

AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA, AMENDING THE CITY OF PLANTATION COMPREHENSIVE PLAN BY AMENDING OBJECTIVE 1.7, POLICY 1.7.6 AND OBJECTIVE 1.8, POLICY 1.8.8 OF THE LAND USE GOAL IN THE FUTURE LAND USE ELEMENT TO ADD PROVISIONS TO PERMIT THE REARRANGEMENT OF RESIDENTIAL DENSITY ON PROPERTIES WITH AN UNDERLYING RESIDENTIAL LAND USE DESIGNATION, TO PERMIT THE ESTABLISHMENT OF A UNIFIED FLEXIBILITY ZONE WITHIN THE CITY, AND TO INCORPORATE PROVISIONS TO PERMIT THE ADDITION OF REDEVELOPMENT UNITS WITHIN THE CITY; PROVIDING A SAVINGS CLAUSE; AUTHORIZING TRANSMITTAL AND PROVIDING AN EFFECTIVE DATE THEREFOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANTATION, FLORIDA, THAT:

SECTION 1: Policy 1.7.6 of the Future Land Use Element of the City of Plantation Comprehensive Plan is hereby amended as follows:

Policy 1.7.6 Residential development in designated areas shall be based on the following ranges in density:

Category	Units/Acre	Predominant Housing Type
Estate 1	1 or less	Single family detached
Low 3	3 or less	Single family detached
Low 5	1 to 5	Single family detached and two family
Low Medium 10	Greater than 5 to 10	Villa, 2 story townhouse inclusive of garage
Medium 16	Greater than 10 to 16	2 or 3 story townhouse inclusive of garage, 2 or 3 story apartment building inclusive of garage
Medium High 25	Greater than 16 to 25	Apartment building, three stories or more

Density Calculation:

References to density within the City of Plantation Comprehensive Plan means gross density. Gross density means the number of dwelling units constructed or proposed within an area, divided by the gross acreage of the

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area. Gross acreage means the total number of acres in an area, including acreage used or proposed for roads, lakes, waterways, and other proposed land uses permitted in residential areas by the City of Plantation Comprehensive Plan. (Ord. No. 1974, 4/13/94)

Arrangement of Dwelling Units:

Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the Plantation Future Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not exceeded. For example, the City Future Land Use Plan does not regulate whether a developer uses 100 acres of land designated for Low (5) Residential density to build 500 single-family homes or whether the same 100 acres are used to build a 500-unit high rise structure, with the balance of the land maintained as permanent open space. The distribution of units will be determined by the City of Plantation Land Development Regulations (LDRs).

Dashed-Line Areas:

Selected areas are identified on the Plantation Future Land Use Plan Map by dashed lines circumscribing their edges. For each of these areas, the maximum overall density in dwelling units per acre is the number which appears in the circle inside the dashed line. That number can be multiplied by the number of acres inside the dashed line, including areas not designated for residential use, to ascertain the maximum number of dwelling units allowable within the dashed line. The dwelling units that are permitted within areas circumscribed by a dashed line may only be applied within the boundaries of the circumscribed area and may not be transferred. Additional dashed-line areas may be designated on the Plantation Future Land Use Plan Map through amendments to the plan consistent with the provisions of this section.

Reserve Units:

~~A reserve unit pool is hereby established consisting of 2 percent of the total number of dwelling units permitted within a flexibility zone by the Broward County Land Use Map (see Implementation Requirements).~~

Flexibility and Redevelopment Units

1. Flexibility Units are shall equal the difference between the number of dwelling units permitted within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted within the City of Plantation's certified future land use plan map, plus

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additional remaining permitted dwelling units, fixed at the adoption date of the 2017 Broward County Land Use Plan and formerly defined as “Reserve Units” which were equal to two percent (2%) of the total number of dwelling units permitted by the City of Plantation’s 1989 certified future land use plan map.

2. The City may apply to the Broward County Planning Council for the allocation of additional “redevelopment units” per Broward County Land Use Plan Policy 2.35.1, as amended. Redevelopment Units are defined as additional permitted dwelling units equal to three percent (3%) of the total number of dwelling units as established by the adoption of the 2017 BrowardNext Broward County Land Use Plan.
3. The certified Plantation Future Land Use Map may be more restrictive than the Broward County Land Use Plan Map (Series), therefore, available Flexibility Units may be utilized by the City to rearrange residential densities.
4. The City of Plantation has been established as a “Unified Flexibility Zone.”
5. The application of Flexibility and Redevelopment Units shall be in accordance with the Broward County Planning Council “Administrative Rules Document.”
6. Subsequent to September , 2021, the number of Flexibility Units, Redevelopment Units, or combination thereof that may be allocated within the Plantation Acres Neighborhood (Former Flex Zone 68) shall be limited to a maximum of 172 units. This number is the balance of Flexibility and Reserve Units that were available for allocation within Former Flex Zone 68 prior to the City’s adoption of the “Unified Flexibility Zone.” The Plantation Acres Neighborhood is defined as that area West of Hiatus Road. (Former Flex Zone 68).

SECTION 2: Policy 1.8.8 of the Future Land Use Element of the City of Plantation Comprehensive Plan is hereby amended as follows:

Policy 1.8.8

The following uses are permitted in commercially designated areas:

Neighborhood, community and regional retail uses.

Office Uses.

Commercial uses including wholesale and distribution, light fabricating and warehouse uses.

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Children's day care centers.

Hotels, motels.

Commercial recreation uses.

Community facilities.

Public utilities structures and facilities, located on a parcel of 1 acre or less, which are unmanned, such as electric distribution substations, communications facilities, drainage, waste and wastewater pumping stations, excluding electrical power plants.

A limited amount of residential usage may be allowed within property enjoying a Commercial Comprehensive Plan Future Land Use Designation provided the following policy considerations are met:

~~A. Flexibility and Reserve units in Flex Zone 75X that are sourced from former Flex Zone 75 are allocated to Plantation Midtown, and may only be utilized therein. Flexibility and reserve Redevelopment units sourced from former Flex Zone 74 may be awarded anywhere in Flex Zone 75X.~~

~~1. Former Flex Zone 75 is bounded by New Hiatus Road on the west, the city limit on the south, University Drive on the east south of NW 5th Street, the OPWCD Canal No. 1A on east north of NW 5th Street, and on the north by the north city limit.~~

~~2. Former Flex Zone 74 is bounded on the south by Broward Boulevard, on the east by the west right of way line of Florida's Turnpike from Broward Boulevard to the north city limit, on the north by the north city limit from Florida's Turnpike to the OPWCD Canal No. 1A, on the west north of NW 5th Street by the OPWCD Canal No. 1A, and on the west south of NW 5th Street by University Drive from NW 5th Street to Broward Boulevard.~~

~~3. Flex Zone 75X is comprised of both former Flex Zones 74 and 75. 1.12~~

B A. For parcels of property enjoying a Commercial designation which are to be developed only with structures that include both commercial and residential uses in the same structure (i.e. "vertical integration"), Flexibility and Reserve Redevelopment Units may be utilized when determined appropriate by the City's

governing body, and where, in addition to other criteria and considerations as may be applicable: 1. The residential floor area of such vertically integrated structures does not exceed 50 percent of the total floor area of the building; or 2. The first floor of the structure is totally confined to commercial uses. 3. Regardless of 1. or 2. above, the residential density of the parcel shall not exceed twenty-five (25) units per gross acre, calculated using the boundary of the parcel enjoying the Commercial Land Use Designation.

~~€~~ B. For parcels of property enjoying a Commercial designation which are to be developed only with freestanding buildings devoted to multi-family residential uses, Flexibility and ~~Reserve~~ Redevelopment Units may be utilized when determined appropriate by the City's governing body, and where, in addition to other criteria and considerations as may be applicable: 1. The maximum parcel size shall be five (5) gross acres, unless located within the urban infill area (east of Florida's Turnpike) in which the case the maximum parcel size shall be ten (10) gross acres. 2. The residential density shall not exceed twenty-five (25) units per gross acre, calculated using the boundary of the parcel enjoying the Commercial Land Use Designation.

~~Đ~~ C. For parcels of property enjoying a Commercial designation which are proposed to be developed with some buildings being devoted to residential use and some buildings devoted to commercial use (hereafter, "mixed commercial/residential developments"), Flexibility and ~~Reserve~~ Redevelopment Units may be utilized when determined appropriate by the City's governing body, and where, in addition to other criteria and considerations as may be applicable:

1. For mixed commercial/residential developments located outside of the urban infill area (areas west of Florida's Turnpike):
 - a. The minimum size of the parcel enjoying the Commercial designation must be greater than five (5) gross acres in size; and,
 - b. The portion of the parcel enjoying the Commercial designation which is to be developed with residential use shall not exceed the greater of five (5) gross acres in size or forty percent (40%) of the total gross acreage of the commercially designated parcel; and,

- c. The residential density shall not exceed twenty-five (25) units per gross acre, calculated using the boundary of the portion of the parcel enjoying the Commercial Land Use Designation which is devoted to residential use. 1.13
 2. For mixed commercial/residential developments located within the urban infill area (areas east of Florida's Turnpike):
 - a. the minimum size of the parcel enjoying the Commercial designation must be greater than ten (10) gross acres; and,
 - b. the portion of the parcel enjoying the Commercial designation which is to be developed with residential use shall not exceed the greater of ten (10) gross acres or forty percent (40%) of the total gross acreage of the commercially designated parcel; and,
 - c. The residential density shall not exceed twenty-five (25) units per gross acre, calculated using the boundary of the portion of the parcel enjoying the Commercial Land Use Designation which is devoted to residential use.
 3. The entire mixed commercial/residential development shall be governed by specific zoning regulations that establish criteria to ensure proper integration and compatibility of land uses within and surrounding the development.

~~§ D.~~ In cases where a tract of land is designated Commercial and is proposed to be divided into parcels, and such parcels can be developed independently under more than one of paragraphs ~~B, C, and D~~ A, B and C above so as to meet the requirements therein, then the City may utilize combinations of the provisions of ~~B and C~~ A and B above, or ~~B and D~~ A and C above, or ~~C and D~~ B and C above, but not ~~B and C and D~~ A and B and C above, for such tract of land; provided:

1. The tract is located within Plantation Midtown or the tract is located within that portion of the City bounded on the North by Sunrise Boulevard, on the South by the City limits, on the West by Pine Island Road, and on the East by University Drive; and,
2. The land area of a parcel used under paragraph ~~B.3., C.2., D1.e. or D2.e.~~ A.3., B.2., C1.c. or C2.c. for purposes of

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calculating the maximum allowable residential density under such paragraph (being the product of x times twenty-five (25) dwelling units per acre, where x is land area) cannot be used more than once in applying the provisions of ~~B and C~~ A and B above, or ~~B and D~~ A and C above, or ~~C and D~~ B and C above, but not ~~B and C and D~~ A and B and C above, for a tract of land.

3. In no case may the maximum residential density for the tract exceed twenty-five (25) dwelling units per gross acre.

~~F E.~~ For purposes of applying paragraphs ~~B, C, D, and E~~ A, B, C and D neither a “tract” nor a “parcel” need to be defined by referenced to a Plat. Furthermore, while a “tract” is comprised of “parcels”, the “tract” does not need to be subdivided into “parcels” by a plat. A “tract” and a “parcel” do not need to be defined by property lines based upon ownership. Rather, a “tract” and “parcel” may be defined by quantities of contiguous land which the City’s governing body has determined are sufficient in size to constitute independent building sites (i.e. taking into consideration Site Plan development approvals), and 1.14 which are submitted to Unified Control as set forth in the City’s land development regulations for the development intended, and which is submitted to a Master Plan so as to function as a single integrated development.

~~G E.~~ The City will utilize comprehensive planning flexibility to increase and decrease commercial and residential acreage in order to implement the allowance of residential uses within property enjoying a Commercial Comprehensive Plan Future Land Use Designation consistent with the Broward County Land Use Plan and Administrative Rules Document. The City will consider assigning flexibility or reserve units to achieve desired residential usage pursuant to Section IV(B)(1) (COMMERCIAL)(9) of the adopted Broward County Land Use Plan. When assigning flexibility or reserve units in implementing this comprehensive planning flexibility, an amendment to the City Future Land Use Map will not be required. Residential uses are permitted, without the need to amend the City of Plantation Future Land Use Plan Map, provided that the City of Plantation applies Flexibility and Redevelopment Units to the parcel pursuant to Policies 2.10.1 and 2.35.1 of the Broward County Land Use Plan (BCLUP) and the “Administrative Rules Document” Article The City has ordained additional policy considerations to use for guidance purposes when it determines whether or not to utilize its comprehensive planning flexibility which are set forth in Chapter 19 of the City of Plantation's Code of Ordinances.

SECTION 3: Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Ordinance shall take effect immediately upon passage on second reading by the City Council and signature by the Mayor.

PASSED ON FIRST READING by the City Council this 25th day of October, 2021.

PASSED AND ADOPTED ON SECOND READING by the City Council this ____ day of _____, 2021.

SIGNED by the Mayor this ____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED DATE

REQUESTED BY: _____

DEPT. OK: _____

ADMIN. OK: _____

ATTY. OK: _____

AS TO FORM ONLY

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