

REQUESTED COMMISSION ACTION:

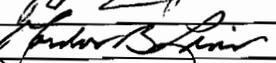
Consent Ordinance Resolution Consideration/ Discussion Presentation

SHORT TITLE AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR PROPERTY LOCATED AT 1400-1600 NW 33rd STREET; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 19, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

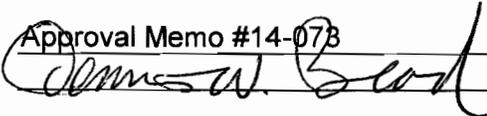
Summary of Purpose and Why:

The Applicant is proposing a change in the land use designation of the 2.413 gross acre property located on the south side of NW 33rd Street, approximately one half-mile west of the N. Andrews Avenue Extension. Currently the property has an Industrial (I) Land Use designation. The Applicant is requesting a change in land use to Medium Residential (M). The property is currently a mobile home park; therefore, the purpose for the request is to make the land use consistent with the existing use. Final reading of the ordinance will be held after it can be heard at the Broward County Planning Council and the Broward County Commission. In a unanimous vote, the Planning & Zoning Board recommended approval of this Land Use Element Map amendment.

- (1) Origin of request for this action: 1600 Corporation, Property Owner
- (2) Primary staff contact: Robin M. Bird/ Maggie Barszewski Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	11/7/14	Approval	Memo# 14-515 
City Attorney	12/5/14		CAC# 2015-312 

Planning and Zoning Board
 City Manager 

Approval Memo #14-073


ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 st Reading	1 st Reading	Results: Results:
2 nd Reading		



City Attorney's Communication #2015-312

December 5, 2014

TO: Maggie Barszewski, AICP, Planner

FROM: Gordon B. Linn, City Attorney

RE: Ordinance to Amend the Future Land Use Designation for Property Located at 1400-1600 NW 33rd Street

As requested in your memorandum to me of December 3, 2014, Development Services Department Memorandum #14-559, I have reviewed the draft ordinance regarding amending the Future Land Use Designation that was attached to your memorandum and find same to be acceptable as to legal form and content.

Should you have any further questions regarding this matter, please feel free to contact me.

GORDON B. LINN

GBL/jrm
l:cor/dev-srvc/2015-312

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR PROPERTY LOCATED AT 1400-1600 NW 33rd STREET; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 19, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on November 19, 2014 on the proposed amendments to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

WHEREAS, said amendment proposes to change a Land Use Plan map designation of 2.413 gross acres in the Industrial (I) land use category to a Medium Residential (M) land use designation that will allow a maximum of 39 dwelling units, for the property legally described in Exhibit A; and

WHEREAS, pursuant to Ch. 163.3187, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

WHEREAS, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

WHEREAS, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

SECTION 2: That duly noticed public hearing was held on November 19, 2014 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Map Amendment.

SECTION 3: That the City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Industrial (I) land use category to a Medium Residential (M) on 2.413 gross acres, for the 1600 Corporation request located at 1400-1600 NW 33rd Street, as legally described in Exhibit A attached hereto and made a part hereof.

SECTION 4: That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required State Agencies for review under the Small Scale amendment process allowed by Ch. 163.

SECTION 5: The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

SECTION 6: That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

SECTION 7: That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

SECTION 8: That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 13th DAY OF JANUARY, 2015

PASSED SECOND READING THIS _____ DAY OF _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS
CITY CLERK

Exhibit A Legal Description

Lot 49, Pompano Farms (unrecorded) described as follows:

The West one-half (W 1/2) of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Northeast one-quarter (NE 1/4) of Section 22, Township 48 South, Range 42 East, Broward County, Florida; LESS the North 25.00 feet thereof.

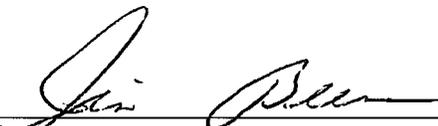
Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 104,927 square feet or 2.4088 acres more or less.

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #14-073**

DATE: November 25, 2014
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: Future Land Use Amendment – 1600 Corp
P & Z #13-93000003 Project: 1600 Corp

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on November 19, 2014, the Board considered the request by **1600 Corp** requesting a FUTURE LAND USE AMENDMENT of the property located at 1600 NW 33rd ST from Industrial (I) to Medium Density Residential (M).

It is the unanimous recommendation of the Board that the FUTURE LAND USE AMENDMENT request be approved.



Jim Beeson
Chairman
Planning and Zoning Board/ Local Planning Agency



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 14-515

DATE: November 7, 2014

TO: Planning and Zoning Board

VIA: Robin M. Bird, Development Services Director *RS*

FROM: Maggie Barszewski, AICP, Planner *MS*

RE: 1600 Corporation Mobile Home Site LUPA Small Scale Future Land Use Map Amendment
November 19, 2014 meeting P&Z # 13-93000003

Request

The Applicant is proposing a change in the future land use designation of a 2.413 gross-acre parcel. The subject property is generally located on the south side of NW 33rd Street, approximately one half-mile west of the N. Andrews Avenue Extension, as described in **Exhibit A**. Currently the parcel has an Industrial Future Land Use designation. The Applicant is requesting a change in land use to Medium Residential (M).

Proposed Development

The proposed land use would permit a maximum of 39 dwelling units; however the applicant has indicated an intent to continue using the subject property as it currently exists, which is as a mobile home park.

A. Existing Land Use Designations - Density/Intensities

The land use that is currently permitted by the adopted Future Land Use Map designation within this 2.413 gross-acre area is shown in Table 1. The Pompano Beach Comprehensive Plan does not have a Floor-Area-Ratio for Industrial land use; therefore in order to conduct a capacity analysis for Industrial, the Broward County Planning Council recommends a 10,000 sq. ft. per acre capacity be used.

Table 1 Maximum Capacity for Existing Land Use			
Land Use Designation	Density/Intensity	Gross Acres	Units/SF
Industrial	10,000/acre*	2.413	24,130 sq.ft.

*Based upon the Broward County Planning Council

B. Proposed Land Use Designation - Density/Intensities

The density allowed by the proposed Medium Residential land use for the property is shown below in Table 2.

Table 2 Maximum Capacity for Proposed Land Use			
Land Use	Type of Use	Gross Acres	Dwelling Units
Medium 10-16 du/acre	Multi-Family	2.413	39 du

LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

		Gross Residential Density
		Residential
E		Estate
L		Low
LM		Low- Medium
> M		Medium
MH		Medium-High
H		High
C		Commercial
CR		Commercial Recreation
* I		Industrial
T		Transportation
U		Utilities
CF		Community Facilities
OR		Recreation & Open Space
W		Water
RAC		Regional Activity Center
		Boundaries
		City of Pompano Beach

13 Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

* Existing
> Proposed

FOR ZONING MAP

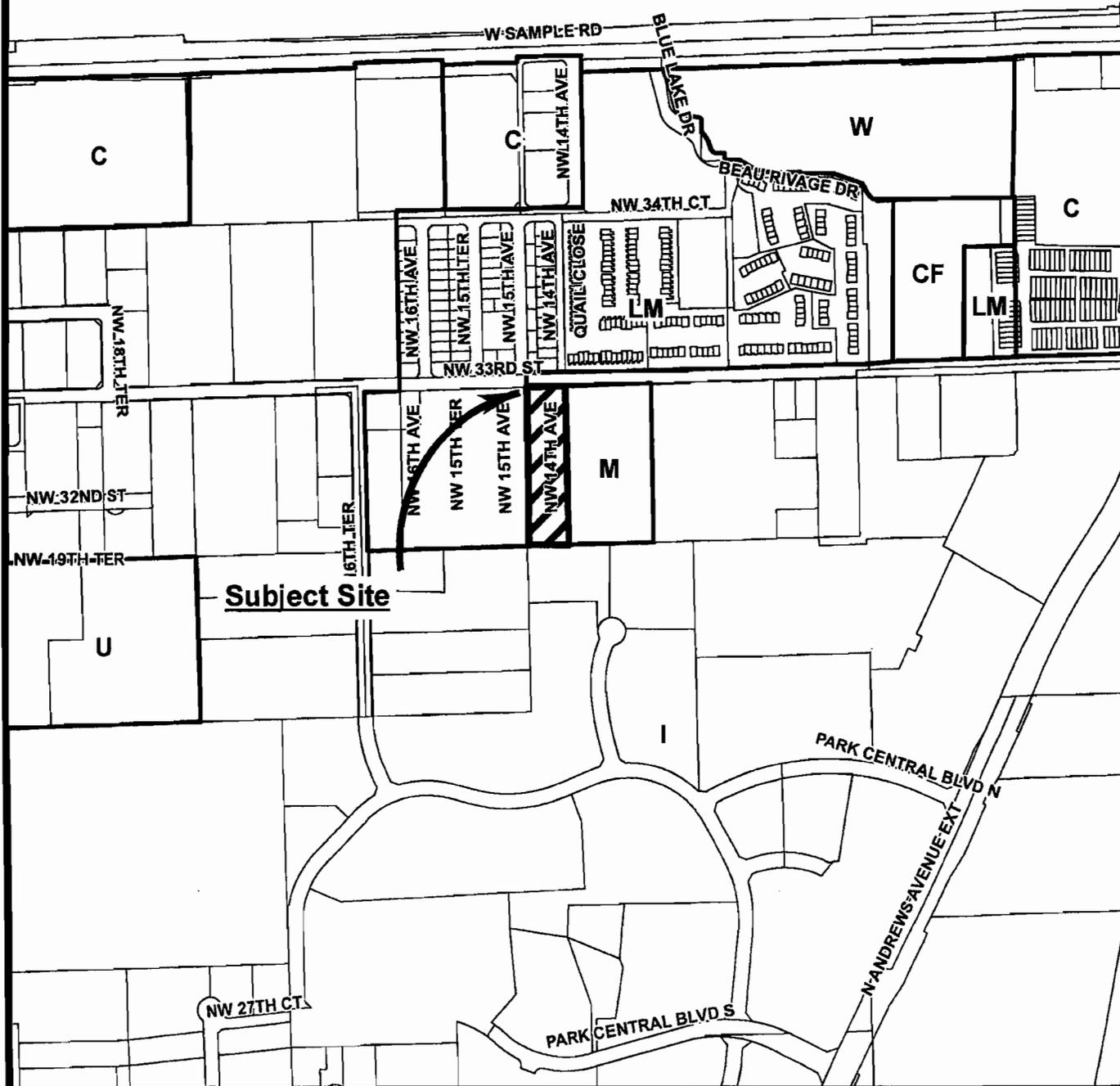
Symbol District

	RS-1	One-Family Residence
	RS-2	One-Family Residence
	RS-3	One-Family Residence
	RS-4	One-Family Residence
	RD-1	Two- Family Residence
	RM-12	Multi-Family Residence
	RM-20	Multi-Family Residence
	RM-30	Multi-Family Residence
	RM-45	Multi-Family Residence
	RM-45/HR	Overlay
	RPUD	Residential Planned Unit Dev.
	AOD	Atlantic Boulevard Overlay District
>*	MH-12	Mobile Home Park
	B-1	Limited Business
	B-2	Neighborhood Business
	B-3	General Business
	B-4	Heavy Business
	RO	Residence Office
	M-1	Marina Business
	M-2	Marina Industrial
	I-1	General Industrial
	I-1X	Special Industrial
	O-IP	Office Industrial Park
	BP	Business Parking
	BSC	Planned Shopping Center
	PCI	Planned Commercial / Industrial Overlay
	PR	Parks & Recreation
	CR	Commerical Recreation
	CF	Community Facilities
	T	Transportation
	PU	Public Utility

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



C I T Y L I M I T S



1 in = 600 ft

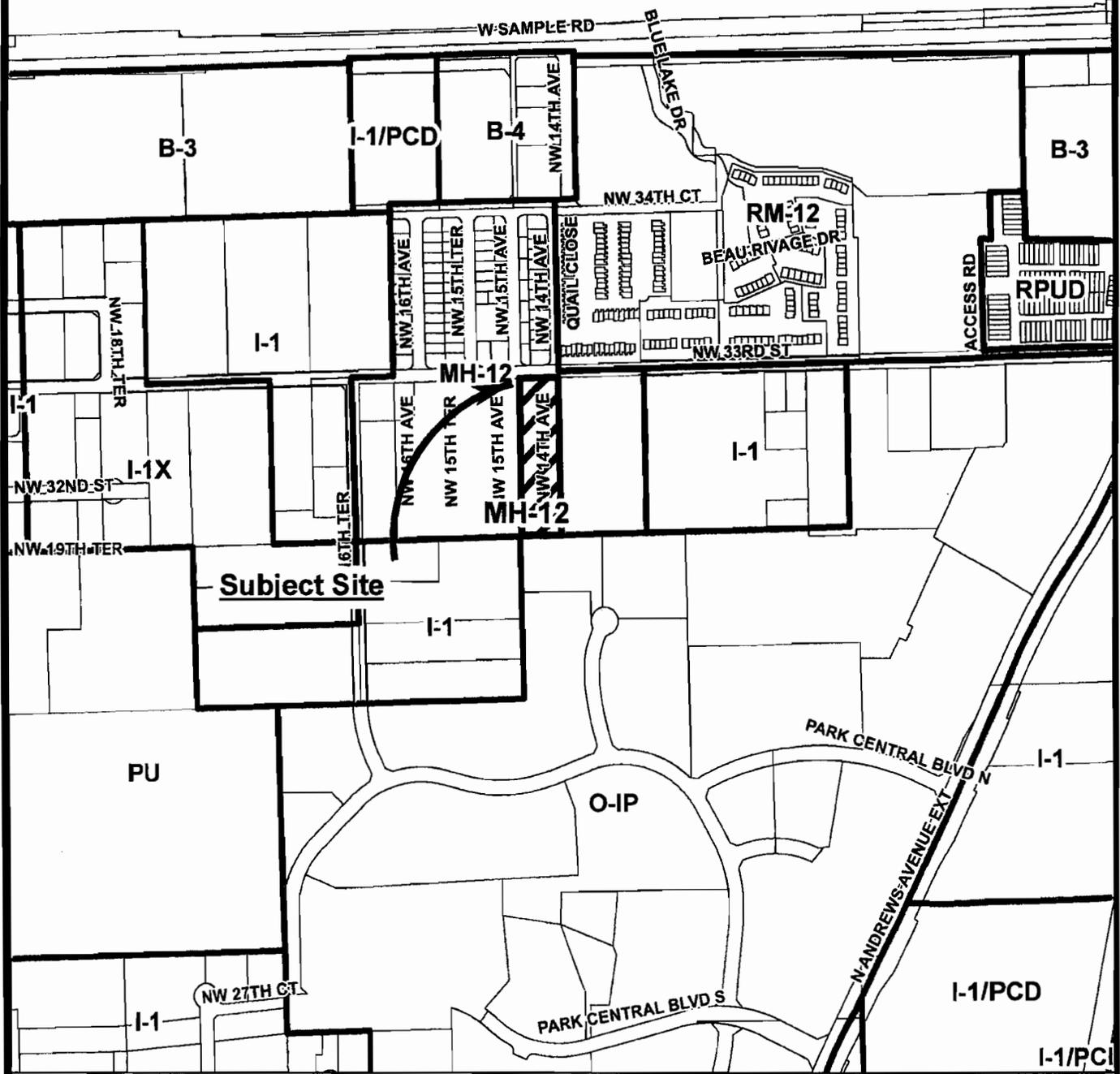
3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



C I T Y L I M I T S

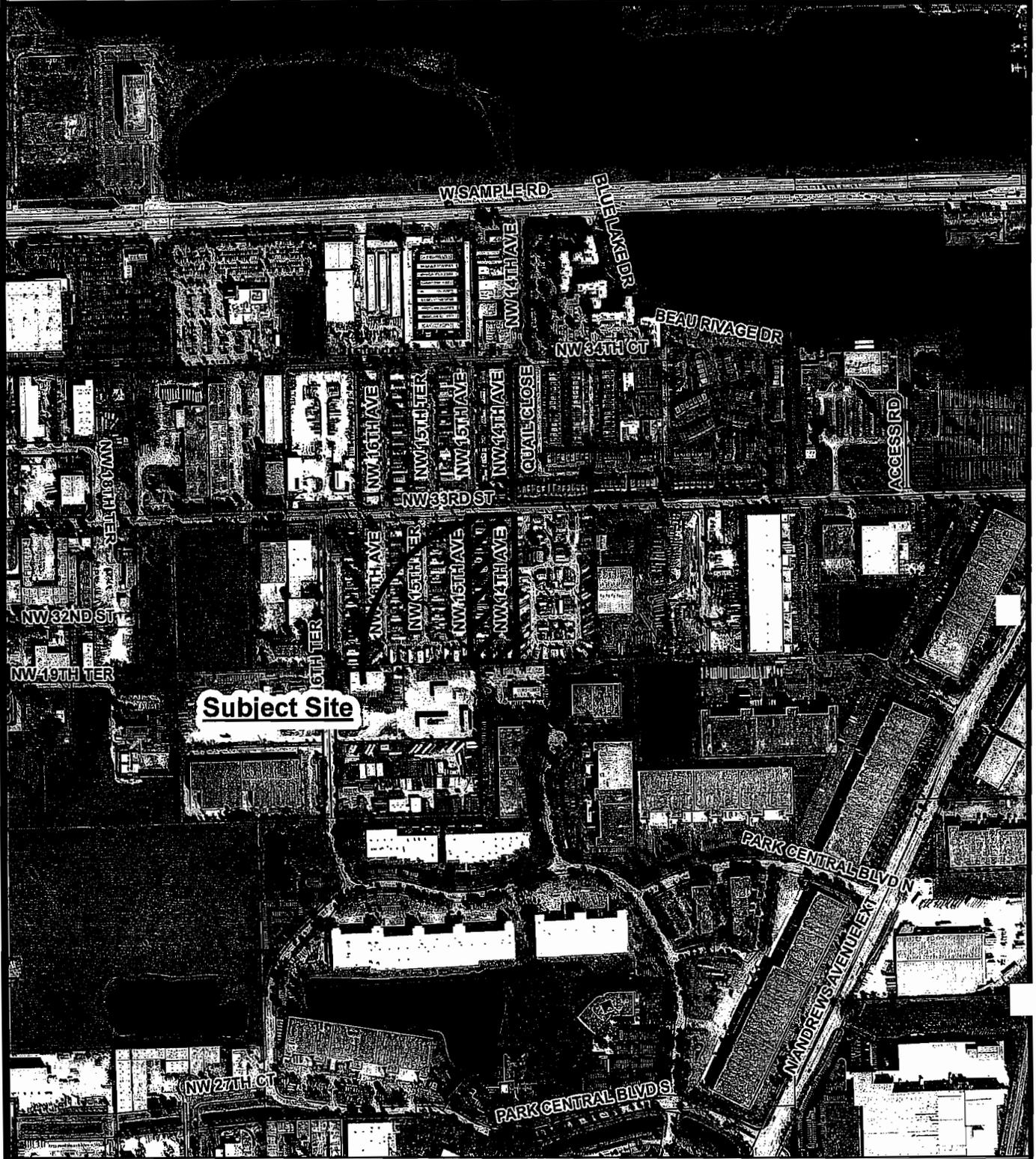


1 in = 600 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



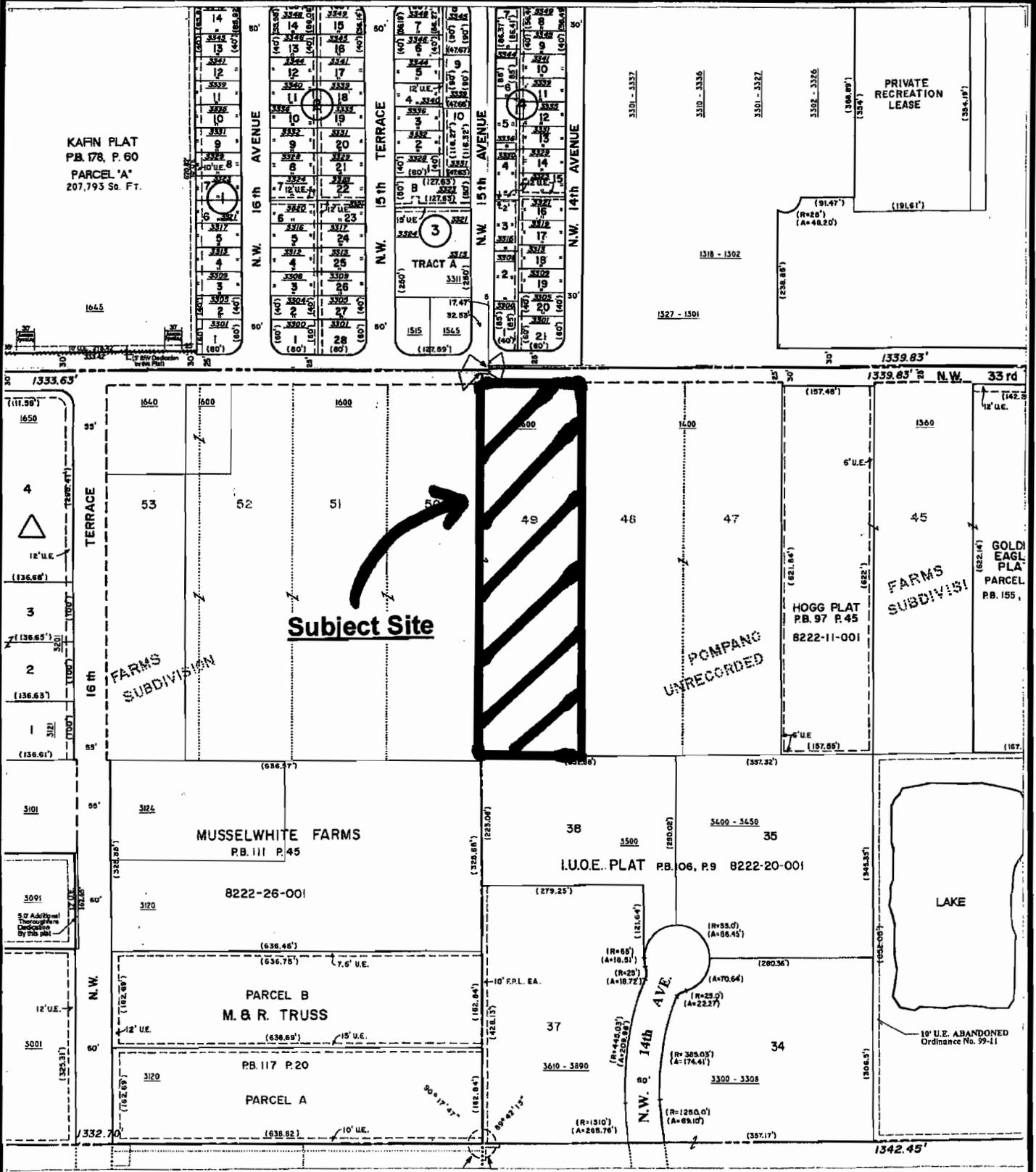
Subject Site

1 in = 600 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

NORTH

C. Rationale for the Proposed Amendment

The Applicant's rationale of the proposed land use of medium residential is simply to continue the use of the mobile home park that has existed on the subject property for over 50 years. It will also provide compatibility with the existing zoning & use of the property. The Applicant is of the opinion that this amendment would correct an error that transpired during the late 1980's, between Broward County and the City of Pompano Beach.

D. Surrounding Land Uses – The subject property is surrounded by the following land use designations:

- North: Low Medium Residential
- South: Industrial
- East: Medium Residential
- West: Low Medium Residential

E. Proposed City Land Use Designation - The proposed land use designation is Medium Residential (M).

F. Impact Analysis

The proposed intensity of the amendment area is a net decrease over what is currently allowed under the city's adopted plan; the reduction in intensity is due to the elimination of the Industrial land use and replacing it with residential. The amendment will also result in a population increase and therefore will generate additional demands on city services, and on the school district. The results of the impact analysis are provided below.

Sanitary Sewer

The proposed Medium Residential Land Use requires more sanitary sewer flow than the existing Industrial Land Use designation by approximately 9,287 gallons per day. The table below shows the difference in generation between the two uses.

Sanitary Sewer Impact			
	Use	Calculation	Total
Current	Industrial 24,130 sq. ft.	X .1 GPD per sq.ft.	=2,413 GPD
Proposed	Medium Res. 39 d.u.	X 300 GPD per d.u.	=11,700 GPD
		Change	9,287 GPD

Source: Broward County LDC

Potable Water

The proposed Medium Residential Land Use requires more potable water than the existing Industrial Land Use designation. The table below shows that demand for potable water increases by 11,237 gallons per day from what would be generated under the existing Industrial Land Use Designation, if that were to be developed on the property.

Potable Water Impact			
	Use	Calculation	Total
Current	Industrial 24,130 sq. ft.	X .1 GPD per sq.ft.	=2,413 GPD
Proposed	Medium Res. 39 d.u.	X 350 GPD per d.u.	=13,650 GPD
		Change	11,237 GPD

Source: Broward County LDC

Drainage

No specific drainage improvements have been programmed as of 2010. The final type and location of drainage improvements associated with future development will be determined during the approval process. Assuming

onsite detention is used, no increase in the quantity of storm water discharge should result from future improvements.

Drainage improvements will be programmed to conform to adopted level-of-service standards for the utility, and will be satisfied on-site. Required surface water management permits and licenses will be provided in conjunction with site development. All development activity on the proposed amendment site will continue to meet adopted level-of-service standards, and required permits will be obtained from agencies having jurisdiction.

Solid Waste

The proposed Medium Residential Land Use represents a decrease the output of solid waste from the existing Industrial Land Use. The table below shows that the output for solid waste will decrease by 4,487.9 pounds per day from what would be generated under the existing Industrial Land Use Designation if it existed.

Solid Waste Impact			
	Use	Calculation	Total
Current	Industrial 24,130 sq. ft.	X 2 lbs./100 sq. ft./day	=483 lbs/day
Proposed	Medium Res. 39 d.u.	X 8.9 lbs/day	=347.1 lbs/day
		Change	-135.9 lbs/day

Source: City of Pompano Beach Comprehensive Plan LOS

Recreation and Open Space

The level of service standard for neighborhood parks is based on 2 acres per 1,000 persons.

The level of service standard for community parks is 1 acre per 1,000 persons.

The level of service standard for urban parks based is 2 acres per 1,000 persons.

The proposed change in the land use designation will increase residential units by a net 39 units. The increase in population will be approximately 86 people. The 86 additional people will generate the need for .43 of an acre of all park types (5acres/1000). There is existing capacity in the city's park system to accommodate this demand.

Traffic Circulation

Replacing Industrial land use with Medium Residential land use would result in an increase of average daily trips by approximately 257.1 trips per day.

Traffic Impact			
	Use Code	Calculation	Total
Current	Industrial (140)	24,130 sq. ft.	=1.9 trips/day
Proposed	Medium Res. d.u. (220)	39 Apartment du	= 259 trips /day
		Change	257.1 trips/day

Source: Trip Generation Manual, 6th Addition - Average Daily Traffic

Mass Transit

The Applicant states that a Broward County Mass Transit bus stop is located approximately 1,200 feet north of the subject property for Transit Route 34 along Sample Road. This route operates on 30-minute intervals on weekdays and 40-minute intervals on weekends. Also stated in the

application is that the Sample Road Tri-Rail Station is approximately 2,400 feet east of the subject property. It is also serviced by the City’s “Blue Route” running along Sample Road.

Summary

In summary, the proposed amendment will have the following effects on public facilities and services:

- Increase in population for this property from zero to an approximate 86 residents;
- increase in sewer output and water demand of 9,287 gallons per day;
- Increase in solid waste demand;
- Increase in traffic impacts;
- Increase transit demand for the relatively close existing mass transit facility;
- Increase in demand for park and recreation (due to increase in population).

The City has adequate capacity in all of these services to handle this increment of growth. Furthermore, the Applicant intends to retain the existing mobile home development on the subject property, which means that there would be no increase in the existing rendered service.

G. Natural and Historic Resources

The applicant states that review of the Pompano Beach Comprehensive Plan Maps reveals no historic sites located on or near the subject property.

H. Affordable Housing

The requirements of affordable housing units per the Broward County Land Use Plan Policy 1.07.07 do not apply for this request since it would generate fewer than 100 units.

I. Land Use Compatibility

The proposed use is compatible with the adjacent Medium Residential and Low Medium Residential to the east, north and west respectively. The one side that the amendment would not be compatible with is to the south, where there is Industrial land use. The surrounding Future Land Use designations to the subject property are shown in the table below:

Location	Existing Use	City Land Use Designation
North	Mobile Homes	Low medium Residential
South	Industrial Buildings	Industrial
East	Mobile Homes	Medium Residential
West	Mobile Homes	Low medium Residential

J. Hurricane Evacuation Analysis

The subject property is not within a Hurricane Evacuation Zone so no analysis is required.

K. Redevelopment Analysis

The amendment is not within the City's CRA Boundaries.

L. Intergovernmental Coordination

The subject property is not adjacent to any other local governments.

M. Public Education

The School Board will provide the project with a School Consistency Review Report prior to County adoption of the Land Use Plan amendment.

N. Consistency with Goals, Objectives and Policies of the City's Land Use Plan

The proposed amendment is consistent with the following goals, objectives and policies of the Land Use Plan:

Goal 01.00.00

The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Policy 01.03.05

All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.06

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

Policy 01.03.11

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.07.21

Annually evaluate the effect of land development regulations and permitting on the affordability of housing and take appropriate actions to support the affordability of housing. Continue to implement the incentives for providing affordable housing currently in the land development regulations including the use of flex units for affordable housing and the expedited permit review process for developments primarily aimed at providing affordable housing.

Policy 01.07.22

The city's land development code shall include provisions to encourage or enable a variety of housing opportunities in varying price ranges, including housing for low and moderate income families in large scale residential developments.

Goal 05.00.00

The areawide availability of structurally safe, affordable, uncrowded and otherwise adequate residential shelter for all existing and anticipated future residents of the City of Pompano Beach and utilize energy efficient design and construction principles and renewable energy resources.

Policy 05.01.01

The City shall adopt a future Comprehensive Plan which includes the provision of residentially designated property at a variety of density classifications. The relative location of parcels with different density designations shall be based on sound planning principles and cognizant of potential negative impacts to existing established residents and businesses.

Policy 05.08.07

Encourage both ownership and rental opportunities for all types of housing.

O. Recommendation of Approval

Staff recommends approval of the Land Use Plan Map Amendment from the current Industrial (I) Land Use designation to Medium Residential (M) for the property legally described in Exhibit A.

ALTERNATIVE MOTIONS:

- (1) **Motion to recommend approval** of the proposed Future Land Use amendment from the current Industrial (I) Land Use designation to Medium Residential (M) based on compliance with the following Future Land Use Element goals and policies:

Goal 01.00.00

The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Policy 01.03.05

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Policy 05.08.07

Encourage both ownership and rental opportunities for all types of housing.

- (2) **Motion to table** the requested Future Land Use amendment to provide time for any issues raised by the Board, Staff, Applicant or the general public.
- (3) **Motion to recommend denial** as the Board finds the proposed Land Use designation amendment incompatible with the goals, objectives and policies in the Comprehensive Plan.

Exhibit A Legal Description

Lot 49, Pompano Farms (unrecorded) described as follows:

The West one-half (W 1/2) of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Northeast one-quarter (NE 1/4) of Section 22, Township 48 South, Range 42 East, Broward County, Florida, LESS the North 25.00 feet thereof.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 104,927 square feet or 2.4088 acres more or less.

1600 Corporation

SMALL LAND USE AMENDMENT

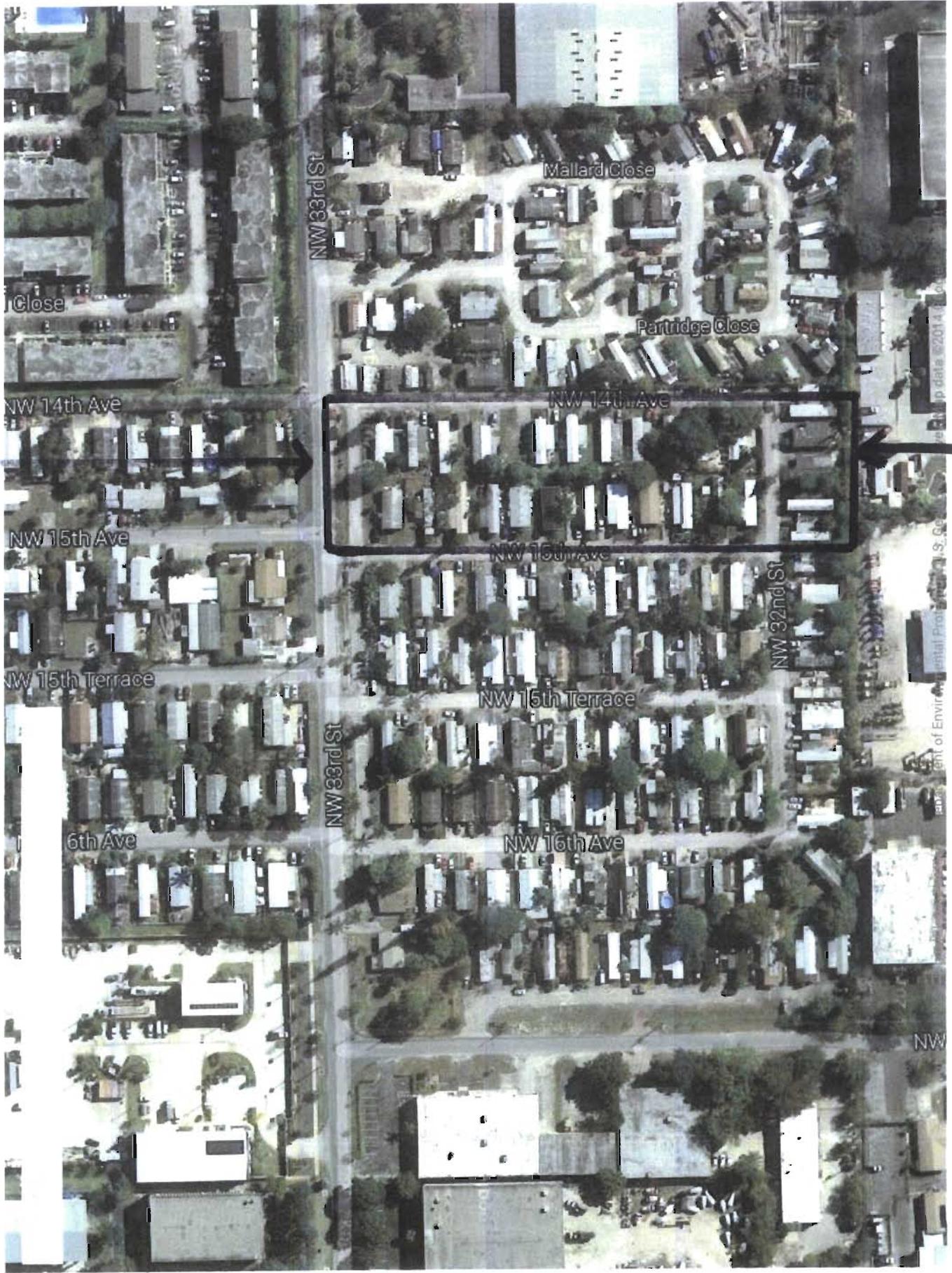
PARKRIDGE MOBILE
HOME PARK
1400-1600 NW 33RD STREET
POMPANO BEACH, FLORIDA

Prepared by:

Johnston & Metevia, P.A.
2335 E. Atlantic Blvd., Suite 301
Pompano Beach, FL 33062
P: 954-942-6633 F: 954-942-3958
E: tjwm1@aol.com

Rev. 11/12/2014

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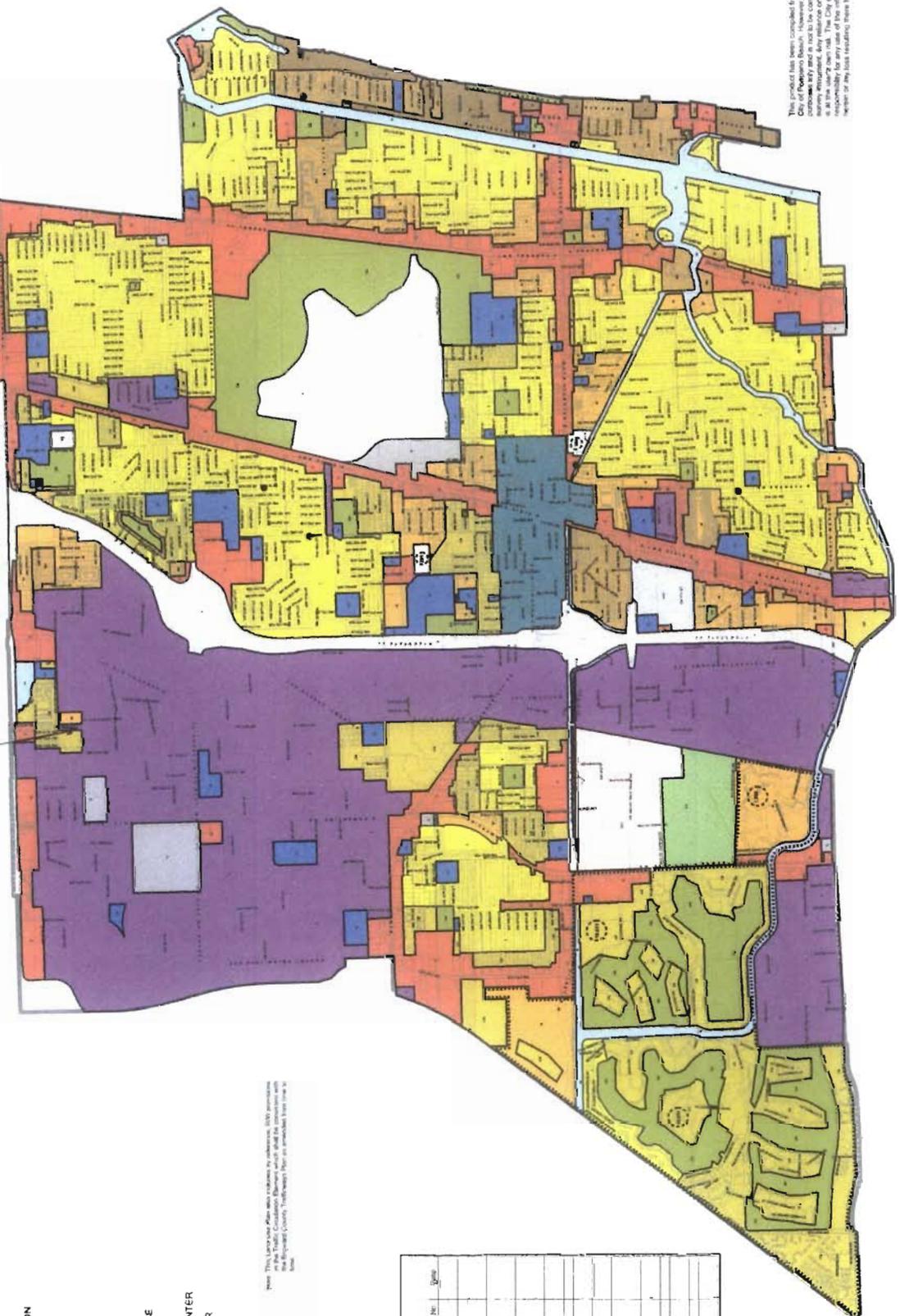
LURA

CITY OF POMPANO BEACH Future Land Use Map

Map Updated: April 29, 2014



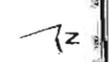
SUBJECT PROPERTY



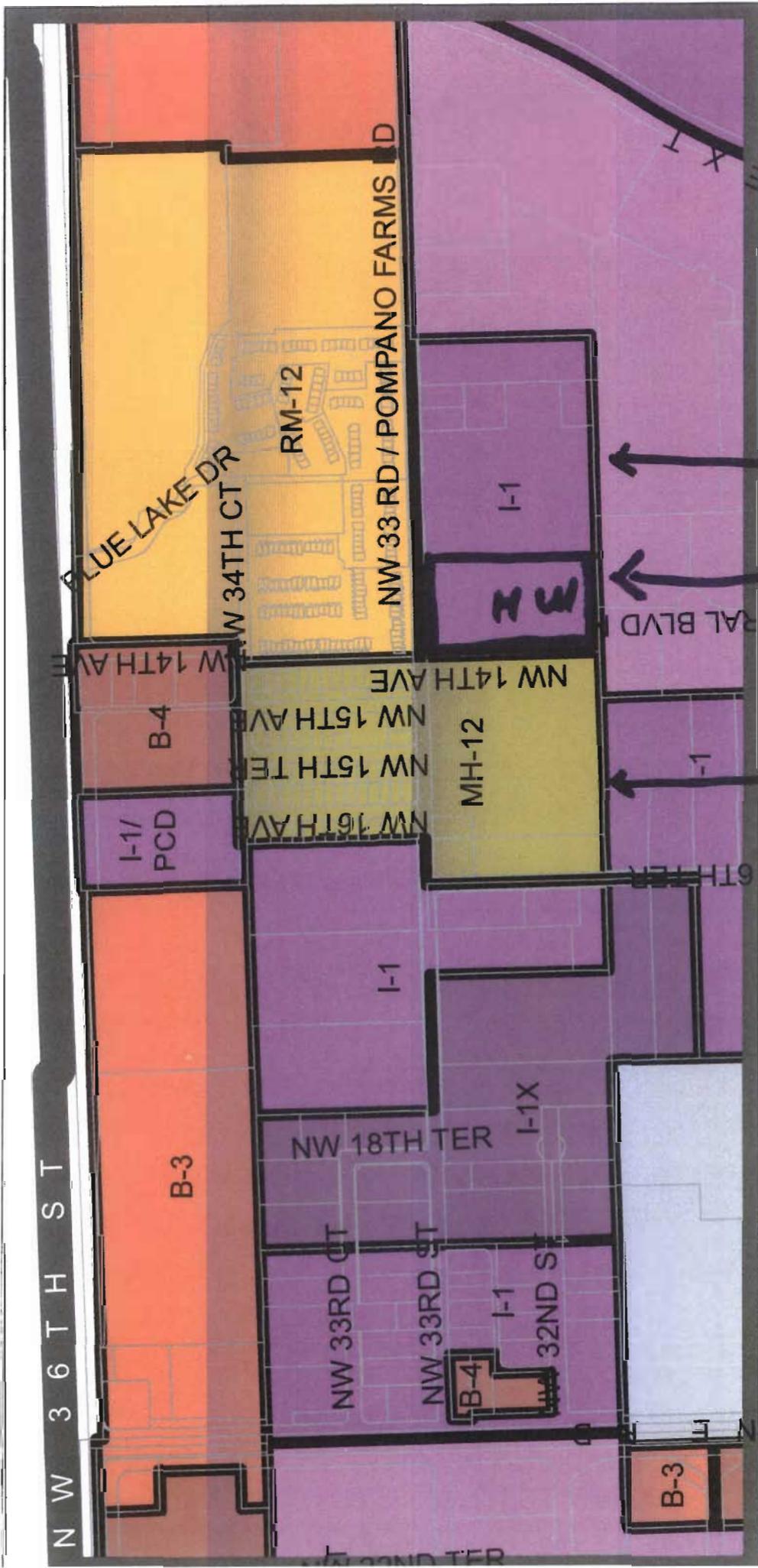
- LEGEND**
- OR Land Use With One Note
 - TYPE**
 - Number**
 - 1- LOW 1-5 DU/AC**
 - LM- LOW/MEDIUM 5-10 DU/AC**
 - M- MEDIUM 10-18 DU/AC**
 - MH- MEDIUM-HIGH 18-25 DU/AC**
 - H- HIGH 25-48 DU/AC**
 - 12- IRREGULAR DENSITY**
 - IR- IRREGULAR DENSITY**
 - CC- COMMERCIAL**
 - CR- COMMERCIAL RECREATION**
 - I- INDUSTRIAL**
 - T- TRANSPORTATION**
 - U- UTILITIES**
 - CF- COMMUNITY FACILITIES**
 - DP*OC**
 - OR- RECREATION OPEN SPACE**
 - W- WATER**
 - RAC- REGIONAL ACTIVITY CENTER**
 - LAC- LOCAL ACTIVITY CENTER**
 - CITY LIMITS**

This is to certify that this is the official land use map of the City of Pompano Beach, Florida. The map was prepared by the Planning Department of the City of Pompano Beach, Florida, and is hereby certified to be true and correct. The map was prepared in accordance with the provisions of the Florida State Constitution and the Florida State Statutes. The map was prepared on the date of April 29, 2014.

City No.	Area	Area No.	Area Name	Area Type	Area Code
01-38	1170000	01-38	1170000	1	01-38
01-39	1170000	01-39	1170000	1	01-39
01-40	1170000	01-40	1170000	1	01-40
01-41	1170000	01-41	1170000	1	01-41
01-42	1170000	01-42	1170000	1	01-42
01-43	1170000	01-43	1170000	1	01-43
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01-58	1170000	01-58	1170000	1	01-58
01-59	1170000	01-59	1170000	1	01-59
01-60	1170000	01-60	1170000	1	01-60



This product has been compiled from various source data from the City of Pompano Beach. However, the product is by reference only and is not to be construed as a legal document or as a warranty of any kind. The City of Pompano Beach assumes no responsibility for any use of the information contained herein or for any loss resulting therefrom.



CURRENT ZONING MH-12 as of spring 2014

**APPLICATION FOR AMENDMENT TO
THE BROWARD COUNTY LAND USE PLAN:
BROWARD COUNTY PLANNING COUNCIL**

1600 Corporation

I. TRANSMITTAL INFORMATION

- A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a proposed amendment to the Broward County Land Use Plan. Please attach a copy of the referenced motion, resolution or ordinance. The local government's action to transmit must include a recommendation of approval, denial or modification regarding the proposed amendment to the Broward County Land Use Plan.

County will answer

- B. Date local governing body held transmittal public hearing.

County will answer

- C. Whether the amendment area is within as Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

County will answer

- D. Whether the amendment is one of the following:
*Development of Regional Impact
*Small scale development activity (per Florida Statutes)
*Emergency (please describe on separate page)
*Other amendments which may be submitted without regard to Florida statutory limits regarding amendment submittals (Brownfield amendments, etc.)

County will answer

II. LOCAL GOVERNMENT INFORMATION

- A. Local land use plan amendments or case numbers.

County will answer

- B. Proposed month of adoption of local land use plan amendment.

County will answer

- C. Name, title, address, telephone, facsimile number and email of the local government contact.

County will answer

- D. Summary minutes from the local planning agency and local government public hearing of the transmittal of the Broward County Land Use Plan amendment.

County will answer

- E. Description of public notification procedures followed for the amendment by the local government.

County will answer

III. APPLICANT INFORMATION

- A. Name, title, address, telephone, facsimile number and email of the applicant.

1600 Corporation, 3640 NW 58th Street, Pompano Beach, FL 33073; Tel. 954-698-5972; Fax none; email: none

- B. Name, title, address, telephone, facsimile number and email of the agent.

Thomas W. Johnston, Esq., Johnston & Metevia, P.A., 2335 E. Atlantic Blvd., Suite 301, Pompano Beach, FL 33062; Tel. 954-942-6633, Fax 954-942-3958, tjwm1@aol.com

Michael Vonder Meulen, Senior Planner, Keith and Associates, 301 E. Atlantic Blvd., Pompano Beach, FL 33060; Tel. 954-788-3400, Fax 954-788-3500, mvondermeulen@keith-associates.com

- C. Name, title, address, telephone, facsimile number and email of the property owner.

1600 Corporation, 3640 NW 58th Street, Pompano Beach, FL 33073; Tel. 954-698-5972; Fax none; email: none

- D. Planning Council fee for processing the amendment in accordance with the attached Exhibit C, "Fee Schedule for Amendments to the Broward County Land Use Plan and Local Land Use Elements."

See attached

- E. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report.

The proposed use of the mobile home park (this has been a mobile home park for over 50 years and the use will not change) is medium residential. This action will restore the previously existing use. Our clients 1600 Corporation have owned this property for more than 40 years and operated

the mobile home park, the past and current use on the property, both for zoning and land use purposes. The particular area concerned with this land use change is a small portion of that property consisting of unrecorded lots known as Pompano Farms (Unrecorded) Acreage Lots 47-53. This proposed land use change involves Lot 49, surrounded by Lots 47 and 48 on the east side and Lots 50-53 on the west side. Lots 47 and 48 and 50-53 currently have the identical land use to the proposed land use designation sought by this application. Unrecorded Lot 49 of Pompano Farms for many years had the land use category of "medium residential" (10-16). Sometime in the late 1980s, when a communication between the County and the City of Pompano Beach was questioned by the County, and the City reported it would investigate it; there were no results of that investigation that can be found. This particular one lot was put forward for a land use amendment from medium-residential (10-16) to industrial, without the knowledge or consent of the owner, a condition the owner did not discover until spring 2013. This application seeks to correct that error, rectify the situation by restoring the correct and proper land use which this property has enjoyed together with its companion lots (47-53) of Pompano Farms Unrecorded for more than 40 years. The zoning of the west 10' of Lot 46 and all of Lots 47-53 is MH (note: "mobile home park" as of spring 2014).

IV. AMENDMENT SITE DESCRIPTION

- A. Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the proposed amendment.

1400-1600 NW 33rd Street, Pompano Beach; please see attached legal description; 2.4088 acres more or less; this parcel lies between two larger parent tracts and has always been contiguous and owned by the same owner for many years.

- B. Sealed survey, including legal description of the area proposed to be amended.

See attached survey

- C. Map at a scale of 1" = 300' clearly indicating the amendment's location, boundaries and proposed land uses.

See attached color map

V. EXISTING AND PROPOSED USES

- A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple land use designations, describe gross acreage within each designation.

From industrial to medium-residential (16): residential mobile home park

- B. Current land use designations for the adjacent properties.

Industrial

C. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for adjacent areas.

Yes

D. Existing use of amendment site and adjacent areas.

The proposed use of the mobile home park (this has been a mobile home park for over 50 years and the use will not change) is medium residential. This action will restore the previously existing land use.

E. Proposed use of the amendment site including proposed square footage* for each non-residential use and/or dwelling unit count. For RAC, LAC, TOC, TOD and MUR amendments, please provide each existing non-residential use square footage and existing dwelling units for amendment area.

MH-12 (mobile home park)

F. Maximum allowable development per local government land use plans under existing designation for the site, including square footage* for each non-residential use and/or dwelling unit count.

None

G. Indicate if the amendment is part of a larger development project that is intended to be developed as a unit such as a site plan, plat or Development of Regional Impact. If so, indicate the name of the development; provide the site plan or plat number; provide a location map; and, identify the proposed uses.

No

VI. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

The items below must be addressed to determine the impact of an amendment on existing and planned public facilities and services. Provide calculations for each public facility and/or service. If more than one amendment is submitted, calculations must be prepared on an individual and cumulative basis. *square footage numbers are for analytical purposes only

Industrial Capacity analysis will be calculated at 10,000 per acre (2.413 gross acres x 10,000 sq ft/ac = 24,130 sq ft) and Residential Capacity will be based on maximum density permitted per acre 2.413 gross acres x 16 du/ac = 39 units).

A. Sanitary Sewer Analysis

1. Identify whether the amendment site or a portion is currently and/or proposed to be serviced by septic tanks.

The property is not serviced by septic tanks.

2. Identify the sanitary sewer facilities serving the amendment site including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

Established levels of service in accordance with the City's Comprehensive Plan are as follows:

**Pompano Beach: 15.71 million gallons per day in Design Capacity
12.667 million gallons per day in 2008**

**Broward County: 84.00 million gallons per day in Design Capacity
(North District) 72.50 million gallons per day in 2008**

3. Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot* or dwelling unit.

Broward County's Comprehensive Plan lists generation rates for industrial/warehouse uses at 0.10 gallons per day per square foot of floor space and 300 gallons per day for each residential unit. Based on this generation rate, the amendment will result in an assumed increase of 4,787 gallons per day of sanitary sewer demand.

Sanitary Sewer Demand – Industrial Land Use

**Existing Assumed Demand: 24,130 sq. ft. x 0.10 gpd = 2,413 gpd
Proposed Demand: 39 units x 300 gpd = 11,700 gpd**

Increase in Demand = 9,287 gpd

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government's adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

The design capacity of the Broward County North Regional Wastewater Treatment Plant is 84 million gallons per day (MGD). The City of Pompano Beach has a reserve capacity 15.71 MGD (average daily flow). The City projections indicate that by 2015 the average flow will be 14.23 MGD, which is below reserve capacity.

Source: Pompano Beach Comprehensive Plan

5. Correspondence from sanitary sewer provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.

**Mario Aispuro, Land Development Project Coordinator
 Broward County Environmental Engineering Division
 2555 W. Copans Road, Pompano Beach, FL 33069**

B. Potable Water Analysis

1. Data and analysis demonstrating that a sufficient supply of potable water and related infrastructure will be available to serve the proposed amendment site through the long-term planning horizon, including the nature, timing and size of the proposed water supply and related infrastructure improvements.

The City's level-of-service for potable water is 191 or lower gallons per capita per day.

In 2010 the projected demand was 14.72 mgd with a capacity of 22.17 mgd. The projected demand for 2015 is 15.95 mgd with a capacity of 20.33 mgd.

Source: Pompano Beach Comprehensive Plan

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.

Pompano Beach Water

Lime Softening Plant	40.00 mgd in Design Capacity
Membrane Plant	10.00 mgd in Design Capacity
Total	50.00 mgd in Design Capacity 16.23 mgd in Current Demand

**Broward County
2A Plant**

30.00 mgd in Design Capacity
13.33 mgd in Current Demand

**Broward County
1A Plant**

10.67 mgd in Design Capacity
8.00 mgd in Current Demand

Note: All demand figures are for 2007

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

The City of Pompano Beach owns twenty-five (25) production wells that supply potable water. There are two wellfields serving this site. The eastern wellfield is located within the Pompano Beach Airpark and the western wellfield is located within the Palm Aire

development. The City's water withdrawal is authorized by South Florida Water Management Consumptive Use Permit Number 06-00070W, which allows for an average daily allocation of 20.00 MGD, a maximum daily allocation of 25.5 MGD and a pump capacity of 54.40 MGD.

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot* or dwelling unit.

Broward County's Comprehensive Plan lists generation rates for industrial/warehouse uses at 0.10 gallons per day per square foot of floor space and 350 gallons per day for each residential unit. Based on this generation rate, the amendment will result in an assumed increase of 4,787 gallons per day of sanitary sewer demand.

Potable Water Demand

Existing Assumed Demand: 24,130 sq. ft. x 0.10 gpd = 2,413 gpd

Proposed Demand: 39 units x 350 gpd = 13,650 gpd

Increase in Demand = 11,237 gpd

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan-provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

In 2010 the projected demand was 14.72 mgd with a capacity of 22.17 mgd. The projected demand for 2015 is 15.95 mgd with a capacity of 20.33 mgd.

Per discussion with City staff, there are no capacity expansions planned in the City's Capital Improvements Program (CIP). No additional wellfields are planned.

6. Correspondence from potable water provider verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.

**Mario Aispuro, Land Development Project Coordinator
Broward County Environmental Engineering Division
2555 W. Copans Road, Pompano Beach, FL 33069**

C. Drainage Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located.

The adopted level of service standards in the City of Pompano Beach are as follows:

- **25-Year Frequency Storm
72-Hour Duration for Allowable Discharge**
- **10-Year Frequency Storm
24-Hour Duration for the Minimum Road Crown Elevation**
- **100-Year Frequency Storm
72-Hour Duration for Minimum Finished Floor Elevation**

2. Identify the drainage district and drainage systems serving the amendment area.

The amendment area is located in the South Florida Water Management District. Runoff will be stored on-site in an existing retention area (lakes), and overflow is discharged to Dixie Highway and SW 6th Street.

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

No specific drainage improvements have been programmed as of 2010. The final type and location of drainage improvements associated with future development will be determined during the approval process. Assuming on-site detention is used, no increase in the quantity of stormwater discharge should result from future improvements.

Drainage improvements will be programmed to conform to adopted level-of-service standards for the utility, and will be satisfied on-site. Required surface water management permits and licenses will be provided in conjunction with site development.

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

Per the South Florida Water Management District, no Basin Surface Water Management Plan has been developed or approved by the District for the proposed amendment area.

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrates how the site will be

drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage of proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

All development activity on the proposed amendment site will continue to meet adopted level-of-service standards, and required permits will be obtained from agencies having jurisdiction. Future improvements will meet the surface water management requirements of the South Florida Water Management District and the Broward County Department of Planning and Environmental Protection.

6. Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.

**Alessandra Delfico PE, City Engineer
City of Pompano Beach Engineering Division
1201 NE 5 Avenue,
Pompano Beach, Florida 33060**

D. Solid Waste Analysis

1. Provide the adopted level of service standard for the municipality in which the amendment is located.

The City of Pompano Beach’s adopted level-of-service standard are as follows:

Land Use	Level of Service
Residential	8.9 lbs. per unit per day
Industrial/Commercial Factory/Warehouse	2 lbs per 100 sq ft per day

2. Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current and committed demand on the landfill/plant capacity and planned landfill/plant capacity.

Waste Management, Inc., operates a Class 1 Sanitary Landfill, which is authorized to accept all household and commercial solid waste, excluding hazardous waste. The landfill covers 500 acres, of which

400 acres are used to bury solid waste. The sanitary landfill is located north of the City of Pompano Beach city limits.

Waste Management leases land to Broward County for the Waste to Energy Plant. The Waste to Energy Plant is one of two facilities, Broward County has constructed for the incineration of solid waste. The unburnable materials and the residue ash are placed in the sanitary landfill.

Waste Management, Inc. is the City's contractor for the collection and disposal of all solid waste generated within the City of Pompano Beach.

Available Landfill/Plant Capacity:	660 tons per day
Current Landfill/Plant Demand:	290 tons per day
Committed Landfill/Plant Demand:	290 tons per day

Source: City of Pompano Beach Comprehensive Plan

3. Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot* or dwelling unit.

Industrial demand based on increase of total square footage proposed is calculated below. This calculation assumes an average commercial waste generation rate of 4.2 pounds per 100 square feet per day, detailed as follows:

Industrial and Commercial Solid Waste Generation Rates

Factory/Warehouse 2 pounds per 100 square feet per day

Existing Assumed

Demand: 24,130 sq ft x 2.0 lbs/100 sq ft/day = 483 lbs

Proposed Demand: 39 units x 8.9 lbs/day/unit = 347.1 lbs

Reduction in demand = 135.9 pounds per day

This amendment will result in a net reduction in solid waste demand of 135.9 pounds per day.

4. Correspondence from the solid waste provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

Kay Hurley

Waste Management

2700 NW 48th Street, Pompano Beach, FL 33073

E. Recreation and Open Space Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located and the current level of service.

The City of Pompano Beach has the following adopted level-of-service for parks

- **Two (2) acres per 1,000 population for neighborhood parks.**
- **One (1) acre per 1,000 population for community parks.**
- **Two (2) acres per 1,000 population for urban parks.**

2. Identify the parks serving the service area in which the amendment is located including acreage and facility type, e.g. neighborhood, community or regional park.

Apollo Park	4.4 acres	Mini
Kendall Lakes Park	0.2 acres	Mini
Hunters Manor Park	8.3 acres	Neighborhood
McNair Park	8.4 acres	Neighborhood
Mitchel Moore Park	15.8 acres	Community
Weaver Park	12.4 acres	Community
Quiet Waters Park	431 acres	Regional
Tradewinds Park	627 acres	Regional

3. Identify the net impact on demand for park acreage resulting from this amendment.

Based on the conservative assumption of 2.2 persons per dwelling unit, this amendment will create a net impact demand of:

- **0.144 acres of neighborhood parks**
- **0.072 acres of community parks**
- **0.144 acres of urban parks**

4. Identify the projected park needs for the short and long range planning horizons as identified within the adopted comprehensive plan – provide need projections and information regarding planned expansions including year, identified funding sources, and other relevant information.

The amendment site is located in Park Service District 15 which is bounded on the north by Sample Road, on the east by Seaboard Coastline Railroad, on the south by Copans Road, and the west by Powerline Road. Except for a small residential area centered around the intersection of NW 33rd Street and NW 15th Terrace, the District is primarily designated for industrial uses. The small residential area consists mainly of mobile homes and apartments.

There are no mini-parks or neighborhood parks in the Park Service District 15. Based upon the 2005 population of 1,441, approximately 2.88 acres are needed. Park needs will continue to increase for the 2020 population of 1,500.

However, there are proposed park expansions and improvements based on the City of Pompano Beach Parks and Recreation Master Plan of July, 2013. The master plan identifies park improvements via commission districts. The amendment site is located in District 4. The present population of District 4 is expected to increase by nearly 3,000 persons by 2030, from the present population of 19,930 to approximately 22,597. This increase in population will require additional park area to meet Neighborhood Recreation Demand acreage of 2 acres per 1,000 populations; or for 3,000 additional residents provide a minimum of another 6 acres. The Master Plan also identifies the potential for the location of a Skate Park. The City owned site adjacent to Apollo Park and the Boys and Girls Club is an ideal venue to locate future additional recreation facilities.

The Master Plan proposes the expansion of Apollo Park to include a skate park, a Multi-Use soccer and football field, an informal play area, and approximately 80 parking spaces to serve future visitor needs. The City of Pompano Beach owns the site immediately adjacent to the Boys and Girls Club and the City owned Apollo Park. The presently vacant site has an area of approximately 8.5 acres. The totality of the site will be devoted to recreational use. The proposed Skate Park will be designed as a permanent facility and will be constructed with reinforced concrete elements; either precast or cast in place as the future design may warrant. A design firm that is specialized in the design and construction supervision of skate parks is recommended to be included as part of any future skate park design team. A Multi-Use Field for playing soccer or football is proposed. There is sufficient land area to construct the field and provide for the proper orientation of the facility. The other available areas of the site are proposed to be dedicated to informal playfields for children and for open space enjoyment of adults. Within the 8.5 acres of the site there will be sufficient parking provided to meet the expanded park demand. As with other City recreation facilities, proper fencing will be provided.

F. Traffic Circulation Analysis

1. Identify the roadways impacted by the proposed amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

Roadways adjacent to and serving the amendment site are:

- **NW 14th and NW 15th Avenues are two-lane private roads within the boundaries of site. These two roadways are not indicated as a local roadways in the City's Transportation Element;**

- **NW 33rd Street (Pompano Farms Road) is designated as an local collector roadway, and is a two-lane roadway between Powerline Road to Andrews Avenue Extension.**
- **Andrews Avenue Extension is a four-lane divided roadway designated as 110 foot minor arterial on the County's Trafficways Plan. The current traffic volume is 16,400 daily trips (2009 data). The adopted and current level of service is B.**
- **Powerline Road is a six-lane divided roadway designated as a 144' major arterial on the County's Trafficways Plan. The current traffic volume is 29,500 daily trips (2009 data). The adopted and current level of service is B.**

2. Identify the projected level of service for the roadways impacted by the proposed amendment for the short (five year) and long range planning horizons. Please utilize average daily and p.m. peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

- **Andrews Avenue Extension projected level of service is B short term and C long range with projected traffic volumes of 36,400 trips in 2030.**
- **Powerline Road projected level of service is B short term and B long range with projected traffic volumes of 50,800 trips in 2030.**

3. Planning Council staff will analyze traffic impacts resulting from the amendment. You may provide a traffic impact analysis for this amendment – calculate anticipated average daily and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network for the short (5 year) and long range planning horizons.

No traffic impact analysis is being provided.

4. Provide any transportation studies relating to this amendment, as desired.

No traffic studies are provided.

G. Mass Transit Analysis

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

Broward County Mass Transit bus stop is located approximately 1,200 feet north of the amendment site along Sample Road which is Route 34. Route 34 operates on 30-minute intervals on weekdays and 40-minute intervals on weekends.

Approximately 2,400 feet east of the amendment site is the Sample Road Tri-Rail station.

The amendment site is also serviced by the City of Pompano Beach's Community Bus Service "Blue Route", which runs along Sample Road and generally operates on 45-minute intervals on weekdays.

2. Quantify the change in mass transit demand resulting from this amendment.

There is expected to be de minimus to no change in the mass transit demand resulting from the proposed small scale amendment.

3. Correspondence from transit provider verifying the information submitted as part of the application on items 1-2 above. Correspondence must contain name, position and contact information of party providing verification.

**John Ramos
Broward County Transportation Department
Mass Transit Division**

4. Describe how the proposed amendment furthers or supports mass transit use.

The amendment site is located approximately 1,200 feet north of a Mass Transit stop for Route 34 operates. The amendment site is also approximately 2,400 feet from the Sample Road Tri-Rail station. Existing mass transit opportunities are within a close distance to the amendment site.

H. Provision of Open Space

As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Objective 5.04.00 and Policies 5.04.01, 5.04.02, 5.04.03 and 5.04.04 (a. through e.).

The Small Scale Land Use Change will result in a maximum increase of 24 residential units. Since the property is already used as residential, the impact are existing on recreation and open space.

In reference to OBJECTIVE 5.04.00 PROVISION OF OPEN SPACE, the City of Pompano Beach has an extensive system of public and private open space areas.

In reference to POLICY 5.04.01, The City of Pompano Beach has a program and Master Plan in place to acquire additional land for open space.

In reference to POLICY 5.04.02, the proposed amendment site has adequate open space within close proximity to the site.

In reference to POLICY 5.04.03, the proposed amendment will not result in the loss of existing open space.

In reference to POLICY 5.04.04, there is no golf course included in the amendment.

VII. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional information from Broward County regarding the amendment's impact on natural and historic resources.

- A. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

Review of the Pompano Beach Comprehensive Plan Maps reveals no historic sites or districts on the National Register or locally designated historical site.

- B. Archaeological sites listed on the Florida Master Site File.

Review of Review of the Pompano Beach Comprehensive Plan Maps reveals no archeological sites in the amendment area.

- C. Wetlands.

Review of the Pompano Beach Comprehensive Plan Maps identifies no wetlands in the amendment area.

- D. Local Areas of Particular Concern as identified within the Broward County Land Use Plan.

Review of the Pompano Beach Comprehensive Plan Maps reveal no Local Area's of Particular Concern in the amendment area.

- E. Priority Planning Area map and Broward County Land Use Plan Policy A.03.05 regarding sea level rise.

Review of the Pompano Beach Comprehensive Plan Maps shows that the area is not included in the priority planning area map for sea level rise.

- F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

No Endangered or threatened species or species of special concern or commercially exploited have been identified in the amendment area. Additional inspections will occur prior to any development.

- G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

No plants listed in the Regulated Plant Index have been identified in the amendment area.

- H. Wellfields – indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 “Wellfield Protection.” If so, specify the affected zone and any provisions which will be made to protect the wellfield.

Review of the Pompano Beach Comprehensive Plan Maps reveals that the lands are not in a wellfield protection zone (1).

- I. Soils – describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to protect or mitigate the area’s natural features.

Review of the Pompano Beach Comprehensive Plan Maps identifies nearly level, poorly or moderately drained soils which are typical for the surrounding area.

- J. Beach Access – Indicate if the amendment site fronts the ocean or would impact access to public beaches. If so, describe how public beach access will be addressed.

The amendment area does not front the ocean. There is no beach access points associated with the lands in this amendment.

VII. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 1.07.07.

This amendment generates less than 100 residents.

IX. LAND USE COMPATIBILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

This 2.412 acre industrial parcel is bounded by Low Medium Residential to the north and west and Medium residential to the east. Allowing the amendment to Low Medium Residential will be consistent with the current uses (Mobile Home Park) on the amendment site and adjoining properties to the east and west.

X. HURRICANE EVACUATION ANALYSIS

(Required for those land use plan amendments located in a hurricane evacuation zone as identified by the Broward County Emergency Management Division). Provide a hurricane evacuation analysis based on the proposed amendment,

considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Division.

The amendment area is not located in a hurricane evacuation zone.

XI. REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified redevelopment (i.e., Community Redevelopment Agency, Community Development Block Grant) area. If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

The amendment area is not located in a Community Redevelopment Area or subject to Community Block Grants.

XII. INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed amendment site is adjacent to other local governments. If so, please provide additional copies for the notification and/or review by adjacent local governments.

The amendment site is not adjacent to another local government.

XIII. CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN

List of goals, objectives and policies of the Broward County Land Use Plan which the proposed amendment furthers.

The proposed amendment is consistent with the following objectives and policies of the Broward County Land Use Plan:

GOAL 1.00.00 PROVIDE RESIDENTIAL AREAS WITH A VARIETY OF HOUSING TYPES AND DENSITIES OFFERING CONVENIENT AND AFFORDABLE HOUSING OPPORTUNITIES TO ALL SEGMENTS OF BROWARD COUNTY'S POPULATION WHILE MAINTAINING A DESIRED QUALITY OF LIFE AND ADEQUATE PUBLIC SERVICES AND FACILITIES.

OBJECTIVE 1.01.00 RESIDENTIAL DENSITIES AND PERMITTED USES IN RESIDENTIAL AREAS Accommodate the projected population of Broward County by providing adequate areas on the Future Broward County Land Use Plan Map (Series) intended primarily for residential development, but which also permit those non-residential uses that are compatible with and necessary to support residential neighborhoods.

POLICY 1.01.02 Permit those land uses within designated residential areas which are identified in the Residential Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

POLICY 1.03.01 Residential densities in the Low to Medium ranges should be located with access to existing minor arterials and collector streets.

OBJECTIVE 8.03.00 EFFICIENT USE OF URBAN SERVICES Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

POLICY 8.03.01 Broward County shall continue to review and revise, where necessary, its land development code to ensure that new development is directed to areas which have the land use, water resources, fiscal abilities, and service capacity to accommodate development in an environmentally acceptable manner.

POLICY 8.03.02 Promote infill development through the provision of potable water and sanitary sewer service to those developed portions of Broward County which are currently inadequately served.

GOAL 14.00.00 ELIMINATE AREAS OF BLIGHT AND INCOMPATIBLE LAND USES.

OBJECTIVE 14.02.00 ENCOURAGE ELIMINATION OR REDUCTION OF INCOMPATIBLE OR INCONSISTENT LAND USES Develop and implement land use programs to encourage the elimination or reduction of existing incompatible land uses and prevent future incompatible land uses.

POLICY 14.02.01 The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns.

XIII. CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES OF THE CITY OF POMPANO BEACH LAND USE PLAN

The proposed amendment is compatible with and furthers the intent of the following Future Land Use Element policies:

Goal 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Policy 01.01.02 Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards.

Policy 01.01.05 Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

Objective 01.03.00 Annually review and periodically update adopted land development regulations and established procedures that encourage the elimination or reduction of uses inconsistent with the City's character and Future Land Use Plan.

Policy 01.03.01 Eliminate or reduce nonconforming uses which are inconsistent with the land development regulations and the designations of the Future Land Use Plan map.

Policy 01.03.05 All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.09 Discourage Land Use Plan Map amendments, rezonings or other methods that would place residential units into or adjoining industrial land use designations.

Policy 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.16.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

XV. POPULATION PROJECTIONS

A. Population projections for the 20 year planning horizon (indicate year).

<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
101,712	110,936	120,161	129,385	138,609

B. Population projections resulting from proposed land use (if applicable).

Not Applicable. The land is already used as residential (Mobile Home Park) Existing population is included in population projections.

C. Using population projections for the 20 year planning horizon, demonstrate the effect of the proposed amendment on the land needed to accommodate the projected population.

Not Applicable. The land is already used as residential (Mobile Home Park) Existing population is included in population projections.

XVI. ADDITIONAL SUPPORT DOCUMENTS

A. Other support documents or summary of support documents on which the proposed amendment is based.

No additional documentation is being proposed at this time.

- B. Any proposed voluntary mitigation or draft agreements.

There are no additional proposed voluntary mitigation or draft agreements associated with this amendment.

XVII. PUBLIC EDUCATION ANALYSIS

Please be advised that the Planning Council staff will request from The School Board of Broward County, as per Policy 8.07.01 of the BCLUP, an analysis of the impacts of the amendment on public education facilities as indicated below. Please note that as per The School Board of Broward County, Florida, Policy 1161, amended and adopted January 15, 2008, the applicant will be subject to a fee for the review of the application. The applicant is encouraged to contact the School Board staff to discuss this review as soon as possible.

1. Identify the existing public elementary and secondary education facilities serving the area in which the amendment is located.

The public education facilities serving the area in which the amendment is located are:

- **Drew Elementary**
 - **Crystal Middle**
 - **Blanche Ely High**
2. Identify the existing school enrollment and permanent design capacity of the public elementary and secondary education facilities serving the area.

	<u>Enrollment</u>	<u>Capacity</u>
• Drew Elementary	644	631
• Crystal Middle	1,351	1,343
• Blanche Ely High	2,084	3,473

3. Identify the additional student demand resulting from this amendment – calculations must be based on applicable student generation rates specified in the Broward County Land Development Code.

	<u>Additional Student Demand *</u>
• Drew Elementary	24 units x 0.084 = 2.016
• Crystal Middle	24 units x 0.083 = 1.992
• Blanche Ely High	24 units x 0 = 0

*** Note – Site already exists as Mobile Home Park. Students are already in the schools.**

4. Identify the planned and/or funded improvements to serve the area in which the amendment is located as included within the School Board's five year capital plan – provide student demand projections and information regarding planned permanent design capacities and other relevant information.

Planned/Funded Improvements

• Drew Elementary	None
• Crystal Middle	\$2,848,942*
• Blanche Ely High	\$3,664,350*

* Note – Funds are carry-over funds.

5. Identify other public elementary and secondary school sites or alternatives (such as site improvements, nominal fee lease options, shared use of public space for school purposes etc.), not identified in Item #4 above, to serve the area in which the amendment is located.

None identified at this time.

XVIII. PLAN AMENDMENT COPIES

- A 1 hard copy and 11 digital copies, as required by DEO, of the corresponding local land use plan amendment application, if transmitting concurrent to DEO, including transmittal letter from municipality to DEO. For small scale land use plan amendments, 1 hard copy and 5 digital copies must be submitted.

This information will be provided as requested.

LIST OF EXHIBITS

- 1) Letter of September 24, 2013
- 2) Existing land use map (color)
- 3) Survey dated October 24, 2013 (under seal)
- 4) Opinion of title
- 5) Executive Director Barbara Blake Boy letter w/attachments (58 pages)
- 6) Letter from Waste Management
- 7) Public School Impact Application
- 8) Letter from Broward County Transportation Department
- 9) Letter from Broward County Water Management Division
- 10) Letter from Broward County Water and Wastewater Engineering Division
- 11) Ordinance 2014-42 – rezoning from I-1 Industrial to MH-12 Mobile Home Park
- 12) Two checks a) City of Pompano Beach for \$7,000 for land use amendment fee and
b) check to Broward County for \$12,146 for Small-Scale Land Use Amendment

Exhibit 1

Letter of September 24, 2013

LAW OFFICES
JOHNSTON & METEVIA, P.A.
BANK OF AMERICA BUILDING, SUITE 301
2335 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33062-5244

TEL. 954-942-6633
FAX 954-942-3958

THOMAS W. JOHNSTON, Esq.
tjwm1@aol.com

WHITNEY ANNE METEVIA, Esq.
wmetevia@earthlink.net

September 24, 2013

Robin M. Bird
Development Services Director
City of Pompano Beach
100 W. Atlantic Blvd., 3rd Floor
Pompano Beach, FL 33060

Re: Our client, 1600 Corp. - trailer park, 1400-1600 NW 33rd Street

Dear Mr. Bird:

Attached to this letter of introduction, please find the following: two color maps with attached indexes, the first showing the zoning map issue that my clients need to have corrected, and the Future Land Use map issue which also needs to be corrected.

My clients purchased this property in the early 1980s and have operated it exclusively and continuously without interruption until they sold it approximately seven years ago. The people who bought it were going to turn it into an industrial use and did not maintain the park to the high standards my clients have kept it in over the previous years. In the end, my clients had to foreclose on their mortgage and take back the property and at the same time the purchasers went bankrupt. This was an absolute nightmare.

By the time my clients got possession of the property earlier this year and legal title returned and vested in them, the condition of the park, the lack of maintenance and upkeep was poor, and my clients incurred substantial expense in legal and administrative fees and were left with "digging out from under" concerning Code Compliance violations which are still open. Presently they are still trying to resolve the code issues through our office and their fine engineer Carl Forbes, PE.

That aside, you and I have had three meetings over the last several months to discuss the options and alternatives, so we could prepare a "critical path" for a resolution of the zoning and land use issues which came as a complete surprise and news to my clients, at an earlier conference you had with them, before retaining me.

When you and I originally met, we talked about resolving both the zoning and land use issues, and then moving forward concerning my clients' being able to remove and replace old and deteriorated trailers and units, and replacing them with modern ones of a higher standard. As you know, my clients have "vested rights" as the trailer parks' (one at 1400 and the other at 1600) have had continuous ownership and have continuously operated prior to annexation into the City of Pompano Beach. As I stated, my clients have "vested rights" and you and I are both aware of the legal implications of that term. This site has been used for more than 50 years as a trailer park.

I started my journey by obtaining all of the information that I could from the records and archives of the City, so I could prepare a legal and historical perspective from the stand-point of the City of Pompano Beach. Thereafter, I contacted the Director of Planning Deanne Von Stetina, of the Broward County Planning Council, and Broward County Planning Section Manager Martin Berger and Senior Planner Evangeline Kalus. Further, I contacted Zoning Official and Building Services Section Manager Jeff Day.

I traveled to each one of these individual's offices, and met with them and discussed these matters in an attempt to obtain an accurate recount of the history of these properties as far as their planning and zoning.

I attach in this booklet as Part II, the City's current zoning maps referred to above and thereafter, individual sections on the history on both zoning and land use.

In Zoning Part III, please find recitation from Daniel Keester as to his research of the City's records and his conclusions and observations, together with responses to four letters of request directed to the individual folio numbers for the properties at 1400 NW 33rd Street and 1600 NW 33rd Street, my clients' properties. Lastly, attached is a letter dated July 3, 2013, from Broward County Zoning Official Jeff Day with certain pertinent documents relating to this property during the time period of my request to Mr. Day (prior to annexation).

The zoning issue turns on the fact that without a request by our client, and with no other recorded evidence, part of the park at 1400 NW 33rd Street somehow became "zoned I-1" per the City's colored map. According to the County, the zoning in that area has historically been T-1, *Trailer Park District*. At the time the property came into the City, it became MH-10, and was later changed to MH-12. Please correct me if I am wrong, but I see no text change for the I-1 industrial treatment of this particular portion of the park at 1400 NW 33rd Street. Perhaps it was an error, or an anomaly, or it did not occur in the City's zoning staff's department, or it was an accident, mistake or fictitious creation of the map maker?

It is not my purpose to point fingers at anyone, only to illustrate that lawfully, in my opinion, that portion of 1400 NW 33rd Street parcel, should be zoned and shown on the color map as MH-12, which the majority of the parent tract currently is, and has been historically zoned, before annexation into the City, as a trailer park or residential. The County and the City's aerial photographs for these periods of time will bear out this historical trailer park use and I am sure this is not an issue of fact we will have to debate. My clients' residential trailer park zoning must be restored to this parcel. This restoration and zoning correction will reflect and bear out the actual historical facts.

My clients stand ready to have me file an application on their behalf to correct this error or omission, and reestablish the zoning in that rectangular quadrant back to the current MH-12 which the balance of the trailer park enjoys.

Now, if that were not enough, my clients found out at the same time they found out about the zoning issue, the underlying land use as depicted by the City's Future Land Use map is also in error according to their history and knowledge of the property they have owned.

In this regard, I have met with Ms. Von Stetina and Ms. Kalus and Mr. Berger, and have attached hereto in Part IV Land Use, recitations from them in response to my inquires on behalf of the County's Planning Dept., and the Planning Council.

When I met with Ms. Von Stetina, she shared with me (the letter is July 8, 2013, signed by Executive Director Barbara Blake Boy) that the County at no time has initiated any legislative action to establish industrial land use over the section shown on the map where it is printed "NW 14th Avenue." As you know, this is unplatted property and a copy of the unofficial, unrecorded plat has been recorded as some have historically been in Broward County over the years and therefore, there is printed on the County's Future Land Use map, (also the City's map) the indication there is NW 14th Avenue there. There has never been a 14th Avenue on this site at any time in the history of Broward County. This is just a printed notation that someone put there and it got reprinted. There is no NW 14th Avenue, it has never been built nor has it ever been used and it certainly has never been dedicated or deeded for public use.

At sometime in the past, I would suggest, there occurred an error, mistake or anomaly, causing this small strip to be filled in with purple color on the map. The purple color would indicate a land use of industrial and apparently without any legislative action of either Broward County or City of Pompano Beach Commission. There apparently was a notation of this strip on an "inclusion map" which I maintain was an error, and submitted to the County sometime in 1989. This error, which

shows this area as industrial, got picked up by the County and thereafter the map color changed to industrial. The previous designation had been trailer park or residential.

I read notations in Broward County's master file, which was shared with me during my conference with Ms. Von Stetina, where she showed me there had been communications between the County and the City of Pompano Beach questioning this "notation," and the City "was going to investigate and get back to the County." Her filed also shows the County never received a response from anybody in the City's Planning and Zoning Department, and thereafter by "default," the map color was changed as one feature of a multi-part land use amendment sometime in 1992. This is how an error can be picked up and thereafter perpetuated. My clients made no application to change this small strip and land use to industrial, nor does it make any logical or Planning sense. No one would bifurcate the entire trailer park almost in two, in the middle, with such a "wild hair" industrial land use designation. From a professional standpoint, it does no make good sense.

The County is willing to entertain and support a minor land use amendment to resolve this issue and here again, our clients are willing to employ me to make an application and prosecute it through the City of Pompano Beach, Broward County Planning Council and the Broward County Commission to correct this error.

The above recitation is what I have discovered to the best of my knowledge and I attach here in booklet form the most germane supporting documents. I did not attach all of the materials we were able to discover and produce because some are not relevant and some are duplicative in a sense that would not be helpful.

From my meetings with you, you have indicated your support of the correction of these zoning and land use issues facing my clients, and are encouraging my clients to resolve these issues, so we can move ahead with the further redevelopment of this trailer park now that the ownership is back in my clients' hands.

We must keep in mind that these changes to the zoning map and land use map occurred over the years without my clients' "actual knowledge" or "permission." My clients have never requested these changes to their property, and the changes were contrary to their land ownership "vested rights" and wishes. Neither the City nor County communicated any lawful notice directly to my clients who were always in possession of the property and always available to receive actual notice as landowners.

On behalf of my clients, I want to thank you and your staff who have worked with me over the last few months and I appreciate ever so much your professionalism and

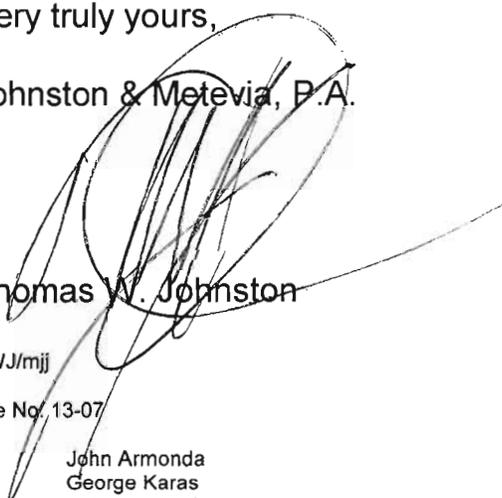
your support in our efforts to bring these applications forward, for this rezoning back to the correct category, and correction of this land use issue.

Once the petitions for rezoning and minor land use change have been filed, then you and I can meet to construct a practical protocol to allow and permit the orderly replacement of the oldest and most needy trailers with new units. My clients are supportive of and are taking corrective action concerning the Code Compliance complaints and are addressing them monthly with corrective action and are in communication with the City's representative from the Building Department. I suggest that you and I meet again sometime soon and negotiate the reasonable terms of interim use for a temporary permit to be issued to run concurrently while my clients' rezoning and land use petitions are being processed.

As usual, if you have questions, please do not hesitate to contact me. The booklet was prepared so you and I have an omnibus overview of what we are trying to accomplish here in regard to our three meetings and your discussions of what you would like to see occur in this regard.

Very truly yours,

Johnston & Metevia, P.A.



Thomas W. Johnston

TWJ/mjj

File No. 13-07

cc: John Armonda
George Karas
Peter Armonda
Carl Forbes, PE
Don Allison, Esq.

Exhibit 2

Existing land use map (color)

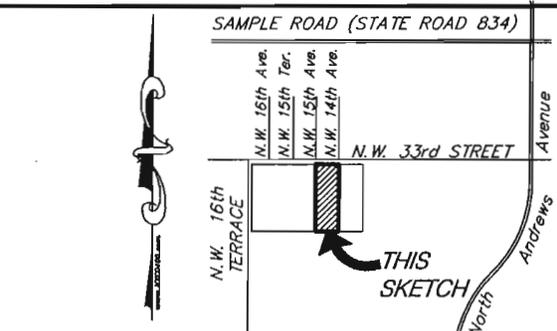
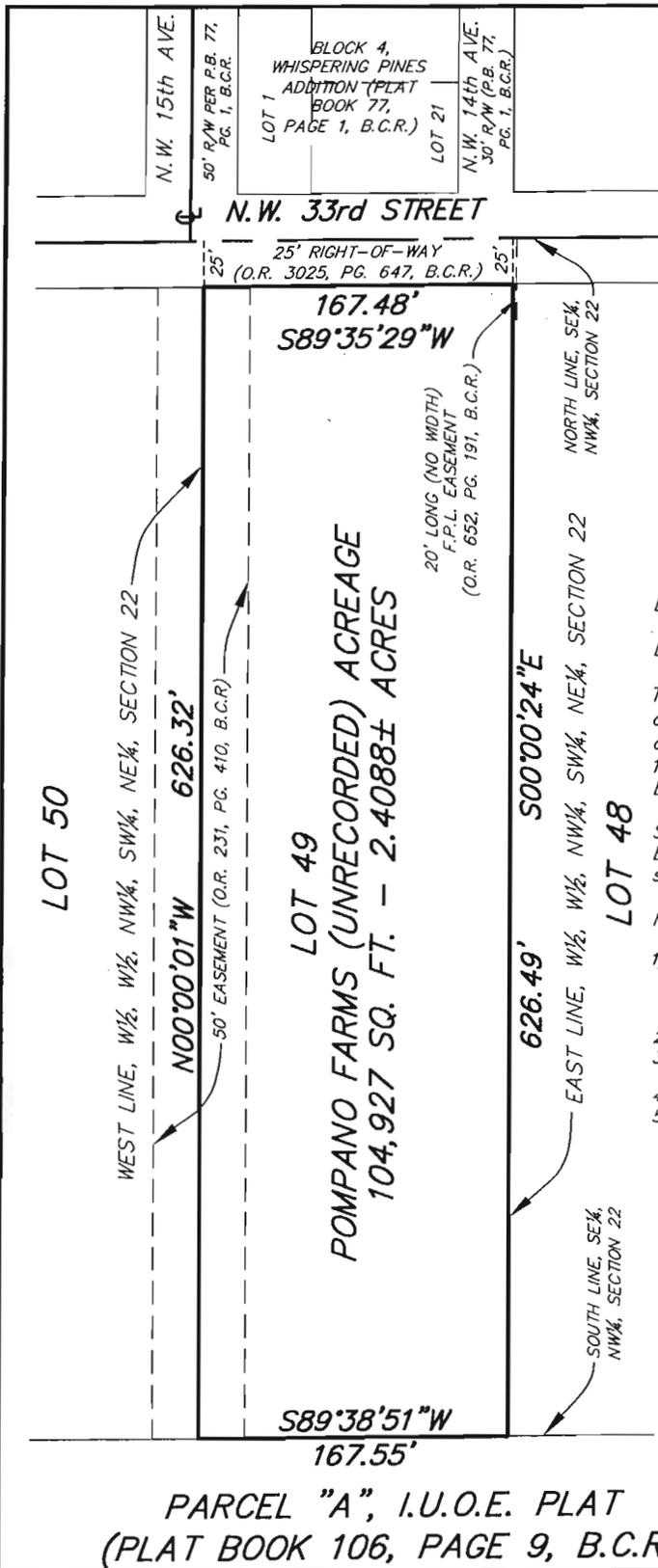
Exhibit 3

Survey dated October 24, 2013
(under seal)



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 400 N.E. 3rd AVENUE FORT LAUDERDALE, FLORIDA
 33301 PHONE (954) 763-7611 * FAX (954) 763-7615



SKETCH AND DESCRIPTION
LOT 49, POMPANO FARMS
(UNRECORDED)
IN SECTION 22-48S.-42E.

LEGAL DESCRIPTION:

Lot 49, Pompano Farms (unrecorded) described as follows:
 The West one-half (W 1/2) of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Northeast one-quarter (NE 1/4) of Section 22, Township 48 South, Range 42 East, Broward County, Florida, LESS the North 25.00 feet thereof.
 Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 104,927 square feet or 2.4088 acres more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the North line of the Southeast one-quarter (SE 1/4) of the Northwest one-quarter (NW 1/4) of Section 22, as South 89°35'29" West.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 24th day of October, 2013.

McLAUGHLIN ENGINEERING COMPANY

 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

FIELD BOOK NO. _____
 JOB ORDER NO. U-8647
 REF. DWG.: 07-3-009

DRAWN BY: JMMjr
 CHECKED BY: _____
 C: \JMMjr/2013/U8647 (LOT 49)

Exhibit 4

Opinion of title

THE LAW FIRM OF

GILLESPIE & ALLISON, P.A.

SUITE 100
33 SOUTHEAST 5th STREET
BOCA RATON, FLORIDA 33432

gillespie.allison@prodigy.net

R. BOWEN GILLESPIE, III
DONALD M. ALLISON*

TELEPHONE (561) 368-5758
TELECOPIER (561) 395-0917

don@gillespieallison.com

*Also Admitted in Arizona & California

December 11, 2013

OPINION OF TITLE

{Broward County Land Development Code, Sec. 5-189 (c) (3)}
{Section 177.041 (2) Florida Statutes}

To: Broward County Board of County Commissioners

With the understanding that this Opinion of Title is furnished to Broward County Board of County Commissioners, as an inducement for acceptance of a minor land use amendment in respect of the real property hereinafter described, it is hereby certified that I have examined the Public Records of Broward County, Florida, as of December 3, 2013, at the hour of 6:00 a.m. for the following described property, to-wit:

Lot 49, Pompano Farms (unrecorded) described, as follows:

The West one-half (W ½) of the West one-half (W ½) of the Northwest one-quarter (NW ¼) of the Southwest one-quarter (SW ¼) of the Northeast one-quarter (NE ¼) of Section 22, Township 48 South, Range 42 East, Broward County, Florida, LESS the North 25.00 feet thereof.

Said property situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 104,927 square feet or 2.4088 acres more or less

I am of the opinion that, on the last mentioned date, the fee simple title to the above-described real property was vested in:

1600 Corporation, a Florida corporation

Subject to the following:

Mortgages of Record:

NONE

Easements and rights of way within the boundaries of the subject property:¹

NONE

Easements and rights-of-way which abut the subject property and are necessary for legal access to the property:

N.W. 33rd Street (see 25' right-of-way for N.W. 33rd Street as recorded on ORB 3025, Page 647, Broward County, Florida).

I HEREBY CERTIFY that the foregoing opinion letter reflects a comprehensive search and title examination of the Public Records of Broward County, Florida affecting the above-described property. I further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 11 day of December, 2013

Gillespie & Allison, P.A.

By: _____

Donald M. Allison, Esquire
FBN 263958

¹ Note that a purported 50' easement (allegedly extending 25' into the property) has been referenced on the survey of the property, dated October 24, 2013, by McLaughlin Engineering Company (attached as Exhibit "1" hereto). The reference for the purported easement recites ORB 231, Page 410, Public Records of Broward County (see copy attached hereto as Exhibit "2"). The cited Exhibit is an unsigned and undated "sales map" prepared in anticipation of a development to be known as Pompano Farms. The recorded document, thus, is a graphic depiction of a condition that did not exist. In fact, the "easement" was never granted, dedicated, configured or used, nor would such an easement be necessary for access to the subject property. Accordingly, in my opinion, there is no cognizable theory or legal basis upon which it could be concluded that the recorded depiction constitutes a formally created, implied or prescriptive easement or a statutory or common law "way of necessity" (see F.S. § 704.01, *et. seq.*) Moreover, if any such type of easement could be inferred on the basis of the depiction, it would not be considered an encumbrance that in any manner impairs or interferes with the proceedings for which this opinion is rendered.

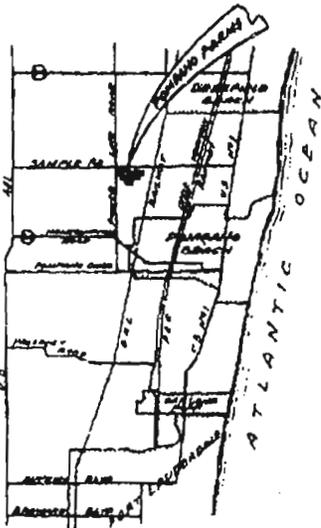
POWER LINE ROAD

SALES MAP OF EXHIBIT 'A'

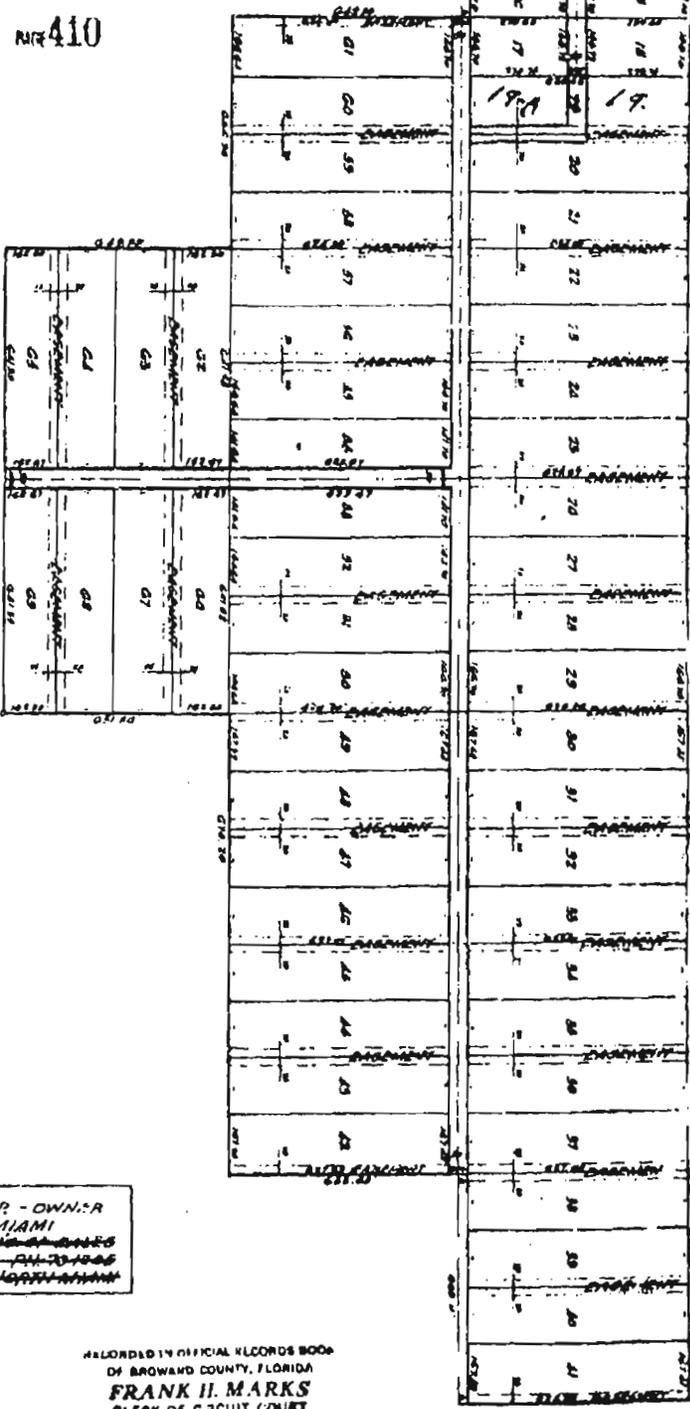
POMPANO FARMS

LYING IN SEC. 22-T48-R 42-B
BROWARD COUNTY FLORIDA

OFF. REC. 231 NR 410



LOCATION MAP

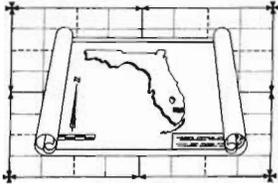


CORAL INVESTMENT CORP - OWNERS
130 BISCAYNE BLVD - MIAMI
ROY H. JONES - PRESIDENT AND MANAGER
REG. REAL ESTATE BROKER - PH 23-1986
OFFICE 1200 N.W. 12TH ST. - NORTH MIAMI

RECORDED IN OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
FRANK H. MARKS
CLERK OF CIRCUIT COURT

Exhibit 5

Executive Director Barbara Blake Boy
letter w/attachments (58 pages total)



BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 ■ Fort Lauderdale, Florida 33301 ■ Phone: 954.357.6695

July 8, 2013

Thomas W. Johnston
Johnston & Metevia, PA
2335 East Atlantic Boulevard, Suite 301
Pompano Beach, Florida 33062

Dear Mr. Johnston:

Re: Request for Land Use Plan Confirmation for unplatted lands at 1400-1600 Northwest 33 Street, Pompano Beach, Broward County, Florida. This parcel is generally located on the southeast corner of Northwest 33 Street and Northwest 16 Terrace, in the City of Pompano Beach.

This letter is in response to your correspondence dated June 26, 2013, regarding the historical and future land use plan designations of the above referenced parcel.

Please be advised that the above referenced parcel is currently designated "Medium (16) Residential" (i.e. from the eastern property line to Northwest 14 Avenue), "Industrial" (i.e. from Northwest 14 Avenue to Northwest 15 Avenue) and "Low-Medium (10) Residential" (i.e. from Northwest 15 Avenue to Northwest 16 Terrace) on the Broward County Land Use Plan (BCLUP). See Attachment 1.

Historically, Planning Council staff notes that the entire parcel was designated "Low-Medium (10) Residential" on the 1977 BCLUP map. See Attachment 2. There were no BCLUP map amendments to the subject parcel from 1977 through 1989. The City of Pompano Beach provided the Planning Council with an "inclusion" map to be utilized in determining the land use designations of the 1989 BCLUP map. See Attachment 3. This "inclusion" map, and therefore the 1989 BCLUP map, designated the parcel as "Industrial" from the eastern property line to Northwest 15 Avenue and "Low-Medium (10) Residential" from Northwest 15 Avenue to Northwest 16 Terrace. See Attachment 4. On October 1, 1992, a land use plan amendment (PC 92-6) was approved by the Board of County Commissioners to change the land use designation of a portion of the parcel (i.e. from the eastern property line to Northwest 14 Avenue) from "Industrial" to "Medium (16) Residential." See Attachment 5. There were no other land use plan amendments on the subject parcel from 1992 until present time.

It is recommended that you contact the City of Pompano Beach regarding the interpretation of its certified Plan.

Thomas W. Johnston

July 8, 2013

Page Two

If you have any additional questions in this regard, please contact Deanne Von Stetina, AICP, Director of Planning, at your convenience.

Respectfully,

A handwritten signature in black ink, appearing to read 'BBB', with a stylized flourish extending from the end.

Barbara Blake Boy
Executive Director

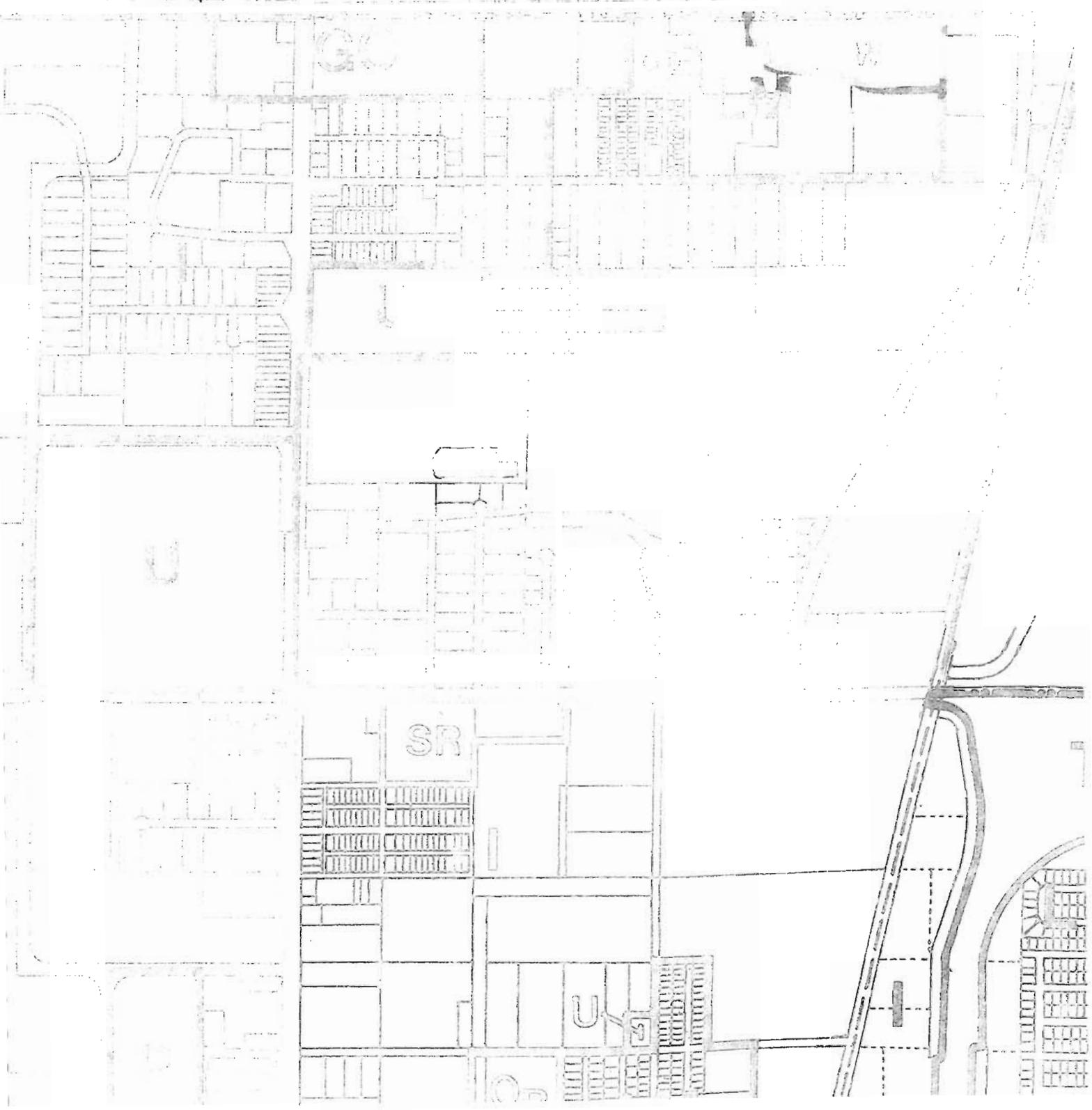
BBB:DDV

Attachments

cc/att: Robin Bird, Director, Development Services Department
City of Pompano Beach

ATTACHMENT 3

Pompano Beach Inclusion Map



ATTACHMENT 4

89 BCLWF

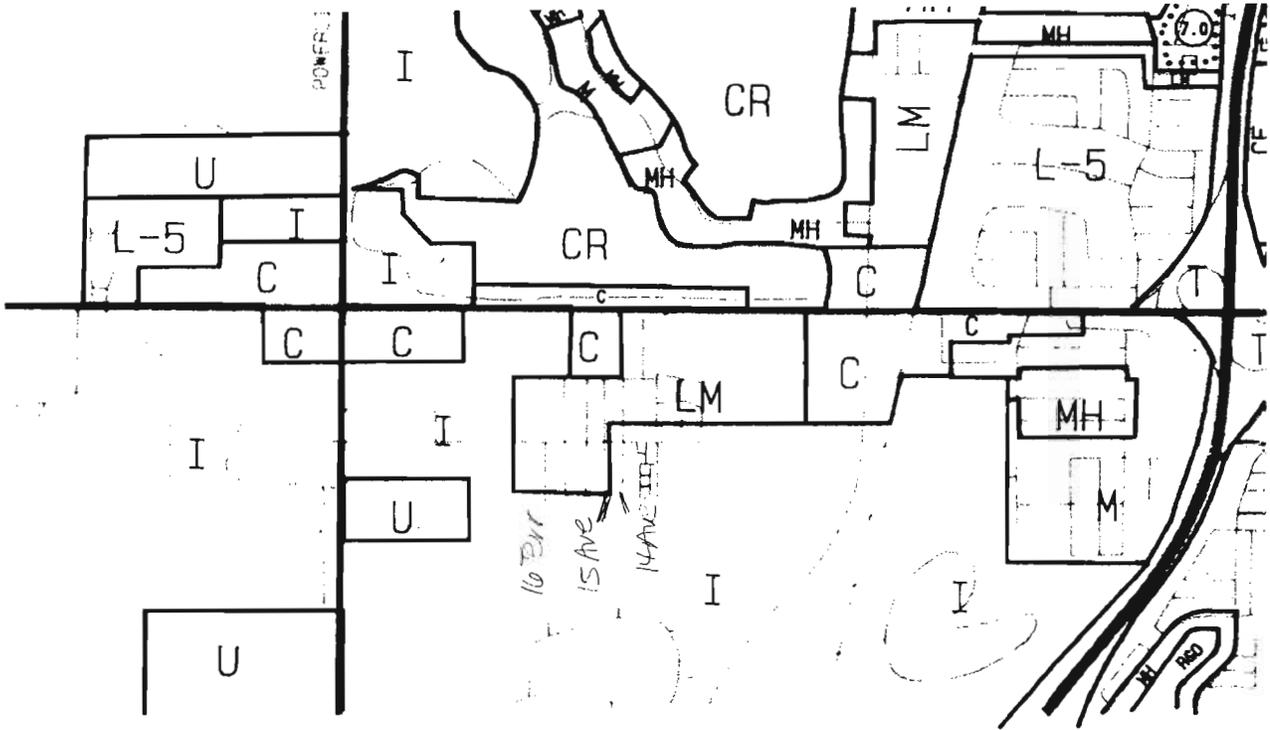


Figure 2

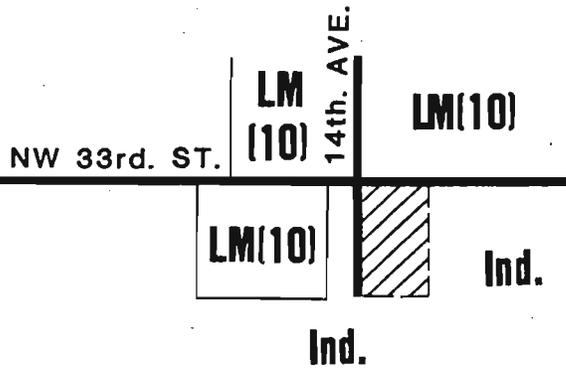
**FUTURE LAND USE DESIGNATION
PER EFFECTIVE PLAN
Case No. PC 92-6**

Current : INDUSTRIAL
Proposed : MEDIUM (16)

COUNTY

SAMPLE RD.

POWERLINE RD.



POMPANO BEACH

COPANS RD

MILITARY TRAIL

C.S.X.R.R.

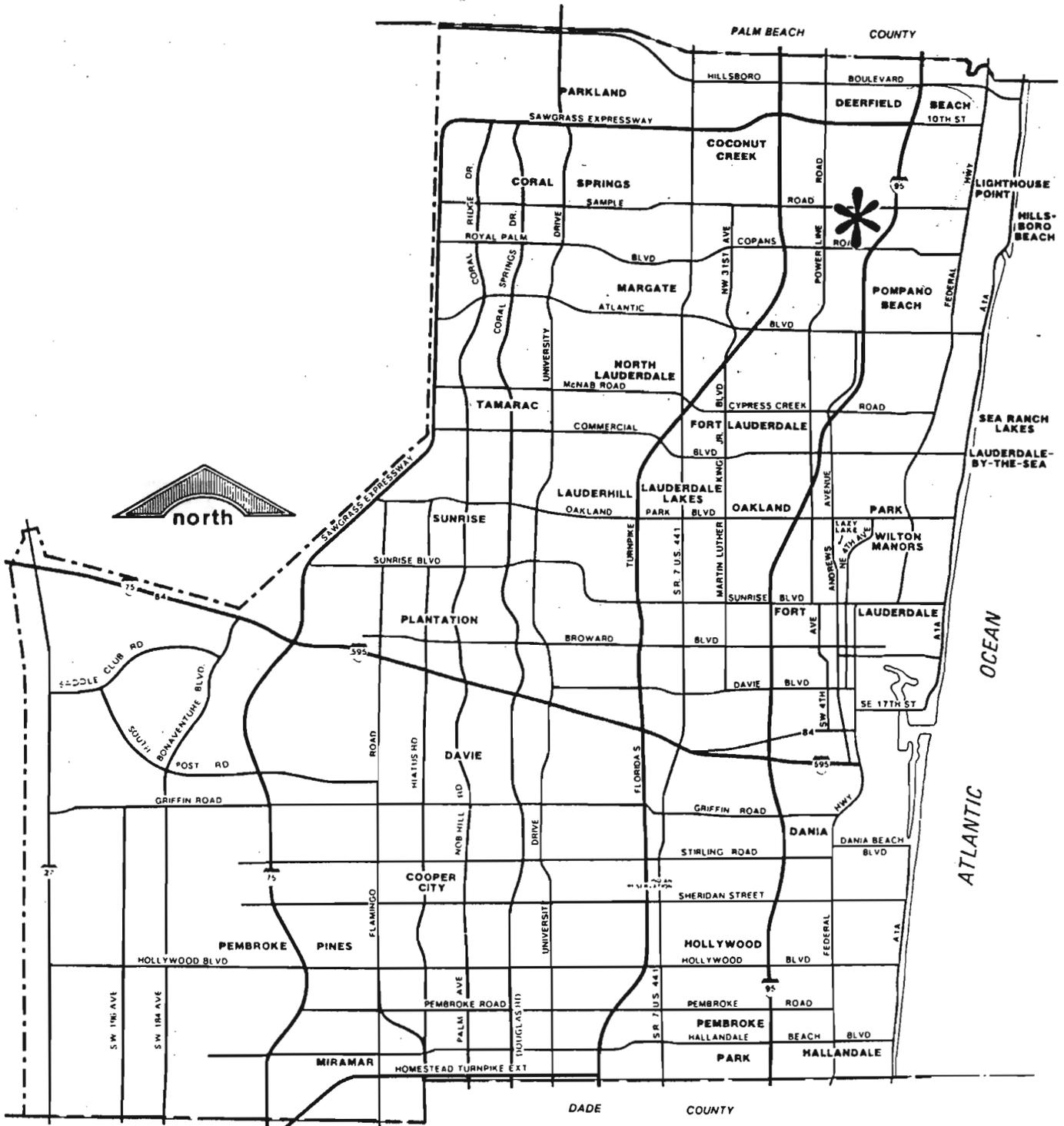
I-95



GENERALIZED LOCATION MAP

ATTACHMENT 5

Case # PC 92-6



Subject Area Location

FIGURE 3

1990 AERIAL PHOTOGRAPH

Case No. PC 92-6

SF
Mobile
Homes

Multi Family

NW 33rd. ST.

SF
Mobile
Homes



Ind.

Ind.

Office

Office / Ind. Park



MILITARY TRAIL

BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 92-6

INTRODUCTORY INFORMATION

- I. Submitted By: City of Pompano Beach
- II. Site Characteristics
 - A. Size: 4.96 acres +
 - B. Location: in Section 22, Township 48, Range 42; bound on the north by N.W. 33 Street; located south of Sample Road, west of I-95 and east of Powerline Road
 - C. Existing Use: residential mobile home park (May Mobile Home Park)
- III. Broward County Land Use Plan Designation
 - A. Current Designation: Industrial
 - B. Proposed Designation: Medium (16) Residential
- IV. Current Zoning
 - A. On Site: I-1 (General Industrial)
 - B. Adjacent: North: RM-12 (Multiple Family Residential)
East: I-1 (General Industrial)
South: I-1 (General Industrial)
West: MH-12 (Mobile Home Park)
- V. Initial Applicant and Stated Reasons for Amendment
 - A. 1400 Corporation of Broward, Inc.; d/b/a May Mobile Home Park
 - B. "To correct non-conforming land use to the existing mobile home park use which has been in existence for a minimum of 30 years....with no new increase in density or development other than possible replacement of old existing units (67 spaces) with newer units."
- VI. Recommendation of Local Governing Body

The City of Pompano Beach recommends approval.

PLANNING CONSIDERATIONS

I. Compatibility with Existing and Planned (BCLUP) Land Uses

The proposed use is felt to be compatible with existing and planned uses which are as follows:

- A. Existing Uses: North: Multi-Family Residential
 East: Industrial
 South: Business Park
 West: Single Family (Mobile Homes)
- B. Planned Uses: North: Low Medium (10) Residential
 East: Industrial
 South: Industrial
 West: Industrial

The subject parcel contains a 67 space mobile home park. Located north is a mobile home park and a multi-family residential development. Located west is a mobile home park with a density similar to the amendment parcel. A portion of the mobile home park located to the west is designated Industrial; City staff is investigating this inconsistency. Located to the south is a business park development which is buffered from the subject parcel by a fence and foilage. The parcel to the east is buffered from the subject amendment parcel and is principally used for the storage of crane equipment.

II. Availability of Public Services and Facilities

Adequate potable water, sewer, drainage, transportation, parks and recreation and solid waste facilities will be available to serve the proposed designation. See Correspondence Items I and II and Attachment A - Supplemental Report.

III. Natural Resource Impacts

The Broward County Office of Natural Resource Protection has determined that the proposed amendment will not have a significant adverse impact on natural resources provided that centralized potable water and wastewater service is provided to the site. The site is located within Zone 3 of the Pompano Beach Wellfield. It is the Broward County Office of Natural Resource's policy to discourage the use of septic tanks in wellfields. The applicant is currently applying for connection to Broward County Utilities centralized wastewater and potable water treatment facilities. See Correspondence Item II and Attachment A - Supplemental Report.

IV. Consistency with Goals, Objectives and Policies (BCLUP)

The proposed amendment is generally consistent with the goals, objectives and policies of the Broward County Land Use Plan. In particular, it furthers the following policies of the Broward County Land Use Plan.

08.01.09 - Private septic tanks and wells in Broward County should be phased out and replaced with centralized water and wastewater systems, where necessary, to protect the health, safety, and welfare of Broward County's residents.

09.02.03 - Amendments to the Future Broward County Land Use Plan Map (Series) proposing land use categories which permit Industrial uses shall be discouraged, to the greatest extent feasible, within wellfield protection zones of influence as identified by the Potable Water Supply Wellfield Protection Ordinance of Broward County.

CORRESPONDENCE/COMMENTS (ATTACHED) DATE

- | | | |
|------|--|-------------------|
| I. | Broward County Office of Environmental Services
Water Resources Management Division | January 29, 1992 |
| II. | Broward County Office of Natural Resource
Protection | February, 1992 |
| III. | The School Board of Broward County
Department of Property Management | February 11, 1992 |
| IV. | Broward County Office of Planning
Development Management Division | February 13, 1992 |
| V. | Broward County Office of Planning
Plan Implementation Division | February 14, 1992 |

RECOMMENDATIONS/ACTIONS

DATE

- | | | |
|-----|--|-----------------------|
| I. | <u>Planning Council Staff Transmittal Recommendation</u>
It is recommended that the proposed amendment to the Broward County Land Use Plan be approved. | <u>March 20, 1992</u> |
| II. | <u>Planning Council Transmittal Recommendation</u>
Approval per staff recommendation. | <u>March 26, 1992</u> |

- III. County Commission Transmittal Action April 8, 1992
Approved transmittal of the amendment to the Department of Community Affairs per Planning Council recommendation.
- IV. Department of Community Affairs Comments July 31, 1992
The Department of Community Affairs had no objections to this amendment.
- V. Planning Council Staff Final Recommendation August 21, 1992
It is recommended the proposed amendment to the Broward County Land Use Plan be approved.
- VI. Planning Council Final Recommendation September 3, 1992
Approval per staff recommendation.
- VII. County Commission Final Action October 1, 1992
Approval per Planning Council recommendation.

**ATTACHMENT A
SUPPLEMENTAL REPORT
AVAILABILITY OF PUBLIC SERVICES
AND NATURAL RESOURCE IMPACTS**

BROWARD COUNTY LAND USE PLAN AMENDMENT PC 92-6

SANITARY SEWER

The subject parcel is not currently served by a centralized wastewater treatment plant. The applicant has committed and is currently processing an application for hookup to the Broward County North District Regional Wastewater Treatment Plant. A Developer's agreement shall be executed by the applicant with Broward County Utilities. Available Plant Capacity is 66 million gallons per day (MGD) with demand of 54 MGD. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

POTABLE WATER

The subject parcel is not currently served by a centralized potable water plant. The applicant has committed and is currently processing an application for hookup to the Broward County 2A Water Treatment Plant. A Developer's agreement shall be executed by the applicant with Broward County Utilities. Available Plant Capacity is 20 million gallons per day (MGD) with demand of 11.15 MGD. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

SOLID WASTE

The City of Pompano Beach contracts with the Southern Sanitation Service for the collection of solid waste. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

DRAINAGE

The subject parcel is within the boundaries of Water Control District #3. The existing mobile home park was built during the 1960's before current drainage standards were required. Upon the proposed redevelopment, the drainage design should include a small diameter overflow to the Northwest 33 Street System approximately 3,000 feet to the east. The Broward County Office of Environmental Services Water Resources Management Division states that a change from Industrial to Medium (16) Residential should lessen the negative impacts to the area's drainage (See Correspondence Item I).

RECREATION

The proposed amendment would not impact demand for recreational facilities since the proposed amendment reflects existing uses. The City of Pompano Beach Land Use Element satisfies the community parks requirement of the Broward County Land Use Plan of 3 acres per 1,000 population.

TRAFFIC

The proposed amendment will not significantly impact the operating conditions of the regional roadway network as it reflects the existing use of the property.

NATURAL RESOURCE IMPACTS

The subject parcel is not located within a designated Historic District or Historically Significant Property, a Local area of Particular Concern, or exhibits wetland characteristics. The subject site is located within Zone 3 of the Pompano Beach Wellfield. The subject parcel is not currently served by a centralized wastewater treatment plant. It is the Broward County Office of Natural Resource Protection's policy to discourage the use of septic tanks in wellfields. The applicant is currently applying for connection to Broward County Utilities centralized wastewater treatment facilities. The site is located in a designated flood prone area and will be subject to the criteria established by the Federal Emergency Management Administration and the South Florida Water Management District as outlined in Broward County Land Use Plan Objective 09.07.00 and related policies.



Public Works Department
Office of Environmental Services
 2401 North Powerline Road
 Pompano Beach, FL 33069

January 29, 1992

TO: Peter M. Ross, Director
 Comprehensive Planning
 Broward County Planning Council

FROM: Robert C. Shair, P.E. *RCS Shair ok.*
 Water Resources Management Div.

SUBJECT: Proposed Land Use Plan Amendment PC #92-6
 City of Pompano Beach

The subject proposed Land Use Amendment was reviewed by the following WRMD staff: Cesar Gomez, Drainage, Dave Markward, Drainage, and Ellis Donsky, Water Supply. Their comments are summarized as follows:

DRAINAGE;

This site is located in Water Control District 3 (WCD 3), a dependent water control district. The information provided in our July 8, 1991 letter to the applicant is still valid. A change from industrial to medium (16) residential should lessen the negative impacts to the area's drainage. The only loss would be the required 1/2" pre-treatment volumes (for water quality) that is in ONPP and WCD 3 criterial for non residential developments.

WATER SUPPLY;

The amendment is located in Zone 3 of the Pompano Beach East Wellfield. Water will be supplied from the Broward County OES-2A System which has adequate capacity.

CONCLUSIONS;

No objections with regard to Water Supply or Drainage.

RCS/SBLupa92-(6.2)

File: RD Proj. Land Use Amends
 PC 1/92

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS — An Equal Opportunity Employer

Scott I. Cowan Nickl Englander Grassman John P. Hart Ed Kennedy Lari Nance Parrish Sylvia Paitler Gerald F. Thompson

We're Building A Future For Your Family. And Your Business.

COMMENTS ON PROPOSED LAND USE AMENDMENTS
FEBRUARY 1992

AMENDMENT NO.: 92-6

Municipality: City of Pompano Beach

Existing Land Use: Residential Mobile Home Park

Existing Land Use Designation: Industrial

Proposed Land Use Designation: Medium (16) Residential

Location: Section 22, Township 48 S, Range 42 E

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BACKGROUND DATA:

Wellfield YES X NO

Wetlands YES NO X

BROWARD COUNTY
PLANNING COUNCIL

SEE ATTACHED REPORT

The LUA is located south of NW 33rd St. and 2 blocks south of Sample Road. Adjacent land uses include a mobile home park, condominiums, commercial and industrial uses. A mobile home park has existed on site since 1960. The site is currently not connected to potable water or wastewater treatment facilities. The applicant is currently applying for connection to Broward County Utilities wastewater and potable water treatment facilities. The site is located within Zone 3 of the Pompano Beach Wellfield. In order to prevent possible groundwater contamination, it is ONRP policy to discourage the use of septic tanks in well fields and/or in urbanized areas. The LUA parcel is located within the vulnerable zones of the Pompano City Water Treatment Plant (chlorine) and the OES Wastewater Treatment Facility (chlorine), but this does not represent an unacceptable level of risk to the established population. The LUA is located approximately one mile east of the active Central Disposal Land Fill site. This facility is in compliance with applicable rules and regulations.

FINDINGS:

ONRP finds that the parcel is not served by centralized sewers or potable water and is located within a wellfield zone. ONRP recommends that connection to centralized wastewater and potable water treatment facilities be required for all units on the property. [BCLUP Policies 08.01.08, 08.01.10, 09.02.06]

ONRP finds that sufficient uncommitted capacity exists, at this time, to accommodate the estimated wastewater flow from the proposed amendment when connected. [BCLUP Policies 08.01.04, 08.01.07, 11.01.03]

ONRP finds that the proposed land use amendment will not increase the risk to the population to an unacceptable level from a chemical incident.

OFFICE OF NATURAL RESOURCE PROTECTION

WETLANDS RESOURCE REPORT

LAND USE AMENDMENT NO: PC 92-6
EXISTING LAND USE: INDUSTRIAL
PROPOSED LAND USE: MEDIUM (16) RES.
DATE: January 31, 1992

RESOURCE EVALUATION

Our review of the site indicates that it contains an existing mobile home community. The site does not exhibit wetland characteristics.

IMPACT ANALYSIS

Wetland impact analysis is not applicable for this site based upon the review of existing site conditions. Therefore, no adverse wetland impacts are anticipated and wetlands staff has no objection to the proposed land use change.

Limitation: Evaluation and recommendations presented in this resource report are for land use plan amendment only and are not to be construed as providing approvals or comments for any other purpose.

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
DEPARTMENT OF PROPERTY MANAGEMENT
600 S.E. 3rd Avenue, 14th Floor
Fort Lauderdale, Florida 33301**

**LAND USE AMENDMENT
PUBLIC SCHOOL FACILITY IMPACT STATEMENT**

PROPERTY DESCRIPTION

AMENDMENT #: PC 92-6
 OWNER/DEVELOPER: 1400 Corp. of Broward, Inc.
 CURRENT LAND USE: Industrial
 PROPOSED LAND USE: Medium (16) Residential
 COMMENTS: Located in the City of Pompano Beach

STUDENT GENERATION PROJECTIONS*

<i>LAND USE</i>		<i>ADDITIONAL STUDENTS</i>	
EXISTING PERMITTED UNITS:	<u>0</u>	ELEMENTARY STUDENTS:	<u>40</u>
PROPOSED UNITS:	<u>79</u>	MIDDLE STUDENTS:	<u>22</u>
NET CHANGE:	<u>+79</u>	HIGH STUDENTS:	<u>31</u>

*NOTE: Projections are based upon student generation rates in the Land Development Code.

CURRENT ASSIGNED SCHOOLS*

ELEMENTARY SCHOOL NAME: Winston Park Elementary
 ENROLLMENT 1015 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 776

MIDDLE SCHOOL NAME: Crystal Lake Middle
 ENROLLMENT 1108 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 1186

HIGH SCHOOL NAME: Ely High
 ENROLLMENT 1708 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 1608

*NOTE: School attendance areas are subject to change each year.

PLANNED AND FUNDED IMPROVEMENTS

ELEMENTARY SCHOOLS: None
 MIDDLE SCHOOLS: None
 HIGH SCHOOLS: New Science building under constrution at Ely

DATE: 2/11/92 BY: Lee A. Sliemers
 DEPARTMENT OF
 PROPERTY MANAGEMENT



Office of Planning

115 S. Andrews Avenue, Room 329
Fort Lauderdale, FL 33301
(305) 357-6666 • FAX (305) 357-6694

M E M O R A N D U M

TO: Peter Ross, Comprehensive Planning Director
Planning Council

THRU: *Donald L. Kowell*
Donald L. Kowell, Director
Office of Planning

THRU: Elliot Auerhahn, Development Management Director *EA*
Office of Planning

FROM: Donald Stone, Senior Environmental Planner *DS*
Donald Burgess, Special Projects Coordinator III *DB*

DATE: February 13, 1992

SUBJECT: Land Use Amendments

We have reviewed the proposed Land Use Amendments and have the following comments:

- PC-92-1 -- No comments.
- PC-92-2 -- No comments.
- PC-92-3 -- No comments.
- PC-92-4 -- No comments.
- PC-92-5 -- No comments.
- PC-92-6 -- No comments.
- PC-92-7 -- This amendment deletes a portion of the open space within the Oakridge Golf Course and affects 16.6 acres of the course and four of the existing golf holes. The eastern portion of the site has wetland affinities that may be considered jurisdictional wetlands by ONRP.
- PC-92-8 -- No comments.
- PC-92-9 -- This site contains archaeological site 8BD 2149 as registered in the Florida Master Site File with the State Division of Historic Resources. It is recommended that a Phase 1 archaeological survey, conducted by a professional archaeologist, be performed

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BROWARD COUNTY
PLANNING COUNCIL

prior to any ground disturbing activities. The archaeological report should include a brief history of the area, the field survey methods, the results of the field survey, an assessment of the archaeological significance and potential strategies for management of the resource. The subject property is within the portion of the ADID study area designated as unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation.

- PC-92-10 -- No known archaeological sites. This site is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-92-11 -- Contains the Sportatorium and Miami/Hollywood Speedway. No known archaeological sites. This site is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation. The site has wetland affinities and may be considered jurisdictional by ONRP.
- PC-92-12 -- No comments.
- PC-92-13 -- May contain remnants of archaeological site 8Bd89. An archaeological survey should be required to determine if a significant portion of the site remains to require preservation.
- PC-92-14 -- May contain remnants of archaeological site 8Bd89. An archaeological survey should be required to determine if a significant portion of the site remains to require preservation.
- PC-92-15 -- No known archaeological site present. This site is within the portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-92-16 -- No known archaeological site present. This site is within the portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-91-13 -- No comments.
- PC-91-17 -- The site is within that portion of the ADID study area designated as generally unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation.

Peter Ross
February 13, 1992
Page 3

- PC-91-36 -- The subject property is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation. No known archaeological sites exist on the property.
- PC-91-37 -- The subject property is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-91-39 -- The subject property is within that portion of the ADID study area designated as generally unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation. A recently completed survey of archaeological sites in western Broward County indicates the potential for an archaeological site within the boundaries of this property.



Office of Planning
115 S. Andrews Avenue, Room 329
Fort Lauderdale, FL 33301
(305) 357-6666 • FAX (305) 357-6694

MEMORANDUM

DATE: February 14, 1992
TO: Peter M. Ross, Director of Comprehensive Planning
Broward County Planning Council
THRU: Donald L. Kowell, Director
Office of Planning
FROM: Roy H. Groves, Director
Plan Implementation Division
SUBJECT: REVIEW OF 19 PROPOSED AMENDMENTS TO THE BROWARD COUNTY LAND USE PLAN SCHEDULED FOR THE PLANNING COUNCIL'S PUBLIC HEARING ON MARCH 26, 1992

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FEB 17 1992

BROWARD COUNTY
PLANNING COUNCIL

The following is a review prepared by the staff of the Plan Implementation Division of 19 proposed amendments to the Broward County Land Use Plan. Each amendment was reviewed for compatibility with the Future Unincorporated Area Land Use Plan, whether the amendment area is within a Compact Deferral Area as of February 1, 1992, and whether the proposed amendment would impact County owned property or facilities.

1. Proposed Amendment PC 92-1

The subject area is located within the Unincorporated Area. The area is currently located within a Compact Deferral Area resulting from the over-capacity road segments of Sunrise Boulevard between NW 31st and NW 34th Avenues and NW 23rd Avenue between Sunrise Boulevard and NW 19th Street. County-owned land and a public service facility is located at the southeast intersection of 31st Avenue and Sunrise Boulevard.

2. Proposed Amendment PC 92-2

The subject area is located within the Unincorporated Area. The area is currently located within a Compact Deferral Area resulting from the over-capacity road segment of Sunrise Boulevard between NW 31st and NW 34th Avenues. The area is in the vicinity of the County's new Public Safety facility and two County fire stations.

3. Proposed Amendment PC 92-3

The subject area is located within the City of Sunrise; is not contiguous to Unincorporated Area. The area is currently within a Compact Deferral Area resulting from the over-capacity road segment of Pine Island Road between Oakland Park Boulevard and Commercial Boulevard. The area does not affect County-owned property.

4. Proposed Amendment PC 92-4

The subject area is located within the City of Coral Springs, is not contiguous to Unincorporated Area, is not currently within a Compact Deferral Area, and does not affect County-owned property.

5. Proposed Amendment PC 92-5

The subject area is located within the Town of Davie and is not contiguous to Unincorporated Area, is not currently within a Compact Deferral Area, and does not affect County-owned property.

6. Proposed Amendment PC 92-6

The subject area is located within the City of Pompano Beach and is not contiguous to Unincorporated Area, the area is currently located within a Compact Deferral Area resulting from the over-capacity road segment of Sample Road between I-95 and the entrance to the Florida Turnpike. The area is located 1/2 mile east of a County fire station located at Powerline Road and NW 32nd Street.

7. Proposed Amendment PC 92-7

The subject area is located within the City of Dania and is not contiguous to Unincorporated Area. The area is not currently in a Compact Deferral Area. However, it is located to the west of a compact deferral area resulting from the over-capacity road segment of Ravenswood Road between Griffin Road and Stirling Road. A 30-acre commercial development at the subject site may result in making Griffin Road at 31st Avenue over-capacity. This will be considered at the time of platting and site plan review. The area is in the vicinity of a County fire station and public service facility located at SW 31st Avenue and SW 54th Street.

8. Proposed Amendment PC 92-8

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is currently within a Compact Deferral Area resulting from the over-capacity road segment of Pines Boulevard between University Drive and the Florida Turnpike, together with University Drive between Johnson Street and Taft Street. In addition, Pines Boulevard is approaching over-capacity between University Drive and Palm Avenue. There are no County facilities within the vicinity of the subject area.

9. Proposed Amendment PC 92-9

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is not currently within a Compact Deferral Area. There are no County facilities within the vicinity of the subject area.

10. Proposed Amendment PC 92-10

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is not currently within a compact Deferral Area. There are no County facilities within the vicinity of the subject area.

11. Proposed Amendment PC 92-11

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is located adjacent to a Compact Deferral Area resulting from the road segment of Pines Boulevard between SW 160 Avenue and I-75. In addition, Pines Boulevard between SW 160 Avenue and SW 184 Avenue is Approaching Over-Capacity. An increase of intensity from Commercial Recreation to Low (5) Residential and Commercial may result in making Pines Boulevard over-capacity. This will be considered at the time of platting and site plan review. There are no County facilities within the vicinity of the subject area.

12. Proposed Amendment PC 92-12

The subject area is located within the City of Pembroke Pines and is adjacent to Unincorporated Area on the north side of Sheridan Street which is designated Commercial. The subject area is not located within a Compact Deferral Area. A County fire station is located on Volunteer Road at Sunset Lane.

13. Proposed Amendment PC ~~91~~-13

The subject area is located within the Unincorporated Area. Low (5) Residential abuts the subject area on all four sides. Staff does not consider the proposed Industrial an appropriate land use within an established residential neighborhood. The subject area is presently located within a Compact Deferral Area resulting from the over-capacity road segment of Sunrise Boulevard between NW 31st Avenue and NW 34th Avenue. There is County-owned property and a public service facility located at NW 31st Avenue and NW 8th Road and a County neighborhood park located at NW 8th Road and NW 28th Avenue.

14. Proposed Amendment PC 91-36

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. The subject area is contiguous to Miramar Park, a dedicated undeveloped County regional park.

15. Proposed Amendment PC 91-37

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. The subject area is next to Miramar Park, a dedicated undeveloped County regional park.

16. Proposed Amendment PC 92-13

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

17. Proposed Amendment PC 92-14

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

18. Proposed Amendment PC 91-39

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

19. Proposed Amendment PC 91-17

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

Subj: **RE: 1600 Corp. - trailer park at 1400-1600 NW 33rd Street**
Date: 6/14/2013 8:16:04 A.M. Eastern Daylight Time
From: MABERGER@broward.org
To: Tjwm1@aol.com
CC: DVONSTETINA@broward.org, GDAY@broward.org
Mr. Johnston:

We have researched the land use and zoning of the subject property prior to annexation into the City of Pompano Beach. Please see the attached response to your May 31 letter.

I hope this information gives you what you need.



Martin Berger
Planning Section Manager
Development Management and Environmental Review Section
Planning and Redevelopment Division
Environmental Protection and Growth Management Department
1 North University Drive, Suite 102A, Plantation, Florida 33324
Phone: (954) 357-6623 Fax: (954) 357-6521
maberger@broward.org



From: Tjwm1@aol.com [mailto:Tjwm1@aol.com]
Sent: Friday, May 31, 2013 3:53 PM
To: Berger, Martin
Subject: 1600 Corp. - trailer park at 1400-1600 NW 33rd Street

Dear Mr. Berger:

Attached please find my letter. Thank you.

Tom Johnston

Under Florida law, most e-mail messages to or from Broward County employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the County, inclusive of e-mail addresses contained therein, may be subject to public disclosure.



Environmental Protection and Growth Management Department
PLANNING AND REDEVELOPMENT DIVISION

1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

June 14, 2013

Mr. Thomas W. Johnston
Johnston & Metevia, P.A.
Bank of America Building, Suite 301
2335 East Atlantic Boulevard
Pompano Beach, Florida 33062

RE: 1600 Corp. – Trailer Park Facility at 1400 – 1600 NW 33rd Street, Pompano Beach

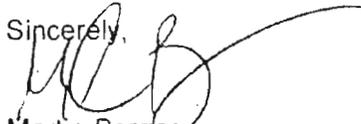
Dear Mr. Johnston:

In accordance with your May 31, 2013 request, we have researched the status and designation of the land use and zoning of the above referenced property at the time the property was annexed into the City of Pompano Beach. It appears that the County's current land use designations for the property are the same as the land use designations shown on the City's Future Land Use Map which you provided: "Low-Medium (10) Residential" west of 15th Avenue, "Industrial" between 14th Avenue and 15th Avenue and "Medium (16) Residential" east of 14th Avenue. However, the 1977 BCLUP shows the entire area as "Low-Medium (10) Residential," and the 1989 BCLUP shows "Low-Medium (10) Residential" west of 15th Avenue and "Industrial" east of 15th Avenue. The property currently designated "Medium (16) Residential" was the subject of an amendment in 1992 (see attached). It appears the discrepancy was created in 1989, when the area east of 15th Avenue was designated "Industrial."

With respect to the property's zoning, a recorded resolution adopted and effective on May 13, 1960, designated the subject property "Trailer Park T-1 District" (O.R. Book 1975, Page 456). However, a later resolution, adopted and effective February 13, 1976, rezoned "All of the following parcels in the unrecorded plat of Pompano Farms lying in the North half of Section 22, Township 48 South, Range 42 East, more particularly described as: Tracts 1 through 4, 8 through 21, 42 through 46, 58 and 62, 64 through 69, and the South 155.05 feet of Tract 33 less R/W, and all that part of Tract 61 and West 133.30 feet of Tract 60 lying North of the Easterly extended North right-of-way line of N.W. 32nd Street" as "M-3 General Industrial District." The two resolutions are attached for your information.

Based on this research, it appears that the City's Future Land Use Map and Zoning Map may not be accurate. If you have any questions in regard to this response, please contact me. For additional information regarding the Land Use Plan, please contact Deanne Von Stetina of the Planning Council (954-357-6695 or dvonstetina@broward.org). For additional information regarding County zoning issues, please contact Jeff Day of this Division at 954-754-4400, extension 9868, jday@broward.org.

Sincerely,



Martin Berger

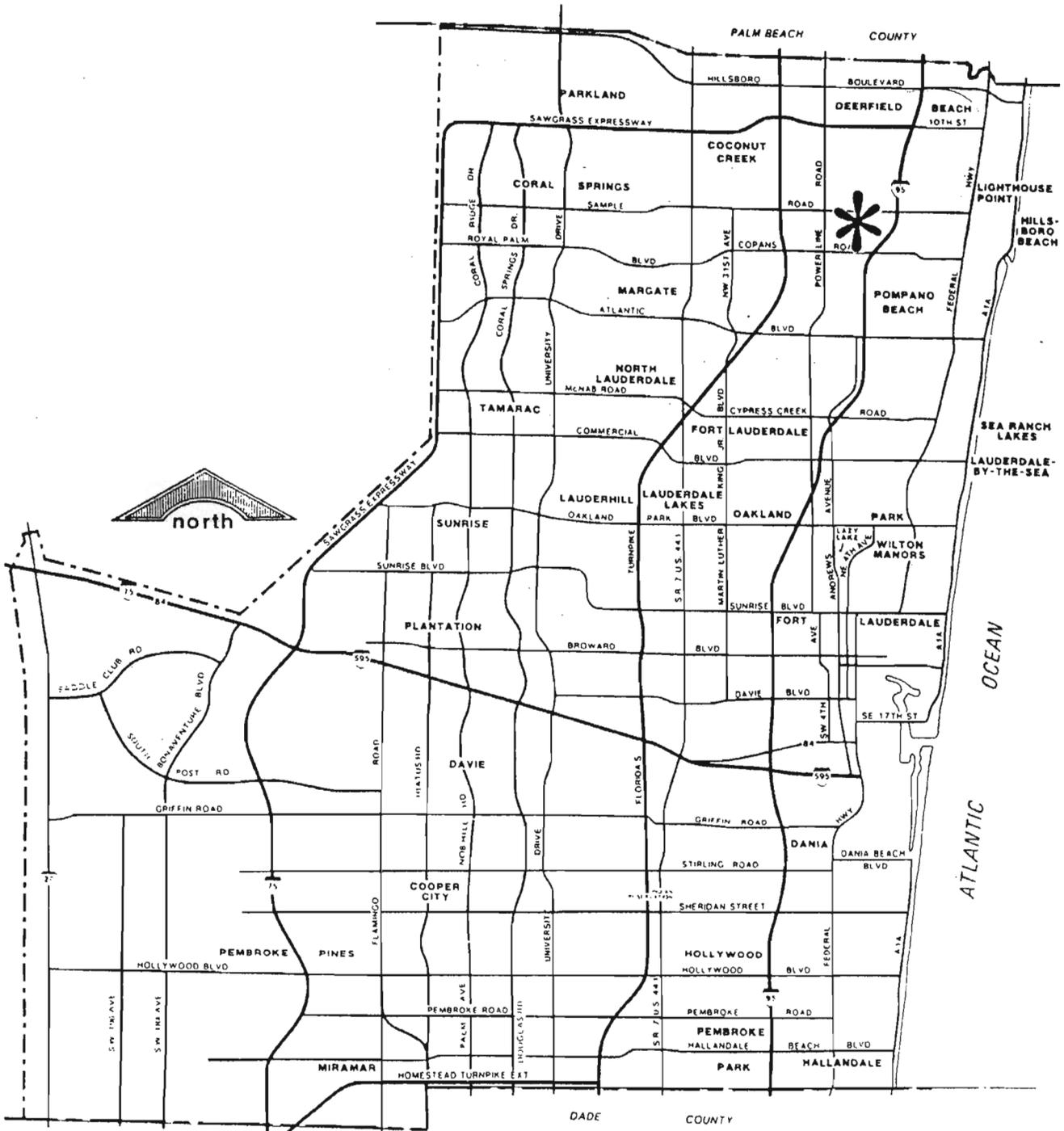
Planning Section Manager

Broward County Board of County Commissioners

Sue Gunzburger • Dale V C Holness • Kristin Jacobs • Martin David Kiar • Chip LaMarca • Stacy Ritter • Tim Ryan • Barbara Sharief • Lois Wexler
www.broward.org

GENERALIZED LOCATION MAP

Case # PC 92-6



Subject Area Location

Figure 2

FUTURE LAND USE DESIGNATION PER EFFECTIVE PLAN Case No. PC 92-6

Current : INDUSTRIAL
Proposed : MEDIUM (16)

COUNTY

SAMPLE RD.

POWERLINE RD.

NW 33rd. ST.

14th. AVE.

LM
(10)

LM(10)

LM(10)

Ind.

Ind.

MILITARY TRAIL

POMPANO BEACH

C.S.X.R.R.

COPANS RD

I-95





SE
Mobile
Homes

Multi-Family

NW 33rd ST

SE
Mobile
Homes

Mobile
Homes
Ind.

Ind.

Office

Office / Ind. Park

North
1-300

MILITARY TRAIL

BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 92-6

INTRODUCTORY INFORMATION

- I. Submitted By: City of Pompano Beach
- II. Site Characteristics
 - A. Size: 4.96 acres ±
 - B. Location: in Section 22, Township 48, Range 42; bound on the north by N.W. 33 Street; located south of Sample Road, west of I-95 and east of Powerline Road
 - C. Existing Use: residential mobile home park (May Mobile Home Park)
- III. Broward County Land Use Plan Designation
 - A. Current Designation: Industrial
 - B. Proposed Designation: Medium (16) Residential
- IV. Current Zoning
 - A. On Site: I-1 (General Industrial)
 - B. Adjacent: North: RM-12 (Multiple Family Residential)
East: I-1 (General Industrial)
South: I-1 (General Industrial)
West: MH-12 (Mobile Home Park)
- V. Initial Applicant and Stated Reasons for Amendment
 - A. 1400 Corporation of Broward, Inc.; d/b/a May Mobile Home Park
 - B. "To correct non-conforming land use to the existing mobile home park use which has been in existence for a minimum of 30 years....with no new increase in density or development other than possible replacement of old existing units (67 spaces) with newer units."
- VI. Recommendation of Local Governing Body

The City of Pompano Beach recommends approval.

PLANNING CONSIDERATIONS

I. Compatibility with Existing and Planned (BCLUP) Land Uses

The proposed use is felt to be compatible with existing and planned uses which are as follows:

- A. Existing Uses: North: Multi-Family Residential
 East: Industrial
 South: Business Park
 West: Single Family (Mobile Homes)
- B. Planned Uses: North: Low Medium (10) Residential
 East: Industrial
 South: Industrial
 West: Industrial

The subject parcel contains a 67 space mobile home park. Located north is a mobile home park and a multi-family residential development. Located west is a mobile home park with a density similar to the amendment parcel. A portion of the mobile home park located to the west is designated Industrial; City staff is investigating this inconsistency. Located to the south is a business park development which is buffered from the subject parcel by a fence and foilage. The parcel to the east is buffered from the subject amendment parcel and is principally used for the storage of crane equipment.

II. Availability of Public Services and Facilities

Adequate potable water, sewer, drainage, transportation, parks and recreation and solid waste facilities will be available to serve the proposed designation. See Correspondence Items I and II and Attachment A - Supplemental Report.

III. Natural Resource Impacts

The Broward County Office of Natural Resource Protection has determined that the proposed amendment will not have a significant adverse impact on natural resources provided that centralized potable water and wastewater service is provided to the site. The site is located within Zone 3 of the Pompano Beach Wellfield. It is the Broward County Office of Natural Resource's policy to discourage the use of septic tanks in wellfields. The applicant is currently applying for connection to Broward County Utilities centralized wastewater and potable water treatment facilities. See Correspondence Item II and Attachment A - Supplemental Report.

IV. Consistency with Goals, Objectives and Policies (BCLUP)

The proposed amendment is generally consistent with the goals, objectives and policies of the Broward County Land Use Plan. In particular, it furthers the following policies of the Broward County Land Use Plan.

08.01.09 - Private septic tanks and wells in Broward County should be phased out and replaced with centralized water and wastewater systems, where necessary, to protect the health, safety, and welfare of Broward County's residents.

09.02.03 - Amendments to the Future Broward County Land Use Plan Map (Series) proposing land use categories which permit Industrial uses shall be discouraged, to the greatest extent feasible, within wellfield protection zones of influence as identified by the Potable Water Supply Wellfield Protection Ordinance of Broward County.

CORRESPONDENCE/COMMENTS (ATTACHED) DATE

- | | | |
|------|--|-------------------|
| I. | Broward County Office of Environmental Services
Water Resources Management Division | January 29, 1992 |
| II. | Broward County Office of Natural Resource
Protection | February, 1992 |
| III. | The School Board of Broward County
Department of Property Management | February 11, 1992 |
| IV. | Broward County Office of Planning
Development Management Division | February 13, 1992 |
| V. | Broward County Office of Planning
Plan Implementation Division | February 14, 1992 |

RECOMMENDATIONS/ACTIONS

DATE

- | | | |
|-----|--|-----------------------|
| I. | <u>Planning Council Staff Transmittal Recommendation</u>
It is recommended that the proposed amendment to the Broward County Land Use Plan be approved. | <u>March 20, 1992</u> |
| II. | <u>Planning Council Transmittal Recommendation</u>
Approval per staff recommendation. | <u>March 26, 1992</u> |

- III. County Commission Transmittal Action April 8, 1992
Approved transmittal of the amendment to the Department of Community Affairs per Planning Council recommendation.
- IV. Department of Community Affairs Comments July 31, 1992
The Department of Community Affairs had no objections to this amendment.
- V. Planning Council Staff Final Recommendation August 21, 1992
It is recommended the proposed amendment to the Broward County Land Use Plan be approved.
- VI. Planning Council Final Recommendation September 3, 1992
Approval per staff recommendation.
- VII. County Commission Final Action October 1, 1992
Approval per Planning Council recommendation.

**ATTACHMENT A
SUPPLEMENTAL REPORT
AVAILABILITY OF PUBLIC SERVICES
AND NATURAL RESOURCE IMPACTS**

BROWARD COUNTY LAND USE PLAN AMENDMENT PC 92-6

SANITARY SEWER

The subject parcel is not currently served by a centralized wastewater treatment plant. The applicant has committed and is currently processing an application for hookup to the Broward County North District Regional Wastewater Treatment Plant. A Developer's agreement shall be executed by the applicant with Broward County Utilities. Available Plant Capacity is 66 million gallons per day (MGD) with demand of 54 MGD. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

POTABLE WATER

The subject parcel is not currently served by a centralized potable water plant. The applicant has committed and is currently processing an application for hookup to the Broward County 2A Water Treatment Plant. A Developer's agreement shall be executed by the applicant with Broward County Utilities. Available Plant Capacity is 20 million gallons per day (MGD) with demand of 11.15 MGD. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

SOLID WASTE

The City of Pompano Beach contracts with the Southern Sanitation Service for the collection of solid waste. The proposed amendment reflects the existing use of 67 mobile home sites. Capacity is available to service the existing development.

DRAINAGE

The subject parcel is within the boundaries of Water Control District #3. The existing mobile home park was built during the 1960's before current drainage standards were required. Upon the proposed redevelopment, the drainage design should include a small diameter overflow to the Northwest 33 Street System approximately 3,000 feet to the east. The Broward County Office of Environmental Services Water Resources Management Division states that a change from Industrial to Medium (16) Residential should lessen the negative impacts to the area's drainage (See Correspondence Item I).

RECREATION

The proposed amendment would not impact demand for recreational facilities since the proposed amendment reflects existing uses. The City of Pompano Beach Land Use Element satisfies the community parks requirement of the Broward County Land Use Plan of 3 acres per 1,000 population.

TRAFFIC

The proposed amendment will not significantly impact the operating conditions of the regional roadway network as it reflects the existing use of the property.

NATURAL RESOURCE IMPACTS

The subject parcel is not located within a designated Historic District or Historically Significant Property, a Local area of Particular Concern, or exhibits wetland characteristics. The subject site is located within Zone 3 of the Pompano Beach Wellfield. The subject parcel is not currently served by a centralized wastewater treatment plant. It is the Broward County Office of Natural Resource Protection's policy to discourage the use of septic tanks in wellfields. The applicant is currently applying for connection to Broward County Utilities centralized wastewater treatment facilities. The site is located in a designated flood prone area and will be subject to the criteria established by the Federal Emergency Management Administration and the South Florida Water Management District as outlined in Broward County Land Use Plan Objective 09.07.00 and related policies.



Public Works Department
Office of Environmental Services
 2401 North Powerline Road
 Pompano Beach, FL 33069

January 29, 1992

TO: Peter M. Ross, Director
 Comprehensive Planning
 Broward County Planning Council

FROM: Robert C. Shair, P.E. *RCS Shair ok.*
 Water Resources Management Div.

SUBJECT: Proposed Land Use Plan Amendment PC #92-6
 City of Pompano Beach

The subject proposed Land Use Amendment was reviewed by the following WRMD staff: Cesar Gomez, Drainage, Dave Markward, Drainage, and Ellis Donsky, Water Supply. Their comments are summarized as follows:

DRAINAGE;

This site is located in Water Control District 3 (WCD 3), a dependent water control district. The information provided in our July 8, 1991 letter to the applicant is still valid. A change from industrial to medium (16) residential should lessen the negative impacts to the area's drainage. The only loss would be the required 1/2" pre-treatment volumes (for water quality) that is in ONPP and WCD 3 criterial for non residential developments.

WATER SUPPLY;

The amendment is located in Zone 3 of the Pompano Beach East Wellfield. Water will be supplied from the Broward County OES-2A System which has adequate capacity.

CONCLUSIONS;

No objections with regard to Water Supply or Drainage.

RCS/SBLupa92-(6.2)

File: RD Proj. Land Use Amends
 PC 1/92

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COMMENTS ON PROPOSED LAND USE AMENDMENTS
FEBRUARY 1992

AMENDMENT NO.: 92-6

Municipality: City of Pompano Beach

Existing Land Use: Residential Mobile Home Park

Existing Land Use Designation: Industrial

Proposed Land Use Designation: Medium (16) Residential

Location: Section 22, Township 48 S, Range 42 E

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BACKGROUND DATA:

Wellfield YES NO

Wetlands YES NO

SEE ATTACHED REPORT

The LUA is located south of NW 33rd St. and 2 blocks south of Sample Road. Adjacent land uses include a mobile home park, condominiums, commercial and industrial uses. A mobile home park has existed on site since 1960. The site is currently not connected to potable water or wastewater treatment facilities. The applicant is currently applying for connection to Broward County Utilities wastewater and potable water treatment facilities. The site is located within Zone 3 of the Pompano Beach Wellfield. In order to prevent possible groundwater contamination, it is ONRP policy to discourage the use of septic tanks in well fields and/or in urbanized areas. The LUA parcel is located within the vulnerable zones of the Pompano City Water Treatment Plant (chlorine) and the OES Wastewater Treatment Facility (chlorine), but this does not represent an unacceptable level of risk to the established population. The LUA is located approximately one mile east of the active Central Disposal Land Fill site. This facility is in compliance with applicable rules and regulations.

FINDINGS:

ONRP finds that the parcel is not served by centralized sewers or potable water and is located within a wellfield zone. ONRP recommends that connection to centralized wastewater and potable water treatment facilities be required for all units on the property. [BCLUP Policies 08.01.08, 08.01.10, 09.02.06]

ONRP finds that sufficient uncommitted capacity exists, at this time, to accommodate the estimated wastewater flow from the proposed amendment when connected. [BCLUP Policies 08.01.04, 08.01.07, 11.01.03]

ONRP finds that the proposed land use amendment will not increase the risk to the population to an unacceptable level from a chemical incident.

RECOMMENDATION:

Providing that centralized potable water and wastewater service is provided to all units, ONRP anticipates that no significant adverse environmental impacts will result from the proposed land use amendment; ONRP can recommend approval of the proposed land use amendment subject to the above condition.

OFFICE OF NATURAL RESOURCE PROTECTION

WETLANDS RESOURCE REPORT

LAND USE AMENDMENT NO: PC 92-6
EXISTING LAND USE: INDUSTRIAL
PROPOSED LAND USE: MEDIUM (16) RES.
DATE: January 31, 1992

RESOURCE EVALUATION

Our review of the site indicates that it contains an existing mobile home community. The site does not exhibit wetland characteristics.

IMPACT ANALYSIS

Wetland impact analysis is not applicable for this site based upon the review of existing site conditions. Therefore, no adverse wetland impacts are anticipated and wetlands staff has no objection to the proposed land use change.

Limitation: Evaluation and recommendations presented in this resource report are for land use plan amendment only and are not to be construed as providing approvals or comments for any other purpose.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
 DEPARTMENT OF PROPERTY MANAGEMENT
 600 S.E. 3rd Avenue, 14th Floor
 Fort Lauderdale, Florida 33301

**LAND USE AMENDMENT
 PUBLIC SCHOOL FACILITY IMPACT STATEMENT**

PROPERTY DESCRIPTION

AMENDMENT #: PC 92-6
 OWNER/DEVELOPER: 1400 Corp. of Broward, Inc.
 CURRENT LAND USE: Industrial
 PROPOSED LAND USE: Medium (16) Residential
 COMMENTS: Located in the City of Pompano Beach

STUDENT GENERATION PROJECTIONS*

<i>LAND USE</i>		<i>ADDITIONAL STUDENTS</i>	
EXISTING PERMITTED UNITS:	<u>0</u>	ELEMENTARY STUDENTS:	<u>40</u>
PROPOSED UNITS:	<u>79</u>	MIDDLE STUDENTS:	<u>22</u>
NET CHANGE:	<u>+79</u>	HIGH STUDENTS:	<u>31</u>

*NOTE: Projections are based upon student generation rates in the Land Development Code.

CURRENT ASSIGNED SCHOOLS*

ELEMENTARY SCHOOL NAME: Winston Park Elementary
 ENROLLMENT 1015 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 776

MIDDLE SCHOOL NAME: Crystal Lake Middle
 ENROLLMENT 1108 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 1186

HIGH SCHOOL NAME: Ely High
 ENROLLMENT 1708 SCHOOL YEAR: 1991/92
 PERMANENT CAPACITY: 1608

*NOTE: School attendance areas are subject to change each year.

PLANNED AND FUNDED IMPROVEMENTS

ELEMENTARY SCHOOLS: None
 MIDDLE SCHOOLS: None
 HIGH SCHOOLS: New Science building under construction at Ely

DATE: 2/11/92 BY: Lee A. Slipman
 DEPARTMENT OF
 PROPERTY MANAGEMENT



Office of Planning
115 S. Andrews Avenue, Room 329
Fort Lauderdale, FL 33301
(305) 357-6666 • FAX (305) 357-6694

MEMORANDUM

TO: Peter Ross, Comprehensive Planning Director
Planning Council

THRU: *Donald L. Kowell*
Donald L. Kowell, Director
Office of Planning

THRU: Elliot Auerhahn, Development Management Director *EA*
Office of Planning

FROM: Donald Stone, Senior Environmental Planner *DS*
Donald Burgess, Special Projects Coordinator III *DB*

DATE: February 13, 1992

SUBJECT: Land Use Amendments

We have reviewed the proposed Land Use Amendments and have the following comments:

PC-92-1 -- No comments.

PC-92-2 -- No comments.

PC-92-3 -- No comments.

PC-92-4 -- No comments.

PC-92-5 -- No comments.

PC-92-6 -- No comments.

PC-92-7 -- This amendment deletes a portion of the open space within the Oakridge Golf Course and affects 16.6 acres of the course and four of the existing golf holes. The eastern portion of the site has wetland affinities that may be considered jurisdictional wetlands by ONRP.

PC-92-8 -- No comments.

PC-92-9 -- This site contains archaeological site 8BD 2149 as registered in the Florida Master Site File with the State Division of Historic Resources. It is recommended that a Phase 1 archaeological survey, conducted by a professional archaeologist, be performed

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prior to any ground disturbing activities. The archaeological report should include a brief history of the area, the field survey methods, the results of the field survey, an assessment of the archaeological significance and potential strategies for management of the resource. The subject property is within the portion of the ADID study area designated as unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation.

- PC-92-10 -- No known archaeological sites. This site is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-92-11 -- Contains the Sportatorium and Miami/Hollywood Speedway. No known archaeological sites. This site is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation. The site has wetland affinities and may be considered jurisdictional by ONRP.
- PC-92-12 -- No comments.
- PC-92-13 -- May contain remnants of archaeological site 8Bd89. An archaeological survey should be required to determine if a significant portion of the site remains to require preservation.
- PC-92-14 -- May contain remnants of archaeological site 8Bd89. An archaeological survey should be required to determine if a significant portion of the site remains to require preservation.
- PC-92-15 -- No known archaeological site present. This site is within the portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-92-16 -- No known archaeological site present. This site is within the portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.
- PC-91-13 -- No comments.
- PC-91-17 -- The site is within that portion of the ADID study area designated as generally unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation.

Peter Ross
February 13, 1992
Page 3

- PC-91-36 -- The subject property is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation. No known archaeological sites exist on the property.

- PC-91-37 -- The subject property is within that portion of the ADID study area designated as generally suitable for the disposal of fill, with appropriate mitigation.

- PC-91-39 -- The subject property is within that portion of the ADID study area designated as generally unsuitable for the disposal of fill except for specific activities with substantial, appropriate mitigation. A recently completed survey of archaeological sites in western Broward County indicates the potential for an archaeological site within the boundaries of this property.



Office of Planning
115 S. Andrews Avenue, Room 329
Fort Lauderdale, FL 33301
(305) 357-6666 • FAX (305) 357-6694

MEMORANDUM

DATE: February 14, 1992
TO: Peter M. Ross, Director of Comprehensive Planning
Broward County Planning Council
Donald L. Kowell
THRU: Donald L. Kowell, Director
Office of Planning
FROM: Roy H. Groves, Director *R. H. G. by a.s.*
Plan Implementation Division

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**BROWARD COUNTY
PLANNING COUNCIL**

SUBJECT: REVIEW OF 19 PROPOSED AMENDMENTS TO THE BROWARD COUNTY LAND USE PLAN SCHEDULED FOR THE PLANNING COUNCIL'S PUBLIC HEARING ON MARCH 26, 1992

The following is a review prepared by the staff of the Plan Implementation Division of 19 proposed amendments to the Broward County Land Use Plan. Each amendment was reviewed for compatibility with the Future Unincorporated Area Land Use Plan, whether the amendment area is within a Compact Deferral Area as of February 1, 1992, and whether the proposed amendment would impact County owned property or facilities.

1. Proposed Amendment PC 92-1

The subject area is located within the Unincorporated Area. The area is currently located within a Compact Deferral Area resulting from the over-capacity road segments of Sunrise Boulevard between NW 31st and NW 34th Avenues and NW 23rd Avenue between Sunrise Boulevard and NW 19th Street. County-owned land and a public service facility is located at the southeast intersection of 31st Avenue and Sunrise Boulevard.

2. Proposed Amendment PC 92-2

The subject area is located within the Unincorporated Area. The area is currently located within a Compact Deferral Area resulting from the over-capacity road segment of Sunrise Boulevard between NW 31st and NW 34th Avenues. The area is in the vicinity of the County's new Public Safety facility and two County fire stations.

3. Proposed Amendment PC 92-3

The subject area is located within the City of Sunrise; is not contiguous to Unincorporated Area. The area is currently within a Compact Deferral Area resulting from the over-capacity road segment of Pine Island Road between Oakland Park Boulevard and Commercial Boulevard. The area does not affect County-owned property.

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS -- An Equal Opportunity Employer

Scott M. Brown, 2/19/92, Nick B. Glander, Grossman, John P. Hart, Ed Kennedy, Lori Nance Parrish, Sylvia Poitier, Gerald F. Thompson

4. Proposed Amendment PC 92-4

The subject area is located within the City of Coral Springs, is not contiguous to Unincorporated Area, is not currently within a Compact Deferral Area, and does not affect County-owned property.

5. Proposed Amendment PC 92-5

The subject area is located within the Town of Davie and is not contiguous to Unincorporated Area, is not currently within a Compact Deferral Area, and does not affect County-owned property.

6. Proposed Amendment PC 92-6

The subject area is located within the City of Pompano Beach and is not contiguous to Unincorporated Area, the area is currently located within a Compact Deferral Area resulting from the over-capacity road segment of Sample Road between I-95 and the entrance to the Florida Turnpike. The area is located 1/2 mile east of a County fire station located at Powerline Road and NW 32nd Street.

7. Proposed Amendment PC 92-7

The subject area is located within the City of Dania and is not contiguous to Unincorporated Area. The area is not currently in a Compact Deferral Area. However, it is located to the west of a compact deferral area resulting from the over-capacity road segment of Ravenswood Road between Griffin Road and Stirling Road. A 30-acre commercial development at the subject site may result in making Griffin Road at 31st Avenue over-capacity. This will be considered at the time of platting and site plan review. The area is in the vicinity of a County fire station and public service facility located at SW 31st Avenue and SW 54th Street.

8. Proposed Amendment PC 92-8

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is currently within a Compact Deferral Area resulting from the over-capacity road segment of Pines Boulevard between University Drive and the Florida Turnpike, together with University Drive between Johnson Street and Taft Street. In addition, Pines Boulevard is approaching over-capacity between University Drive and Palm Avenue. There are no County facilities within the vicinity of the subject area.

9. Proposed Amendment PC 92-9

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is not currently within a Compact Deferral Area. There are no County facilities within the vicinity of the subject area.

10. Proposed Amendment PC 92-10

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is not currently within a compact Deferral Area. There are no County facilities within the vicinity of the subject area.

11. Proposed Amendment PC 92-11

The subject area is located within the City of Pembroke Pines and is not contiguous to the Unincorporated Area. The subject area is located adjacent to a Compact Deferral Area resulting from the road segment of Pines Boulevard between SW 160 Avenue and I-75. In addition, Pines Boulevard between SW 160 Avenue and SW 184 Avenue is Approaching Over-Capacity. An increase of intensity from Commercial Recreation to Low (5) Residential and Commercial may result in making Pines Boulevard over-capacity. This will be considered at the time of platting and site plan review. There are no County facilities within the vicinity of the subject area.

12. Proposed Amendment PC 92-12

The subject area is located within the City of Pembroke Pines and is adjacent to Unincorporated Area on the north side of Sheridan Street which is designated Commercial. The subject area is not located within a Compact Deferral Area. A County fire station is located on Volunteer Road at Sunset Lane.

13. Proposed Amendment PC 91-13

The subject area is located within the Unincorporated Area. Low (5) Residential abuts the subject area on all four sides. Staff does not consider the proposed Industrial an appropriate land use within an established residential neighborhood. The subject area is presently located within a Compact Deferral Area resulting from the over-capacity road segment of Sunrise Boulevard between NW 31st Avenue and NW 34th Avenue. There is County-owned property and a public service facility located at NW 31st Avenue and NW 8th Road and a County neighborhood park located at NW 8th Road and NW 28th Avenue.

14. Proposed Amendment PC 91-36

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. The subject area is contiguous to Miramar Park, a dedicated undeveloped County regional park.

15. Proposed Amendment PC 91-37

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. The subject area is next to Miramar Park, a dedicated undeveloped County regional park.

16. Proposed Amendment PC 92-13

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

17. Proposed Amendment PC 92-14

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

18. Proposed Amendment PC 91-39

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.

19. Proposed Amendment PC 91-17

The subject area is located within the City of Miramar and is not contiguous to Unincorporated Area. The area is not presently located within a compact deferral area. There are no County facilities within the vicinity of the subject area.



A RESOLUTION ADOPTING BUILDING AND ZONING REGULATIONS IN CERTAIN TERRITORY WITHIN BROWARD COUNTY, FLORIDA, DESCRIBED AS ALL OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RESCINDING ALL PREVIOUS RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the Broward County Zoning Board has held public hearing and has made formal recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Broward County, Florida, Board of County Commissioners that the Zoning and Building Regulations hereinafter set forth by reference are hereby adopted in the territory within Broward County, Florida, described as follows:

All of Section 22, Township 48 South, Range 42 East.

Sections 11.1 through 27.6 of the Zoning Regulations as recorded in Official Record Book 1173 at Pages 448 through 506 and Sections 2.1 through 10.8 and Sections 28.1 through 37.6 of the Zoning Regulations as recorded in Official Record Book 1358 at Pages 454 through 553 of the public records of Broward County, Florida, and as subsequently amended, are adopted as are prescribed and indicated hereinafter within the territory as designated.

1. The following described territory is hereby designated as AGRICULTURAL A-1 DISTRICT, according to Sections 11.1 through 11.12 of the Zoning Regulations:

The South One-Half ($S\frac{1}{2}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$), less the West 167.48 feet thereof; and

The Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The Northeast One-Quarter ($NE\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The East One-Quarter ($E\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The West One-Quarter ($W\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

Per Order of Board

July 13

The Northeast One-Quarter ($NE\frac{1}{4}$) of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$), less the West 141.70 feet thereof; and

The Southeast One-Quarter ($SE\frac{1}{4}$) of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The West One-Half ($W\frac{1}{2}$) of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The Northeast One-Quarter ($NE\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The Southeast One-Quarter ($SE\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$), less the East 166.70 feet thereof; and

The Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$), less the West 333.40 feet thereof,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

2. The following described territory is hereby designated as ONE FAMILY DWELLING R-1C DISTRICT, according to Sections 12.1 through 12.11 of the Zoning Regulations:

The West One-Quarter ($W\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The East One-Quarter ($E\frac{1}{4}$) of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The West 141.70 feet of the Northeast One-Quarter ($NE\frac{1}{4}$) of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The West 333.40 feet of the Southeast One-Quarter ($SE\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$); and

The Southwest One-Quarter ($SW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$), less the West 165.00 feet thereof,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

- 3. The following described territory is hereby designated as TRAILER PARK T-1 DISTRICT, according to Sections 19.1 through 19.12 of the Zoning Regulations:



The East One-Half (E $\frac{1}{2}$) of the West One-Half (W $\frac{1}{2}$) and the West One-Half (W $\frac{1}{2}$) of the East One-Half (E $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of Section 22, Township 48 South, Range 42 East, less all road rights of way.

- 4. The following described territory is hereby designated as GENERAL BUSINESS B-3 DISTRICT, according to Sections 23.1 through 23.6 of the Zoning Regulations:

The West 165.00 feet of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of Section 22, Township 48 South, Range 42 East, less all road rights of way.

- 5. The following described territory is hereby designated as GENERAL INDUSTRIAL M-3 DISTRICT, according to Sections 27.1 through 27.6 of the Zoning Regulations:

The South One-Half (S $\frac{1}{2}$); and

The Northeast One-Quarter (NE $\frac{1}{4}$), excepting therefrom the North One-Half (N $\frac{1}{2}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) and the South One-Half (S $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) and the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$); and

The North One-Half (N $\frac{1}{2}$) of the North One-Half (N $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), excepting therefrom the Northeast One-Quarter (NE $\frac{1}{4}$), and including that portion known as FREEWAY CENTER as recorded in Plat Book 49 at Page 43 of the public records of Broward County, Florida,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

This resolution shall supersede all resolutions which adopted building and zoning regulations within the herein described territory to the extent in which they conflict with this resolution.

Adopted and effective this 13th day of May, 1960.

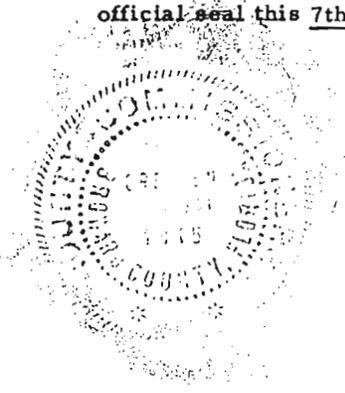
STATE OF FLORIDA)
) ss
COUNTY OF BROWARD)

I, Frank H. Marks, Clerk of the Circuit Court in and for Broward County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the said Board of County Commissioners at its regular meeting held on the 13th day of May 1960, as appears of record in the Minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7th day of July A. D. 1960.

FRANK H. MARKS, CLERK

By Annabelle Besaw
Deputy Clerk



RECORDED IN OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
FRANK H. MARKS
CLERK OF CIRCUIT COURT

76- 31346

A RESOLUTION ADOPTING BUILDING AND ZONING REGULATIONS IN CERTAIN TERRITORY WITHIN BROWARD COUNTY, FLORIDA, LYING IN SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RESCINDING ALL PREVIOUS RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the Broward County Zoning Board has held public hearing and has made formal recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Broward County, Florida, Board of County Commissioners that the Building and Zoning Regulations hereinafter set forth by reference are hereby adopted in the territory within Broward County, Florida, described as follows:

All of the following parcels in the unrecorded plat of Pompano Farms lying in the North half of Section 22, Township 48 South, Range 42 East, more particularly described as:

Tracts 1 through 4, 8 through 21, 42 through 46, 58 and 62, 64 through 69, and the South 155.05 feet of Tract 33 less R/W, and all that part of Tract 61 and West 133.30 feet of Tract 60 lying North of the Easterly extended North right-of-way line of N.W. 32nd Street.

Said lands situate, lying, and being in Broward County, Florida.

Section 1.1 through 53.6 of the Zoning Regulations as recorded in Official Record Book 2294 at Pages 551 through 749 of the public records of Broward County, Florida, and subsequently amended, are adopted as prescribed and indicated hereinafter within the territory as designated.

All the territory covered by this resolution is hereby designated as M-3 GENERAL INDUSTRIAL DISTRICT, according to Section 40.1 through 40.6 of the Zoning Regulations.

This resolution shall supersede all resolutions which adopted building and zoning regulations within the herein described territory to the extent in which they conflict with this resolution.

Adopted and effective this 13th day of FEBRUARY 1976.

2-2-76

OFF
REC
6495
PAGE 287

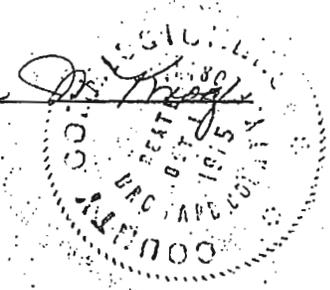
STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

I, L. A. Hester, County Administrator in and for Broward County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting held on the 13th day of February, 19 76, as appears in record in the Minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 19th day of February, A. D. 19 76.

L. A. HESTER
COUNTY ADMINISTRATOR

By Juanita M. Hester
Deputy



RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
L. A. HESTER
COUNTY ADMINISTRATOR

OFF REC 6495 PAGE 288

Map Updated: Febr

ZONING DISTRICTS ✓

SINGLE FAMILY DISTRICTS

- RS - SINGLE-FAMILY RESIDENTIAL
- RS-2 - SINGLE-FAMILY RESIDENTIAL
- RS-3 - SINGLE-FAMILY RESIDENTIAL
- RS-4 - SINGLE-FAMILY RESIDENTIAL
- RS-5 - SINGLE-FAMILY RESIDENTIAL

MULTIPLE-FAMILY DISTRICTS

- MF-1 - MULTIFAMILY RESIDENTIAL
- MF-2 - MULTIFAMILY RESIDENTIAL
- MF-3 - MULTIFAMILY RESIDENTIAL
- MF-4 - MULTIFAMILY RESIDENTIAL
- MF-5 - MULTIFAMILY RESIDENTIAL
- MF-6 - MULTIFAMILY RESIDENTIAL
- MF-7 - MULTIFAMILY RESIDENTIAL
- MF-8 - MULTIFAMILY RESIDENTIAL
- MF-9 - MULTIFAMILY RESIDENTIAL
- MF-10 - MULTIFAMILY RESIDENTIAL

BUSINESS DISTRICTS

- B-1 - BUSINESS DISTRICT
- B-2 - BUSINESS DISTRICT
- B-3 - BUSINESS DISTRICT
- B-4 - BUSINESS DISTRICT
- B-5 - BUSINESS DISTRICT
- B-6 - BUSINESS DISTRICT
- B-7 - BUSINESS DISTRICT
- B-8 - BUSINESS DISTRICT
- B-9 - BUSINESS DISTRICT
- B-10 - BUSINESS DISTRICT

INDUSTRIAL DISTRICTS

- I-1 - INDUSTRIAL DISTRICT
- I-2 - INDUSTRIAL DISTRICT
- I-3 - INDUSTRIAL DISTRICT
- I-4 - INDUSTRIAL DISTRICT
- I-5 - INDUSTRIAL DISTRICT
- I-6 - INDUSTRIAL DISTRICT
- I-7 - INDUSTRIAL DISTRICT
- I-8 - INDUSTRIAL DISTRICT
- I-9 - INDUSTRIAL DISTRICT
- I-10 - INDUSTRIAL DISTRICT

RECREATIONAL DISTRICTS

- R-1 - RECREATIONAL DISTRICT

COMMERCIAL RECREATIONAL

- CR-1 - COMMERCIAL RECREATIONAL

COMMUNITY FACILITIES

- CF-1 - COMMUNITY FACILITIES

TRANSPORTATION DISTRICT

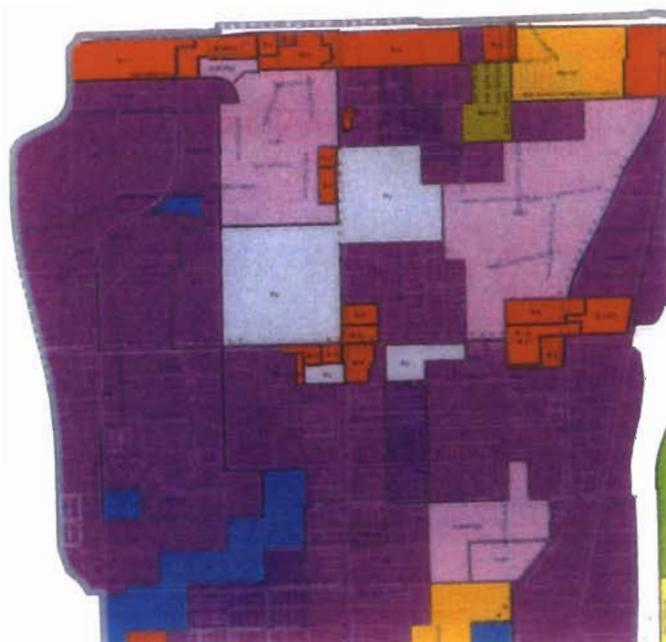
- T-1 - TRANSPORTATION DISTRICT

- T-2 - TRANSPORTATION DISTRICT

- T-3 - TRANSPORTATION DISTRICT

-12 →

I →



ATTACHMENT 1

NW 36TH ST

W SAMPLE RD

2013 BCLWP

BLUE LAKE DR

NW 14TH AVE

NW 34TH CT

NW 16TH AVE

NW 15TH TER

NW 15TH AVE

NW 14TH AVE

QUAIL CLOSE

MALLARD CLOSE

PARTRIDGE CLOSE

BEAU RIVAGE DR

POMPANO FARMS RD

NW 33RD ST

POMPANO FARMS RD

ACCESS RD

PC92-6

NW 16TH AVE

NW 15TH TER

NW 15TH AVE

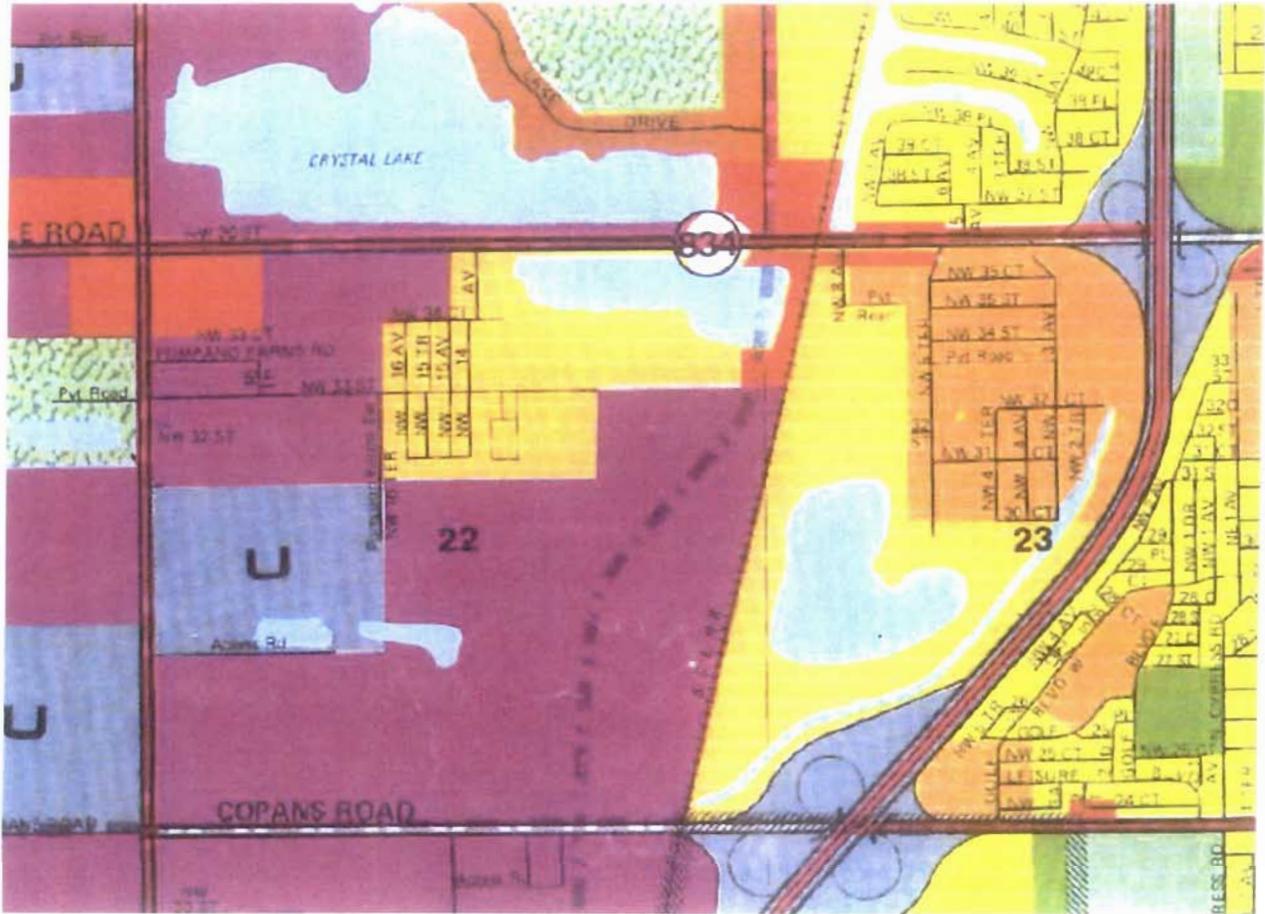
NW 14TH AVE

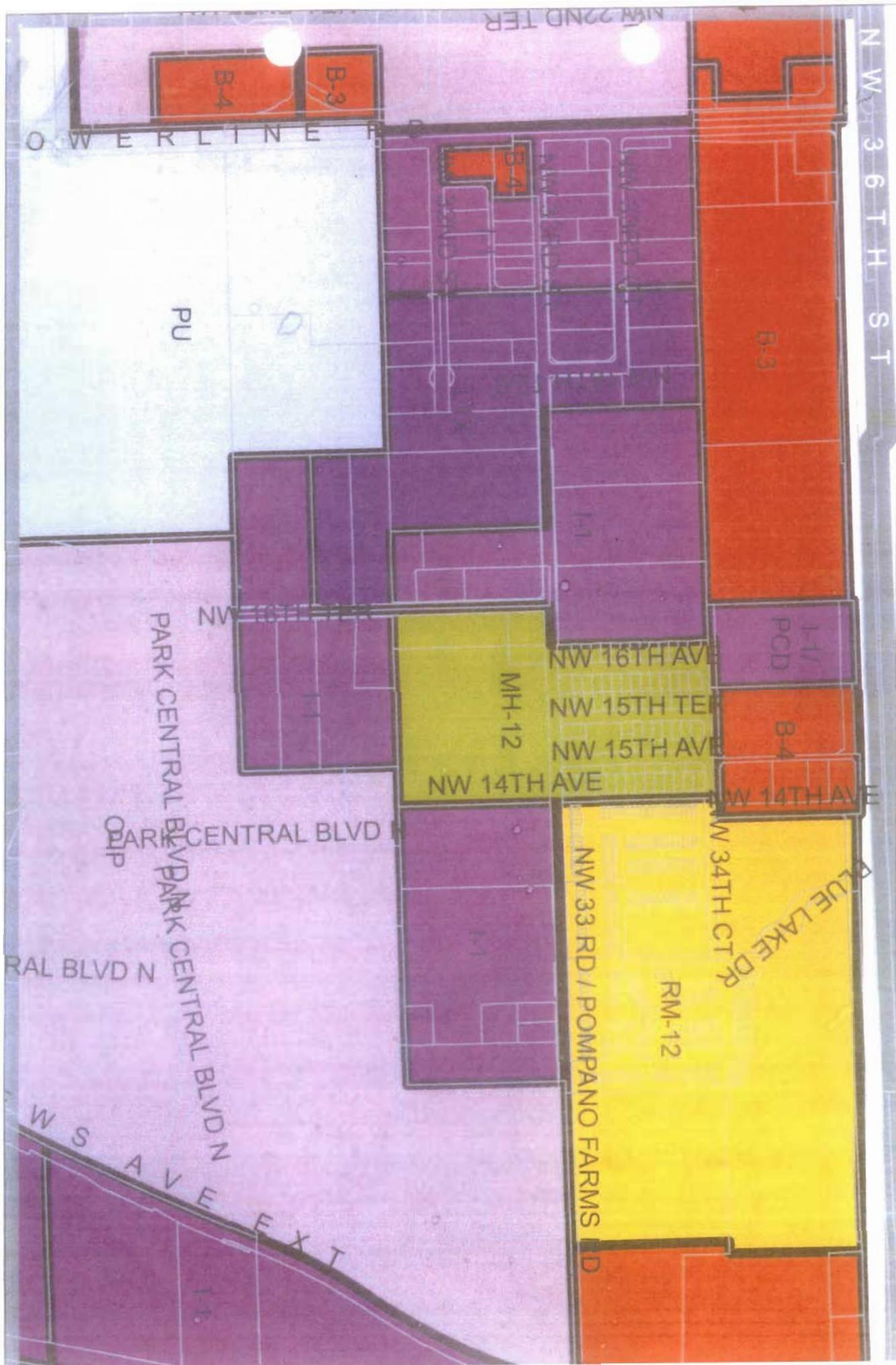
NW 32ND ST

NW 16TH TER

PARK CENTRAL BLVD N

ATTACHMENT 2





ZONING MAP updated Feb. 11, 2013

76- 31346

A RESOLUTION ADOPTING BUILDING AND ZONING REGULATIONS IN CERTAIN TERRITORY WITHIN BROWARD COUNTY, FLORIDA, LYING IN SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RESCINDING ALL PREVIOUS RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the Broward County Zoning Board has held public hearing and has made formal recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Broward County, Florida, Board of County Commissioners that the Building and Zoning Regulations hereinafter set forth by reference are hereby adopted in the territory within Broward County, Florida, described as follows:

All of the following parcels in the unrecorded plat of Pompano Farms lying in the North half of Section 22, Township 48 South, Range 42 East, more particularly described as:

Tracts 1 through 4, 8 through 21, 42 through 46, 58 and 62, 64 through 69, and the South 155.05 feet of Tract 33 less R/W, and all that part of Tract 61 and West 133.30 feet of Tract 60 lying North of the Easterly extended North right-of-way line of N.W. 32nd Street.

Said lands situate, lying, and being in Broward County, Florida.

Section 1.1 through 53.6 of the Zoning Regulations as recorded in Official Record Book 2294 at Pages 551 through 749 of the public records of Broward County, Florida, and subsequently amended, are adopted as prescribed and indicated hereinafter within the territory as designated.

All the territory covered by this resolution is hereby designated as M-3 GENERAL INDUSTRIAL DISTRICT, according to Section 40.1 through 40.6 of the Zoning Regulations.

This resolution shall supersede all resolutions which adopted building and zoning regulations within the herein described territory to the extent in which they conflict with this resolution.

Adopted and effective this 13th day of FEBRUARY 1976.

REC 6495 PAGE 287

Handwritten notes and signatures at the bottom of the page.

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

I, L. A. Hester, County Administrator in and for Broward County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners at its regular meeting held on the 13th day of February, 1976, as appears in record in the Minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 19th day of February, A. D. 1976.

L. A. HESTER
COUNTY ADMINISTRATOR

By Juanita M. Hester
Deputy



RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
L. A. HESTER
COUNTY ADMINISTRATOR



A RESOLUTION ADOPTING BUILDING AND ZONING REGULATIONS IN CERTAIN TERRITORY WITHIN BROWARD COUNTY, FLORIDA, DESCRIBED AS ALL OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RESCINDING ALL PREVIOUS RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the Broward County Zoning Board has held public hearing and has made formal recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Broward County, Florida, Board of County Commissioners that the Zoning and Building Regulations hereinafter set forth by reference are hereby adopted in the territory within Broward County, Florida, described as follows:

All of Section 22, Township 48 South, Range 42 East.

Sections 11.1 through 27.6 of the Zoning Regulations as recorded in Official Record Book 1173 at Pages 448 through 506 and Sections 2.1 through 10.8 and Sections 28.1 through 37.6 of the Zoning Regulations as recorded in Official Record Book 1358 at Pages 454 through 553 of the public records of Broward County, Florida, and as subsequently amended, are adopted as are prescribed and indicated hereinafter within the territory as designated.

1. The following described territory is hereby designated as AGRICULTURAL A-1 DISTRICT, according to Sections 11.1 through 11.12 of the Zoning Regulations:

The South One-Half ($S\frac{1}{2}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$), less the West 167.48 feet thereof; and

The Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The Northeast One-Quarter ($NE\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The East One-Quarter ($E\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

The West One-Quarter ($W\frac{1}{4}$) of the Northwest One-Quarter ($NW\frac{1}{4}$) of the Southwest One-Quarter ($SW\frac{1}{4}$) of the Northeast One-Quarter ($NE\frac{1}{4}$); and

See back of page

1/2

The Northeast One-Quarter (NE $\frac{1}{4}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), less the West 141.70 feet thereof; and

The Southeast One-Quarter (SE $\frac{1}{4}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The West One-Half (W $\frac{1}{2}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Northeast One-Quarter (NE $\frac{1}{4}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Southeast One-Quarter (SE $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), less the East 166.70 feet thereof; and

The Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), less the West 333.40 feet thereof,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

2. The following described territory is hereby designated as ONE FAMILY DWELLING R-1C DISTRICT, according to Sections 12.1 through 12.11 of the Zoning Regulations:

The West One-Quarter (W $\frac{1}{4}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$); and

The East One-Quarter (E $\frac{1}{4}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The West 141.70 feet of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The West 333.40 feet of the Southeast One-Quarter (SE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), less the West 165.00 feet thereof,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

3. The following described territory is hereby designated as TRAILER PARK T-1 DISTRICT, according to Sections 19.1 through 19.12 of the Zoning Regulations:

The East One-Half (E $\frac{1}{2}$) of the West One-Half (W $\frac{1}{2}$) and the West One-Half (W $\frac{1}{2}$) of the East One-Half (E $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of Section 22, Township 48 South, Range 42 East, less all road rights of way.

4. The following described territory is hereby designated as GENERAL BUSINESS B-3 DISTRICT, according to Sections 23.1 through 23.8 of the Zoning Regulations:

The West 165.00 feet of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of Section 22, Township 48 South, Range 42 East, less all road rights of way.

5. The following described territory is hereby designated as GENERAL INDUSTRIAL M-3 DISTRICT, according to Sections 27.1 through 27.6 of the Zoning Regulations:

The South One-Half (S $\frac{1}{2}$); and

The Northeast One-Quarter (NE $\frac{1}{4}$), excepting therefrom the North One-Half (N $\frac{1}{2}$) of the Southwest One-Quarter (SW $\frac{1}{4}$) and the South One-Half (S $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) and the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$); and

The North One-Half (N $\frac{1}{2}$) of the North One-Half (N $\frac{1}{2}$) of the Northwest One-Quarter (NW $\frac{1}{4}$); and

The Southwest One-Quarter (SW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$), excepting therefrom the Northeast One-Quarter (NE $\frac{1}{4}$), and including that portion known as FREEWAY CENTER as recorded in Plat Book 49 at Page 43 of the public records of Broward County, Florida,

all of the foregoing being of Section 22, Township 48 South, Range 42 East, and all less all road rights of way.

This resolution shall supersede all resolutions which adopted building and zoning regulations within the herein described territory to the extent in which they conflict with this resolution.

Adopted and effective this 13th day of May, 1960.

STATE OF FLORIDA)
) ss
COUNTY OF BROWARD)

I, Frank H. Marks, Clerk of the Circuit Court in and for Broward County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the said Board of County Commissioners at its regular meeting held on the 13th day of May 1960, as appears of record in the Minutes of said Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7th day of July A. D. 1960.

FRANK H. MARKS, CLERK

By Annabelle Brown
Deputy Clerk



RECORDED IN OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
FRANK H. MARKS
CLERK OF CIRCUIT COURT

Exhibit 6

Letter from
Waste Management



RONALD KAPLAN
Authorized House Counsel
Member NJ Bar Only
WASTE MANAGEMENT INC. OF FLORIDA
2700 WILES ROAD
POMPANO BEACH, FL 33073
954.984.2021
954.984.2057 FAX
rkaplan@wmif.com

August 15, 2014

Michael Vonder Meulen
Keith & Associates Inc.
301 East Atlantic Blvd.
Pompano Beach, Florida 33060

Re: 1600 NW 33rd Street, Pompano Beach

Dear Mr. Vonder Meulen:

This responds to your August 14, 2014 email requesting confirmation that there is sufficient capacity for solid waste disposal resulting from the Land Use Plan Amendment for the above property. As I understand your email, the 2.413 acre tract will be converted from Industrial to Low Medium Residential Use. Following your analysis, such a change will result in a net reduction in solid waste demand. Accordingly, the Waste Management facilities that service Pompano Beach will certainly have capacity for managing the solid waste generated from this project.

Please note that the narrative under Section D 2 (Solid Waste Analysis) requires several non-substantive corrections. The City is party to a disposal agreement with Waste Management Inc. of Florida ("WMIF") that requires solid waste to be managed at WMIF's Reuter Recycling Facility in Pembroke Pines. WMIF has the right to direct the waste to its Class I sanitary landfill (Monarch Hill Landfill, formerly known as Central Landfill) or other WMIF facilities. Monarch Hill is owned by WMIF, not Waste Management Inc. The landfill is located in the unincorporated Broward County but has a Pompano Beach mailing address. WMIF does not lease land to Broward County for the waste-to-energy plant adjacent to Monarch Hill Landfill (the North Plant). The North Plant is a Wheelabrator Environmental Services facility that is on property owned by the Waste Management family of companies. The Wheelabrator waste-to-energy plant in Davie (the South Plant) is on property owned by Broward County and is

subject to a lease for the plant site and the accompanying ash landfill that is adjacent thereto. Finally, WMIF is Pompano Beach's collection contractor, not Waste Management Inc.

Sincerely,

A handwritten signature in black ink, appearing to read 'DONALD M. KAPLAN', with a large, dark, irregular shadow or smudge underneath it.

DONALD M. KAPLAN
Authorized House Counsel- Florida

Exhibit 7

Public School
Public Impact Application

PUBLIC SCHOOL IMPACT APPLICATION

The School Board of Broward County, Florida
Growth Management Section
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor, Fort Lauderdale, FL 33301; Phone: 754-321-2177, Fax: 754-321-2179
www.browardschools.com

GENERAL PROJECT INFORMATION

APPLICATION TYPE

Land Use DRI Rezoning Flex/Reserve Allocation Plat Site Plan

FOR INTERNAL USE ONLY

School Board Number

County Project Number

City Project Number

Project Name

Has this project been previously submitted (since Feb. 01, 2008)? If yes, provide the SBBC Number

Application Fee Amount Due/Paid* Check No. Is proof of Payment attached?

* Make check payable to "School Board of Broward County." No cash will be accepted.

PROJECT LOCATION AND SIZE

Section Township Range

General location of the project Side of

at/between and

Area Acreage Jurisdiction

APPLICANT INFORMATION

Owner's Name Phone

Address City State Zip

Developer/Agent

Address City State Zip

Phone Fax Number

Agent's E-mail

DEVELOPMENT DETAILS

Land Use Designation Existing Proposed

Zoning Designation Existing

Proposed

PERMITTED						PROPOSED		
Residential Type	Total Units	Built Units	Bedroom Mix	Un-built Units	Bedroom Mix	Residential Type	Number of Units	Bedroom Mix
Single Family			___ 3 BR or Less ___ 4 BR or >		___ 3 BR or Less ___ 4 BR or >	Single Family		___ 3 BR or Less ___ 4 BR or >
Townhouse/ Duplex/ Villa			___ 1 BR or Less ___ 2 BR ___ 3 BR or >		___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Townhouse/ Duplex/ Villa		___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Garden Apartment			___ 1 BR or Less ___ 2 BR ___ 3 BR or >		___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Garden Apartment		___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Mid Rise						Mid Rise		
High Rise						High Rise		
Mobile Home	24	24	___ 2 BR or Less ___ 3 BR or >	0	___ 2 BR or Less ___ 3 BR or >	Mobile Home	24	___ 2 BR or Less ___ 3 BR or >
Total	24	24		0		Total	24	

Does this project include a non-residential development?

If yes, please describe other proposed uses

VESTED RIGHTS/EXEMPTION INFORMATION

Amount of Vested/Exempt development (including number of units, type, and bedroom mix)

24 Mobile Homes have existed on the property for decades.
LUPA is to bring exiting property into conformance

Exemption Criteria (check any/all as applicable)	Vesting Criteria (check any/all as applicable)	Associated Application Number
<input checked="" type="checkbox"/> Generates less than one student*	___ Located within previously approved plan amendment or rezoning with a valid mitigation agreement with the School Board through an executed and recorded DRC or Tri-Party*	
___ Age restricted to persons 18 and over*	___ Obtained site plan final approval prior to February 1, 2008*	
___ Statutory exemption* ___ Applicable Statute*	___ Site plan located within a plat for which school impacts have been satisfied*	
___ Site Plan located within a plat with a valid final SCAD letter*		Associated Plat Number: _____

*** Supporting documentation is required**

Signature of Applicant/Agent: _____

Date: _____

Please attach a survey of the project site

NOTE: 30-Day review period only commences upon a determination of completeness by School District Staff. Applicant submitting a plat application must include an official letter containing plat name and municipal project number and must indicate that the plat has been approved or accepted by the municipality

ALL APPLICANTS MUST SUBMIT THE APPLICATION TO THE 8th FLOOR

Exhibit 8

Letter from Broward County
Transportation Department



Transportation Department

Transit Division – Service and Capital Planning
1 North University Drive, 3400A, Plantation, Florida 33324

June 12, 2014

Michael Vonder Meulen, AICP, Senior Planner
Keith and Associates, Inc.
301 East Atlantic Blvd, Pompano Beach, Florida 33060

RE: 1600 NW 33rd Street – Pompano Beach Land Use Plan Amendment

Dear Mr. Vonder Meulen:

Broward County Transit (BCT) has reviewed your request dated June 6, 2014 regarding the 1600 NW 33rd Street, Pompano Beach Land Use Plan Amendment, for current and planned bus service. Typical transit riders will walk up to a quarter-mile to a bus stop and a half-mile to a train station.

Broward County Transit and Pompano Community Bus Service is approximately 1400 feet (greater than a quarter of a mile) north of the amendment site along Sample Road. Additionally, this site is serviced by the Pompano Beach Tri-Rail station which is within the half a mile walking distance.

In addition, there are no transit improvements specified in the Transit Development Plan (TDP) and the Broward MPO Long Range Transportation Plan (LRTP) to the Amendment Site. Sidewalk and bicycle improvements are the recommended mode for this Amendment Site. Please call or email me at 954-357-8450 / jramos@broward.org if you require any additional information.

Sincerely,

A handwritten signature in black ink that reads "John A. Ramos". The signature is fluid and cursive, with the first name "John" being the most prominent.

John A. Ramos, Senior Planner
Service and Capital Planning

Exhibit 9

Letter from Broward County
Water Management Division



Public Works Department - Water and Wastewater Services

WATER MANAGEMENT DIVISION

2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0751 • FAX 954-831-3285

Michael Vonder Meulen, AICP
Keith and Associates, Inc.
301 East Atlantic Blvd
Pompano Beach, Florida 33060

FROM: Joe Heilman
Broward County Water Management Division

SUBJECT: 1600 NW 33rd Street

Mr. Meulen

The information in your LUPA package is essentially correct. Our office has no objection to this LUPA.

Sincerely,

A handwritten signature in black ink, appearing to be "JHeilman", written over a light gray, irregularly shaped background.

Joe Heilman
Natural Resource Specialist II
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0764
Fax:(954) 831-3285
E-mail: JHeilman@Broward.org

June 19, 2014

Exhibit 10

Letter from Broward County
Water and Wastewater
Engineering Division



Public Works Department • Water and Wastewater Services
WATER AND WASTEWATER ENGINEERING DIVISION
2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0745 • FAX 954-831-0798/0925

June 6, 2014

Mr. Mike Vonder Meulen, AICP
Keith & Associates, Inc.
301 East Atlantic Boulevard
Pompano Beach, FL 33060

RE: 1600 NW 33 Street – Land Use Amendment

Dear Mr. Vonder Meulen:

I received your analysis for the proposed small scale Land Use Plan Amendment (LUPA) for 2.413 acres located south of NW 33rd between NW 14th and NW 15th Avenue in, Pompano Beach, Florida. The proposed LUPA is within the Broward County Water and Wastewater Services (WWS) service area; District 2.

The water and wastewater mains on NW 33rd Avenue have the capacity to accommodate the proposed demand of the LUPA. WWS does not maintain any pipes on the property; they are privately owned and are not under our jurisdiction.

The area is served by the Broward County North Regional Wastewater Treatment Plant (NRWWTP). The plant has a Total Permitted Average Day Operating Capacity of 95.0 million gallons per day (MGD). The current average daily flow is 70.2 MGD and has an outstanding committed flow of 1.19 MGD; totaling 71.39 MGD. According to the Broward County Sanitary Sewer Element the capacity of the plant satisfies the short and long term (2025) regional needs of the County.

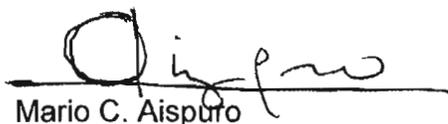
Water to the site is provided by the 2A Water Treatment Plant which is supplied by the North Regional Well-Field (NRW) and the 2A Well-Field. Total Permitted Maximum Day Operating Capacity of the plant is 40 MGD; permit expiration date is 6/30/2013. Daily Average Flow is 12.10 MGD and the outstanding flow commitment against the treatment plant capacity is 0.32 MGD; totaling 12.42 MGD. According to the Broward County Potable Water Element, the capacity of the plant satisfies the short and long term (2025) regional needs of District 2.

Mr. Mike Vonder Meulen, AICP
1600 NW 33 Street – Land Use Amendment
June 6, 2014
Page 2 of 2

The result of your analysis assumed a sanitary sewer demand and a potable water demand for the existing land use of 2,413 GPD and a total demand of 7,200 GPD for the new use proposed in the LUPA; with a projected increase in demand of 4,787 GPD. The water and wastewater demand of the proposed land use can be accommodated under the existing conditions mentioned above. The LUPA is located in the Pompano Beach customer area termed "Large User" by the agreement between the City and the County for the provision of water and sewer services. The County's obligation to provide service is limited to the terms of the agreement and the capacities agreed upon by Pompano Beach.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario C. Aispuro", is written over a horizontal line.

Mario C. Aispuro
Land Development Project Coordinator

MA/sh

cc: 2014 General Correspondence- Land Use Amendment

Exhibit 11

Ordinance 2014-42

015.10

ORDINANCE NO. 2014-42

**CITY OF POMPANO BEACH
Broward County, Florida**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING APPROXIMATELY 802 FEET EAST OF NW 16TH TERRACE AND SOUTH OF SAMPLE ROAD (S.R. 834) FROM I-1 (GENERAL INDUSTRIAL) TO MH-12 (MOBILE HOME PARK); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring, had an opportunity to be, and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds:

SECTION 2. That the property more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property"), which Property is hereby rezoned from a present zoning classification of I-1 (General Industrial) to MH-12 (Mobile Home Park) as said zoning classification is defined by Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida.

SECTION 3. That the Development Services Director is hereby directed to mark the zoning provided for in this Ordinance on the Official Zoning Map of the City of Pompano Beach.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. This Ordinance shall become effective upon passage.

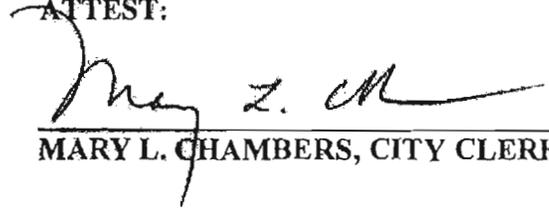
PASSED FIRST READING this 27th day of May, 2014.

PASSED SECOND READING this 10th day of June, 2014.



LAMAR FISHER, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm
5/14/14
l:ord/2014-273

Exhibit A

LEGAL DESCRIPTION

The West one-half ($W\frac{1}{2}$) of the East one-half ($E\frac{1}{2}$) of the Northwest one-quarter ($NW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of the Northeast one-quarter ($NE\frac{1}{4}$); AND the East one-half ($E\frac{1}{2}$) of the West one-half ($W\frac{1}{2}$) of the Northwest one-quarter ($NW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of the Northeast one-quarter ($NE\frac{1}{4}$); AND ALSO the West 10.00 feet of the East one-half ($E\frac{1}{2}$) of the Northwest one quarter ($NW\frac{1}{4}$) of the Southwest one-quarter ($SW\frac{1}{4}$) of the Northeast one-quarter ($NE\frac{1}{4}$); less the North 25 feet thereof; all in Section 22, Township 48 South, Range 42 East, Broward County, Florida.

Said land situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 218,222 square feet or 4.9638 acres more or less.

ALSO KNOWN AS:

The West 10 feet of Tract 46, and all of Tracts 47 and 48 of the unrecorded Plat of Pompano Farms.

Exhibit 12

Checks (2)

THIS CHECK IS VOID WITHOUT A COLORED BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

1600 CORPORATION
DBA PARKRIDGE MOBILE HOME PARK
AGT AC COMMERCIAL PROPERTY MANAGEMENT LLC

BB&T
605 N. ORLANDO AVE
WINTER PARK, FL 32789
63-9138/2631

1250

DATE 12/11/2013

PAY TO THE ORDER OF

City of Pompano Beach

\$ **7,000.00

Seven Thousand and 00/100*****

DOLLARS

City of Pompano Beach
Business Tax Receipt Division
100 W. Atlantic Blvd.
Pompano beach, FL 33060

MEMO

Zoning Application Both Parks

⑈001250⑈ ⑆263191387⑆0000148959226⑈

THIS CHECK IS VOID WITHOUT A COLORED BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

1600 CORPORATION
DBA PARKRIDGE MOBILE HOME PARK
AGT AC COMMERCIAL PROPERTY MANAGEMENT LLC

BB&T
605 N. ORLANDO AVE
WINTER PARK, FL 32789
63-9138/2631

1251

DATE 12/12/2013

PAY TO THE ORDER OF

Broward County

\$ **12,146.00

Twelve Thousand One Hundred Forty-Six and 00/100*****

DOLLARS

Broward County

MEMO

Application for Change of Land Use

⑈001251⑈ ⑆263191387⑆0000148959226⑈