shall be referred to the County for Environmental Impact Statements.



**POLICY FLU 2.7.3:** Local initiatives, which address environmentally sensitive lands, shall be developed:

- Based upon County standards for Local Areas of Particular Concern and Natural Resource Areas to assess environmentally sensitive lands as a measure to protect and conserve valuable ecological communities within the City which are an integral part of South Florida's and Broward County's natural environment;
- Giving due consideration to the size, location, and condition of the parcel to determine suitability and viability for preservation;
- To protect those environmentally sensitive lands deemed viable and valuable; and
- To regulate wetlands.

**POLICY FLU 2.7.4:** Areas determined to be natural reservations by the Broward County Planning Council shall be protected through designation as a "Conservation" use on the City's Land Use Plan.

**POLICY FLU 2.7.5:** As a part of the development review process, protect and conserve plant species listed in the Regulated Plant Index established through the Florida Department of Agriculture and Consumer Services.

**POLICY FLU 2.7.6:** Lakes shall be required to be constructed with vegetated shallow water habitat as required by the Florida Department of

Environmental Protection.

**POLICY FLU 2.7.7:** The City shall, in an effort to protect the groundwater supply from potential sources of pollution, recommend against land use designations which permit industrial uses that could negatively impact water quality within wellhead protection areas of influence.

**POLICY FLU 2.7.8:** The City shall restrict the use of septic tanks through the ULDRs. New septic tank systems shall only be permitted when the Florida Department of Health and Rehabilitative Services determines they are consistent with Broward County's Water, Sanitary Sewer and Septic Tank Ordinance and with the requirements of the Florida Statutes and the Florida Administrative Code. (Cross-reference BCLUP Policy 2.11.5.)

**POLICY FLU 2.7.9:** The City shall, when it is determined to be practical and financially feasible, require land uses currently on septic systems to be connected to central wastewater treatment facilities, with priority given to those land uses in proximity to surface waters. (Cross-reference BCLUP Policy 2.11.6.)

**POLICY FLU 2.7.10:** New development adjacent to or in the vicinity of surface waters shall be designed so as to minimize the direct discharge of stormwater runoff into such bodies of water. (Cross-reference BCLUP Policy 2.24.2.)

**Policy FLU 2.7.11:** To minimize soil erosion on new construction sites, the City's land development regulations shall require treatments and other measures consistent with Chapter 27 of the Broward County Code. (Cross-reference BCLUP Policy 2.24.4.)

**POLICY FLU 2.7.12:** The City shall coordinate with Broward County, its municipalities, and interested stakeholders to study and recommend incentives to preserve designated environmentally sensitive lands that are privately controlled. (Cross-reference BCLUP Policy 2.23.4.)

**POLICY FLU 2.7.13:** The City in coordination with Broward County and its local governments shall provide for the protection of marine habitat and water quality of Broward County's coastal waters, including the protection of natural and artificial reefs. (Cross-reference BCLUP Policy 2.27.4 and AFLCP CM 1.1.7.)

**POLICY FLU 2.7.14:** The City shall cooperate with Broward County and its coastal municipalities in developing a comprehensive beach management and maintenance plan to address activities including dune and vegetation management, beach nourishment, and sand by-passing. The plan shall include consideration of climate change impacts on these efforts. (Cross-reference BCLUP Policy 2.27.5.)

**POLICY FLU 2.7.15:** In order to protect and enhance sea turtle nesting, the City shall in coordination with the Sea Turtle Conservation Program of the Broward County Environmental Protection and Growth Management

Department, maintain land development regulations consistent with state and federal guidelines. The City shall maintain regulations to control beachfront lighting. Those regulations shall be consistent with Chapter 62B-55 (FAC) Model Ordinance for Marine Turtle Protection and they shall additionally be in compliance with Lighting/Development Categories as outlined in the Broward County Technical Report 97-06 Broward County Beach Lighting Management Plan. (Cross-reference BCLUP Policy 2.28.1.)

**GOAL 3 - Implementation of the Plan:** Promote the advancement of great neighborhoods throughout the implementation of the Goals, Objectives and Policies of this plan in compliance with the Broward County Land Use Plan and State Regulations.

### **OBJECTIVE FLU 3.1: Compliance with Broward County Land Use Plan**

**POLICY FLU 3.1.1:** The City shall coordinate concurrency regulations and land use planning activities with the Broward County Land Use Plan.

**POLICY FLU 3.1.2:** Fort Lauderdale shall adopt land development regulations that require platting at least in those circumstances where this plan requires platting; and such regulations may establish additional standards, procedures, and requirements as may be necessary to regulate and control the platting of lands within the City.

**POLICY FLU 3.1.2a:** Prior to plat approval, Broward County and/or the appropriate local government shall ensure that the public facilities and services necessary to meet the level of service standards established within the Broward County Comprehensive Plan and affected municipal comprehensive plan will be available to serve new development.

**POLICY FLU 3.1.3:** Fort Lauderdale shall not grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the Broward County Commission and recorded in the official records of Broward County subsequent to June 4, 1953. The City shall not approve for recordation in the Official Records any plat of lands that is not in compliance with the Broward County Land Use Plan or with the City of Fort Lauderdale's land use plan.

**POLICY FLU 3.1.3a:** This section will not apply to an application for a building permit which meets any of the following criteria:

1. Construction of two or fewer residential dwelling units. Applications for two or fewer residential dwelling units on property under the same ownership, within 500 feet of property exempted within the past twelve (12) months, shall not be exempt.
2. Construction on any multi-family or non-residential lot or parcel which is less than ten (10) acres in size and the majority of which is specifically delineated on a plat recorded on or before June 4, 1953;
3. Construction of a replacement building in which the proposed reconstruction will be utilized for the same general use, is equal to or less

than the gross area of the original principal building and will be located within the same general footprint. (For the purpose of this guideline, "original building" means the total gross floor area devoted to the principal use on a parcel as of November 22, 1978. November 22, 1978 was the effective date of the 1977 Broward County Land Use Plan countywide platting requirement.)

4. Construction of single-family, infill development that is deed-restricted to affordable housing for a time period of at least fifteen (15) years. For the purposes of this exemption, infill development shall be defined as, "the development of new housing on scattered vacant sites in a built-up area."

5. A building permit may be issued for a parcel of land for which plat approval has been given by the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government and the County. Such agreements shall at a minimum require compliance with the applicable provisions of plat approval and shall prohibit the issuance of a certificate of occupancy until the plat is recorded. The municipality and county shall be required to make a finding that facilities and services will be available at the adopted level of service standards concurrent with the issuance of the building permit; or

6. A building permit may be issued for an essential governmental facility after preliminary plat review where the Broward County Commission finds that immediate construction of the governmental facility is essential to the health, safety, or welfare of the public and where the Board determines that public facilities and services will be available at the adopted level of service standards concurrent with the impact of the development of the governmental facility. Such a finding shall be made in a resolution if Broward County is the government seeking to construct the facility and issue the permit; and by agreement with the affected units of local government in other circumstances.

**POLICY FLU 3.1.3b:** A certificate of occupancy shall not be issued until the plat is recorded. Provided that in addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:

1. Compliance with the applicable land development regulations; and
2. Any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan has been conveyed to the public by deed or grant of easement.

**POLICY FLU 3.1.4:** Development permits granted by the City of Fort Lauderdale shall be consistent with the Broward County Land Use Plan.

**POLICY FLU 3.1.5:** For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, the City shall coordinate and cooperate with Broward County to implement the City's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing.

**POLICY FLU 3.1.5a:** In addressing amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the BCLUP, the City may include consideration and implementation of the following affordable housing strategies:

- a. Programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide for the construction or supply of affordable housing;
- b. Programs and policies involving mechanisms such as, but not limited to, impact fees, in lieu fees, and/or public funds, in which the municipality, and/or Broward County, and/or other appropriate agencies/entities (including, but not limited to, major employers), provide funding to facilitate the affordable purchase or renting of housing;
- c. Programs and policies in which the municipality, and/or Broward County, and/or other appropriate agencies, facilitate the maintenance of the existing supply of affordable housing stock, if any;
- d. Property tax abatement programs aimed at preserving or creating affordable housing;
- e. Streamlined and reduced-cost permitting procedures for affordable housing;
- f. Specific minimum set-aside requirements for new affordable housing construction;
- g. Use of appropriate existing public lands, or public land-banking, to facilitate an affordable housing supply;
- h. Programs and policies to facilitate the development and use of municipal and/or Broward County affordable housing density bonus provisions;
- i. Land development regulations which promote the availability of affordable housing such as reduced lot size and floor area for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, and the allowance of accessory dwelling units; or
- j. Utilize the existing supply of affordable housing.

**POLICY FLU 3.1.5b:** The City shall demonstrate compliance with BrowardNEXT policies at the time of the County's consideration of the applicable land use plan amendment, by establishing that the City has implemented or ensured adoption of appropriate policy and program measures to implement its chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing.

**POLICY FLU 3.1.5c:** The City shall estimate its supply of affordable housing utilizing the data and methodology referenced within the "Administrative Rules Document: BrowardNext County Land Use Plan." For the purposes of this Policy, the term "affordable housing" shall include the meaning as defined by the BCLUP.

**POLICY FLU 3.1.5d:** The median annual income estimate utilized to evaluate local conditions and needs should be updated at least yearly.

**POLICY FLU 3.1.6:** The ensure compliance with the provisions of the Broward Land Use Plan, policies AI 1.4.3, CM 1.1.2b, CM 1.1.7a, CM 3.1.4, CM 3.3.7, CM 4.1.8, TM 3.2.1, IC 1.2.5, CON 1.2.3, CON 3.2.1, CON 3.2.2, CON 5.1.3, CON 5.1.4, HP 1.2.3, PR 1.4.3, SWS 2.1.2b, SWS 6.1.3, CON 5.1.5a, SWS 7.4.4, Objectives EDU 1.3, IC 1.2 and their associated policies, are adopted by reference into the Land Use Element.



**POLICY FLU 3.1.7:** Amendments to the City's future land use map requiring amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address the following:

- a. The impact of the loss of open space on the surrounding residential areas. The loss of open space must be mitigated through provision of parks and open space to serve the surrounding neighborhood.
- b. Management of storm water retention taking into account the extent to which the golf course provided storm water retention for the surrounding development and how this will be mitigated, along with any additional storm water impacts created by the new development.
- c. Minimization of the impact on natural resources including wetlands, lakes, aquifer recharge areas and the tree canopy, including any historic trees on the site.
- d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 environmental assessment. A Phase 2 environmental assessment may be required based upon the findings of the Phase 1 assessment.
- e. Integration of the proposed development with the surrounding areas including how the development will tie into the existing neighborhoods through roads, sidewalks, parks/open space and greenways. (Cross-reference BCLUP POLICY 2.5.5 and AFLCP PR 1.1.6).

**POLICY FLU 3.1.8:** The City's land use plan shall map and maintain a current list of historically, architecturally and archaeologically significant properties and address the protection of these historic resources. (BCLUP Policy 2.30.1 and AFLCP Historic Preservation Element.)

**POLICY FLU 3.1.9:** The City shall continue to adhere to the Broward County Planning Council's certification and recertification process established within the Broward County Charter to ensure the land use plans of Broward County's local governments are in substantial conformity with the Broward County Land Use Plan and implement the procedures identified within the "Administrative Rules Document: BrowardNEXT." (BCLUP Policy 2.33.1.)

**POLICY FLU 3.1.10:** The City shall continue to adhere to the Broward County Land Use Plan to further the consistency and compatibility among the land use plans of Broward County's local governments through the Broward County Planning Council's certification and recertification process. (BCLUP Policy 2.33.2.)

**POLICY FLU 3.1.11:** The City's land use plans and plan amendments shall successfully complete the Chapter 163, Florida Statutes local comprehensive plan review process prior to their certification or recertification by the Broward County Planning Council. (BCLUP Policy 2.33.3 and AFLCP Policy 1.4.4.)

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### **OBJECTIVE FLU 3.3: Coordination of Water Supply Planning and Land Use Planning**

Coordinate water supply planning and land use planning activities of the City with municipalities receiving water from the City and providing water to the City to ensure that water needs of the City's residents are met.

**EVALUATION MEASURE FLU 3.3.a:** Implementation of water supply projects described in the 10-Year Water Supply Facilities Work Plan.

**POLICY FLU 3.3.1:** The City shall maintain a 10-Year Water Supply Plan and update this plan within eighteen (18) months of any update to the regional plan adopted by the South Florida Water Management District.

**POLICY FLU 3.3.2:** Maintain consistency between the demand calculations in the Water Supply Facilities Work Plan and the population projections contained in the Future Land Use Element.

**POLICY FLU 3.3.3:** Monitor water demand needs and land use planning in municipalities receiving water from the City and providing water to the City.

**POLICY FLU 3.3.4:** Assess the Water Supply Facilities Work Plan as part of the Evaluation and Appraisal Report analysis.

**POLICY FLU 3.3.5:** Work with Broward County and other municipalities to update the Broward County Population Forecasting Model. Wholesale user agreement shall meet the demand projected by the Broward County Population Forecasting Model. Monitoring of population projections for retail customers outside the City limits will be accomplished through the Broward County Population Forecasting Model and annual confirmation of those projections with each City.

**POLICY FLU 3.3.6:** The City shall coordinate with Broward County and its municipalities to pursue the establishment of mandatory reuse zones in order to require the use of reclaimed water for irrigation, when source water is available, with the goal of reducing demands on the Biscayne Aquifer. (Cross-reference BCLUP POLICY 2.11.3.)

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# INTERNAL SUPPORT

## PROPERTY RIGHTS ELEMENT

### Principles

A local government's process for regulating land impacts real estate markets and property rights. Transparency, predictability, and reliability are three strategies for implementing land use rules in a way that benefits people and respects property rights.

- *Transparency* means people can see and participate in the development review and approval process.
- *Predictability* means a local government follows rules that are clear and unambiguous. Real estate investors should be able to read the rules and know whether local government will permit a development proposal. Residents should be able to read the rules and know what kind of development will occur in their community.
- *Reliability* means a local government follows through on its commitments. Cities and counties should make realistic plans and follow them. Generally, local governments should only change their plans after thorough consideration and consensus building. When a government is reliable, people can make long-term

## GOALS, POLICIES, AND EVALUATION MEASURES

**GOAL 1:** The City will make planning and development decisions with respect for property rights and with respect for people's rights to participate in decisions that affect their lives and property.

**OBJECTIVE PROP 1.1:** The City will respect judicially acknowledged and constitutionally protected private property rights.

**POLICY PROP 1.1.1:** The City will consider in its decision-making the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

**POLICY PROP 1.1.2:** The City will consider in its decision-making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.

**POLICY PROP 1.1.2:** The City will consider in its decision-making the right of a property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

**POLICY PROP 1.1.1:** The City will consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.

**OBJECTIVE 2.1:** The City's planning and development procedures will be transparent so that all people may participate in decisions that affect their lives and property.

**POLICY PROP 2.1:** The City shall continue to follow the public participation procedures outlined in the land development regulations which provide a framework for public participation in the development review process, and early involvement of neighbors and civic associations.

**POLICY PROP 2.2:** The land development regulations shall provide standards for notifying citizens of the City about public hearings before the Planning and Zoning Board and the City Commission to promote public participation in the decision-making process and meet the requirements of Florida Statutes.