

# KZ COPANS, LLC

## Small Scale Land Use Amendment Application

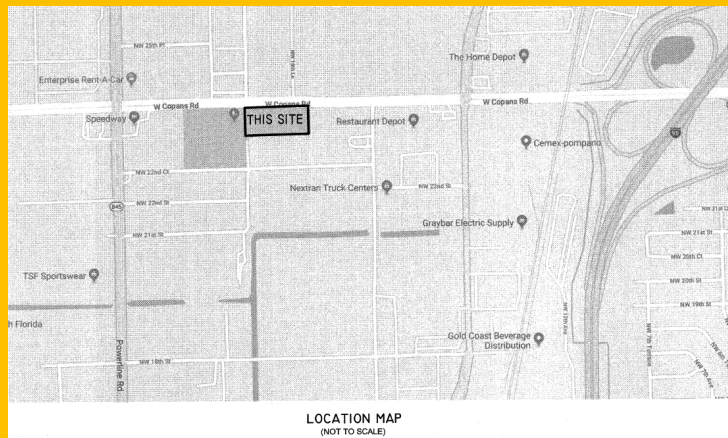
June 30, 2020

### City of Pompano Beach

Proposed Land Use  
Amendment from  
Community Facility to  
Industrial

### Broward County

Proposed Land Use  
Amendment from Recreation  
and Open Space to  
Commerce



1900 West Copans Road – Amendment Site

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## 1. 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.

**Response:** To be provided.

- B. Name, title, address, telephone, facsimile number and e-mail of the local government contact.

Jean E. Dolan, AICP, CFM Sustainability Coordinator  
City of Pompano Beach Development Services Department 100 W. Atlantic Blvd.  
Pompano Beach, Florida 33060 Phone (954)786-4045 jean.dolan@copbfl.com

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

**Response:** To be provided.

- D. Description of public notification procedures followed for the amendment by the local government including notices to surrounding property owners, advertisements in local publications, signage at proposed site, etc.

**Response:** The City provided several opportunities for public information public hearings. A 500' mailing radius was used to distribute public notice for the Planning and Zoning Board hearing as required by Chapter 154 of the City's Code of Ordinances. Newspaper advertisements were also provided in accordance with Chapter 154 of Pompano's Code of Ordinances and as required by Chapter 163.



- E. 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)

**Response:** The *4.4979-acre* site is a small scale amendment under Chapter 163.3187.

## 2. APPLICANT INFORMATION

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

KZ Copans LLC

Heidi Davis Knapik, Attorney  
Gunster, Yoakley & Stewart  
450 E. Las Olas Blvd. #1400,  
Fort Lauderdale, FL 33301,  
Ph: 954-468-1391, Fax: 954-523-1722,  
[hdavis@gunster.com](mailto:hdavis@gunster.com)

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

Heidi Davis Knapik, Attorney  
Gunster, Yoakley & Stewart  
450 E. Las Olas Blvd. #1400,  
Fort Lauderdale, FL 33301,  
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[hdavis@gunster.com](mailto:hdavis@gunster.com)

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

WESTVIEW COMMUNITY CEMETERY OF POMPANO BEACH, Inc.  
428 NW 6 AVE POMPANO BEACH FL 33060  
Contact: Walter Hunter

**Response:** The Westview Community Cemetery, LLC a non-profit organization, owns the subject property. The Applicant will serve as the owner’s contact. *Exhibit A* provides the “Letter of Consent”.

- D. Applicant’s rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs). Planning Council staff may accept greater than two paragraphs, if submitted in an electronic format.

**Response:** The subject property is currently vacant land that is contained within the boundaries of the Westview Community Cemetery located at 1900 NW 24 Street (Copans Road) in the City of Pompano Beach. The eastern most portion of the property that is the subject of this amendment request is vacant and does not contain any internments. The cemetery is owned and run by the Westview Community Cemetery of Pompano Beach, Inc., a Florida non-profit corporation located in Pompano Beach.

The subject property is surrounded by industrial development. The use of the vacant land for industrial warehouse, distribution and storage is compatible with the surrounding uses, which include self-storage and warehouse related uses, in addition to light industrial manufacturing and retail/ wholesale businesses.



### 3. AMENDMENT SITE DESCRIPTION

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

**Response:** The subject property is *4.4979 acres in size*, and is located west of Interstate 95, immediately south of and adjacent to West Copans Road, north of NE 22 Court and east of Powerline Road.

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

**Response:** The sketch and legal description is provided as *Exhibit B*.

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

**Response:** The Map clearly indicating the amendment's location, boundaries and proposed land use is provided as *Exhibits B, C, D and E*.

#### 4. 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. For Activity Center amendments, the proposed text indicating the maximum residential and nonresidential uses must be included.

**Response:** The City of Pompano Beach adopted Future Land Use Map designation for the property is CF (Community Facility). It is designated Recreation and Open Space on the County Land Use Plan. The City and County Land Use Maps are provided in *Exhibits D and E*.

1. The proposed land use designation for the City's Plan is Industrial (I) and Commerce (C) for the County's Plan. The County Plan permits Industrial uses, if it is determined by the local government that such use is compatible with surrounding planned land uses, such as manufacturing, wholesaling, and storage, warehouse, as is being proposed for the subject property.
- B. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for adjacent areas.

**Response:** The area adjacent to the subject property contains Industrial uses. Flexibility provisions of the Broward County Land Use Plan have not been used for the adjacent areas.

- C. Existing use of amendment site and adjacent areas.

**Response:** The subject property is contained within the boundary of the Westview Community Cemetery located on West Copans Road in the City of Pompano Beach. It is vacant land and does not contain any burials or other cemetery related facilities or buildings. With the exception of the cemetery property, all other properties adjacent to the subject site are used primarily for industrial and heavy commercial uses.

Table 1- Existing Use of Amendment Site and Adjacent Areas				
Land Use Designations	North	South	East	West
City Future Land Use Map	Industrial (I)	Industrial (I)	Industrial (I)	Community Facility (CF)
County Land Use Plan	Commerce (C)	Commerce (C)	Commerce (C)	Recreation and Open Space (Existing Cemetery)

D. Proposed use of the amendment site including proposed square footage (for analytical purposes only) for each non-residential use and/or dwelling unit count. For Activity Center amendments, also provide each existing non-residential use square footage and existing dwelling unit count within the amendment area.

**Response:** The proposed use of the subject property is “general industrial”, which would allow for light industrial uses, such as manufacturing, assembly, fabrication, processing, distribution, warehousing, research and development , and other industrial uses, but not heavy or hazardous manufacturing processes, consistent with the I-1 General Industrial zoning of the surrounding area.

As specified under the City’s general industrial zoning provisions, the subject property would be limited to a maximum 65% lot coverage, which would permit a maximum of 127,353 SF of general industrial development on the subject property, with a maximum height of 45 ft.

Table 2- Proposed Development	
Proposed Use	Permitted Maximum Building Square Footage
General Industrial Warehouse, Distribution, Self-Storage	127,353 SF

E. Maximum allowable development per local government adopted and certified municipal land use plans under existing designation for the site, including square footage/floor area ratio/lot coverage/height limitations/ for each non-residential use and/or dwelling unit count.

**Response:** The existing designation of the subject property under the City of Pompano Beach adopted and certified municipal land use plan is Community Facility (CF). It is designated PR (Parks and Recreation) on the County Land Use Plan.


The property is currently zoned Public Utilities (Pu), which permits utility uses intended to serve the community, including the existing cemetery, which is categorized as institutional open space under the City’s zoning code.

As such, for the purposes of determining changes in intensity of use, this application has applied the more restrictive standards for Recreation and Open Space for determining vested development rights and limits of development as “institutional open space.”

Under the City’s Parks and Recreation (Pr) zoning regulations, open space areas are limited to a maximum lot coverage of 10 %, which would limit development of the subject property as an “institutional open space” to 19,592 SF and at a maximum height of 30 ft.

<b>Community Facility Land Use Category</b>	<b>Maximum Building Square Footage/Max. Height</b>
Allowable Building Square Footage (Maximum Lot Coverage Per Zoning) *	19,592 /30 ft.
4.4979 acres X 43560 SF per ac = 195,928 SF X 10% = 19,592 SF	
*The subject property is zoned Public Utility (Pu)– a cemetery in this zoning category is listed as Institutional Open Space. As such, for the purpose of determining City adopted Entitlements the more restrictive Maximum Lot Coverage of 10% for Recreation and Open Space was used instead of that for Public Utility, which allows a greater Maximum Lot Coverage of 25%.	



<b>Type of Land Use</b>	<b>Max. Allowed by Current Land Use</b> 	<b>Max. Permitted by Proposed Land Use</b>	<b>Net Change</b>
City - Community Facility County - Recreation and Open Space	19,592 SF	<b>127,353 SF</b>	<b>+ 107,761 SF</b>
Existing Use - Institutional Open Space/Cemetery			

## 5. 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.



## A. Potable Water Analysis

1. Provide the potable water level of service per the adopted and certified local land use plan, indicating the adoption date of the 10 Year Water Supply Facilities Workplan.

**Response:** The City's Water Supply Plan (adopted January 27, 2015) allows for a level of service of 191 gpcpd or less. The Plan concludes that there will be sufficient supply of potable water through 2025 which is the term of the current SFMWD Consumptive Use Permit. The actual 2018 adjusted raw water demand is approximately 16.26 MGD (15.06 MGD of finished water times 1.08) and is projected in the City's Water Supply Plan to decrease to 15.43 MGD by 2025 through the expanded use of Pompano's reclaimed water system and continued conservation efforts. The City's Consumptive Use Permit with the SFWMD provides for a withdrawal capacity of 17.75 MGD through 2025. Due to the Reuse Water Credit the City receives for operating the Reclaimed Water Facility, the Raw Water Reserve surplus for 2025 will increase to 3.15 MGD which results in a comfortable excess of capacity compared to adjusted projected demand.

2. Identify the potable water facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding sources. Identify the well field serving the area in which the amendment is located including the South Florida Water Management District (SFWMD) permitted withdrawal and expiration date of the SFWMD permit.

**Response:** The majority of the City is provided with potable water from the City's water system. The City's Lime Softening Plant (40 MGD) and Membrane Plant (10 MGD) have a total design capacity of 50 MGD and a 2018 finished water demand of 15.06 MGD.

The western wellfield serves the amendment area site. The City's Water Use Permit with the SFWMD, valid through the year 2025, provides for 17.75 MGD withdrawal. The South Florida Water Management District issued a Use of Water Permit No. 06-00070-W on September 14, 2005 to the City of Pompano Beach. Permitted capacity for the City of Pompano Beach wellfield was 19.4 MGD through 2010. Permitted capacity after 2010 is 17.75 MGD. The permit expires in September of 2025. As of August 10, 2010, the annual allocation shall not exceed 6,748 million gallons. For the 12-months ending November 2018, the annual finished water was 5,498 million gallons.

The City began operating a Water Reuse Facility in 1989. The initial reuse capacity was 2.5 MGD utilizing effluent removed from the Broward County North Regional Wastewater Plant outfall pipe prior to discharge. The City completed an expansion of the Reuse Facility to 7.5 MGD capacity in 2002.

3. 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.

**Response:** The following tables show the water demand based on what can be developed under the current land use designation and what is proposed to be developed under the proposed land use designation.



Table 5 – Potable Water Demand – Adopted Land Use Designation			
Adopted Land Use	Number of Units/SF	Multiplier GPD*	Adopted Land Use GPD
**City - Community Facility	0 Existing Units/SF	***	0 GPD
**County – Recreation and Open Space			
<b>Total Adopted Land Use Demand = 0 million gallons per day (mgd)</b>			
*GPD Multiplier Based on Broward County Environmental Protection Agency: <a href="#">A Consumer Guide for Wastewater Collection/Transmission System Construction License Application-Revised 10/07</a>			
** Since the subject property is vacant cemetery land, the more restrictive land use of Recreation and Open Space has been used to determine adopted demand.			
*** No standard multiplier for vacant cemetery land.			

Table 6– Potable Water Demand – Proposed Industrial Land Use Designation			
Proposed Land Use	Number of Units/SF	Multiplier GPD*	Proposed Land Use GPD
Industrial – Warehouse	127,353 SF**	0.10 GPD	12,735 GPD
<b>Total Proposed Land Use Demand = 0.012735 million gallons per day (mgd)</b>			
<b>Net Increase in Potable Water Demand = 0.012735 million gallons per day (mgd)</b>			
*GPD Multiplier Based on Broward County Environmental Protection Agency: <a href="#">A Consumer Guide for Wastewater Collection/Transmission System Construction License Application-Revised 10/07</a>			
** <i>In that the existing property is zoned as Institutional Open Space, specifically for the cemetery use, and in that the land is currently vacant, the maximum amount of 127,353 SF is being used to reflect the “true” change in impact on services and facilities as opposed to the lesser Net Change amount of 107,761 SF [See  Table 4].</i>			

**Analysis of Impact:**

As previously noted, as of August 10, 2010, the City’s annual potable water allocation shall not exceed 6,748 million gallons. For the 12-months ending November 2018, the annual finished water was 5,498 million gallons.

The proposed development adds only 0.012735 MGD in demand on the City’s Potable Water System, which does not result in an increase beyond the permitted maximum potable water allocation of 6,748 million gallons.

The City, therefore, will be able to maintain its potable water LOS standards with the proposed redevelopment of the subject property.

4. Correspondence from potable water 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.

**Response:** The letter from the potable water provider is included as *Exhibit F*.

## B. Sanitary Sewer Analysis

1. Provide the sanitary sewer level of service per the adopted and certified local land use plan.

**Response:** The level of service in the adopted, certified land use element of Pompano's Comprehensive Plan is 15.71 million gallons per day in design capacity for the Pompano collection and distribution system and 84 million gallons per day in Design Capacity for the Broward County North District Regional Wastewater Treatment Plant, of which Pompano has a large user agreement for 17 million gallons per day of treatment capacity.

2. Identify the sanitary sewer facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding source.

**Response:** The City of Pompano Beach provides for sanitary sewer collection only. The City's collection system consists of gravity lines, pump stations and force mains. Much of the sewer collection system is comprised of older clay tile pipe. Wastewater collection lines are continually being updated throughout the City as needed. There are no specific wastewater collection system improvements planned for the area at this time.

All wastewater collected is pumped to the Broward County North District Regional Wastewater Treatment Plant, which is located within the City. The County Plant receives wastewater from Pompano, as well as other County municipalities. The Plant has a licensed treatment capacity of 95 MGD, which has been reserved by large users, including the City of Pompano Beach. According to the Broward County Domestic Wastewater Program summary for 2016 (the latest annual report posted online), the reserved capacity at the NRWTP was 87.015 MGD which is 91.6% of the total licensed capacity.

The City has a Large User Agreement with Broward County to provide treatment for 17 million gallons per day of sanitary sewer flow at the North Regional Wastewater Treatment Plant (NRWTP). This is equal to less than 18% of the NRWTP treatment capacity.

The City's average daily demand in 2018 was 14.7 million gallons per day, which is 86.5% of the WWTP Plant's capacity (note that Pompano is currently experiencing additional daily flow from the water plant concentrate line on average of just over 1 MGD. This will continue until the plant has the new deep well installed. Typical flow will normalize between 12.5 and 13.5 MGD). This leaves 2.3 MGD for future growth (which will increase to 3.5 MGD as soon as the deep well comes online).

The Sewer System is under capacity and funded from user fees, the City, therefore, will be able to maintain its sanitary sewer LOS standards with the proposed redevelopment of the subject property.

- Identify the net impact on sanitary sewer demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Table 7– Sanitary Sewer Demand – Adopted Land Use Designation			
Adopted Land Use	Number of Units/SF	Multiplier GPD*	Adopted Land Use GPD
**City - Community Facility	0 Existing Units/SF	***	0 GPD
**County – Recreation and Open Space			
<b>Total Adopted Land Use Demand = 0 million gallons per day (mgd)</b>			
*GPD Multiplier Based on Broward County Environmental Protection Agency: <a href="#">A Consumer Guide for Wastewater Collection/Transmission System Construction License Application-Revised 10/07</a>			
** Since the subject property is vacant cemetery land, the more restrictive land use of Recreation and Open Space has been used to determine adopted demand.			
*** No standard multiplier for vacant cemetery land.			

Table 8– Sanitary Sewer Demand – Proposed Industrial Land Use Designation			
Proposed Land Use	Max. Proposed Number of Units/SF	Multiplier GPD*	Proposed Land Use GPD
Industrial – Warehouse	127,353 SF **	0.10 GPD	12,735 GPD
<b>Total Proposed Land Use Demand = 0 .012735 million gallons per day (mgd)</b>			
<b>Net Increase in Sanitary Sewer Demand = 0.012735 million gallons per day (mgd)</b>			
*GPD Multiplier Based on Broward County Environmental Protection Agency: <a href="#">A Consumer Guide for Wastewater Collection/Transmission System Construction License Application-Revised 10/07</a>			
<b>** In that the existing property is zoned as Institutional Open Space, specifically for the cemetery use, and in that the land is currently vacant, the maximum amount of 127,353 SF is being used to reflect the “true” change in impact on services and facilities as opposed to the lesser Net Change amount of 107,761 SF [See Table 4].</b>			

**Analysis of Impact:**

As previously, the City has a Large User Agreement with Broward County to provide treatment for 17 million gallons per day of sanitary sewer flow at the North Regional Wastewater Treatment Plant (NRWTP). This is equal to less than 18% of the NRWTP treatment capacity.

The City’s average daily demand in 2018 was 14.7 million gallons per day, which is 86.5% of the WWTP Plant's capacity (note that Pompano is currently experiencing additional daily flow from the water plant concentrate line on average of just over 1 MGD. This will continue until the plant has the new deep well installed. Typical flow will normalize between 12.5 and 13.5 MGD). This leaves 2.3 MGD for future growth (which will increase to 3.5 MGD as soon as the deep well comes online).

The proposed development adds only 0.012735 MGD in demand on the Sanitary Sewer System.

The Sanitary Sewer System is under capacity and funded from user fees. The City, therefore, will be able to maintain its sanitary sewer LOS standards with the proposed redevelopment of the subject property.

<b>Table 9 – Projected Sanitary Sewer Demand and Projected Plant Capacity</b>			
	<b>2018</b>	<b>2019</b>	<b>2020</b>
<b>Projected Pompano Demand*</b>	13.7 MGD	13.9 MGD	14.66 MGD
Projected NRWTP Plant Capacity Reserved for Pompano	17 MGD	17 MGD	17 MGD
Source: Projected demand provided in adopted 2016 Wastewater Master Plan and Capacity based on current large user agreement. *Less the 1 mgd from the water plant concentrate line which will cease once the deep well is operational.			

4. Correspondence from sanitary sewer 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.

**Response:** The letter from the sanitary sewer provider is included as *Exhibit G*.

### C. Solid Waste Analysis

1. Provide the solid waste level of service per the adopted and certified local land use plan.

**Response:** The following level of service standards are provided in the City of Pompano Solid Waste Element:

#### City of Pompano Beach Adopted Land Use Level of Service Standards

Residential	8.9 lbs. per unit per day
Industrial /Commercial	
Factory /Warehouse	2 lbs. per 100 sq. ft. per day
Office Building	1 lbs. per 100 sq. ft. per day
Department Store	4 lbs. per 100 sq. ft. per day
Supermarket	9 lbs. per 100 sq. ft. per day
Restaurant	2 lbs. per meal per day
Drug Store	5 lbs. per 100 sq. ft. per day
Hotel	8.9 lbs. per room per day
Institution	
Grade School	10 lbs. per room per day Plus ¼ lb. per student per day
Middle/High School	8 lbs. per room per day Plus ¼ lbs. per student per day
Hospital	8 lbs. per bed per day
Nursing Home	3 lbs. per person per day

Source: City of Pompano Beach Comprehensive Plan 2010 (Solid Waste Element) and Broward County Solid Waste Element.

- 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.

**Response:** The City contracts with Waste Management, Inc., to collect and dispose of solid waste material and garbage within the City. The City’s contract with Waste Management guarantees 100% of all solid waste generated will be disposed of through 2022. The majority of material collected within the City is transported to the Monarch Hill Landfill. Waste Management claims it has another 13 years of useful life (2032) with a remaining capacity of 19 million cubic yards and an annual average consumption of 1.5 million cubic yards.

- Identify the net impact on solid waste demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

**Response:** The following tables illustrate that the proposed entitlements will increase the solid waste demand compared to what is allowed to be built under the existing land use designation as a result of the change from vacant institutional open space to general industrial use.


Table 10 – Solid Waste Demand – Adopted Land Use Designation			
Adopted Land Use	Number of Units/SF	Multiplier Lbs/Day per Unit/Room/100 SF*	Adopted Land Use Lbs/Day
**City - Community Facility	0 Existing Units/SF 	***	0 Lbs/Day
**County – Recreation and Open Space			
<b>Total Adopted Land Use Demand - 0 Lbs/Day</b>			
*Multiplier Based on City Comprehensive Plan 2010 Solid Waste LOS Standards <u>** Since the subject property is vacant cemetery land, the more restrictive land use of Recreation and Open Space has been used to determine adopted demand.</u> *** No standard multiplier for vacant cemetery land.			

Table 10 – Solid Waste Demand – Proposed Land Use Designation			
Proposed Land Use	Number of Units/SF	Multiplier*	Total Proposed Land Use Lbs/Day
Industrial -Warehouse	127,353 SF **	2 lbs. per 100 sq. ft. per day	2,547.06 Lbs/Day
<b>Total Proposed Land Use Demand = 2,547.06 Lbs/Day</b>			
<b>Net Increase in Solid Waste Demand = 2,547.06 Lbs/Day</b>			
*Multiplier Based on City Comprehensive Plan 2010 Solid Waste LOS Standards  <b>** In that the existing property is zoned as Institutional Open Space, specifically for the cemetery use, and in that the land is currently vacant, the maximum amount of 127,353 SF is being used to reflect the “true” change in impact on services and facilities as opposed to the lesser Net Change amount of 107,761 SF [See Table 4].</b>			

### **Analysis of Impact:**

As previously noted, the City contracts with Waste Management, Inc., to collect and dispose of solid waste material and garbage within the City. Waste Management claims it has another 13 years of useful life (2032) with a remaining capacity of 19 million cubic yards and an annual average consumption of 1.5 million cubic yards at its Monarch Hill Landfill.

The proposed development adds only 2,547.06 Lbs/Day in demand on the Solid Waste Disposal system.

The City, therefore, will be able to maintain its solid waste LOS standards with the proposed redevelopment of the subject property.

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.

**Response:** The letter from the solid waste service provider is included as *Exhibit H*.

### D. Drainage Analysis

1. Provide the drainage level of service per the adopted and certified local land use plan.

**Response:** Broward County Environmental Protection and Growth Management Department reviews and approves all stormwater plans within the City to ensure that level of service standards are being met. The City has adopted the following level of service standards for stormwater per the South Florida Water Management District requirements:

- Building Structures – The flood level shall not exceed the finish floor elevation of all building structures within the study area during the 100-year, 3-day storm event.
- Roadways and Parking Lots – Stormwater ponding shall not encroach onto any roadway centerlines during the 10-year, 1-day storm event. Stormwater ponding shall not encroach onto any roadway edge of pavement during the 5-year, 1-day storm event.
- Outfall Discharges – The outfall discharge shall not exceed the allowable peak discharge during a 25-year, 3-day rainfall event as defined by the existing permit requirements. If the existing outfalls do not have a maximum discharge assigned by existing permits, the regulatory agencies will require “pre-development” versus “post-development” discharge analysis to ensure the stormwater discharge into adjacent surface waters does not increase after the proposed construction.

These regulatory requirements are applied to all new and redevelopment projects, thereby maintaining consistency with the level of service standards for stormwater.

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

**Response:** The amendment area is located within the jurisdiction of the South Florida Water Management District. The primary drainage system that serves the City is comprised of drainage canals, water control facilities, and surface lakes. The primary drainage system is maintained and operated by the South Florida Water Management District. The primary drainage system discharges excess storm water from storm events into the Atlantic Ocean via the Intracoastal Waterway. The primary drainage system also provides recharge of the Biscayne Aquifer, the primary raw water source. The secondary drainage system that serves the City is comprised of drainage pipe, catch basin inlets, manholes, control structures, exfiltration trench, and retention areas. The secondary drainage system is maintained and operated by the City of Pompano Beach. The secondary drainage system discharges excess storm water from storm events into the primary drainage system.

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

**Response:** The City of Pompano Beach completed a Citywide Stormwater Management Master Plan (SMMP) in 2013, which includes a list of recommended stormwater capital improvement projects throughout the City. The subject property was not identified as having any existing drainage issues and no capital improvements are proposed for the associated drainage basin in the SMMP.

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.

**Response:** There is no SFWMD permit for the district. Permits will be obtained by the developer at the time of development of the proposed project.

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.



**Response:** No drainage issues have been identified on the subject property. The property is not projected to be affected by 2-feet of sea level rise. The urban nature of the project will likely result in the use of water retention vaults and pervious pavers on internal streets and access driveways rather than significant areas for depressed swales and green spaces.

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.

**Response:** The letter from the local drainage district is included as **Exhibit I**.

#### E. Recreation and Open Space Analysis

1. Provide the recreation level of service per the adopted and certified local land use plan.

**Response:** The City's level of service standard for parks is 5 acres per 1,000 residents (2-acres per 1,000 for neighborhood parks; 1 acre per 1,000 for community parks and 2 acres per 1,000 for urban open spaces). Pompano only mitigates, through impact fees, the neighborhood and community park impacts because the current LOS for urban open spaces is sufficient to serve more than the buildout population. In accordance with the City's Parks Master Plan, the City had 775 acres of qualified park properties which could accommodate a total of 155,000 people. Since the parks master plan was adopted, the property associated with the Elks Club (10.4 acres) and the Palm Aire Lakes Park (97 acres) have been added to the parks inventory for a total of 882 acres of park property. At the 5-acre per 1,000 LOS, the 882 acres will accommodate a population of 176,400 people and the total buildout population of the City is currently estimated to be 160,326 at buildout.

The County requires every city to maintain a minimum level of service of 3 acres of parks per 1,000 residents. The park and recreation levels of service for the City of Pompano Beach per the County's qualified park acreage (*see Exhibit J for details*) is 3.8 acres/1000 based on a build-out population estimate of 160,326.

2. For amendments which will result in an increased demand for "community parks" acreage, as required by the Broward County Land Use Plan, an up-to-date inventory of the municipal community parks inventory must be submitted.

**Response:** This amendment does not include any proposed uses that will result in an increased demand for "community parks" acreage, as required by the Broward County Land Use Plan and shown in *Exhibit J*.

3. Identify the net impact on demand for "community parks" acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

**Response:** There is no net impact on demand for "community parks" acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

While the subject property contains a “Parks and Recreation” County land use designation, the property is vacant institutional open space (cemetery) and not a public park. In practical terms, therefore, regardless of its land use designation on the County future land use map, the land was not used for recreation and open space purposes.

4. Identify the projected “community parks” acreage needs based on the local government’s projected buildout population.

**Response:** The City’s buildout population is 160,326 which requires 481 acres of parks per the County’s 3-acre per 1,000 standard and 802 acres per the City’s 5-acre per 1,000 standard. Both standards are being met based on the qualifying park acreage of the County and City respectively.

5. As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Policies 2.5.4 and 2.5.5. (a. through e.) regarding the provision of open space.

**Response:** Since the subject property is not used as functional open space or for any recreational purposes, there is no reduction in the ability to meet the recreation and open space needs of the Pompano Beach community resulting from this proposed land use plan amendment.

As previously noted, while the subject property contains a “Parks and Recreation” County land use designation, the property is vacant institutional open space (cemetery) and not a public park. In practical terms, therefore, regardless of its land use designation on the County future land use map, the land was not used for recreation and open space purposes.

## F. Traffic Circulation Analysis

Please be advised, if required, that the Planning Council staff will request from the Broward Metropolitan Planning Organization (MPO), as per Policy 2.14.6 of the BCLUP, an analysis of the impacts of the amendment to the regional transportation network. The MPO will charge a separate cost-recovery fee directly to applicants for technical assistance requested by the Planning Council for the preparation and review of the land use plan amendment transportation analysis. Please contact the MPO for additional information regarding this fee.

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.

**Response:** The roadway network that will be most impacted by the proposed amendment include one (1) east-west facility and two (2) north-south roadways. These three roadways include Copans Road, Powerline Road and Andrews Avenue/Military Trail.

The number of lanes, current traffic volumes, adopted level of services, and current operating conditions (LOS) of the roadways located within the study area are documented in **Tables 1a and 1b, below.**

Table 1a documents the existing conditions on all study roadways for daily conditions while Table 1b presents the current conditions during the critical PM peak hour.

As shown in these two tables, all study roadways are currently operating at acceptable levels of services.

TABLE 1a Westview Community Cemetery Existing Traffic Conditions (Daily Volumes)							
Roadway	From	To	Number of Lanes	Roadway Capacity	Current AADT	Level of Service	
						Adopted	Current
Copans Road	Blount Road	Powerline Road	6	56,905	37,500	D	C
	Powerline Road	Project Site	6	56,905	48,000	D	C
	Project Site	Military Trail	6	56,905	48,000	D	C
	Military Trail	I-95	6	56,905	56,000	D	D
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4	37,810	15,900	D	C
	Copans Road	Sample Road	4	37,810	17,600	D	C
Powerline Road	Atlantic Blvd	Copans Road	6	59,900	35,500	D	C
	Copans Road	Sample Road	6	59,900	36,000	D	C

Source: Broward County Metropolitan Planning Organization

TABLE 1b Westview Community Cemetery Existing Traffic Conditions (PM Peak Hour Volumes)							
Roadway	From	To	Number of Lanes	Roadway Capacity	Current Peak Hour Volume	Level of Service	
						Adopted	Current
Copans Road	Blount Road	Powerline Road	6	5,121	3,563	D	C
	Powerline Road	Project Site	6	5,121	4,560	D	C
	Project Site	Military Trail	6	5,121	4,560	D	C
	Military Trail	I-95	6	5,121	5,320	D	F
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4	3,401	1,511	D	C
	Copans Road	Sample Road	4	3,401	1,672	D	C
Powerline Road	Atlantic Blvd	Copans Road	6	5,390	3,373	D	C
	Copans Road	Sample Road	6	5,390	3,420	D	C

Source: Broward County Metropolitan Planning Organization

Source: Traf Tech Engineering Inc.

- Identify the projected level of service for the roadways impacted by the proposed amendment for the long-range planning horizons. Please utilize average daily and P.M. peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

**Response:** *Tables 2a and 2b* document the projected level of service for the roadways located near the proposed amendment. The short-term horizon year was assumed to be the year 2025 while the long-term planning horizon was assumed to be the year 2040.

Long-term (2040) projected level of service was determined using 2040 traffic volume forecasts obtained from the Broward Country Metropolitan Planning Organization (MPO).

TABLE 2a Westview Community Cemetery Future Traffic Conditions (Daily Volumes)							
Roadway	From	To	# of Lanes 2024/2040	Short Term (2024)		Long Term (2040)	
				AADT	LOS	AADT	LOS
Copans Road	Blount Road	Powerline Road	6/6	42,674	C	54,500	C
	Powerline Road	Project Site	6/6	54,209	C	68,400	F
	Project Site	Military Trail	6/6	54,209	C	68,400	F
	Military Trail	I-95	6/6	63,000	F	79,000	F
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4/4	23,904	C	42,200	F
	Copans Road	Sample Road	4/4	24,539	C	40,400	F
Powerline Road	Atlantic Blvd	Copans Road	6/6	40,217	C	51,000	C
	Copans Road	Sample Road	6/6	40,930	C	52,200	C

Source: Broward County Metropolitan Planning Organization

↑  
Year 2024/Year 2040

TABLE 2b Westview Community Cemetery Future Traffic Conditions (PM Peak Hour Volumes)							
Roadway	From	To	# of Lanes 2024/2040	Short Term (2024)		Long Term (2040)	
				AADT	LOS	AADT	LOS
Copans Road	Blount Road	Powerline Road	6/6	4,055	C	5,178	F
	Powerline Road	Project Site	6/6	5,150	F	6,498	F
	Project Site	Military Trail	6/6	5,150	F	6,498	F
	Military Trail	I-95	6/6	5,985	F	7,505	F
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4/4	2,271	C	4,009	F
	Copans Road	Sample Road	4/4	2,331	C	3,838	F
Powerline Road	Atlantic Blvd	Copans Road	6/6	3,821	C	4,845	C
	Copans Road	Sample Road	6/6	3,888	C	4,959	C

↑  
Year 2024/Year 2040

Source: Traf Tech Engineering Inc.

- Planning Council staff will analyze traffic impacts resulting from the amendment. The applicant may provide a traffic impact analysis for this amendment – calculate anticipated average daily and pm 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 long-range planning horizon.

**Response:** A trip generation comparison analysis was undertaken between the potential development under the current land use designation and the potential development under the proposed land use designation. The trip generation comparison analysis was based on the following assumptions:

MAXIMUM LAND USE AND INTENSITY – Existing Land Use Designation  
o 19,592 square feet of Open Space

MAXIMUM LAND USE AND INTENSITY – Proposed Land Use Designation  
o 127,353 square feet of industrial use

*Tables 3a and 3b* below and *Tables 4a and 4b* on the following page present the results of the trip generation comparison analysis.

The results of the trip generation comparison analysis indicate that the proposed Land Use Plan Amendment (LUPA) is projected to generate approximately 541 new daily trips and approximately 44 new trips during the critical PM peak hour (6 inbound and 38 outbound).

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

**Response:** A transportation analysis is presented herein (refer to Tables 1a through 4b).

TABLE 4a Westview Community Cemetery Project Impacts (Daily Volumes)								
Roadway	From	To	Number of Lanes	Roadway Capacity	Project Traffic = 541		Project Impacts	
					Percent	Trips	% of Cap.	Significant
Copans Road	Blount Road	Powerline Road	6	56,905	10%	54	0.1%	No
	Powerline Road	Project Site	6	56,905	60%	325	0.6%	No
	Project Site	Military Trail	6	56,905	40%	216	0.4%	No
	Military Trail	I-95	6	56,905	30%	162	0.3%	No
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4	37,810	5%	27	0.1%	No
	Copans Road	Sample Road	4	37,810	5%	27	0.1%	No
Powerline Road	Atlantic Blvd	Copans Road	6	59,900	15%	81	0.1%	No
	Copans Road	Sample Road	6	59,900	35%	189	0.3%	No

Source: Broward County Metropolitan Planning Organization

TABLE 4b Westview Community Cemetery Project Impacts (PM Peak Hour Volumes)								
Roadway	From	To	Number of Lanes	Roadway Capacity	Project Traffic = 44		Project Impacts	
					Percent	Trips	% of Cap.	Significant
Copans Road	Blount Road	Powerline Road	6	5,121	10%	4	0.1%	No
	Powerline Road	Project Site	6	5,121	60%	26	0.5%	No
	Project Site	Military Trail	6	5,121	40%	17	0.3%	No
	Military Trail	I-95	6	5,121	30%	13	0.3%	No
Andrews Ave / Military Trl	NW 15 Street	Copans Road	4	3,401	5%	2	0.1%	No
	Copans Road	Sample Road	4	3,401	5%	2	0.1%	No
Powerline Road	Atlantic Blvd	Copans Road	6	5,390	15%	7	0.1%	No
	Copans Road	Sample Road	6	5,390	35%	15	0.3%	No

Source: Broward County Metropolitan Planning Organization

NOTE: Significant is defined as project impacts equal or greater than 3% of the roadways Capacity.

TABLE 3a Westview Community Cemetery Trip Generation Summary (Existing Use)								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
Open Space	19,592	0	0	0	0	0	0	0
External Trips		0	0	0	0	0	0	0

Source: ITE Trip Generation Manual (10th Edition)

TABLE 3b Westview Community Cemetery Trip Generation Summary (Proposed Use)								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
G. Light Industrial (LUC 110)	127,353	541	53	47	6	44	6	38
External Trips		541	53	47	6	44	6	38

Source: ITE Trip Generation Manual (10th Edition)

Difference in Trips		541	53	47	6	44	6	38
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Source: Traf Tech Engineering Inc.

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.

**Response:** The Broward County Mass Transit Division operates Broward County Transit (BCT), a fixed-route bus system servicing a significant percentage of the residents of the City of Pompano Beach. More specifically, the amendment area is served by two BCT routes (Routes 83 and 14). BCT Route 83 travels east and west along Copans Road and is accessible through bus stops located near the intersection of Copans Road and Powerline Road, located approximately 600 feet east of the amendment area. BCT route 14 travels north and south along Powerline Road. This route currently provides 20-minute headways during weekday’s peak periods and 45-minute headways on Saturday and Sunday. There is a bus stop with a shared right-turn lane/bus pull-out bay for northbound traffic on Powerline Road just south of Copans Road. Similarly, a bus stop with a bus bay is provided for southbound traffic on Powerline Road just south of Copans Road. Sidewalks and pedestrian features (ramps, crosswalks, pedestrian pushbuttons and pedestrian signals) to safely cross Powerline Road and Copans Road are provided near the bus stops.

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

**Response:** The amendment area is located within walking distance from Powerline Road, a moderate transit route within Broward County. The proposed land use change will support the use of transit and increase ridership throughout the Powerline Road and Copans Road corridors

- 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.

**Response:** The mass transit verification letter from Broward County Mass Transit Division is provided in Exhibit K. Broward County Mass Transit Routes Map near amendment area, Exhibit L

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

**Response:** The industrial site will be designed in a manner that provides safe movement of pedestrians within the site and will provide connectivity to existing sidewalks on the south of Copans Road (the existing sidewalk currently ends approximately 400 feet west of the project site). Therefore, future employees will have safe and adequate access to existing bus stops associated with BCT Routes 83 and 14.

H. Public Education Analysis

Please be advised that the Planning Council staff will request from The School Board of Broward County (SBBC), as per Policy 2.15.2 of the BCLUP, an analysis of the impacts of the amendment

on public education facilities. Per SBBC Policy 1161, the applicant will be subject to a fee for the analysis and review of the land use plan amendment application. The applicant should contact the SBBC to facilitate this review and determine the associated fees.

1. Public School Impact Application

**Response:** No residential units are proposed as part of this land use plan amendment.

2. The associated fee in the form of a check made payable to the SBBC.

**Response:** Not applicable to this amendment.

## 6. 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.

**Response:** The subject property is not listed on the National Register of Historic Places, neither is it locally designated as an historic site.

The letter from the Department of State confirming these findings is provided in **Exhibit M**.

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

**Response:** No archaeological sites are listed on the Florida Master Site File.

- C. Wetlands.

**Response:** No wetlands are located within the subject property.

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

**Response:** The subject property is *not* within an area designated as a Local Area of Particular Concern by the Broward County Land Use Plan.

- E. Priority Planning Area map and Broward County Land Use Plan Policy 2.21.1 regarding sea level rise.

**Response:** The subject property is not within a Priority Planning Area 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.

**Response:** There has been no evidence to date of any endangered, threatened or species of special concern associated with the subject property.

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

**Response:** There has been no evidence to date of any plant species listed on the index being located on the subject property.

- 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.

**Response:** The amendment site *is not* located within a Wellfield Protection Zone

- 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.

**Response:** The subject property is currently vacant, as such alteration of sub- surface soil conditions or topography is envisioned as the site redevelops. All site alterations will be conducted in accordance with the City of Pompano Beach, Broward County DPEP and SFWMD issued permits.

- 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.

**Response:** The amendment site is located west of I-95 on the south side of Copans Road. It does not front the ocean and will not impact access to public beaches.

## 7. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 2.16.2 consistent with Article 5 of this Document.

**Response:** Not applicable. No residential entitlements are being created by this amendment.



## 8. 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.

**Response:** The subject property and existing cemetery is surrounding by City Industrial Land Use and Broward County Commerce Land Use. As reflected in Table 17, the surrounding area is used primarily for light industrial/heavy commercial uses, such as warehouse, distribution, self-storage, outdoor storage, wholesale and retail manufacturing of goods and services and, auto related uses.

**Table 17 - Consistency with Existing and Planned Future Land Uses in the Surrounding Area**

	Proposed Subject Property	Surrounding Area				
		North	South	East	West	West of Existing Cemetery
<b>City LUP</b>	Industrial	Industrial	Industrial	Industrial	Community Facility	Industrial
<b>BCLUP</b>	Commerce	Commerce	Commerce	Commerce	Recreation and Open Space	Commerce
<b>City Zoning</b>	I-1 General Industrial  and/or  I-1X Special Industrial	I-1 General Industrial  B-3/B-4 Heavy Commercial  O-1P Office Industrial Park	I-IX Special Industrial	I-1 General Industrial  B-4 Heavy Commercial Zoning	Pu - Public Utilities	I-1 General Industrial
<b>Uses</b>	Proposed  Warehouse/ Distribution/ Storage/ Outdoor Storage	Existing Light Industrial/ Heavy Commercial Uses: <ul style="list-style-type: none"> <li>• Mac Papers</li> <li>• Mini Mac Retail Store</li> <li>• America Billiards</li> <li>• Office Furniture Solutions</li> <li>• Auto Plus Auto Parts</li> <li>• Kitchen and Home Improvements</li> <li>• Sink Outlet</li> </ul>	Existing Light Industrial/ Heavy Commercial Uses: <ul style="list-style-type: none"> <li>• U Haul Neighborhood Dealer</li> <li>• Ace Self Storage</li> <li>• Tri Development Corp.</li> </ul>	Existing Light Industrial/ Heavy Commercial Uses: <ul style="list-style-type: none"> <li>• Bathroom Place</li> <li>• Discount Computer Surplus</li> </ul>	Existing Westview Community Cemetery	Existing Light Industrial/ Heavy Commercial Uses: <ul style="list-style-type: none"> <li>• Value Store it – Self Storage</li> <li>• U Haul Neighborhood Dealer</li> <li>• Pilot Steel</li> </ul>

### **Applicability of City Industrial Design Standards:**

Proposed development of the site for similar light industrial/special industrial uses will be subject to the regulations contained in the *City's Zoning Code, Section 155.5603 Industrial Design Standards*, the focus of which is to minimize potential negative impacts on adjacent land uses and improve the appearance of industrial development in the City.

## 9. 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.

**Response:** The subject property is not located within a hurricane evacuation zone. The proposed redevelopment will include industrial properties that will be closed after hurricane warnings are issued so hurricane evacuation times will not be affected.

## 10. REDEVELOPMENT ANALYSIS

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

**Response:** The subject property is not located in an identified redevelopment area.



## 11. 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.

**Response:** The amendment area is *not* adjacent to any other local government.

## 12. DESCRIBE CONSISTENCY WITH HIGHLIGHTED REGIONAL ISSUES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN

**Response:** The highlighted regional issues of the County's Plan are discussed in context of the proposed amendment below. A listing of policies in the County's land use plan which apply to the subject application is provided in **Exhibit N**.

**Climate Change Resilience:** Climate change will bring higher sea levels and more intense hurricanes to South Florida. The subject property is not in an area projected to flood from 3-feet of sea level rise per the modelling done for the City’s Stormwater Management Master Plan. It also is not within a hurricane evacuation zone. Given that the development of the subject property will be new, it will be required to meet modern hurricane-resistant building codes and base flood elevations thus making it more resilient to hurricane wind damage than older buildings in the area.

**Targeted Redevelopment:** The requested text amendment implements the County’s Strategy TR-2, which is to “Support incentives to remove blight within Community.” The change in land use will support the sale of underutilized and vacant land, the proceeds of which can be used by the cemetery non-profit organization to improve existing conditions, maintenance and operation of the area of the cemetery where internments exist. *(See Exhibit Q - Letter from Walter Hunter, Property Manager)*

**Multi-Modal:** The amendment area is located within walking distance from Powerline Road, a moderate transit route within Broward County. The proposed land use change will support the use of transit and increase ridership throughout the Powerline Road and Copans Road corridors

The industrial site will be designed in a manner that provides safe movement of pedestrians within the site and will provide connectivity to existing sidewalks on the south of Copans Road (the existing sidewalk currently ends approximately 400 feet west of the project site). Therefore, future employees will have safe and adequate access to existing bus stops associated with BCT Routes 83 and 14.

**World-Class Natural Resource Protection and Enhancement:** This amendment contributes to natural resource protection by directing growth away from the beach and other environmentally sensitive and vulnerable areas to an established industrial urban area of the City, with existing infrastructure systems. This amendment, therefore, implements the following County strategy.

- **STRATEGY EP-3:** Preserve and protect Broward County’s natural environment through County and local environmental regulatory programs and well-planned patterns of growth and development.

**Affordable Housing;** The proposed project does not include housing.

**Disaster Planning and Post-Disaster Redevelopment:** The proposed text amendment will assist in directing growth away from the hurricane evacuation areas of the City. This amendment, therefore, implements the following County strategy:

- **STRATEGY DP-5:** Residential densities within the mandatory hurricane evacuation zones shall not negatively impact the hurricane evacuation clearance standards.

**Renewed Intergovernmental Partnership:** The subject amendment is not applicable to this highlighted regional issue.

### 13. ADDITIONAL SUPPORT DOCUMENTS

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

**Response:**

*Exhibit O* - Consistency with City of Pompano Beach Goals, Objectives and Policies.

*Exhibit P* – Consistency with City of Pompano Beach Northwest Community Redevelopment (NWCRA) Plan

*Exhibit Q* - Letter from Walter Hunter, Westview Cemetery LLC

- B. Any proposed voluntary mitigation or draft agreements.

**Response:** No voluntary mitigation or draft agreements have been prepared at this time.

### 14. PLAN AMENDMENT COPIES

- A. 3 hard copies and 10 digital copies (13 copies total) for the BCPC (Please include additional copies, if amendment site is adjacent to other municipalities and/or county jurisdictions). Additional copies may be requested by the Planning Council Executive Director after the initial application submittal.
- B. If requesting concurrent transmittal to DEO, 1 hard copy and 10 digital copies (11 copies total), as required by DEO, of the corresponding local land use plan amendment application, including transmittal letter from municipality to DEO.

## EXHIBITS

Exhibit A - Letter of Consent

**Westview Community Cemetery of Pompano Beach, FL., Inc.**  
**428 N.W. 6th Avenue**  
**Pompano Beach, FL 33060**

May  
~~April~~ 1, 2020

Ms. Asceleta Hammond  
City of Pompano Beach  
100 West Atlantic Boulevard  
Second floor  
Fort Lauderdale, FL 33301

**Re: Letter of Consent – Property ID: 484227000160**  
**Address: 1900 W. Copans Road, Pompano Beach**

Dear Ms. Hammond:

Gunster, Yoakley & Stewart, P.A. (specifically Heidi Davis Knapik), Sun-Tech Engineering, Inc. (specifically Mike Gai), and JC Consulting Enterprises, Inc. (specifically Cecelia Ward), as agents for Westview Community Cemetery of Pompano, FL., Inc., are authorized to submit applications, appear before City's Boards, attend meetings, and communicate with City Officials and City staff on behalf of the undersigned in connection with the above-referenced property.

Westview Community Cemetery of  
Pompano Beach, FL, Inc.

By: Walter C Hunter  
Name: WALTER C HUNTER  
Title: Business Manager

STATE OF FLORIDA )  
  ) SS.  
COUNTY OF BROWARD )

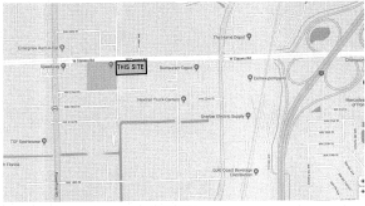
The foregoing instrument was acknowledged by means of  physical presence or  online notarization before me this 1 day of MAY, 2020, by WALTER HUNTER as Bus. Man. of Westview Community Cemetery of Pompano Beach, FL., Inc. Who is personally known to me or has produced as identification.

11892190.2



Woodrow J. Potier  
Notary Public

# Exhibit B - Legal Description and Survey of Amendment Site



**LOCATION MAP**  
See Text

**LEGAL DESCRIPTION**

The South one half (1/2) of the southeast quarter (SE 1/4), 1/4 of the southeast quarter (SE 1/4) of the northeast one quarter (NE 1/4) of Section 27, Township 68 North, Range 28 East, L88E the whole lot has been divided into the parcels as shown in Official Records Book 3478, Page 170, of the Public Records of Broward County, Florida.

**FLOOD INSURANCE RATE MAP INFORMATION**

Map No. 48593-01-00-A  
Community Name: City of Pompano Beach  
Effective Date: 1/24/99  
FIRM No. 2112  
Panel No. 0170  
FIRM Date: 11/27/93  
Map Scale: Not To Scale  
Map Date: August 10, 2004

**SYMBOLS LEGEND**

- 1. Centerline
- 2. Easement
- 3. Easement
- 4. Easement
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- 98. Easement
- 99. Easement
- 100. Easement

**SURVEYOR'S NOTES**

1. Measurements shown herein are reported in U.S. units and decimal parts thereof.
2. Boundary lines are shown as either a measured line of bearings, angles, bearings, distances or other information that are so located for the purposes of this survey.
3. Each foot of bearing, the nearest one-tenth of an inch is used in all calculations in the preparation of this survey, including the acreage of lands, by any other person.
4. The bearing shown herein is intended to indicate in general the position of the boundary lines, whether in addition to the survey map or other data recorded in the public records of Broward County, Florida.
5. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
6. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
7. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
8. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
9. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
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18. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
19. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.
20. The bearings and distances shown herein may be shown "cut or made" for the purpose of clarity, without changing the perimeter or enclosed area.

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being duly sworn, do hereby certify that the foregoing survey was made in accordance with the provisions of the laws of the State of Florida, and that the same is a true and correct copy of the original as the same appears on the books of the Surveyor General for Broward County, Florida.

Dated this 2nd day of August, 2004.  
 Signature: *James L. Cochran*  
 Date: 8-2-2004  
 Title: Surveyor  
 State: Florida

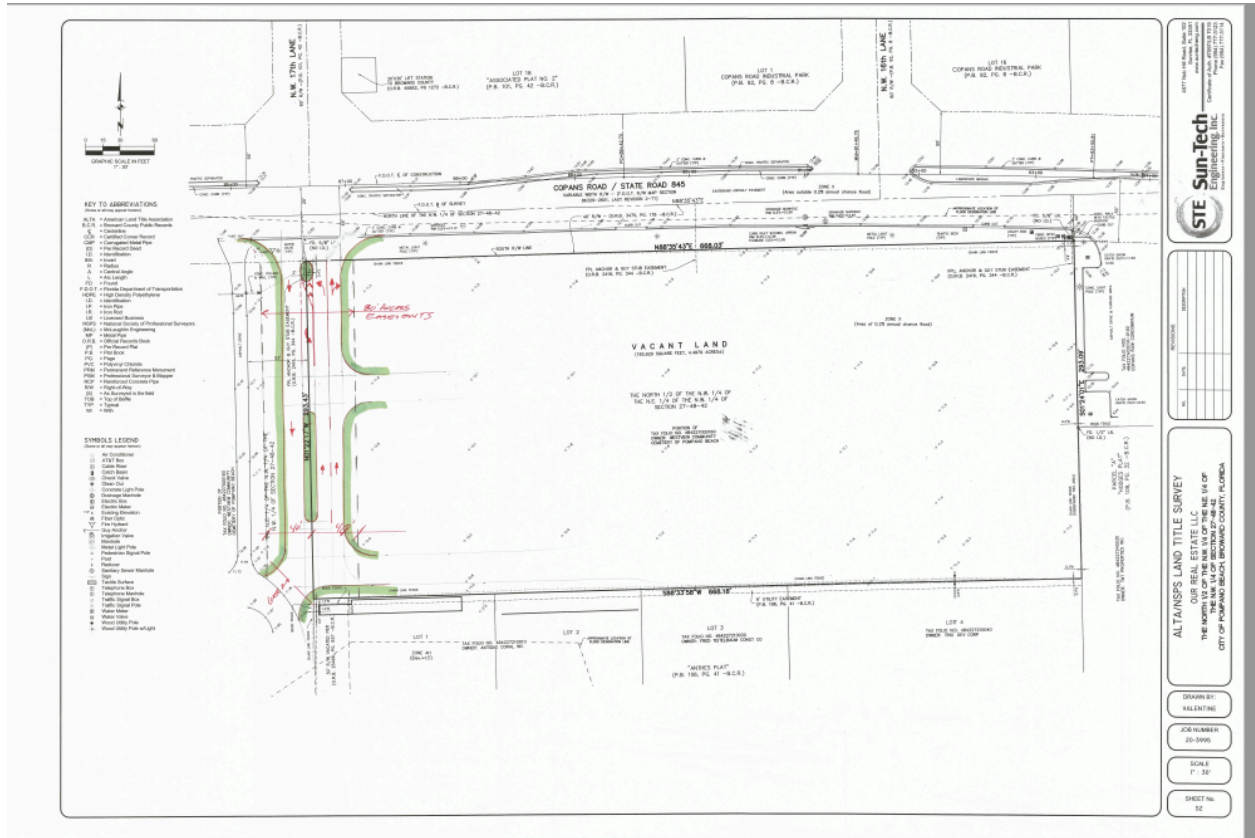
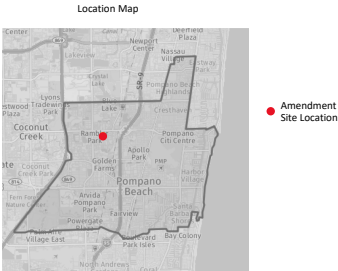




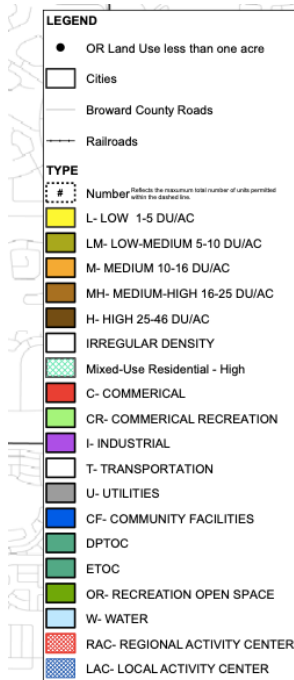
Exhibit C - Location Map

City of Pompano Beach



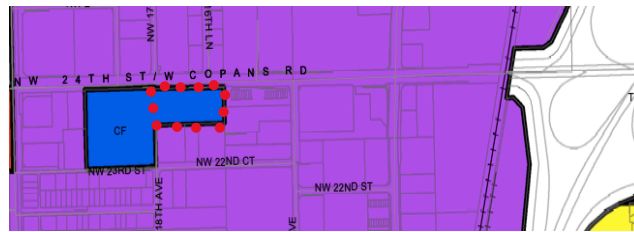
LOCATION MAP  
(NOT TO SCALE)

Exhibit D – CITY Adopted and Proposed Future Land Use Map of Amendment Area



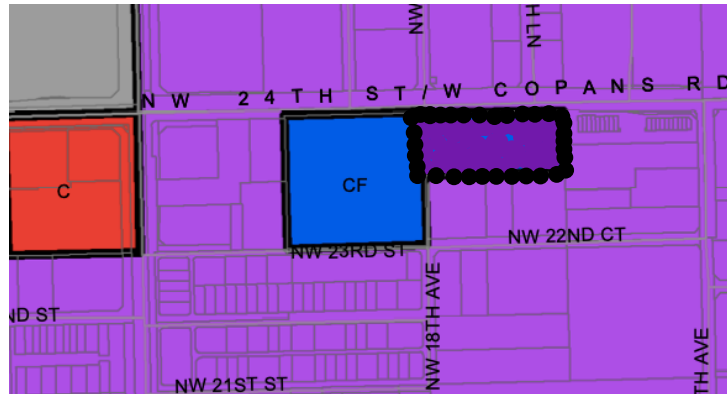
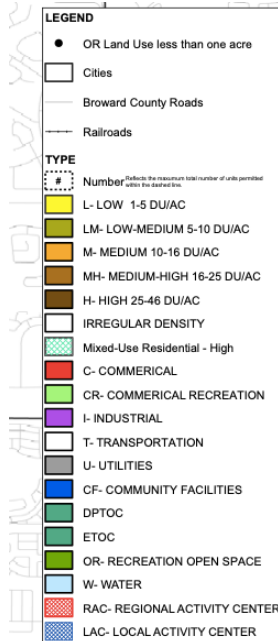
### City of Pompano Beach Future Land Use Map

Map Updated: August 30, 2019



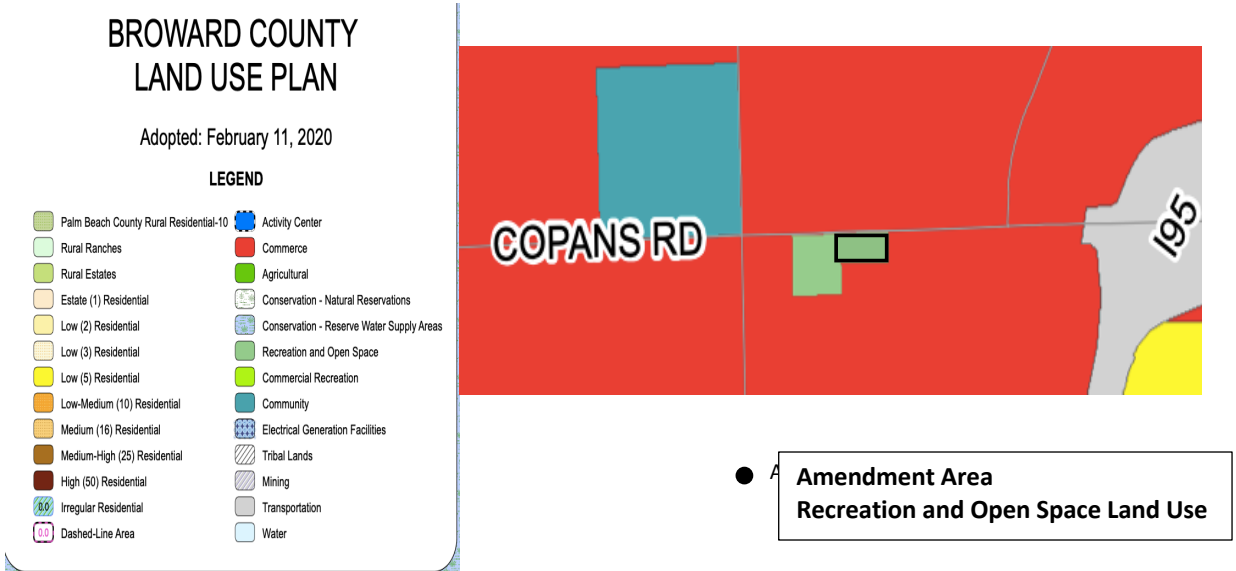
● **Amendment Area  
Community Facility Land Use**

#### Proposed City of Pompano Beach Future Land Use



● **Amendment Area  
Proposed Industrial Land Use**

Exhibit E – COUNTY Adopted and Proposed Future Land Use Map of Amendment Area



**Proposed Broward County Land Use**

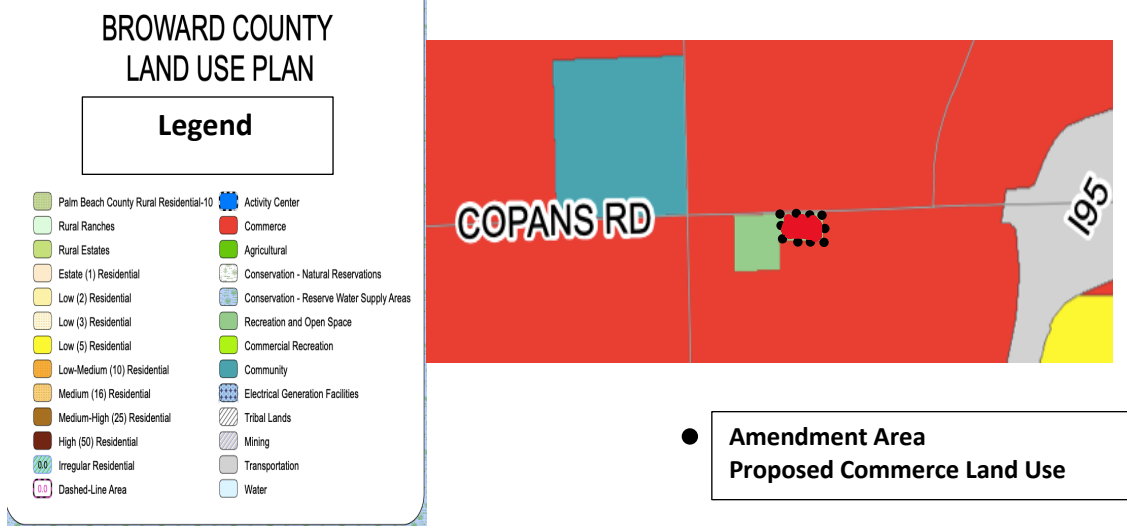


Exhibit F - Potable Water Provider Letter

Exhibit G - Sanitary Sewer Provider Letter

Exhibit H - Solid Waste Service Provider Letter

Exhibit I - Drainage Utility Provider Letter

Exhibit J - Inventory of Parks

Inventory of Neighborhood Parks  
 Updated by the City of Pompano Beach - June 2019

Name of Facility	Park District	Size (In acres)
1. McNab Park	4	2.5
2. Founders Park	6	1.7
3. Blanche Ely Tot Lot	11	0.3
4. Kendall Lakes	11	0.2
5. Apollo Park	11	4.4
6. Coleman Park	12	0.5
7. Novelty Park	12	1.0
8. E. Pat Larkins Community Center	12	2.9
9. Avondale Park	13	2.6
10. Fairview Park	14	2.3
11. Skolnik Community Ctr.	21	3.5
12. Cresthaven Park	24	1.4
13. Highland Park & Recreation Ctr.	25	3.3
14. Sandspur Park (Pompano Highlands)	25	2.3
15. Canine Corner (Dog Park)	6	1.8
16. Annie Adderly Gillis Park	12	0.8
17. Sanders Park	11	0.6
18. Lovely Park	11	0.2
Total acres		32.3

**Inventory of Neighborhood Parks**

Name of Facility	Park District	Size (In acres)
1. Alsdorf Boat Launch Park	2	10.0
2. Exchange Club Park	2	7.5
3. Harbor's Edge Park	3	8.1
4. Kester Park	6	8.4



5. Norwood Pines Park	8	5.4
6. Weaver (Canal Pointe) Park	11	12.4
7. Hunter's Manor Park	18	8.3
8. McNair Park	19	6.4
9. Palm Aire property	21	4.9
<del>10. Oceanside Park</del>	<del>1</del>	<del>3.2</del>
10. Brummer Park	21	5.0
11. Airpark Jogging Path	N/A	8.4
12. Elks Club Property	6	10.4
13. Centennial Park (Sample McDougal House)	6	4.2
Total acres		94.5

**Inventory of Small Urban Open Spaces**

Name of Facility	Park District	Size (In acres)
1. N.E. 16th Street Park	1	0.6
2. Marine Drive Park	1	0.1
3. Scott Winters (Sunset) Park	1	1.0
4. N.E. 10th Street Park	1	0.1
5. North Riverside Dr. Park	1	0.4
6. Indian Mound Park	1	1.0
7. Hillsboro Inlet Park	1	2.3
8. Lake Santa Barbara Park	4	0.2
9. S.E. 13th Street Park	5	0.1
10. S.E. 15th Street Park	5	0.1
11. Downtown Park	6	0.1
12. Pompano Canal Park	7	0.2
13. S.E. 11 Ave. Park	7	0.2
14. 220 East Atlantic Park	7	0.9
15. Lyons Park	10	0.3
16. Old Water Tower Site	10	0.2
17. Jackson Park	11	1.8
18. Dr. MLK Blvd. Park	12	0.8
19. Cresthaven Open Space @ NE 5 <sup>th</sup>	24	0.4
20. NE 16 <sup>th</sup> Street Park	1	0.2
Total acres		11.0

**Inventory of Recreational Areas at Public School Sites**

Name of Facility	Park District	Size (In acres)
1. Pompano Beach Elementary School	6	3.4
2. Pompano Beach Middle School	6	2.0
3. Pompano Beach High School**	6	7.5

4. McNab Elementary School	9	2.0
5. Cypress Elementary School	10	5.2
6. Sanders Park Elementary School	11	3.2
7. Blanche Ely High School **	12	6.5
8. Markham Elementary School	16	2.9
9. Charles Drew Elementary School	19	4.6
10. Cross Creek SED Center	19	7.2
11. Cypress Run Alternative School	19	2.0
12. Cresthaven Elementary School	24	2.3
13. Crystal Lake Middle School	23	3.2
14. Palm View Elementary School	23	2.2
15. Norcrest Elementary School**	25	6.2
Total acres		60.4

**Neighborhood Parks Analysis**

**Privately Owned Facilities**

1. John Knox Village	14	1.8
2. Cypress Bend	20	10.1
3. Palm Aire	21	48.6

**City owned properties**

Mini parks		32.3
Neighborhood Parks		102.6
Small Open Spaces		11.0
School Sites**		40.2

\*\*does not include schools with \*\*

**Grand Total 238.5**

## Inventory of Community Parks

Name of Facility	Size (In acres)
1. Pompano (Jaycee) Community Park	71.1
2. Mitchell/Moore (Westside) Community Park	15.8
3. Public Beach	32.4
4. North Pompano Park	20.4
5. Palm Aire Lakes Park	97.0
<b>Total</b>	<b>236.7</b>

### Other Large Open Spaces and Parks

Name of Facility	size (in acres)
1. Boys & Girls Club	9.5
2. Sand & Spurs Stables	11.5
3. Arboretum	33.0
4. Pompano Beach Cemetery	17.0
5. Pompano Beach Golf Course	67.94 (15% of the total Community Park Requirement of 452.9 acres)
<b>Total</b>	<b>138.94</b>
<b>Grand Total</b>	<b>614.14</b>

**Broward County owned lands** *(The City can use 10% (up to 10 acres) of the County-owned park land in the City's total park acreage (62.95\*10% = 6.295 acres)*

Broward County Environmental Land	24.25
Crystal Lake Sand Pine Scrub Natural Preserve 3110 block of NE 3 <sup>rd</sup> Avenue	
Broward County Environmental Land	38.70
Pompano Highlands Natural Preserve 4200 Block east of FEC RR	

Notes:

- a. Property on Dr. Martin Luther King Jr. Blvd. acquired October 1998 from Sara Harry @ \$75,000 for 0.813 acres.
- b. Liberty Park property acquired from School Board October 1999 @ \$35,000 for 1.13 acres.
- c. Avondale Park site acquired from Gerry Gorman December 1999 @ \$210,000 for 2.5927 acres.
- d. Cresthaven Park acquired by annexation effective September 2000 for 1.43 acres
- e. Cresthaven Elementary School acquired by annexation effective September 2000 for 2.3 acres.
- f. Removed CRA Plat Park 2.3 acres.
- g. Added Canal Pointe Park of 10.744 acres, acquired
- h. Added Hunters Manor, 8.26 acres, acquired July 21, 2000 from Hunter-8 & Landco IV for \$423,915.14
- i. Removed Carver Homes Park of 17.2 acres after Land Use Plan amendment, passed July 24, 2001, Ordinance 2001-77.
- j. Added Cresthaven Park (1.4 acres) and Cresthaven Elementary School (2.3 acres) after Land Use Plan amendment passed January 22, 2002 Ordinance 2002-31.
- k. Added 8.3 acres Hunter's Manor Park purchased through Broward County Safe Parks and Land Preservation Bond Program and removed old Hunters Manor Park (8.3 acres).
- l. Northwest Multi-Purpose Center 13,526 sq.ft on 2.92 acres, southwest corner of NW 6<sup>th</sup> Avenue and Dr. Martin Luther King Jr., Blvd.
- m. Southwest Multi-Purpose 13,503 sq.ft. on 3.46 acres, SW 36<sup>th</sup> Avenue and W. Palm Aire Dr.
- n. Canal Pointe Park, new acreage, 12.39 acres
- o. Old Water Tower site at Flagler and SW 8<sup>th</sup> Street, Coscan, developer of Cypress Grove Townhouses, landscaped site into a park, 0.23 acres
- p. Community Park revised acreage from 67.0 to 71.08 acres based upon Pompano Beach Air Park and Recreational Facilities Plat
- q. Highlands Park, 1650 NE 50<sup>th</sup> Court, 2.87 acres, added after annexation of Pompano Highlands.
- r. Unnamed Park at NE 42<sup>nd</sup> Court & NE 15<sup>th</sup> Avenue, 2.29 acres, added after annexation of Pompano Highlands.
- s. North Pompano Park, 4400 NE 18<sup>th</sup> Avenue, 20.45 acres, added after annexation of Pompano Highlands.
- t. Norcrest Elementary School, 3951 NE 16<sup>th</sup> Avenue, 6.20 acres, added after annexation of Pompano Highlands.
- u. Crystal Lake Middle School, 3551 NE 3<sup>rd</sup> Avenue, 3.16 acres, added after annexation of Leisureville, Loch Lomond, Kendall Green.
- v. Palm View Elementary School, 2601 NE 1<sup>st</sup> Avenue, , added after annexation of Leisureville, Loch Lomond, Kendall Green.
- w. Broward County Environmental Land, Crystal Lake Sand Pine Scrub Park, 24.25 acres
- x. Broward County Environmental Land, The Jungle in Pompano Highlands, 38.70 acres
- y. 220 East Atlantic Park, Atlantic Blvd and Cypress Road, 0.94 acres
- z. Cypress Run Alternative School, 5.5 acres
- aa. The city purchased property in Palm Aire containing 4.92 acres at a cost of \$750,000 by Resolution 2009-148 approved on March 24, 2009.
- bb. Added the 3.2 acres in Oceanside Park which was missing from the inventory. This was discovered when the 3.37 acres of that 6.56 acre parcel was converted to CF for Fire Station #11 from the Public Beach acreage on October 26, 2010.
- cc. Added the 1.8 acres for Canine Corner on October 13, 2010.
- dd. Updated park names, added missing parks (Annie Adderly Park, Sanders Park, Lovely Park, NE 16<sup>th</sup> Street Park, removed duplicate listings, December 2012.
- ee. Removed 5.41 acres from Beach Park for land use plan amendment on Pier Parking Lot converting it to Commercial land use, January 2014.
- ff. Elks Property was purchased in October, 2017 and is 10.4 acres.
- gg. The 4.2 acre Centennial Park (Sample-McDougal House) was added to this inventory.

- hh. Removed the Oceanside parking lot 3.2 acres and added the 97 acre Palm Aire Lakes Park which includes approximately 37 acres of land and 60 acres of water, all of which is publically accessible.
- ii. Removed "Palm Aire property" which is the same as Brummer Park and was being double counted.

Item 6.b.-d. Methodology of 2019 Population Figure for Park Requirement

	2019 est.	Buildout
Population	112,055	160,326
Broward County Parks Requirements 336.17 acres (3 acres per 1,000 population)		481 acres
<b>Total Parks supplied</b>	<b>614.14 acres</b>	<b>614.14 acres</b>
<i>(If the City adds 10% of the County-owned lands to this total, it becomes 625.3 acres)</i>		

Buildout population calculations

82,126	Maximum number of dwelling units allowed by future land use map*
<u>- 11,498</u>	14% of dwelling units held for seasonal use
70,628	Total dwelling units for permanent residents
<u>x 2.27</u>	Persons per occupied dwelling unit from 2010 Census (up from 2.11 in 2000 Census)
160,326	Buildout population projection

\* Includes: the 2,000 additional units for the DPTOC; the 2,800 additional units in the LIVE! Resorts Pompano RAC; the 235 additional units for Hidden Harbor; the 2,399 additional units in the ETOC; the increase of 122 units for Hillsboro Shores; the net reduction of 207 units from the Jefferson Amendment (even though those are anticipated to be eventually built as flex units) and net addition of 24 dwelling units from the 1600 Corporation Amendment; the net addition of 64 dwelling units by 2 Habitat projects and John Knox Village; the net addition of 303 dwelling units by the WH Pompano LUPA; the net addition of 1,300 dwelling units by the Isle of Capri RAC LUPA; the net additional of 88 units created by the D.R. Horton land use plan amendment in 2013; the 190 units created by the KOI land use plan amendment in 2012; the 187 units created by the St. Joseph land use plan amendment in 2012 and the additional 907 units created by the Palm-Air North amendment adopted in July 2010 and the net additional of 58 units allowed by the Pines at Crystal Lake amendment adopted in October 2010.

Exhibit K - Broward County Mass Transit Division Provider Letter

Exhibit L - Broward County Mass Transit Route Map Near Amendment Area

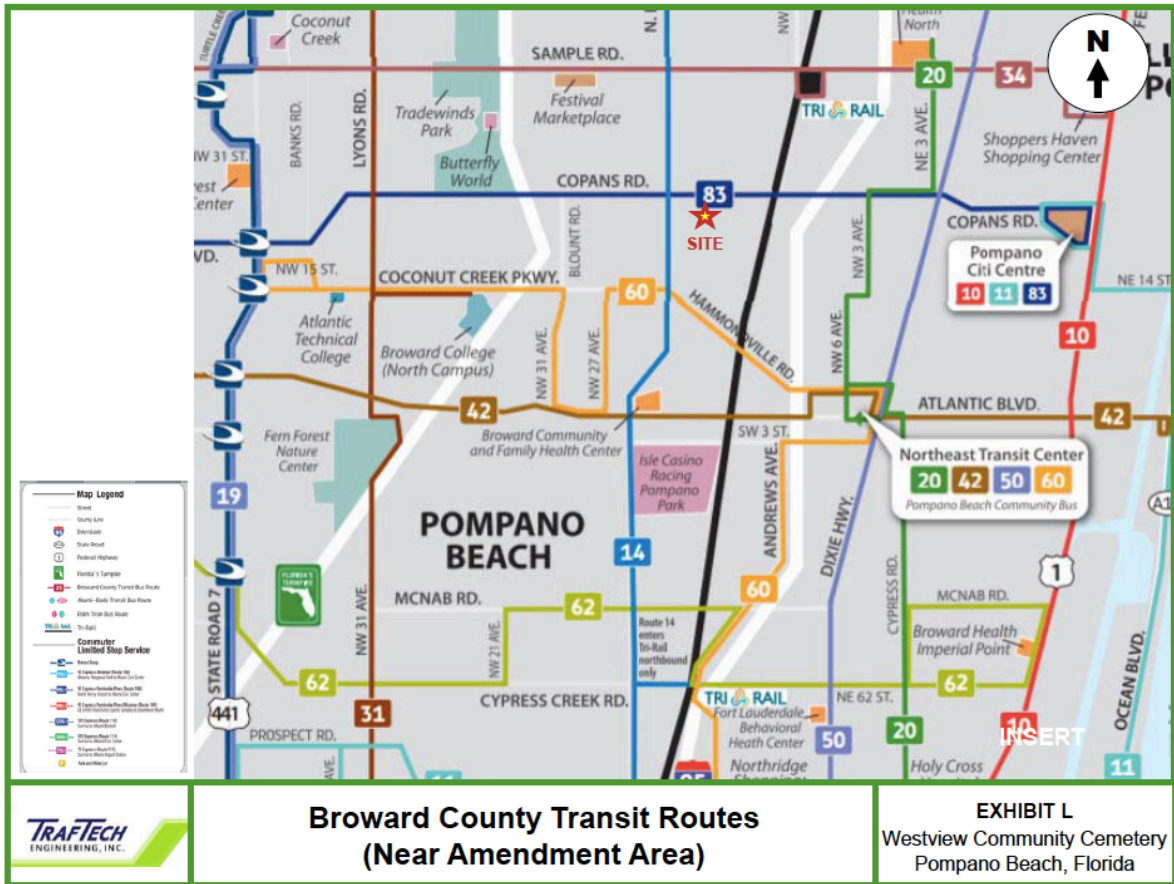




Exhibit M - Local Historic Resources Map and Department of State  
Division of Historic Resources Letter



**PUBLIC FACILITIES AND SERVICES**

Potable Water and Sanitary Sewer

**POLICY 2.11.1** Broward County shall maintain regulations requiring new development to be serviced by centralized water and wastewater systems, where necessary, to protect the health, safety, and welfare of Broward County’s residents.

**POLICY 2.11.2** In considering amendments to the Broward County Land Use Plan, analysis regarding the availability of potable water supply shall include a determination of whether such supply will be available as per the applicable adopted 10-Year Water Supply Facilities Work Plan and Capital Improvements Element.

**POLICY 2.11.3** Broward County, in coordination with its municipalities, shall pursue the establishment of mandatory reuse zones in order to require the use of reclaimed water for irrigation, when source water is available, with the goal of reducing demands on the Biscayne Aquifer.

**POLICY 2.11.4** The availability of sanitary sewer service or plans to extend or provide such service within a financially feasible capital plan, adopted by a local government, shall be a primary consideration when amendments to the Broward County Land Use Plan for increased densities and intensities are proposed.

**DISASTER PLANNING AND POST-DISASTER REDEVELOPMENT**

**POLICY 2.12.8** Broward County shall discourage land use plan amendments which negatively impact hurricane evacuation clearance times and/or emergency shelter capacities.

**TRANSPORTATION CONCURRENCY AND IMPACT FEES**

**POLICY 2.14.1** Broward County will continue, through the criteria established within the Broward County Land Development Code, to provide a transportation concurrency fee credit for new development located in proximity to transit stops.

**POLICY 2.14.2** To maintain those level of service standards identified within the Broward County Comprehensive Plan and local comprehensive plans, Broward County shall, prior to final action on amendments to the Broward County Land Use Plan, determine whether adequate public facilities and services will be available when needed to serve the proposed development.

**POLICY 2.14.5** For those portions of the regional roadway network within their respective jurisdictions, local governments within Broward County shall adopt levels of service and concurrency management systems consistent with the Broward County Transportation Element.

**POLICY 2.14.6** Broward County and its local governments shall utilize the highway capacity methodology endorsed by the Broward Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.

**POLICY 2.14.9** The impact analysis for proposed amendments to the Broward County Land Use Plan shall continue to consider as significant those regional roadway segments that are projected to experience, as a result of the net effect from the proposed amendment, an impact of three percent (3%) or greater than the p.m. peak hour level of service capacity for those regional roadway segments.

**POLICY 2.14.10** Broward County shall continue to support and link local and state infrastructure investments to better coordinate multi-modal transportation and mixed land uses, which encourage a reduction in vehicle miles traveled and in greenhouse gas emissions, improved energy efficiency, affordable housing proximate to urban work centers, and progress toward other sustainability and quality of life measures.

## **COMPLETE STREETS**

**POLICY 2.19.3** To identify multi-modal transportation systems consistent with the Broward Complete Streets Guidelines, Broward County and its local governments should utilize the “Context Sensitive Corridor” Broward County Trafficways Plan designation to provide for the reservation or acquisition of rights-of-way necessary for mass transit, bicycle and pedestrian facilities and services within their land development regulations.

## **SMART GROWTH**

**POLICY 2.20.1** Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

**POLICY 2.20.8** Broward County shall promote, encourage, and endeavor to make development decisions more predictable, timely and cost effective via county and in support of applicable local government plans and regulations consistent with a “smart growth” vision and to attract high quality development.

**POLICY 2.20.13** Adopt, implement and encourage provisions, incentives and methods to reduce future per capita use of natural and non-renewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.

## **HISTORIC AND ARCHAEOLOGICAL RESOURCES**

**POLICY 2.30.1** The Broward County Land Use Plan and local land use plans shall map and maintain a current list of historically, architecturally and archaeologically significant properties and address the protection of these historic resources.

**POLICY 2.30.2** Broward County and its local governments shall consider the impacts of land use plan amendments on historic, archeological and paleontological resources.

## **ENVIRONMENTAL JUSTICE**

**POLICY 2.36.1** For local and regional land use policy and public infrastructure and services decisions, local governments and agencies should ensure environmental justice when considering the impacts to vulnerable populations, including but not limited to, the economically disadvantaged, racial and ethnic minorities, the uninsured, low-income children, the elderly, the homeless and those with chronic health conditions, including severe mental illness.

## Exhibit O - CONSISTENCY WITH CITY OF POMPANO BEACH COMPREHENSIVE PLAN

### **City of Pompano Beach Comprehensive Plan March 2, 2018**

*Land Use Element - Adopted January 2010 Consolidated Version with Amendments Through ETOC*

*G:\Planning\COMPREHENSIVE PLAN FOLDER\Adopted Comprehensive Plan Elements\Adopted FLUE with ETOC.doc*

## **II. FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES**

### **Goal**

01.00.0 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.

### **Objective Levels of Service**

01.01.00 Annually review and periodically update Level of Service requirements availability of facilities and services.

#### **Policies**

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.

01.01.10 The City shall utilize the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and levels of service on the regional roadway network.

01.01.11 Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

### **Objective Inconsistent Land Uses**

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.

#### **Policies**

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

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.

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

01.03.13 Future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.

## Objective Natural Resources & Historic Preservation

01.06.00 Protect natural resources and historic properties in all land use considerations.

### Policies

01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

01.06.04 Insure that all unique natural areas in the City have the appropriate Land Use Plan map designation and Zoning category that provides for the protection of these unique natural areas.

01.06.07 Review all proposals for development with consideration to the Natural Resource Map Series and discourage activities which would have a detrimental impact on significant natural resource areas which may or may not be designated by Broward County as Local Areas of Particular Concern.

01.06.11 Review all land use plan map amendments, rezonings and site plan applications to insure that there is sufficient potable water resources available and that they pose no noxious impacts to the Biscayne Aquifer.

## Objective New Land Use Regulations

01.07.00 Encourage the adoption of innovative land development regulations. Adopt new land use designations for Residential, Mixed Use, Transportation Oriented Districts, Transportation Oriented Corridors and amend the land development regulations, including the creation of new zoning districts for these land use designations.

### Policies

01.07.20 Revise the Land Development Regulations to establish a maximum intensity by limiting the height of building in the following non-residential land use categories:

Category		Maximum Lot Coverage	Maximum Building Height
C	Commercial	60%	105 feet
		100% Lot Coverage permitted in Downtown Historic Core Area and Downtown Historic Transitional Overlay Districts.	
		Additional lot coverage and building height permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
		Additional building height permitted in Planned Commercial/Industrial District provided special Zoning Code requirements are met.	
CF	Community Facility	25%	60 feet
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
CR	Commercial Recreation	50%	105 feet
		Additional lot coverage permitted in Atlantic Boulevard Overlay District provided special Zoning Code requirements are met	
I	Industrial	65%	45 feet
OR	Recreation and Open Space**	N/A	30 feet
		105 Feet Building Height is permitted for properties located in the Atlantic Boulevard Overlay District.	
U	Utilities**	N/A	Determined at Rezoning
RAC	Regional Activity Center	N/A	105 feet
LAC	Local Activity Center	60%	105 feet
T	Transportation**	N/A	105 feet

\*\* No lot coverage specified for these public use districts.

## Objective Hurricane Preparedness

01.09.00 Make preparations to protect residences and businesses from hurricanes.

**Policies**

01.09.01 Continue to reject future land use plan amendments for increased density in the coastal area unless a consistency determination can be made with the Broward County Hurricane Evacuation Plan, or unless a finding can be made that the amendment will not increase current evacuation times.

**Objective Smart Growth Initiative**

01.16.00 The City will promote “Smart Growth” type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

**Policies**

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.

**LAND USE IMPLEMENTATION**

**Section 3. Zoning as to Permitted Uses and Densities**

3.01 City zoning as to permitted uses and densities must be in compliance with or be more restrictive than the requirements of the Land Use Plan. For purposes of this section "more restrictive" means zoning which permits less than all of the uses permitted by the Land Use Plan on a parcel of land, or, for a parcel of land designated residential by the Land Use Plan Map, a lower residential density than permitted by the Land Use Plan.

3.02 City zoning as to permitted uses and densities shall be in compliance with the City's Land Use Plan if the following requirements are met:

**F. Industrial**

Each parcel of land within an area designated in an Industrial land use category by the City's Land Use Plan Map must be zoned in an industrial zoning district which excludes electrical power plants but permits one or more of the following uses, but no other uses:

1. Light and heavy industrial uses.
2. Heavy commercial uses including new and used automobile, truck, motorcycle, boat and trailer display, sales, and service; newspaper, magazine, and printing plants; bakeries, carpentry, cabinet shops and other trade shops; motion picture studios; ice houses; propane gas sales and repair; and salvage yards.
3. Educational, scientific and industrial research facilities, research laboratories. and medical or dental laboratories.
4. Office uses.
5. Transportation and communication facilities.

6. Recreation and open space, cemeteries, and commercial recreation uses, as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for industry.
7. Community facilities and utilities.
8. Ancillary commercial uses within buildings devoted to primary industrial uses.
9. Wholesaling uses.
10. The following uses may also be permitted if certified by the Broward County Planning Council in the City land use plan as long as the total area of these uses does not consume more than 20 percent of the industrial Land designated on the Future Broward County Land Use Plan Map (Series) within a flexibility zone, and as long as the location of these uses do not preclude or adversely affect the future use of surrounding areas for industrial uses:
  - a. Commercial and retail business uses.
  - b. Hotel, motel and similar lodging.
11. Vocational Schools

## **Section 6. Amendments**

### **6.01 Land Use Plan.**

- a. The City shall submit to the Planning Council for certification all proposed amendments to the Land Use Plan. A proposed amendment to the Land Use Plan must be certified by the Planning Council prior to adoption by the City.
- b. All amendments to the Land Use Plan shall be adopted in the manner prescribed by the Planning Act and other applicable provisions of law.

**6.02 County Land Use Plan.** Any person may request the City to submit to the Planning Council a proposal for an amendment to the County Land Use Plan. The City shall submit such a proposal in writing to the Planning Council and shall include the City's recommendation regarding the proposal and the reasons therefore.

Exhibit P - Consistency with the City of Pompano Beach Northwest CRA Plan

Adoption Date: November 9, 2010

Amended Date: October 23, 2018

1. The subject property is located within the Pompano Beach NWCRA Area. The proposed to allow for general industrial use is consistent with the NW CRA Plan, specifically with the uses contained within Sub-Area No. # 3- Northwest Industrial area, as further discussed below:
  - A. As noted in the City's adopted NWCRA Plan, "Industrial and warehouse uses are the predominant uses in the northwest quadrant, generally west of I-95 and north of NW 15 Street. This industrial area is enhanced by the access to I-95 and the Florida Turnpike, as well as to the CSX and FEC railroad lines."
  - B. The NWCRA Plan includes seven geographic sub-areas that are described in general by their major characteristics. The subject property is located in **Sub-Area No. 3 – Northwest Industrial**. This sub-area is predominantly industrial, and according to the NWCRA Plan, this sub-area is "...a busy and active area that contributes many jobs to the local economy. It owes its success to an advantageous location with access to two major rail corridors and I-95. The recent extension of Andrews Avenue through the heart of this area will only serve to improve its connectivity to the region."
  - C. The NWCRA Plan also notes that the major zoning designation in the NWCRA is the General Industrial District, I-1. According to the Plan, I-1 is the district in the northwest corner of the CRA Area. Bounded on all sides by major arterial streets, it provides easy access to heavy traffic.
2. The proposed amendment f to provide for general industrial warehouse uses also supports the following General Industrial Project Objectives of this area of the NWCRA:

### Project Objectives

- Provide economic stimulation and increase investment in the area.
  - Recruit businesses to relocate in the area.
  - Provide incentives for existing industries and recruited industries.
3. The proposed amendment is also consistent with the following objectives and policies contained within the City's Comprehensive Plan, as they relate to the NWCRA area:

### Objective Community Redevelopment

01.08.00 Amend the Land Use Plan map and Zoning map to support new development and redevelopment in the Community Redevelopment Areas.

### Policies



01.08.01 Follow the recommendation of the Community Redevelopment Plans in all Land Use Plan amendments and rezonings.

**Objective Urban Infill**

01.11.00 Identify Urban Infill Areas and Community Redevelopment Areas, adopted pursuant to Chapter 163, Part III, Florida Statutes within the existing urban service area of the City of Pompano Beach.

**Policies**

01.11.03 Redevelopment activities in the Community Redevelopment Areas shall be guided by their respective Community Redevelopment Plans, adopted pursuant to Chapter 163, Part III, Florida Statutes.

**Objective Urban Infill Criteria**

01.12.00 Establish criteria which encourage development of urban infill and community redevelopment areas to promote economic development, increase housing opportunities and maximize the use of existing public facilities and services.

**Policies**

01.12.01 Designated Urban Infill Areas and Community Redevelopment Areas, adopted pursuant to Chapter 163, Part III, Florida Statutes shall be excepted from any applicable transportation roadway concurrency requirements.

Exhibit Q - Letter from Walter Hunter

Westview Community Cemetery, LLC, a non profit organization established in 1952 ("Westview"), owns two separate cemeteries in the City of Pompano Beach: the east property located at 428 NW 6th Ave, Pompano Beach, FL 33060 (the "East Property") and the west property located at Dr B J McCormick Ave, Pompano Beach, FL 33069 (the "West Property"). Westview provides this letter in support of the proposed Land Use Amendment Application for approximately ±4.5 acres of vacant land at the West Property (the "Vacant Parcel"). Westview is proposing to sell the Vacant Parcel in order to fund vertical expansion and much-needed improvements.

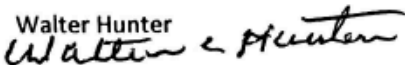
The Vacant Parcel is currently owned by Westview, but has never been used for burials or contained any interments or any other cemetery facilities or services. Historically, the Westview's cemeteries have been important assets to the local community, especially the African American community, as during segregation these properties were the only cemeteries in Pompano Beach that African Americans could be buried. They are the final resting places for many members of our community.

It is the intent of Westview to utilize the proceeds from the sale of the Vacant Parcel that is the subject of the Land Use Plan Amendment application to make improvements to the cemetery portion of the West Property, including, but not limited to, the potential construction of a mausoleum, enhanced burial sites and improved driveways and lush landscaping around the premises, so that Westview may continue to serve our local residents as a final resting place for them and their loved ones.

In closing, we respectfully request your support of the Land Use Plan Amendment request.

Sincerely

Walter Hunter



S.I.20

ACTIVE:11951835.1