



WILTON MANORS, *Island City*

2020 WILTON DRIVE, WILTON MANORS, FLORIDA 33305

COMMUNITY DEVELOPMENT SERVICES

(954) 390-2180 FAX: (954) 567-6069

Life's Just Better Here



November 21, 2022

Barbara Blake Boy
Executive Director
BROWARD COUNTY PLANNING COUNCIL
115 South Andres, Venue, Room 307
Fort Lauderdale, FL 33301

RE: PCT23-1 City of Wilton Manors TOC Text Amendment
CGA # 17-9589.6

Dear Barbara:

Please allow this letter to serve as the City of Wilton Manors response to the Broward County Planning Council letter requesting additional information related to the proposed text amendment, dated November 9, 2022. It was discovered there was a formatting issue and while the majority of the information was in the reanalysis (except for Public Outreach), information was located one section number off. We have reformatted the reanalysis to correct the numbering and inserted Section #12 PUBLIC OUTREACH.

- **Solid Waste Analysis:** This analysis can be found on 13-15 with the provider letter in Exhibit D.
- **Public Education Analysis:** A copy of the executed Public School Impact application that was submitted to the School Board on November 16, 2022, is included in Exhibit G.
- **Affordable Housing:** This can be found in Section 7 on Pages 24-26. Additionally, enclosed is a more detailed response letter describing the city's affordable housing efforts.
- **Public Outreach:** This was added and is described on Page 27 of the reformatted analysis.

If you should have any questions, please do not hesitate to contact me at 954-766-2786 or Jhickey@cgasolutions.com.

Sincerely,

Director of Planning
Calvin, Giordano and Associates

Cc: Roberta Moore, Director of Community Development Services, Wilton Manors
Attachments



Life's Just Better Here

October 4, 2022

Barbara Blake Boy
Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301

**Re: City of Wilton Manors
Transmittal of the Wilton Manors Comprehensive Plan Amendment Transit Oriented
Corridor (TOC) 2022 Text Amendment**

Dear Ms. Blake Boy:

The City of Wilton Manors is pleased to transmit this proposed text amendment application package to amend the Broward Next Broward County Future Land Use Plan to add 1000 dwelling units to the Wilton Manors Activity Center. Included with the application are the checks to cover the Broward County Planning Council (BCPC) and Broward County School Board review fees.

On June 13, 2022, the City of Wilton Manors Local Planning Agency reviewed the amendment application and recommended approval to the City Commission. On August 23, 2022, the City Commission of the City of Wilton Manors voted to transmit the proposed amendment to the Florida Department of Economic Opportunity (DEO). It is anticipated that the City of Wilton Manors will adopt the amendment by the Winter of 2022.

The City Commission approved transmittal of the amendment at public hearings advertised and held in accordance with Section 163.3184(11)(b)1. of the Florida Statutes. DEO has acknowledged receipt of the amendment and has no comments on the proposed amendment.

The transmittal hearing was advertised in the Sun Sentinel newspaper on August 16, 2022, in accordance with State Statutes (proof attached).

The following statements are being submitted pursuant to the requirements of Section 163.3184(3), Florida Statutes:

1. The proposed amendment is not within an area of Critical State Concern.
2. The proposed amendment with complete reanalysis documentation has been sent to all applicable state agencies including FDOT IV, SFWMD, SFRPC as well as the Broward County Planning Council. These copies were emailed on September 1, 2022.

Included in the amendment package is Ordinance 2022-015 which will be fully executed upon adoption of the amendment. It is noted that the Ordinance includes other text amendments to the City of Wilton Manors Comprehensive Plan that have also been transmitted to DEO, including the creation of a Property Rights Element. All the City amendments will be adopted and recertified concurrently.

If there are any questions regarding this recertification package, please do not hesitate to contact me at (954) 390-2180 or rmoores@wiltonmanors.com.

Sincerely,



Roberta Moore
Director of Community Development Services

cc: James Hickey, Calvin Giordano & Associates

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

September 27, 2022

The Honorable Scott Newton
Mayor, City of Wilton Manors
City Hall
2020 Wilton Drive
Wilton Manors, Florida 33305

Dear Mayor Newton:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Wilton Manors (Amendment No. 22-01ESR) received on September 1, 2022. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

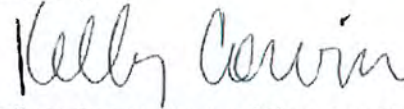
The Honorable Scott Newton

September 27, 2022

Page 2 of 2

If you have any questions concerning this review, please contact Matthew Preston, Planning Analyst, by telephone at (850) 717-8490 or by email at matt.preston@deo.myflorida.com.

Sincerely,



Kelly D. Corvin, Regional Planning Administrator
Bureau of Community Planning and Growth

KDC/mp

Enclosure(s): Procedures for Adoption

cc: Roberta Moore, Community Development Services Director, City of Wilton Manors
Isabel Cosio Carballo, MPA, Executive Director, South Florida Regional Planning Council



WILTON MANORS, *Island City*

2020 WILTON DRIVE, WILTON MANORS, FLORIDA 33305

COMMUNITY DEVELOPMENT SERVICES

(954) 390-2180 FAX: (954) 567-6069

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September 1, 2022

Mr. D. Ray Eubanks, Plan Processing Administrator
State of Florida Economic Opportunity
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399

Re: **City of Wilton Manors Comprehensive Plan Amendment
Transit Oriented Corridor (TOC) Text Amendment 2022 and Addition of Property Rights
Element**

Dear Mr. Eubanks:

In accordance with Section 163.3184(3), Florida Statutes "Submittal of Proposed Comprehensive Plan Amendments for Expedited State Review", attached are the required documents related to the transmittal of the above referenced Comprehensive Plan Amendment for the City of Wilton Manors.

The proposed amendment to the City of Wilton Manors' Comprehensive Plan is to add 1,000 dwelling units within the Transit Oriented Corridor (TOC) land use designation; allow for double the maximum number of dwelling units for hotel units and Special Residential Facility Category (3) development shall count as one (1) dwelling unit per every two (2) sleeping rooms regardless of the number of kitchens or baths per gross acre in the Future Land Use Element; and the addition of a Property Rights Element.

On June 13, 2022, the City of Wilton Manors Local Planning Agency reviewed the amendment application and recommended approval to the City Commission. On August 23, 2022, the City Commission of the City of Wilton Manors voted to transmit the proposed amendment to the Department of Economic Opportunity (DEO). It is anticipated that the City of Wilton Manors will adopt the amendment in November of 2022.

The transmittal hearing was advertised in the Sun Sentinel newspaper on August 16, 2022 in accordance with State Statutes (proof attached).

The following statements are being submitted pursuant to the requirements of Section 163.3184(3), Florida Statutes:

1. The proposed amendment is not within an area of Critical State Concern.
2. The proposed amendment with complete reanalysis documentation has been sent to all

applicable state agencies including FDOT IV, SFWMD, SFRPC as well as the Broward County Planning Council. These copies were emailed on August 29, 2022.

Please find enclosed the required documentation for your review: complete analysis which includes application and City staff report, underlined and strike-through version of proposed text amendment to the Future Land Use Element, proposed ordinance to transmit amendment (Ordinance No. 2022-015), public hearing minutes from the Local Planning Agency (Planning and Zoning Board) and the City Commission, and proof of advertising.

A copy of the complete amendment package, including supporting data and analysis, has been uploaded to the Department of Economic Opportunity "Comprehensive Plan and Amendment Portal" and emailed to the agencies listed in the attached transmittal list on August 29, 2022. If you have any questions or comments, please contact me at (954) 390-2180 or rmoore@wiltonmanors.com.

Sincerely,



Roberta Moore
Community Development Services Director

cc: James Hickey, AICP, Director of Development Services – Calvin, Giordano & Associates, Inc.
See Agency Transmittal List

Attachments

SUN-SENTINEL

Sold To:

City of Wilton Manors - CU00102393
2020 Wilton Dr
Fort Lauderdale,FL 33305-2122

Bill To:

City of Wilton Manors - CU00102393
2020 Wilton Dr
Fort Lauderdale,FL 33305-2122

Published Daily

Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL,
a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the
attached copy of advertisement, being a Legal Notice in:

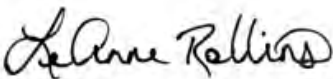
The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, or by publication on the
newspaper’s website, if authorized on Aug 16, 2022; Aug 17, 2022

Affiant further says that the newspaper complies with all legal requirements for
publication in Chapter 50, Florida Statutes.



Signature of Affiant

Sworn to and subscribed before me this: August 31, 2022.



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ()

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Flombardo@wiltonmanors.com
7270776

**CITY OF WILTON MANORS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Tuesday, August 23, 2022 at the Regular City Commission Meeting at 7:00 p.m., or as soon thereafter as possible, at the City Hall, 2020 Wilton Drive, Wilton Manors, Florida, the City Commission shall consider the following item for public hearing:

ORDINANCE NO. 2022-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING ARTICLE I, ENTITLED "FUTURE LAND USE ELEMENT," "GOALS AND OBJECTIVES," POLICY 1.2, TO ALLOW FOR DOUBLE DENSITY FOR HOTEL UNITS AND SPECIAL RESIDENTIAL FACILITY CATEGORY (3) DEVELOPMENT THAT ALLOWS FOR ONE (1) DWELLING UNIT PER EVERY TWO (2) SLEEPING ROOMS REGARDLESS OF THE NUMBER OF KITCHENS OR BATHS PER GROSS ACRE TO ALLOW FOR CONSISTENCY WITH BROWARD COUNTY'S LAND USE PLAN (BROWARD NEXT); AMENDING POLICY 12.1.1 OF THE FUTURE LAND USE ELEMENT OF THE CITY OF WILTON MANORS' COMPREHENSIVE PLAN, TO INCREASE THE OVERALL PERMITTED MAXIMUM NUMBER OF DWELLING UNITS FROM 1,000 TO 1,622, TO ALLOW FOR AN INCREASE FROM 382 MIDRISE UNITS TO 1,382 MIDRISE UNITS; TO ALLOW FOR THE ALLOCATION OF DWELLING UNITS IN THE TRANSIT ORIENTED CORRIDOR ("TOC") LAND USE DESIGNATION BY RIGHT WITHOUT THE ALLOCATION OF RESERVE, FLEXIBILITY AND OR REDEVELOPMENT UNITS FOR THESE ADDITIONAL 1,000 UNITS SOLELY; ADOPTING A PROPERTY RIGHTS ELEMENT AS PART OF THE CITY OF WILTON MANORS' COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

LUPA 22-02:

Applicant – City of Wilton Manors
Property Location – All parcels within the City of Wilton Manors and for Policy 12.1.1, Transit Oriented Corridor (TOC) is located just west of the North Dixie Highway corridor to NE 15 th Avenue and from the City limits to the north and the City limits to the south.

Pursuant to FS. 286.0105, if a person decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting, or hearing, they will need a record of the proceedings and that for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Any person requiring auxiliary aids and services for the meeting may call the ADA Coordinator at (954) 390-2120 at

SUN-SENTINEL

least two working days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Services by using the following phone numbers: 1 (800) 955-8770 (Voice) or 1 (800) 955-8771 (tdd).

Agenda items may be viewed online at www.wiltonmanors.com . If an member of the public requires additional information about the City Commission Meeting, the application, or has any questions about how to submit public comment for the meeting, please contact Community Development Services Director, Roberta Moore, at 2020 Wilton Drive, Wilton Manors, FL 33305, (954)390-2180, or rmoore@wiltonmanors.com . Written comments filed with the Director will be entered into the record.

8/16/2022 7270776

Order # - 7270776



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Transit Oriented Corridor Additional 1000 Dwelling Units
Text Amendment to the City of Wilton Manors & Broward
County Comprehensive Plans

Prepared by



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

July 2022

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EXHIBITS

Exhibit A – General Location Map

Exhibit B – City of Wilton Manors Future Land Use Map and Broward County Future Land Use Map

Exhibit C – Sanitary Sewer, Potable Water Letter

Exhibit D – Solid Waste Letter

Exhibit E – Drainage Letter

Exhibit F – Mass Transit Letter

Exhibit G – Public School Impact Application

Exhibit H – Copy of Amended Text Language in Comprehensive Plan

Exhibit J – Notice to City Clerks of Adjacent Communities Regarding TOC Amendment

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.

Please see attached.

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

TBD

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

The amendment area is *not* within an Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

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

The proposed amendment seeks to increase the number of permitted mid-rise units within the Wilton Manors Transit Oriented Corridor (TOC) land use designation by allowing an additional 1000 dwelling units (DU). This amendment will allow for redevelopment opportunities within the City’s mixed-use TOC land use designation which is consistent with goals, objectives, and policies set forth in the City’s Comprehensive Plan as well as regulations within the City’s Unified Land Development regulations (ULDR).

LOCAL GOVERNMENT INFORMATION

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

TBD

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

Winter 2022-2023

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

Name: Roberta Moore
Title: Director of Community Development Services
Government: City of Wilton Manors
Address: 2020 Wilton Drive, Wilton Manors, FL 33305
Phone: 954.390.2180
Email: rmoore@wiltonmanors.com

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

To be provided.

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

Proof of public participation meetings, public notice mailings, and newspaper notices will be provided as part of the Transmittal and Adoption packages sent to the review agencies.

2. APPLICANT INFORMATION

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

Name: City of Wilton Manors
Contact Person: Ms. Roberta Moore
Address: 2020 Wilton Drive, Wilton Manors, FL 33305
Phone: 954.390.2180
Email: rmoore@wiltonmanors.com

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

Name: Mr. James Hickey, AICP
Title: Planning Director
Firm: Calvin, Giordano & Associates, Inc.
Address: 1800 Eller Drive, Suite 600 Fort Lauderdale, FL 33316
Phone: 954.921.7781
Fax: 954.921.8807
Email: jhickey@cgasolutions.com

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

Name: City of Wilton Manors
Contact Person: Roberta Moore, Director of Community Development Services
Address: 2020 Wilton Drive, Wilton Drive, FL 33305
Phone : 954.390.2180
Email: rmoore@wiltonmanors.com

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

\$18,120

- E. 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.

Through the amendment, the city can provide additional opportunities for redevelopment of residential and mixed-use projects within the TOC land use allowing for investors and local businesses to invest in Wilton Manors in a manner that provides greater economic sustainability and return on investment, improving the image and brand of the city, and enhancing the quality of life for residents and visitors alike. The expanded number of dwelling units will allow for additional flexibility in redeveloping parcels within the TOC in creating an accessible, thriving, and a walkable downtown. The amendment will be compatible with the existing TOC, and through the ULDR regulations, will provide the necessary buffering to be compatible with adjacent land uses.

3. AMENDMENT SITE DESCRIPTION

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

There is no change to the TOC boundaries as part of this amendment.

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

N/A

- C. Map at a scale of 1” =300’ clearly indicating the amendment’s location, boundaries and proposed land uses. (Other scales may be accepted at the discretion of the Planning Council Executive Director. Please contact the Planning Council office in this regard, prior to the submittal of the application).

Please see Exhibit A for general location of the Wilton Manors TOC.

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.

Below are the designations on the Future Land Use Plan Map (FLUM) of the City of Wilton Manors (Transit Oriented Corridor) and Broward County (Activity Center). Please refer to the chart below for the acreage and the maximum density and intensity of each permitted use allowed. Please see Exhibit B for the City of Wilton Manors FLUM and Broward County FLUM.

EXISTING	
Transit Oriented Corridor (City); Activity Center (County)	
Permitted Use	Density/Intensity
Hotel:	172 rooms
Residential Land Uses:	622 dwelling units*
Commercial Land Uses:	538,200 square feet
Industrial Land Use:	71,600 square feet
Rec. & Open Space	6.9 acres minimum
Transportation:	7.8 acres (FEC ROW/Train Station)

*Consisting of

Mid Rise:	382 units
Single Family:	30 units
Town Home:	44 units
Garden Apt:	72 units
Duplex:	84 units
Studio:	10 units

There is no proposed change to the future land use designation for the city, Transit Oriented Corridor (TOC) or the County, Activity Center. If the amendment is adopted, the city will complete a recertification process with Broward County to maintain consistency between the two plans. The proposed changes are as follows:

PROPOSED	
Transit Oriented Corridor (City); Activity Center (County)	
Permitted Use	Density/Intensity
Hotel:	172 rooms
Residential Land Uses:	622 <u>1,622</u> dwelling units*
Commercial Land Uses:	538,200 square feet
Industrial Land Use:	71,600 square feet
Rec. & Open Space	6.9 acres minimum
Transportation:	7.8 acres (FEC ROW/Train Station)

*Consisting of

Mid Rise:	382 <u>1,382</u> units
Single Family:	30 units
Town Home:	44 units
Garden Apt:	72 units
Duplex:	84 units
Studio:	10 units

B. Current land use designations for the adjacent properties.

The current adopted City and County land use designations of the surrounding properties are:

Transit Oriented Corridor

Activity Center

Location	City Land Use Designation	County Land Use Designation*
North	Water, Commercial (City of Oakland Park)	Commerce
South	Water, Commercial (City of Fort Lauderdale), Medium-High 25 (City of Fort Lauderdale)	Medium – High (25) Residential, Commerce
East	Community Facilities, Low Density Residential, Commercial, Low Medium Density Residential, and Recreation and Open Space	Community, Low (5) Residential, Commerce, Low-Medium (10) Residential
West	Low Density Residential, Low Medium Density Residential, Commercial, and Medium Density Residential	Low (5) Residential, Low-Medium (10) Residential, Commerce, Medium (16) Residential

*April 21, 2020, Broward County Land Use Plan Map

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

The amendment site is located within the City of Wilton Manors Flex Zone 45. In January 2014, 179 Flexibility Units were allocated for the Ascend Wilton development located at 1224 NE 24th Street. The following resolutions and ordinances identify the added and allocated flex and reserve units since 2013.

- Resolution 2013-0055-allocates - 2 reserve units (Hossack/B&B at 2520 NE 6th Ave)
- Resolution 2013-0056-allocates - 2 reserve units (Thomas/F (Thomas/Rodriguez at 2405 NE 7th Ave)
- Resolution 14-0002-allocates - 179 flex units (Metropolitan)
- Resolution 14-0095 -allocates- 2 flex units (Pouncey/B&B at 2440 NE 7th Ave) – Expired, may need to repeal
- Resolution 18-032 Allocates 10 flex units to 549 NE 21 Court
- Resolution 18-089 Allocates 48 affordable flex units to 2040 N. Dixie Highway (Residences at Equality Park)

D. Existing use of amendment site and adjacent areas.

Transit Oriented Corridor

Existing Use of Amendment Site

The amendment area includes an assortment of retail, mixed use, industrial and commercial uses along Dixie Highway and NE 26th Street; higher density residential including townhouse, apartment, and condo developments located near the northern and southern borders and on the west side of NE 13th Avenue; single family and duplex homes as well as garden apartments primarily located between NE 15th Avenue and NE 13th Avenue as well as the east side of NE 11th Avenue; public amenities including parks, community facilities, and municipal uses concentrated between N. Dixie Highway and NE 15th Avenue.

Existing Use of Adjacent Areas

Properties adjacent to the amendment site, north and south of NE 26th Street, are primarily single family residential, one-story and two-story multi-family residential, commercial, and institutional uses. To the West along NE 11th Avenue are commercial uses near Wilton Drive and one-story apartments as well as townhomes near N. Dixie Highway. Properties along NE 15th Avenue include single family residential uses, while higher density residential and commercial uses are found closer to NE 26th Street. A large former church property at the corner of NE 15th Avenue and NE 26th Street has been demolished.

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

Transit Oriented Corridor

Acreeage: Approximately 114 +/- acres
General Location: All parcels fronting North Dixie Highway, the FEC Rail Corridor, and NE 15th Avenue within the City between the City limits to the North and the City limits to the South (the Middle River)

Activity Center (City: TOC)	Current Entitlements	Proposed Entitlements	Net Change in Entitlements
Hotel	172 rooms	172 rooms	No change
Residential Total Consisting of			
<i>Mid Rise</i>	382 units	<u>1,382 units</u>	1,000 units
<i>Single Family</i>	30 units	30 units	No change
<i>Town Home</i>	44 units	44 units	No change
<i>Garden Apartment</i>	72 units	72 units	No change
<i>Duplex</i>	84 units	84 units	No change
<i>Studio</i>	10 units	10 units	No change
Commercial	538,200 sq. ft.	538,200 sq. ft.	No change
Industrial	71,600 sq. ft.	71,600 sq. ft.	No change
Rec & Open Space	6.9 acres min	6.9 acres min	No change
Transportation	7.8 acres (FEC ROW/Train Station)	7.8 acres (FEC ROW/Train Station)	No change

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

Transit Oriented Corridor

The following table shows the adopted and remaining entitlements for the TOC:

Activity Center (City: TOC)	Current Entitlements	Existing and Committed Development*	Remaining Entitlements
Hotel	172 rooms	0 rooms	172 rooms
Residential Total	622 units	457 units	165 units
<i>Mid Rise</i>	382 units	272 units	110 units
<i>Single Family</i>	30 units	53 units	-23 units
<i>Town Home</i>	44 units	17 units	27 units

<i>Garden Apartment</i>	72 units	45 units	27 units
<i>Duplex</i>	84 units	70 units	14 units
<i>Studio</i>	10 units	0 units	10 units
Commercial	538,200 sq. ft.	296,821 sq. ft.	241,379 sq. ft.
Industrial	71,600 sq. ft.	125,817 sq. ft.	-54,217 sq. ft.
Rec & Open Space	6.79 acres min	6.79 acres min	6.79 acres min
Transportation	7.8 acres (FEC ROW/Train Station)	0 acres	7.8 acres (FEC ROW/Train Station)

* Broward County Property Appraiser

The following table shows the remaining entitlements after amendment for the TOC:

Activity Center (City: TOC)	Existing Development*	Total Proposed and Current Entitlements	Net Remaining After Amendment
Hotel	0 rooms	172 rooms	172 rooms
Residential Total	457 units	1,622 units	1,165 units
<i>Mid Rise</i>	272 units	1,382 units	1,110 units
<i>Single Family</i>	53 units	30 units	-23 units
<i>Town Home</i>	17 units	44 units	27 units
<i>Garden Apartment</i>	45 units	72 units	27 units
<i>Duplex</i>	70 units	84 units	14 units
<i>Studio</i>	0 units	10 units	10 units
Commercial	296,821 sq. ft.	538,200 sq. ft.	241,379 sq. ft.
Industrial	125,817 sq. ft.	71,600 sq. ft.	-54,217 sq. ft.
Rec & Open Space **	6.79 acres min	6.79 acres min	6.79 acres min
Transportation	0 acres	7.8 acres (FEC ROW/Train Station)	7.8 acres (FEC ROW/Train Station)

* Broward County Property Appraiser

**Rec & Open Space is portion of the Colahatchee Nature Park lying within the TOC

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

There has been recent renewed interest shown by multiple developers and properties identified for redevelopment in the TOC. Though no site plans have been submitted, it is anticipated that there is a potential for another 1750 units.

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, including the adoption date of the 10 Year Water Supply Facilities Plan.

The adopted Potable Water level of service from the adopted City of Wilton Manors Comprehensive Plan is as follows:

Minimum Design Flow/LOS Standards	
Type of Use	Minimum Flow
Residential	130 gpd/capita
Commercial/Office	3,000 gpad
Industrial	2,000 gpad
Other Nonresidential	162 gpad

The overall level of service standard for the city that expresses total demand from all uses as a per capita standard is 130 gallons per capita per day. The City of Fort Lauderdale supplies potable water to the City of Wilton Manors; Wilton Manors adopted its most recent Water Supply Plan in 2020.

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, including the expiration date of the SFWMD permit.

Potable Water is provided to residential and commercial consumers under the same arrangement as sanitary sewer. The City of Wilton Manors provides and maintains the water distribution system and has an agreement with the City of Fort Lauderdale to provide the potable water that is processed by the City of Fort Lauderdale Fiveash Water Treatment Plant and the Peele-Dixie Water Treatment Plant.

The Fiveash plant has a permitted treatment capacity of 70 MGD. The Peele-Dixie plant has a maximum installed finished water treatment capacity of 12 million gallons per day with all nanofiltration units in service. The facility was designed to be expanded by the addition of three Reverse Osmosis (RO) trains that would utilize the Floridan Aquifer which would result in total installed potable water production capacity at the Peele-Dixie WTP site to be 18 MGD.

The City of Fort Lauderdale Water Treatment Plants treat water from the Biscayne Aquifer and the Floridan Aquifer System via two active wellfields the city owns and operates.

On September 11, 2008, Consumptive Use Permit No. 06-00123-W was issued to the City of Fort Lauderdale by SFWMD and expires on September 11, 2028. The total permitted withdrawal amount from two wellfields for public water supply is 52.55 MGD.

Water Treatment Plant Capacity

Facilities	Water Treatment Plant
Permitted design capacity (Fiveash - 70 MGD) (Peele-Dixie - 12 MGD)*	82.0 MGD
Current demand (daily average annual)	39.6 MGD
SFWMD Permitted Withdrawal	52.55 MGD
Expiration Date of SFWMD Permit 06-00123-W	2028

* Expandable to 18MGD

Source: City of Fort Lauderdale Water Supply Facilities Work Plan Update, June 2020.

- 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.

The following table depicts the anticipated potable water demand generated through the proposed amendment.

Potable Water Demand – Current Entitlements				
Activity Center (City: TOC)	Current Entitlements	ERC per 1,000sf or du*	Demand Calculation	Current Entitlements Demand (gpd)
Hotel	172 rooms	0.868	$0.868 * 300 * 172$	44,789
Residential Total	622 units	--	--	--
<i>Mid Rise</i>	<i>382 units</i>	<i>0.805</i>	$0.805 * 300 * 279$	92,253
<i>Single Family</i>	<i>30 units</i>	<i>1.00</i>	$1 * 300 * 30$	9,000
<i>Town Home</i>	<i>44 units</i>	<i>1.00</i>	$1 * 300 * 44$	13,200
<i>Garden Apartment</i>	<i>72 units</i>	<i>0.805</i>	$0.805 * 300 * 72$	17,388
<i>Duplex</i>	<i>84 units</i>	<i>1.00</i>	$1 * 300 * 84$	25,200
<i>Studio</i>	<i>10 units</i>	<i>0.805</i>	$0.805 * 300 * 10$	2,415
Commercial	538,200 sq. ft..	0.55	$0.55 * 300 * 538.200$	88,803
Industrial	71,600 sq. f.	0.368	$0.368 * 300 * 71.600$	7,905
Rec & Open Space	6.9 acres min	n/a	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a	n/a
Total Current Entitlements Demand = 300,953 gallons per day				

* 1 ERC = 300 gpd. All ERCs are per 1,000 sf of nonresidential use or 1 dwelling unit, as applicable. Based on City of Ft. Lauderdale, Guidelines for the Calculation of Sanitary Sewer Connection Fees, May 2019.

Potable Water Demand – Proposed Entitlements				
Activity Center (City: TOC)	Proposed Entitlements	ERC per 1,000sf or du*	Demand Calculation	Demand with LUPA (gpd)
Hotel	172 rooms	0.868	0.868 * 300 * 172	44,789
Residential Total	1,622 units	--	--	--
<i>Mid Rise</i>	<i>1,382 units</i>	<i>0.805</i>	<i>0.805 * 300 * 382</i>	333,753
<i>Single Family</i>	<i>30 units</i>	<i>1.00</i>	<i>1 * 300 * 30</i>	9,000
<i>Town Home</i>	<i>44 units</i>	<i>1.00</i>	<i>1 * 300 * 44</i>	13,200
<i>Garden Apartment</i>	<i>72 units</i>	<i>0.805</i>	<i>0.805 * 300 * 72</i>	17,388
<i>Duplex</i>	<i>84 units</i>	<i>1.00</i>	<i>1 * 300 * 84</i>	25,200
<i>Studio</i>	<i>10 units</i>	<i>0.805</i>	<i>0.805 * 300 * 10</i>	2,415
Commercial	538,200 sq. ft.	0.55	0.55 * 300 * 538.200	88,803
Industrial	71,600 sq. ft.	0.368	0.368 * 300 * 71.600	7,905
Rec & Open Space	6.9 acres min	n/a	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a	n/a
Total Proposed Entitlements Demand = 542,453 gallons per day				
Increase from current Entitlements = 241,500 gpd				

* 1 ERC = 300 gpd. All ERCs are per 1,000 sf of nonresidential use or 1 dwelling unit, as applicable. Based on City of Ft. Lauderdale, Guidelines for the Calculation of Sanitary Sewer Connection Fees, May 2019.

- 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.

The letter from the potable water provider (City of Fort Lauderdale) is included as Exhibit C.

B. Wastewater Analysis

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

The amendment area is currently serviced by a series of gravity mains and force mains. No septic tanks are known to exist. All future development within the TOC will use sanitary sewers.

- Provide the wastewater level of service per the adopted and certified local land use plan.

The adopted wastewater level of service from the adopted City of Wilton Manors Comprehensive Plan is as follows:

Minimum Design Flow/LOS Standards		
Type of Use	Average Flow	Peak Flow
Residential	90 gpd/capita	150 gpcd
Commercial/Office	2,700 gpad	5,400 gpad
Industrial	1,500 gpad	3,600 gpad
Other Nonresidential	147 gpad	294 gpad

The overall level of service standard for the city that expresses total demand from all uses as a per capita standard is 160 gallons per capita per day.

- Identify the wastewater facilities serving the area in which the amendment is located including the current plant capacity, current plus committed demand on plant and planned plant capacity expansions, including year and funding source.

The City of Wilton Manors is responsible for constructing and maintaining the lines in the street, pump stations, and force mains within the city. The amendment area is served by a series of gravity mains and force mains which collect the wastewater for transmission to the George T. Lohmeyer (GTL) Regional Wastewater Treatment Plant in Port Everglades. The City of Wilton Manors has a Large User Agreement with the City of Fort Lauderdale to treat and dispose what is collected within the city. The agreement currently allows the city to transmit up to 2.46 MGD of wastewater into the Fort Lauderdale’s wastewater system. According to the City of Fort Lauderdale Utilities Division, the GTL wastewater treatment system has a combined rated capacity of 55.7 MGD. The current and projected future demand is provided in the following table:

Summary of GTL Peaking Factors (versus AADF) and Projected Flows					
Flow (mgd)					
Parameter	Peaking Factors	2020	2025	2030	2035
AADF	--	41.0	43.1	44.7	45.6
M3MADF	1.27	52.1	54.7	56.8	57.9
MMADF	1.33	54.5	57.3	59.5	60.6
MDF	1.95	80.0	84.0	87.2	88.9
MHF	2.20	90.2	94.8	98.3	100.3
* City of Fort Lauderdale Utility Strategic Master Plan, 2017					
Definitions:					
<ul style="list-style-type: none"> Average Annual Daily Flow (AADF) – The average total wastewater flow to GTL for the calendar year. Maximum Three-Month Average Daily Flow (M3MADF) - The highest 3MADF that occurs during a calendar year. Maximum Month Average Daily Flow (MMADF) – The average daily flow during the calendar month with the highest volume of wastewater flow that occurs during a calendar year. Maximum Daily Flow (MDF) – The highest wastewater flow in a single 24-hour day during a calendar year. Maximum Hourly Flow (MHF) – The highest wastewater flow in a one-hour period during a calendar year. 					

According to the City of Fort Lauderdale 2017 Utility Strategic Master Plan, there are no plans to expand the plant's capacity; however planned capital projects over the 20-year horizon are designed to maintain the efficiency and effectiveness of the system. Fund 451, or the Central Regional Wastewater System Fund, is used to support and/or improve the operations of the Central Regional Wastewater System, which include facilities such as the George T. Lohmeyer Wastewater Treatment Plant and various re-pump stations throughout the region.

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

The following table depicts the anticipated potable water demand generated through the proposed amendment.

Wastewater Demand – Current Entitlements				
Activity Center (City: TOC)	Current Entitlements	ERC per 1,000sf or du*	Demand Calculation	Current Entitlements Demand (gpd)
Hotel	172 rooms	0.868	0.868 * 300 * 172	44,789
Residential Total	622 units	--	--	--
<i>Mid Rise</i>	<i>382 units</i>	<i>0.805</i>	<i>0.805 * 300 * 279</i>	92,253
<i>Single Family</i>	<i>30 units</i>	<i>1.00</i>	<i>1 * 300 * 30</i>	9,000
<i>Town Home</i>	<i>44 units</i>	<i>1.00</i>	<i>1 * 300 * 44</i>	13,200
<i>Garden Apartment</i>	<i>72 units</i>	<i>0.805</i>	<i>0.805 * 300 * 72</i>	17,388
<i>Duplex</i>	<i>84 units</i>	<i>1.00</i>	<i>1 * 300 * 84</i>	25,200
<i>Studio</i>	<i>10 units</i>	<i>0.805</i>	<i>0.805 * 300 * 10</i>	2,415
Commercial	538,200 sq. ft.	0.55	0.55 * 300 * 538.200	88,803
Industrial	71,600 sq. ft.	0.368	0.368 * 300 * 71.600	7,905
Rec & Open Space	6.9 acres min	n/a	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a	n/a
Total Current Entitlements Demand = 300,953 gallons per day				

* 1 ERC = 300 gpd. All ERCs are per 1,000 sf of nonresidential use or 1 dwelling unit, as applicable. Based on City of Ft. Lauderdale, Guidelines for the Calculation of Sanitary Sewer Connection Fees, May 2019.

Wastewater Demand – Proposed Entitlements				
Activity Center (City: TOC)	Proposed Entitlements	ERC per 1,000sf or du*	Demand Calculation	Demand with LUPA (gpd)
Hotel	172 rooms	0.868	0.868 * 300 * 172	44,789
Residential Total	1,622 units	--	--	--
<i>Mid Rise</i>	<i>1,382 units</i>	<i>0.805</i>	<i>0.805 * 300 * 382</i>	333,753
<i>Single Family</i>	<i>30 units</i>	<i>1.00</i>	<i>1 * 300 * 30</i>	9,000
<i>Town Home</i>	<i>44 units</i>	<i>1.00</i>	<i>1 * 300 * 44</i>	13,200
<i>Garden Apartment</i>	<i>72 units</i>	<i>0.805</i>	<i>0.805 * 300 * 72</i>	17,388
<i>Duplex</i>	<i>84 units</i>	<i>1.00</i>	<i>1 * 300 * 84</i>	25,200
<i>Studio</i>	<i>10 units</i>	<i>0.805</i>	<i>0.805 * 300 * 10</i>	2,415
Commercial	538,200 sq. ft.	0.55	0.55 * 300 * 538.200	88,803
Industrial	71,600 sq. ft.	0.368	0.368 * 300 * 71.600	7,905
Rec & Open Space	6.9 acres min	n/a	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a	n/a
Total Proposed Entitlements Demand = 542,453 gallons per day				
Increase from current Entitlements = 241,500 gpd				

* 1 ERC = 300 gpd. All ERCs are per 1,000 sf of nonresidential use or 1 dwelling unit, as applicable. Based on City of Ft. Lauderdale, Guidelines for the Calculation of Sanitary Sewer Connection Fees, May 2019.

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

The letter from the sanitary sewer provider (City of Fort Lauderdale) is included as Exhibit C.

C. Solid Waste Analysis

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

Solid Waste Generation Rates

<u>Land Use</u>	<u>Unincorporated Area & Contract Cities</u>
<u>Residential</u>	8.9 lbs. per unit per day
<u>Industrial & Commercial</u>	
Factory/Warehouse	2 lbs. per 100 sq. ft. per day
Office Building	1 lb. 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
<u>School</u>	
Grade School	10 lbs. per room & 1/4 lbs. per pupil per day
High School	8 lbs. per room & 1/4 lbs. per pupil per day
<u>Institution</u>	
Hospital	8 lbs. per bed per day
Nursing Home	3 lbs. per person per day

Source: Table 4.9 Infrastructure Element City of Wilton Manors Comprehensive Plan

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

Status and Design Capacity Broward County Sanitary Landfills				
Facility	Facility Status	Design Capacity Tons	Current Demand Tons per year	Available Capacity Tons
Entire Facility	Active	75,000,000	10,000	50,000,000
Subtotal CDSL		75,000,000	1,500,000	25,265,000
Broward Interim/Contingency Landfill (BIC)				
Cell 1, 2 & 3	Active	4,800,000	80,000	2,200,000
Future Cells	Not developed	23,000,000	0	23,000,000
Subtotal		27,800,000	80,000	25,200,000
Total		79,800,000	1,580,000	27,465,000

Source: Broward County Comprehensive Plan, 2010, Table 4.7 Infrastructure Element City of Wilton Manors Comprehensive Plan

The city has a collection agreement with Wheelabrator. Wheelabrator South Broward County Resource Recovery Facility is a waste to energy facility located at 4400 South State Road 7, Fort Lauderdale. The facility can process 2,250 tons per day. In 2016, the city generated 12,037 tons of solid waste, 5.3 lbs. per capita/day.

- Energy Generation Capacity: 66 Mega Watts
- Waste Processed in 2019: 835,738 tons
- Life Remaining: not Applicable
- Planned Capacity Improvements: none currently

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

Solid Waste Impact			
Activity Center (City: TOC)	SF/Units	Multiplier SF/Unit in Pounds per SF/Unit per Day	Total Pounds/Day
Current Entitlements			
Hotel	172 rooms	8.9	1,531
Residential	622 units	8.9	5,536
Commercial	538,200 sq. ft.	0.04	21,528
Industrial	71,600 sq. ft.	0.02	1,432
Rec & Open Space	6.9 acres min	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a
Total Current Entitlements Demand			30,027
Proposed Entitlements			
Hotel	172 rooms	8.9	1,531
Residential	1,622 units	8.9	14,436
Commercial	538,200 sq. ft.	0.04	21,528
Industrial	71,600 sq. ft.	0.02	1,432
Rec & Open Space	6.9 acres min	n/a	n/a
Transportation	7.8 acres (FEC ROW/Train Station)	n/a	n/a
Total Proposed Entitlements Demand			38,927
INCREASE			8,900 lbs. / day

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

The letter from the solid waste provider is included as Exhibit D.

D. Drainage Analysis

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

The level of service for water management shall consist of the following minimum design criteria:

Road Protection

Right-of-way width up to 60 feet: 10-year, 24-hour flood elevation for road crown. Right-of-way width greater than 60 feet: ultimate curb edge of pavement: 10-year, 24-hour flood elevation.

Buildings

Lowest habitable finished floor elevation above one-hundred-year flood elevation.

Off Site Discharge

After retaining first inch of runoff, not to exceed inflow limit of SFWMD primary receiving canal or local conveyance system, whichever is less.

Storm Sewers

Design flood frequency minimum three-year recurrence interval consistent with the State Department of Transportation design criteria.

Flood Plain Routing

Calculated flood elevations based on the ten-year and one-hundred-year return frequency rainfall three-day duration shall not exceed corresponding elevation of ten-year "Flood Criteria Map" and "100 Year Flood Elevation Map".

On-Site Storage

Retain first inch of runoff or 2 V2 inches x percentage impervious, whichever is greater.

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

The City of Wilton Manors maintains its own stormwater drainage system. The stormwater drainage system is gravity-fed and feeds into City waterways. The city has been constructing swales to retain water and release overflow into the Middle River/C-13 Canal. The swale systems consist of roadside depressions which collect the water and allow it to percolate into the ground. Water is cleansed during percolation prior to being released into catch basins at the bottom of the swales to be released into the river.

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

The City of Wilton Manors does not have plans for specific drainage improvement projects needed to maintain adopted level of service standards.

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.

Not applicable.

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 yards, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

The area in which this amendment is located meets the adopted levels of service of the comprehensive plan. Any drainage improvements necessary to continue to meet the established level of service will meet the criteria of the adopted comprehensive plan and the criteria of the South Florida Water Management and Broward County.

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.

The letter from the drainage utility provider (City of Wilton Manors) is included as Exhibit E.

E. Recreation and Open Space Analysis

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

The City of Wilton Manors has an adopted level of service standard of 4.25 acres per 1,000 residents. Broward County has an adopted level of service standard of 3.00 acres per 1,000 residents.

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.

The following inventory is from the City’s Comprehensive Plan.

City of Wilton Manors Park Acreage		
Park Name	Acres	Facility Type
Colohatchee Boat Ramp	1.2	Community Park
Colohatchee Nature Park	8.5	Community Park
Hagen Park	5.79	Community Park
Island City Park Preserve	3.15	Community Park
Mickel Park	5.0	Community Park
Richardson Historic Park and Nature Preserve	5.4	Community Park
Wilton Manors Elementary School	4.8	Community Park
Andrews Avenue	0.15	Neighborhood Park
Apache Pass Park	0.18	Neighborhood Park
Coral Gardens Park	0.37	Neighborhood Park
Central Park Jaycee Park	0.46	Neighborhood Park
Donn Eisele Park	0.9	Neighborhood Park
Island City Park Preserve Expansion	0.27	Neighborhood Park
M.E. DePalma Park	0.14	Neighborhood Park
Rachel Richardson Park	0.33	Neighborhood Park
Snook Creek Boat Ramp	0.45	Neighborhood Park
Woman’s Club	0.25	Neighborhood Park
Middle River	29.72	Waterway
Total	67.06	

Source: Table 7-1: Recreation and Open Space Element Comprehensive Plan

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

The demand for community parks acreage will increase the demand of parks by 5.49 acres, using Broward County Land Use standard of 3 acres/ 1,000 population and the average household per the 2020 US Census is 1.83 persons. 1,000 proposed units x 1.83 average household = 1,830 new residents; 1,830 new residents x 0.003 acres of park required per resident = 5.49 acres.

The demand for community parks acreage will increase the demand of parks by 7.7775 acres, using the City of Wilton Manors standard of 4.25 acres/ 1,000 population and the average household per the 2020 US Census is 1.83 persons. 1,000 proposed units x 1.83 average household = 1,830 new residents; 1,830 new residents x 0.00425 acres of park required per resident = 7.7775 acres.

- Identify the projected “community parks” acreage needs based on the local government’s projected build-out population.

The City of Wilton Manors currently and will continue to meet the level of service for park land. Please see comprehensive plan projected needs based on entire city populations below:

Projected Park Needs					
Year	Population (Projected)	Level of Service (LOS) Standard	Park Acreage	Park Acreage Needed to Maintain LOS	Surplus/Deficit Acreage
2010	11,632	4.25 acres/1,000 population	67.06	49.44	17.62
2015	12,445	4.25 acres/1,000 population	67.06	52.89	14.17
2020	12,556	4.25 acres/1,000 population	67.06	53.36	13.70
2025	12,557	4.25 acres/1,000 population	67.06	53.37	13.69
2030	12,471	4.25 acres/1,000 population	67.06	53.00	14.06
2035	12,461	4.25 acres/1,000 population	67.06	52.96	14.10

Source: Parks, Recreation & Open Space Element City of Wilton Manors Comprehensive Plan

Projected Park Needs with Amendment					
Year	Population (Projected)	Level of Service (LOS) Standard	Park Acreage	Park Acreage Needed to Maintain LOS	Surplus/Deficit Acreage
2010	11,632	4.25 acres/1,000 population	67.06	49.44	17.62
2015	12,445	4.25 acres/1,000 population	67.06	52.89	14.17
2020	12,556	4.25 acres/1,000 population	67.06	53.36	13.70
2025	12,557 + 188 + 1,830 = 14,575	4.25 acres/1,000 population	67.06	53.37 61.94	13.69 5.12
2030	12,471 + 188 + 1,830 = 14,489	4.25 acres/1,000 population	67.06	53.00 61.58	14.06 5.56
2035	12,461 + 188 + 1,830 = 14,479	4.25 acres/1,000 population	67.06	52.96 61.54	14.10 5.52

Note: The projections for 2025 and beyond include a projection of 188 residents as a result of the recently adopted text amendment that permits the city to increase the residential threshold in the TOC by 20% (103 Mid Rise units x Household size of 1.83 = 188 residents) without amending the County plan. The additional 1830 residents shown is a projection based on this proposed amendment's 1000 Mid Rise units, using a household size derived by the 2020 US Census Data population of 11,426 divided by 6,235 occupied housing units = 1.83 household size. The projected additional residents are added to the population estimates for 2025, 2030 and 2035 contained in the City of Wilton Manors Comprehensive Plan.

- 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.

The amendment does not eliminate any open space or golf course land as defined in the Broward County Land Use Plan.

F. TRAFFIC CIRCULATION ANALYSIS

- 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.

The most recent Broward MPO Level of Service Analysis 2019 spreadsheet provides the 2019 and 2040 Daily and Peak Hour Volume and LOS listed below:

2019 Existing Roadway Conditions & Level of Service Analysis						
Roadway	Number of Lanes	Adopted Peak LOS	2019 Peak Volume	2019 Peak LOS	2019 AADT	2019 AADT LOS
Oakland Park Blvd.						
East of I-95	6	D	6,223	F	65,500	F
East of Andrews Ave	6	D	3,943	D	41,500	D

Source: Broward County Urban Planning and Redevelopment Department, Planning

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

The most recent Broward MPO Level of Service Analysis 2019 spreadsheet provides the 2040 Daily and Peak Hour Volume and LOS listed below.

2040 Projected Roadway Conditions & Level of Service Analysis				
Roadway	2040 ADT	2040 AADT LOS	2040 Peak Hour Volume	2040 Peak Hour LOS
Oakland Park Blvd.				
East of I-95	69,600	F	6,612	F
East of Andrews Ave	53,200	F	5,054	F

Source: Broward County Urban Planning and Redevelopment Department, Planning

Oakland Park Boulevard is a major east-west corridor, and one of the busiest east-west bus routes with 9,000 daily riders. The 2040 Broward County Long Range Transportation Plan identifies the Commitment 2040 project, which will increase the number of buses, add shelters, and bike and pedestrian amenities. \$138.7 million in improvements are planned for the length of the Oakland Park Boulevard corridor. The end goal of this increased bus service is the reduction of traffic congestion on Oakland Park Boulevard and the surrounding system.

3. 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 p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network for the long-range planning horizon.

The amendment to the TOC will promote transit use as well as other multimodal transportation such as walkability and bicycle access. The city has focused on creating land development regulations that promote or require multimodal transportation improvements to lessen the impact on road LOS. Any future impacts from the proposed redevelopment projects would be required to meet the regulations and be addressed at site plan approval.

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

N/A

G. MASS TRANSIT ANALYSIS

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

The Broward County Mass Transit Division operates Broward County Transit (BCT), a fixed-route bus system servicing the residents of the City of Wilton Manors. More specifically, the amendment area is served by east / west Route 72 (Oakland Park Blvd) and north/ south Routes 20, 50, and 60 as shown on the below BCT System Map.

The following headways are currently in place:

- **Route 20 (NE 26th St/NE 15th Ave) operates 7 days a week, operating on a 46-minute headway on Monday – Saturday and a 60-minute headway on Sunday.**

- **Route 50 (Wilton Drive) operates 7 days a week, operating on a 30-minute headway on Monday – Saturday and a 46-minute headway on Sunday.**
- **Route 60 (Andrews Avenue) operates 7 days a week, operating on a 30-minute headway on Monday – Saturday and a 50-minute headway on Sunday.**
- **Route 72 (Oakland Park Blvd) operates 7 days a week, operating on a 15-minute headway on Monday – Saturday and a 20-minute headway on Sunday.**



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

The proposed increase of 1,000 Mid Rise residential units for the Transit Oriented Corridor amendment is 390 PM Peak Hour trips (1,000 x .39). Transit’s share (1.64% of 390 = 6.396) would be 6 additional riders, however, the amendment is expected to generate development that supports the use of transit and increase ridership throughout the City of Wilton Manors.

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.

Name: Mr. Diego B. Munoz
Agency: Broward County Transit Division (Service & Strategic Planning)
Position: Service Planner
Phone: 954-357-8387 Fax: 954-357-8482
Address: 1 North University Drive, Suite 3100-A, Plantation, FL 33324

The mass transit verification letter from Broward County Transit is provided as Exhibit F.

H. PUBLIC EDUCATION

1. Public School Impact Application

A copy of the Public School Impact Application for BCPC to use is included as Exhibit G.

2. Associated Fee, Check Payable to School Board of Broward County

The \$2162 fee required by the School Board has been forwarded to the School Board.

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.

There are no known or registered historic sites in the amendment area.

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

There are no known archaeological sites in the amendment area. This is also confirmed on the 2010 Broward County Land Use Plan Archaeological Sites Map.

- C. Wetlands

According to the 2017 the Broward County Wetlands Map the amendment area contains a Saltwater Swamp wetland area. This 6.79 acre-preserve in Colohatchee Nature Park consists of a mixture of red, white, and black mangrove. The proposed amendment will not impact the preserve and the preserve area will remain intact.

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

According to the 2020 Broward County Land Use Plan: Environmentally Sensitive Lands Map, the amendment area is not within an area designated as a Local Area of Particular Concern. A designated Natural Resource Area is in Colohatchee Park within the TOC.

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

According to the 2015 Broward County Priority Planning Areas Map, Priority Planning Areas have been identified near tidal water bodies at the southern end of the amendment area (south branch of the Middle River) at increased risk of inundation under 2-foot sea level rise scenario, projected to occur as soon as 2060.

- 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.

There are no known endangered species, species of special concern, or commercially exploited species in the amendment area.

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

There are no known plants on the Regulated Plant Index within the amendment area.

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

According to the 2018 Broward County Wellfield Protection Zones & Contaminated Sites Map, the amendment area is not within a wellfield protection zone of influence.

- 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.

The proposed text amendment does not require alteration of soil conditions or topography.

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

The amendment area does not front the ocean 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 6 of this Document.

The proposed amendment requests to add 1,000 additional units to the TOC Land Use Designation. In addition, a recent text amendment related to the TOC and the Wilton Drive Arts & Entertainment (WDAE) zoning district (commercial areas adjacent to Wilton Drive) to permit a maximum density of 60 dwelling units per gross acre, will encourage the development of affordable units in strategic locations that provide residents with access to transportation and mixed uses within walking distance. The Land Development Regulations establish a pool of flexibility units and affordable housing units for use on parcels designated commercial within the Wilton Drive Arts and Entertainment Zoning District and within the TOC.

In 2005, the City enacted an affordable housing program creating an affordable housing fee. That fee is paid at the time of issuance of the building permit and for both residential and non-residential developments within the City. The funds are deposited into the Affordable Housing Trust Fund which is used to fund affordable housing projects within the City. Based on Section 020-0900 of the City’s Unified Land Development Code, the funds are used solely for the following:

- a. **Land Acquisition**
- b. **Professional services**
- c. **Design and construction documents**
- d. **Site development**
- e. **Permitting or application fees**
- f. **Design construction of implementation of affordable housing programs**
- g. **Repayment of City funds used for affordable housing**
- h. **Payment of principal and interest**
- i. **Administration, collection and implementation of the program.**

An example of the implementation of this policy, on September 11, 2018, the City Commission of Wilton Manors allocated 48 flexibility units in connection with applications for site plan and plat approval for 2050 N. Dixie Highway. With the assistance of funding from the City's Affordable Housing Trust Fund (AFHTF), these 48 affordable rental units were completed and are currently occupied. (The current plat note permits another 17 townhouse units that *may* request to utilize the AFHTF).

Proposed TOC Policies that encourage affordable housing opportunities include:

- a. Policy 12.1 - encourages mixed uses and discourages buildings used exclusively for residential use; mixed uses provide increased opportunities for the provision of affordable housing
- b. Policy 12.17 – proposes strategies to encourage opportunities for affordable housing, such as zero lot line developments

The Comprehensive Plan contains numerous policies regarding opportunities for increasing the supply of affordable housing within the City:

Housing Element

- Policy 1.1. Conduct reviews every five (5) years of the City's Unified Land Development Regulations to ascertain their effectiveness in meeting the City's objective of housing diversity.
- Policy 1.2. The City shall periodically review the Future Land Use Map and Zoning Map to ensure that a sufficient number of sites have been allocated at sufficient densities to accommodate the need for affordable housing.
- Policy 1.3. Consistent with the Plan Implementation Requirements section of the City's Comprehensive Plan and the "Administrative Rules Document: Broward County Land Use Plan," the City may rearrange the residential densities shown on the City's Future Land Use Map utilizing "flexibility units" and/or "redevelopment units." The City shall continuously update the inventory of available "flexibility units."
- Policy 1.4. The City shall provide ongoing review and amend the Unified Land Development Regulations and other development-related codes as needed to ensure that all development standards for residential-zoning districts, including those related to size, density and permitted uses, do not preclude construction of adequate housing units, including manufactured housing, to meet the need for affordable housing for very low, low, and moderate income households.
- Policy 1.6. The City shall support Broward County's efforts to provide satisfactory living conditions for the homeless and its programs to assist the homeless in locating housing.
- Policy 1.7. The City shall utilize funds from its Affordable Housing Trust to support the development of affordable housing units within the City.
- Policy 1.9. The City shall work with regional partners to provide affordable housing, and quantifiably treating affordable housing as infrastructure, to the extent that the cost of affordable housing is factored into proposed developments that create a need for affordable housing.
- Policy 1.10. The City shall locate affordable housing in areas that are accessible to employment centers, family support systems, shopping, public transportation and recreational facilities as a strategy to lower transportation costs and increase the available income to pay for housing.
- Policy 1.11. The City shall support partnerships between public, private and non-profit entities that would create new affordable housing in the City through the utilization of affordable housing flex units or other available incentives as provided for in the Broward County Land Use Plan.
- Policy 1.12. The City shall develop standards in its Unified Land Development Regulations which require an affordable housing component in all mixed-use projects.

- **Policy 1.13. The City’s Unified Land Development Regulations shall continue to provide for a range of densities and housing product types to increase the diversity of housing choices and mix of income levels.**

8. 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.

The proposed text amendment is consistent with goals, objectives, and policies of the Transit Oriented Corridor land use category to facilitate mixed use development with access to transit stations or stops along existing and planned high performance designated transit service corridors. It also supports the purpose of the Urban Center Mixed Use zoning districts to encourage and facilitate the development of a mixture of uses within a safe and convenient walkable environment that supports all modes of transportation. Mixed use residential uses are a principal component of both the TOC and the WDAE.

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.

The amendment area is not within a hurricane evacuation zone as identified by the Broward County Emergency Management Division. Therefore, a hurricane evacuation analysis is not applicable.

10. REDEVELOPMENT ANALYSIS

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

The amendment site is not located in an officially identified community redevelopment area. However, in 2016, the city adopted a 2016-2021 Economic Development Strategic Plan that identifies the subject area, including the Wilton Drive Arts & Entertainment District and the Transit Oriented Corridor districts, for redevelopment opportunities. It is anticipated that the proposed addition of 1,000 residential units in the TOC land use category will encourage redevelopment, and the recently adopted text amendment to allow for a maximum of 60 residential dwelling units per gross acre, in the WDAE and TOC Zoning Districts land use designation will help facilitate the development of affordable housing units in strategic locations.

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.

The proposed text amendment affects the Transit Oriented Corridor land use designation which is adjacent to the City of Oakland Park (across the North Fork of the Middle River) and the City of Fort

Lauderdale (across the South Fork of the Middle River). Notice has been made to the respective City Clerks, and documentation is provided in Exhibit G.

12. **PUBLIC OUTREACH**

Describe how the applicant and/or local government notified and coordinated with adjacent property owners, master associations, homeowner associations, etc.

The proposed amendment, in accordance with State requirements and municipal code of ordinances, was advertised in the Sun Sentinel on June 2, 2022, advertised in the Sun Sentinel on August 16, 2022, and a notice was mailed to all property owners in the entire city post marked August 16, 2022.

13. **CONSISTENCY WITH HIGHLIGHTED REGIONAL ISSUES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN**

The highlighted regional issues of the County's Plan are discussed in context of the proposed amendment below:

Climate Change Resilience The City has recently adopted a number of changes within the Unified Land Development Regulations (ULDR) with respect to resiliency. Although the subject area is not within a hurricane evacuation zone, redevelopment in these areas will need to meet modern hurricane-resistant building codes and base flood elevations, making them more resilient to hurricane wind damage than older buildings. The TOC is a transit-oriented area featuring supports multimodal transport and the WDAE facilitates a mixed-use, walkable environment. This reduced reliance on individual vehicles results in lower greenhouse gas emissions than traditional suburban developments. The proposed text amendment specifically implements the following County strategies:

- **STRATEGY CCR-1: Mitigate the effects of climate change by reducing greenhouse gas emissions by 2% per year.**
- **STRATEGY CCR-2: Increase the resilience of our community to the effects of climate change.**

Targeted Redevelopment - The area designated as TOC is an identified major transit corridor and planned transit hub as well as a regional activity center due to its proximity to the FEC railroad tracks which have been targeted by the South Florida Regional Transportation Agency (SFRTA) as a potential location for a commuter rail connection. This amendment specifically implements the following County strategy:

- **STRATEGY TR-1: Prioritize new development and redevelopment to existing and planned downtowns and major transit corridors and transit hubs.**

Multi-Modal – The area designated TOC is an identified major transit corridor and planned transit hub for potential passenger rail service along the FEC Railroad. Broward County Transit also provides bus service through the area along Andrews Avenue, Wilton Drive, and Oakland Park Boulevard. This text amendment recognizes the transportation and housing connection by attempting to add additional residential units, and cluster higher density development, to help support the desired level of nonresidential development in the area. It supports the County's objective to strategically direct new growth and redevelopment to mixed use activity areas such as downtowns and along major corridors which offer multimodal connections and cost-effective infrastructure investments to accommodate full access to housing, jobs, local businesses, and community services. This amendment specifically implements the following County strategy:

- STRATEGY MM-2: Recognize and address the transportation and housing connection.

World-Class Natural Resource Protection and Enhancement – This amendment protects natural resources by directing growth away from environmentally sensitive areas and other vulnerable areas to centralized mixed-use and transit-oriented districts that utilize existing infrastructure. This amendment specifically 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 – This amendment promotes affordable housing by encouraging mixed-use development and fostering of affordable housing opportunities. The City established an Affordable Housing Program in 2005 which is funded through impact fees collected from renovations and new construction. Pursuant to Policy 1.7 of the Housing Element of the City’s Comprehensive Plan, Wilton Manors may utilize funds from its Affordable Housing Trust to support the development of affordable housing units within the City. The recently opened Pride Center’s Residences at Equality Park provides 48 affordable housing units.

- STRATEGY AH-2: Support private, non-profit, and governmental sector development of housing which utilizes construction techniques affording significant costs savings, while meeting the Florida Building Codes, including resiliency to hurricane-level storms.
- STRATEGY AH-3: The Broward County Land Use Plan shall include an Affordable Housing Density Bonus Program, including promoting a supply of smaller, traditionally affordable units, such as efficiency/studio occupancy units.

Disaster Planning and Post-Disaster Redevelopment – The proposed text amendment will assist in directing growth away from hurricane evacuation areas. This amendment 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 – This amendment is consistent with the County’s strategy to allow municipalities to rearrange land uses to address local land use planning issues without the need for County Commission approval through the “Flexibility Zone” and “Flexibility Rules” concept. Broward Next Policy 2.4.1 allows a municipality to increase their maximum development within an area designated as “Activity Center” on the Broward County Land Use Plan by 20%, or 500 units, whichever is less, once every five years (beginning in 2017) via a local land use plan amendment and recertification by the Broward County Planning Council. The proposed text amendment to add an additional 1,000 residential units to the TOC complies with this policy. This amendment implements the following County strategy:

- STRATEGY IG-2: Enable municipalities to modify their land use plans to address municipal-level issues without the need for County approval.

14. **ADDITIONAL SUPPORT DOCUMENTS**

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

- **The accompanying Comprehensive Plan text amendment is provided as H.**

B. Any proposed voluntary mitigation or draft agreements.

Not applicable.

15. PLAN AMENDMENT COPIES

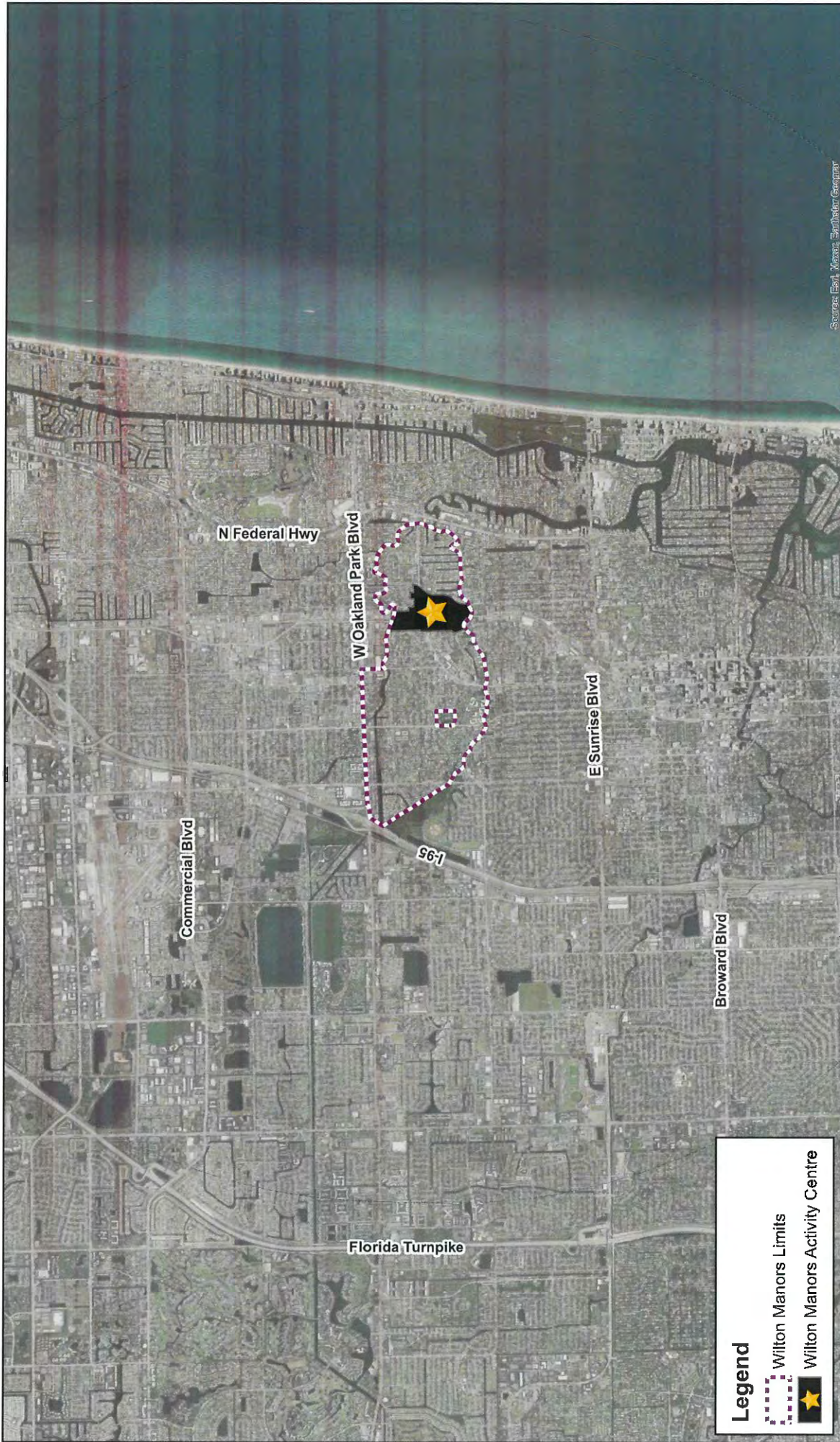
A. 15 copies (minimum of 3 hard copies and the remainder may be digital copies) for the BCPC (Please include additional copies if amendment site is adjacent to other municipalities and/or county jurisdictions). Additional copies may be requested by the Planning Council Executive Director after the initial application submittal.

Requisite number of copies attached.

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

The requisite number of copies are attached.

EXHIBIT A
GENERAL LOCATION MAP





Source: Esri, Maxar, Earthstar, GeoEye



Exhibit A - Location Map

Legend

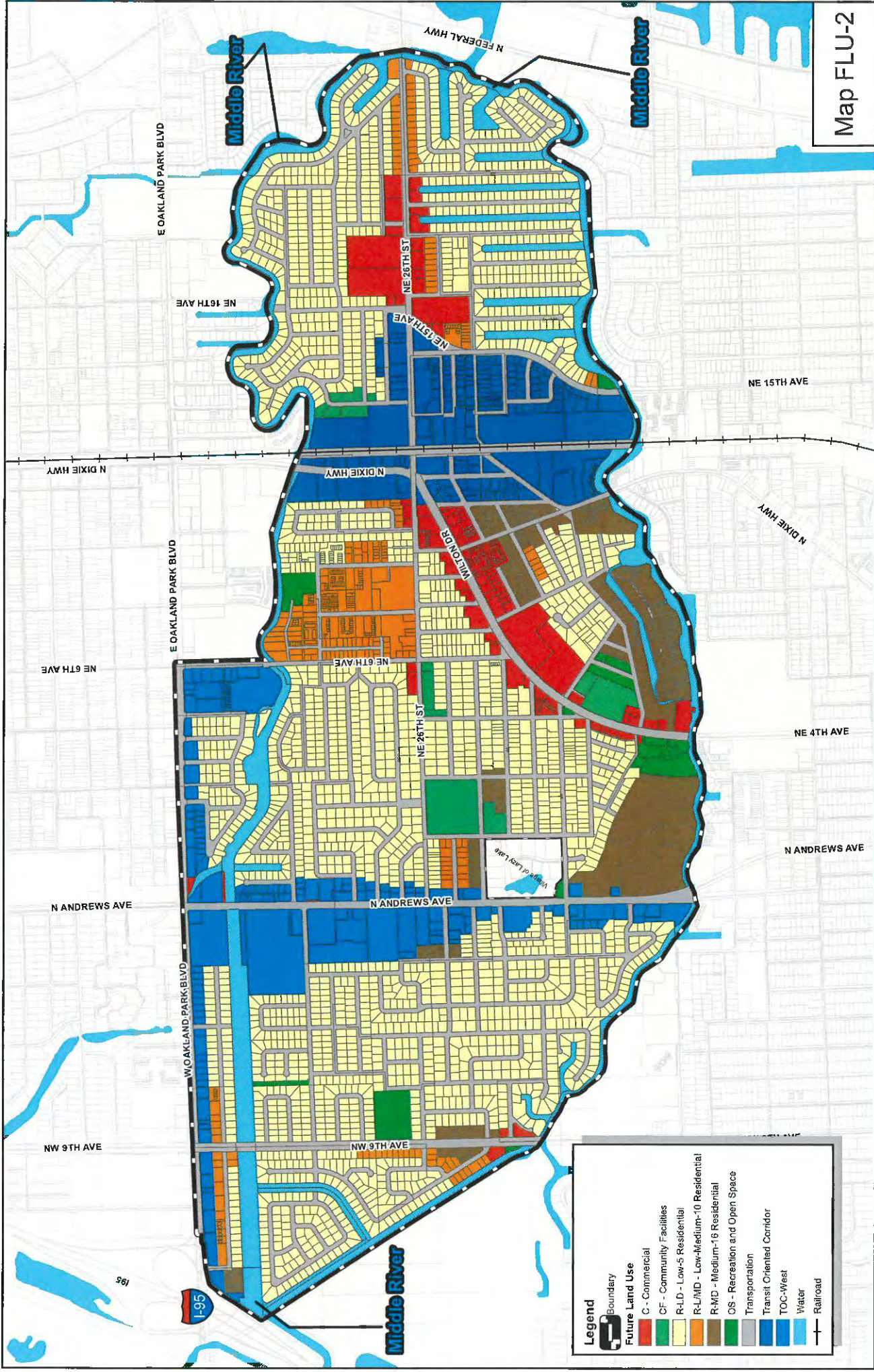
-  Wilton Manors Limits
-  Wilton Manors Activity Centre



1 inch = 4,000 feet



EXHIBIT B
CITY OF WILTON MANORS FUTURE LAND USE
PLAN MAP
AND
BROWARD COUNTY FUTURE LAND USE PLAN MAP



Map FLU-2


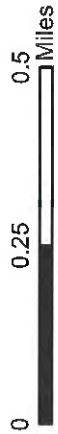
Map Date: 5/17/2022



Produced and maintained by the CGA
Geographic Information Systems Services



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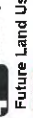
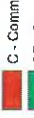
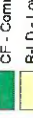
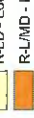

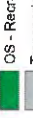
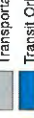
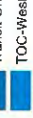



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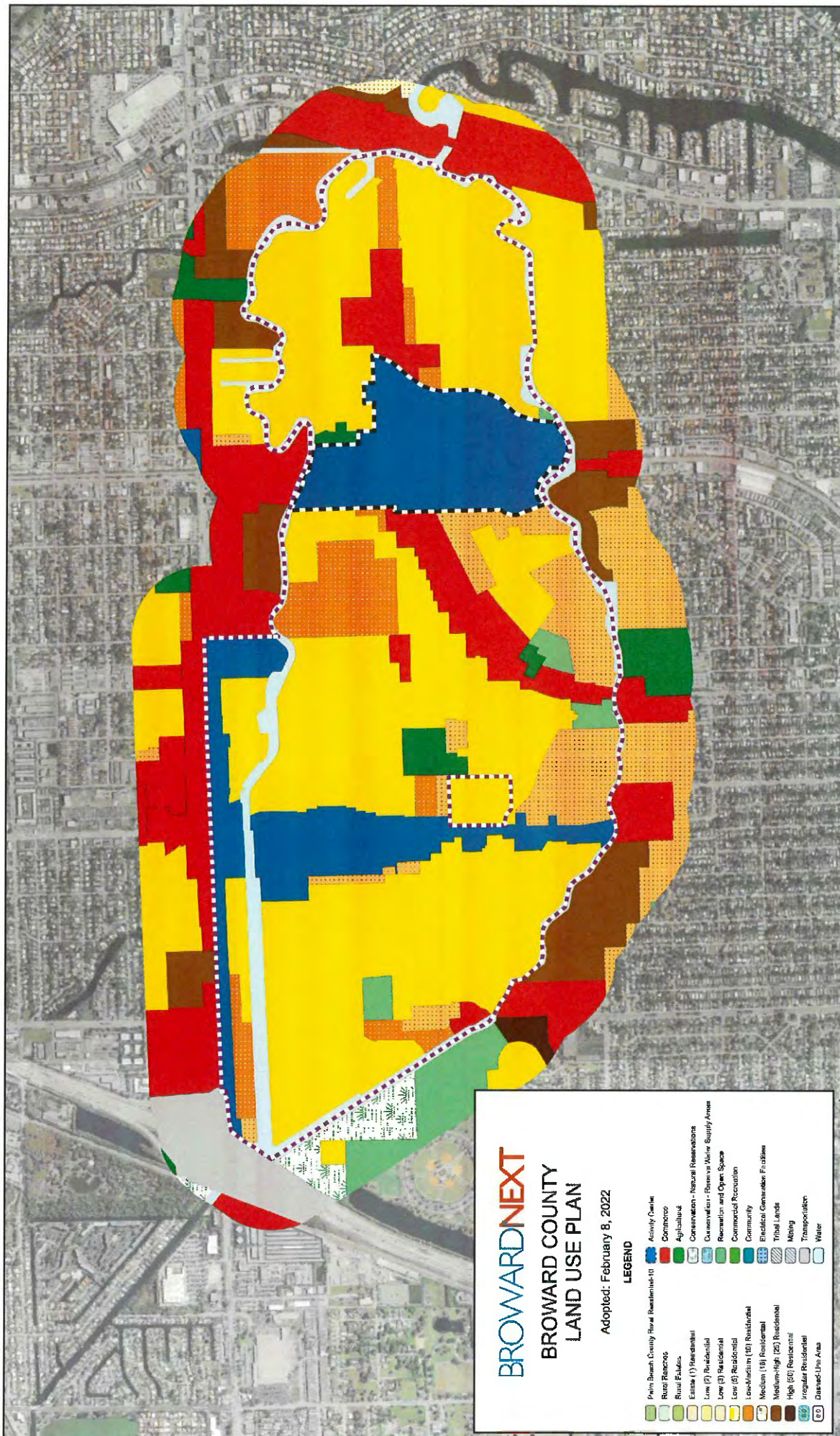
Source: Broward County &
The City of Wilton Manors

City of Wilton Manors TOC Additional 1000 DU Text Amendment



Legend

-  Boundary
-  Future Land Use
-  C - Commercial
-  CF - Community Facilities
-  R-LD - Low-Density Residential
-  R-LMD - Low-Medium-Density Residential
-  R-MD - Medium-Density Residential
-  OS - Recreation and Open Space
-  Transportation
-  TOC-West
-  Water
-  Railroad



BROWARDNEXT
BROWARD COUNTY
LAND USE PLAN

Adopted: February 8, 2022

LEGEND

- Palm Beach County Rural Residential-10
- Rural Reservoir
- Rural Farmland
- Estate (1) Residential
- Low (2) Residential
- Low (3) Residential
- Low (4) Residential
- Low-Density (10) Residential
- Medium (18) Residential
- High (20) Residential
- Irregular Residential
- Dismantled-Low Area
- Activity Center
- Commerce
- Agricultural
- Conservation - Natural Reservations
- Conservation - Forests and Active Supply Areas
- Recreation and Open Space
- Commercial Recreation
- Community
- Electrical Generation Facilities
- Tribal Lands
- Mining
- Transportation
- Water



1 inch = 1,200 feet



Exhibit B - Future Land Use Plan
for Wilton Manors Activity Center Text Amendment



EXHIBIT C
SANITARY SEWER, POTABLE WATER LETTER



June 17, 2022

James Hickey
Calvin, Giordano & Associates,
1800 Eller Drive, Suite 600,
Fort Lauderdale, Florida 33316

Subject: **WATER AND WASTEWATER REGIONAL CAPACITY AVAILABILITY LETTER
City of Wilton Manors Land Use Amendment Transit Oriented Corridor
Additional 1000 Dwelling Units**

Dear Mr. Hickey,

According to the information submitted, the proposed land use amendment for the City of Wilton Manors consists of additional 1,000 mid-rise units within the Transit Oriented Corridor (TOC). Comparing the total current entitlements demand against the total proposed entitlements demand results in an increase of 185,769 gallons per day (GPD) or 0.186 million gallons per day (MGD) for water, and 140,875 GPD or 0.141 MGD for wastewater.

The City of Fort Lauderdale provides treatment for the water and sanitary sewer services to the City of Wilton Manors and would need to have ample regional capacity at the treatment plants to support this potential increase in flow resulting from increased intensities from the underlying land uses.

The Fiveash and the Peele Dixie Water Treatment Plants are designed to treat 70 MGD and 12 MGD of raw water respectively (82 MGD total). The total permitted Biscayne aquifer water withdrawals for these plants is limited to 52.55 MGD per the South Florida Water Management District (SFWMD) permit number 06-00123-W.

The current twelve-month rolling average production at the two plants is 38.66 MGD. The previously committed demand from the development projects in the permitting or the construction stage is 4.78 MGD. Combining these figures with the demand from the proposed land use amendment of 0.186 MGD, the required production would be 43.63 MGD. This is less than the allowable withdrawal limit of 52.55 MGD, thus, the water treatment plants have enough capacity to serve this proposed increase (see Figure 1).

The Broward County's Environmental Protection and Growth Management Department's (EPGMD) Environmental Licensing & Building Permitting Division's licensed capacity for GTL is 48 MGD Annual Average Daily Flow (AADF). The current AADF to the plant is 41.82 MGD. Combining the committed flows for previously approved projects of 4.62 MGD plus the 0.14 MGD net contribution from the project results in a total projected flow of 46.58 MGD. This is less than the permitted treatment plant capacity of 48 MGD, thus, the wastewater treatment plant has enough capacity to serve this project (see Figure 2).

PUBLIC WORKS DEPARTMENT

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301
TELEPHONE (954) 828-5772, FAX (954) 828-5074

WWW.FORTLAUDERDALE.GOV





The City of Fort Lauderdale is not responsible for availability of water capacity downstream of the master meter inter-connects nor the availability of sewer capacity upstream of the master meter inter-connects. Availability of local capacity within the City of Wilton Manors municipal boundary shall be evaluated by the City of Wilton Manors.

The determination of capacity availability is based upon tools and data analysis as of the date of this letter. Should you have any questions or require any additional information, please contact me at (954) 828-5862.

Sincerely,

Igor Vassiliev, P.E.
Project Manager II

Enclosures: Water and Wastewater Capacity Analysis

cc: Alan Dodd, P.E., Public Works Director
Talal Abi-Karam, P.E., Assistant Public Works Director
Omar Castellon, P.E., Chief Engineer
Daniel Rey, P.E., Land Development Manager
File: Water and Sewer Capacity Letters



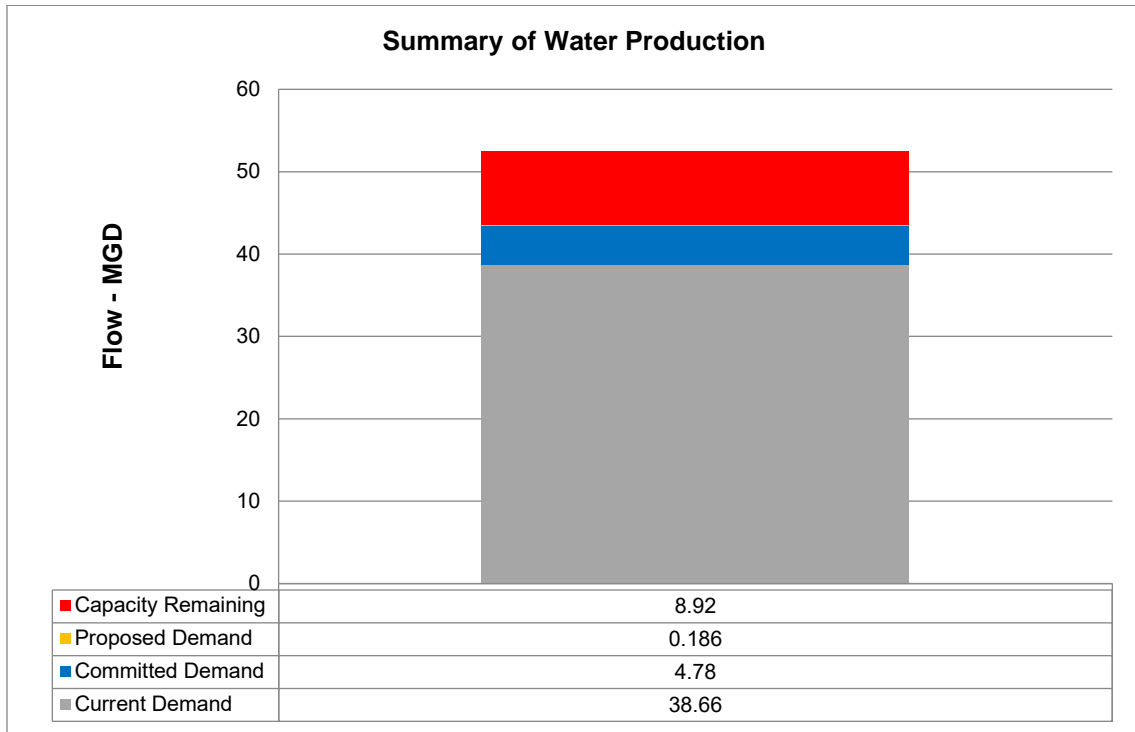


Figure 1

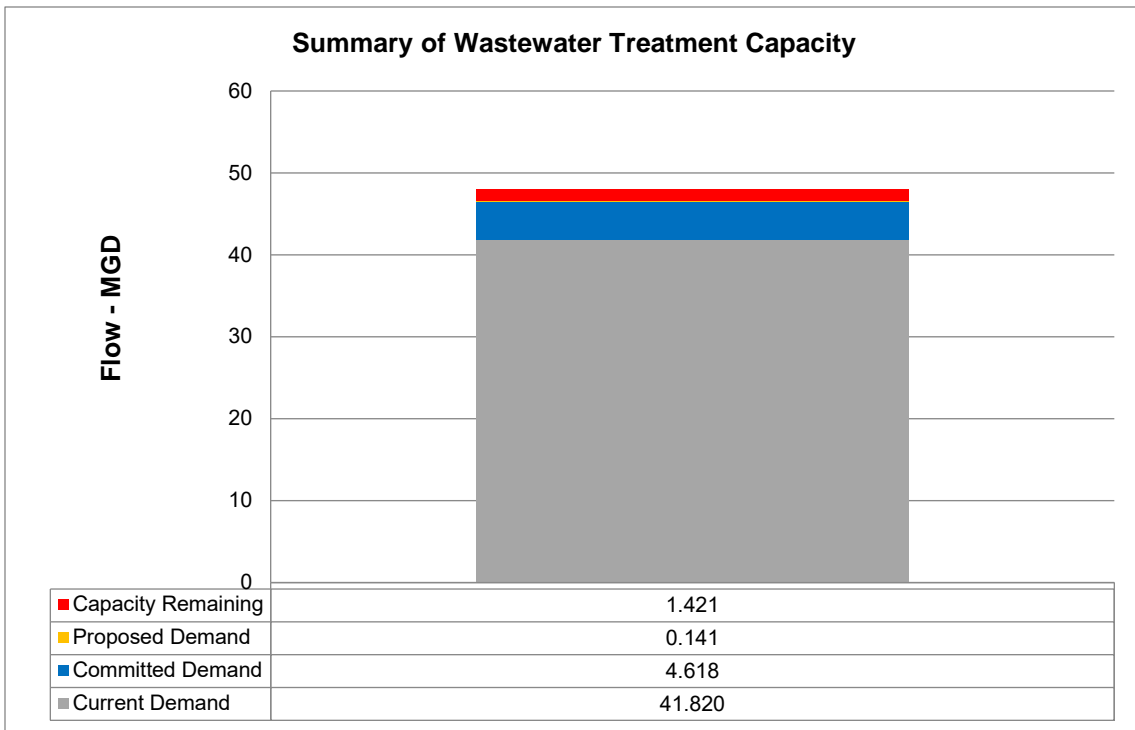


Figure 2





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Landscape Architecture
Planning
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& Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

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Suite 600
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33316
954.921.7781 phone
954.921.8807 fax

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May 17, 2022

Mr. Igor Vassiliev, P.E.
Project Manager II
City of Fort Lauderdale
Public Works
700 N.W. 19th Ave., Fort Lauderdale, FL 33311
Office: 954-828-5862
Email: ivassiliev@fortlauderdale.gov

**RE: City of Wilton Manors TOC Text Amendment (Additional 1000
Mid Rise Units)
CGA #17-9589.6**

Dear Mr. Vassiliev:

As consultants for the City of Wilton Manors, we are processing a land use plan amendment which would permit an additional 1000 mid-rise units within the City of Wilton Manors Transit Oriented Corridor (TOC). Please enclosed map for location of the TOC (dark blue color).

As part of the submittal, we are required to obtain a verification letter of the water and sewer analysis attached to this letter. As the provider for the City of Wilton Manors, we look forward to the City of Fort Lauderdale's prompt review and response.

If you have any question please do not hesitate to contact me via email jhickey@cgasolutions.com or via phone (954) 921-7781.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Hickey, AICP
Director of Planning

EXHIBIT D
SOLID WASTE LETTER



**Waste Management Inc. of
Florida** 1800 N. Military Trail,
Suite 201 Boca Raton, FL 33431

June 22, 2022

James Hickey
Director of Planning
Calvin, Giordano & Associates, Inc.
1800 Eller Drive
Suite 600
Fort Lauderdale, FL 33316

Re: City of Wilton Manors TOC Text Amendment (1000 Additional Mid Rise Units), CGA #17-9589 / WM Confirmation of Capacity to Accommodate Increased Solid Waste

Dear Mr. Hickey,

By way of this letter, WM confirms that the solid waste re-analysis in the above-referenced land-use plan amendment application for the City of Wilton Manors meets our ability as the City's hauler to accommodate the increased solid waste generated by the amendment. WM will have sufficient capacity to support the development of the additional units as proposed in this project for the City of Wilton Manors.

Should you have any questions or require additional information, please feel free to contact me at bherrera@wm.com or at 954-856-7192.

Best of luck with the proposed project!

Sincerely,

A handwritten signature in blue ink that reads "Barbara Herrera".

Barbara Herrera
Government Affairs Manager
Waste Management Inc. of Florida
M: 954-856-7192
bherrera@wm.com

From: Robert Hely <rhely@win-waste.com>
Sent: Friday, May 27, 2022 7:58 AM
To: Hoyt Holden <Hoyt@cgasolutions.com>
Cc: jsiegel@wm.com; James Hickey <Jhickey@Cgasolutions.com>
Subject: Re: Wilton Manors Land Use Plan Amendment

On behalf of Win-waste innovations, formerly Wheelabrator Technologies, we concur with your solid waste analysis. As the city's solid waste processor, we have ample capacity to process the additional solid waste anticipated to be generated by your proposed development project and this development will have no adverse impact on our facilities operations at our waste to energy facility located at 4400 South State Road 7 in Fort Lauderdale.

Sent from my iPhone

From: Hoyt Holden <Hoyt@cgasolutions.com>

Sent: Thursday, May 26, 2022 11:49 AM

To: Herrera, Barbara <bherrera@wm.com>

Cc: Joanne Maglietta <JMaglietta@cgasolutions.com>; James Hickey <Jhickey@Cgasolutions.com>

Subject: [EXTERNAL] Wilton Manors TOC land use plan amendment (1000 additional DU)

Hi Barbara. Please see attached email sent to Jodie last week. We are requesting a confirmation letter of our solid waste re-analysis for a proposed land use plan amendment and that WM has the capacity to accommodate the increased solid waste generated by the amendment. Jodie has issued these letters for prior amendments so if you need a sample, just let me know and I will send one of her prior letters. Thanks.

Hoyt Holden, AICP

Planning Manager



Calvin, Giordano & Associates, Inc. - a SAFEbuilt Company

1800 Eller Drive | Suite 600 | Fort Lauderdale, FL 33316

Office: 954.921.7781 | Direct: XXX.XXX.XXXX | Fax: 954.921.8807

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954.921.8807 fax

www.cgasolutions.com

May 17, 2022

Ms. Jodie Siegel
Public Sector Solutions/Government Affairs
Waste Management Inc. of Florida

jsiegel@wm.com

T: 954.991.5040

C: 954.234.5179

2380 College Avenue
Davie, FL 33317

**RE: City of Wilton Manors TOC Text Amendment (1000 Additional
Mid Rise Units)
CGA #17-9589.6**

Dear Ms. Siegel:

As consultants for the City of Wilton Manors, we are processing a land use plan amendment which will permit an additional 1000 mid-rise units within the City of Wilton Manors Transit Oriented Corridor (TOC). Please see enclosed map for the location of the TOC (dark blue area).

As part of the submittal, we are required to obtain a verification letter of the Solid Waste Analysis as attached herein. As the provider for the City of Wilton Manors, we look forward to your prompt review and response.

If you have any question please do not hesitate to contact me via email jhickey@cgasolutions.com or via phone (954) 921-7781.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Hickey, AICP
Director of Planning



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May 17, 2022

Mr. Bob Hely
Wheelabrator Technologies
4400 S. State Road 7
Fort Lauderdale, Florida
Rhely@wtienergy.com
(954)581-6606

**RE: City of Wilton Manors TOC Text Amendment (1000 Additional
Mid Rise Units)
CGA #17-9589.6**

Dear Mr. Hely:

As consultants for the City of Wilton Manors, we are processing a land use plan amendment which will permit an additional 1000 mid-rise units within the City of Wilton Manors Transit Oriented Corridor (TOC). Please see enclosed map for the location of the TOC (dark blue color).

As part of the submittal, we are required to obtain a verification letter of the Solid Waste Analysis as attached herein. As the facility provider for the City of Wilton Manors, we look forward to your prompt review and response.

If you have any question please do not hesitate to contact me via email jhickey@cgasolutions.com or via phone (954) 921-7781.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Hickey, AICP
Director of Planning

EXHIBIT E
DRAINAGE LETTER

June 30, 2022
Revised July 12, 2022

Mr. David Archacki
Emergency Management/Utilities Department
City of Wilton Manors
2020 Wilton Drive
Wilton Manors, FL 33305

Subject:*City of Wilton Manors Transit Oriented Corridor (TOC)
1,000 Additional Mid Rise Units, Verification of Drainage Analysis*

Dear David,

As the engineering firm who prepared the City's *Water, Wastewater & Stormwater Integrated Master Plan Report* dated January 2020; and in response to your request for verification of the Drainage Analysis for the City of Wilton Manors Transit Oriented Corridor (TOC), we agree to the statements made in Section D, Drainage Analysis of the *Text Amendment to the City of Wilton Manors & Broward County Comprehensive Plans*, prepared by Calvin Giordano & Associates, Inc., dated May 17, 2022, are correct.

Please contact me if you have any questions.

Sincerely,

Baxter and Woodman, Inc.



Rebecca Travis, P.E.
Executive Vice President /Florida Division Manager

Cc: Bert Fisher – Wilton Manors
P:\WLTMC\221410.80-LUPA 1000 DU Service Ltr\Verification Ltr 1000 DU TOC Revised



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33316
954.921.7781 phone
954.921.8807 fax

www.cgasolutions.com

May 17, 2022

Mr. David J Archacki
Director, EM/Utilities
darchacki@wiltonmanors.com
(954) 390-2190

**RE: City of Wilton Manors TOC Text Amendment (1000 Additional
Mid Rise Units)
CGA #17-9589.6**

Dear Mr. Archacki:

As consultants for the City of Wilton Manors, we are processing a land use plan amendment which would permit an additional 1000 mid-rise units within the City of Wilton Manors Transit Oriented Corridor (TOC). Please see enclosed map for the location of the TOC (dark blue area).

As part of the submittal, we are required to obtain a verification letter of the Drainage Analysis as attached herein. As the facility provider for the City of Wilton Manors, we look forward to your prompt review and response.

If you have any question please do not hesitate to contact me via email jhickey@cgasolutions.com or via phone (954) 921-7781.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Hickey, AICP
Director of Planning

EXHIBIT F
MASS TRANSIT LETTER



Transportation Department

TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

VIA EMAIL

June 23, 2022

James Hickey, AICP
Director of Planning
CALVIN, GIORDANO & ASSOCIATES, INC.
1800 Eller Drive
Suite 600
Fort Lauderdale, FL 33315

RE: City of Wilton Manors TOC Text Amendment (Additional 1000 Mid Rise Units) LUPA

Dear Mr. Hickey:

Broward County Transit (BCT) has reviewed your correspondence dated May 20, 2022, regarding the City of Wilton Manors TOC Text Amendment (Additional 1000 Mid Rise Units) Land Use Plan Amendment (LUPA) of the property located in the City of Wilton Manors for current and planned transit service. The transit service provided within a quarter mile of the amendment site is limited to BCT Routes 20 and 50. Please refer to the following table for detailed information.

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
20	Weekday	5:00a-9:57p	50 minutes
	Saturday	6:00a-9:15p	50 minutes
	Sunday	9:40a-7:50p	45 minutes
50	Weekday	5:15a-11:14p	35 minutes
	Saturday	5:15a-10:52p	37 minutes
	Sunday	7:35a-9:26p	50 minutes

BCT can accommodate additional transit demand, as described in the Mass Transit Analysis, with planned fixed route bus service to the amendment site.

As part of the 30 year, one-cent surtax for transportation, BCT will be implementing fixed route bus improvements, including shorter headways and increased span of service on weekdays and weekends. The development of subject property will support the utilization of mass transit by increasing the employment opportunities along an existing transit route. The proposed development will provide safe circulation routes for pedestrians and bicycles including transit connectivity between existing sidewalks and proposed future bus stops.



Transportation Department

TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

Please be advised that the needs of any existing or future bus stops located adjacent or within the amendment site will be addressed during the project's development review process.

Please feel free to call me at 954-357-8387 or email me at Lurodriguez@broward.org if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis F. Rodriguez", written over a horizontal line.

Luis F. Rodriguez
Service Planner
Service and Strategic Planning – Broward County Transit



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May 17, 2022

Mr. Diego B. Munoz
Service Planner
Broward County Transit Division
Service and Strategic Planning
1 N University Drive, Suite 3100A
Plantation, Florida 33324
Dimunoz@broward.org

**RE: City of Wilton Manors TOC Text Amendment (Additional 1000
Mid Rise Units)
CGA #17-9589.6**

Dear Mr. Munoz:

As consultants for the City of Wilton Manors, we are processing a land use plan amendment which would permit an additional 1000 mid-rise units within the City of Wilton Manors Transit Oriented Corridor (TOC). Please see enclosed map for the location of the TOC (dark blue area).

As part of the submittal, we are required to obtain a verification letter of the Mass Transit Analysis (see attached). As the provider for the City of Wilton Manors, we look forward to the County's prompt review and response.

If you have any question please do not hesitate to contact me via email jhickey@cgasolutions.com or via phone (954) 921-7781.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

James Hickey, AICP
Director of Planning

CC: Tara T. Crawford, AICP Senior Planner, Broward County Transit Division, tacrawford@broward.org 954-357-8381

**EXHIBIT G
PULBIC SCHOOL IMPACT APPLICATION**

This application will be submitted to BCPC with the City of Wilton Manors transmittal of the amendment to BCPC. BCPC will coordinate the submittal of the Public School Impact Application. Wilton Manors will provide the \$2,162 fee as part of the transmittal to BCPC.

PUBLIC SCHOOL IMPACT APPLICATION

The School Board of Broward County, Florida

Growth Management Section

Facility Planning and Real Estate Department

600 SE 3rd Avenue, 8th Floor, Fort Lauderdale, FL 33301 Phone: 754-321-2177, Fax: 754-321-2179

www.browardschools.com

GENERAL PROJECT INFORMATION

APPLICATION TYPE

Land Use DRI Rezoning Flex/Reserve Allocation Plat Site Plan

FOR INTERNAL USE ONLY

School Board Number

County Project Number City Project Number

Project Name

Has this project been previously submitted (since Feb. 01, 2008)? No If yes, provide the SBBC Number

Application Fee Amount Due/Paid* Is proof of Payment attached? Yes

Check No. Online Payment Order No. (if applicable)

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

PROJECT LOCATION AND SIZE

Section Township Range

General location of the project Side of

at/between and

Area Acreage Jurisdiction

APPLICANT INFORMATION

Owner's Name Phone

Address City State Zip

Developer/Agent

Address City State Zip

Phone Fax Number

Agent's E-mail

DEVELOPMENT DETAILS

Land Use Designation Existing Proposed

Zoning Designation Existing Proposed

PERMITTED					PROPOSED			
Residential Type	Total Units	Built Units	Bedroom Mix	Un-built Units	Bedroom Mix	Residential Type	Number of Units	Bedroom Mix
Single Family			___ 3 BR or Less ___ 4 BR or >		___ 3 BR or Less ___ 4 BR or >	Single Family		___ 3 BR or Less ___ 4 BR or >
Townhouse/ Duplex/ Villa			___ 1 BR or Less ___ 2 BR ___ 3 BR or >		___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Townhouse/ Duplex/ Villa		___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Garden Apartment			___ 1 BR or Less ___ 2 BR ___ 3 BR or >		___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Garden Apartment		___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Mid Rise			___ 1 BR or Less ___ 2 BR or >			Mid Rise	6,279	___ 1 BR or Less ✓ ___ 2 BR or >
High Rise	279					High Rise		
Mobile Home			___ 2 BR or Less ___ 3 BR or >		___ 2 BR or Less ___ 3 BR or >	Mobile Home		___ 2 BR or Less ___ 3 BR or >
Total	279					Total	6,279	

Does this project include a non-residential development?

If yes, please describe other proposed uses

VESTED RIGHTS/EXEMPTION INFORMATION

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

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

* Supporting documentation is required

Signature of Applicant/Agent: 

Date: November 8, 2022

Please attach a survey of the project site
 NOTE: 30-Day review period only commences upon a determination of completeness by School District Staff. Applicant submitting a plat application must include an official letter containing plat name and municipal project number and must indicate that the plat has been approved or accepted by the municipality
 ALL APPLICANTS MUST SUBMIT THE APPLICATION TO THE 8th FLOOR

EXHIBIT H
COPY OF AMENDED TEXT LANGUAGE IN
COMPREHENSIVE PLAN



Life's Just Better Here

CITY OF WILTON MANORS

COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

GOALS OBJECTIVES AND POLICIES



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™

~~June 22, 2021~~ June 2022

I. Future Land Use Element

Goals, Objectives and Policies

Introduction

The primary purpose of the Future Land Use Element is to create the physical framework of the City by establishing the classification, spatial distribution, relationship, balance, and density/intensity of land uses.

Pursuant to the requirements of the Broward County Charter the Future Land Use Element must be consistent with the *Broward County Land Use Plan*. Consistency is confirmed by certification of the City's Future Land Use Element with the County plan by the Broward County Planning Council.

Goal

To ensure that the City maintains viable and attractive residential areas with quality recreation and a balanced supply of commerce to meet the needs of the residents and other commercial and industrial activities and to ensure that quality new development, infill, redevelopment, revitalization, and reuse occurs in Wilton Manors.

Objective 1

Future development and redevelopment will be controlled through the adoption and enforcement of land development regulations.

Policy 1.1

Continue to review and amend the Unified Land Development Regulations as necessary to implement the adopted Comprehensive Plan as amended and, at a minimum, to:

- a. Regulate the subdivision of land to ensure the general health, safety and welfare of the public is protected by evaluating the proposed land division against standards contained in the development codes.
- b. Regulate the use of land consistent with this Element and ensure the compatibility of adjacent land uses through buffering provisions or setback requirements; and the proper design, buffering and location of solid waste and recycling containers.
- c. Ensure that existing recreation, open space and conservation areas are preserved.
- d. Regulate the size and placement of signage to ensure consistency with the City's character and historic development and with infill, redevelopment, revitalization, and reuse initiatives.
- e. Ensure that development orders and permits shall not be issued which result in a reduction of the level of services for the affected public facilities below the Level of Service Standards adopted in this Comprehensive Plan.
- f. Ensure that areas identified as being subject to seasonal and periodic flooding are addressed.

- g. Ensure that prior to plat approval, the public facilities and services necessary to meet the Level of Service Standards established within the City's Comprehensive Plan will be available concurrent with the impacts of development, consistent with Chapter 163.3202(g) Florida Statutes and the Concurrency Management policies included within Objective 3 of the Capital Improvements Element.
- h. Ensure that right-of-way sufficient to meet the requirements of the Broward County Trafficways Plan is conveyed to the public by deed, easement or other legal means at the time of plat recordation.
- i. Ensure that the transportation corridors identified on the Broward County Trafficways Plan are protected by not issuing building permits or development orders for construction within identified rights-of-way.
- j. Regulate the use of industrial land to minimize potential adverse impacts including noise, vibration, air pollution, glare, heat, solid waste, fire and explosion.

Policy 1.2

Residential development shall be consistent with the following density and intensity standards:

- a. Low (5) Residential - up to 5.0 residential units per gross acre;
- b. Low-Medium (10) Residential - 5.1 to 10.0 residential units per gross acre;
- c. Medium (16) Residential - 10.1 to 16.0 residential units per gross acre;
- d. Medium-High (25) Residential - 16.1 to 25.0 residential units per gross acre;
- e. Commercial –
 - a. Properties fronting Wilton Drive and within Arts and Entertainment Zoning District – maximum of 60 residential units per gross acre;
 - b. All other commercial areas shall have a maximum of 25 residential units per gross acre;
- f. TOC and TOC-W – maximum of 60 residential units per gross acre;
- g. Double the maximum number of dwelling units for hotel units and Special Residential Facility Category (3) development shall count as one (1) dwelling unit per every two (2) sleeping rooms regardless of the number of kitchens or baths per gross acre. Special Residential Facility Category (3) is defined as (a) any housing facility licensed by the State of Florida for more than sixteen (16) non-elderly individuals who require treatment, care, rehabilitation or education. This includes individuals who are dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others; or (b) as any housing facility licensed by the State of Florida for more than eight (8) unrelated elderly individuals; or (c) governmentally subsidized housing facilities entirely devoted to care of the elderly, dependent children, the physically handicapped, developmentally disabled or individuals not overtly of harm to themselves others; or (d) any not-for-profit housing facility for unrelated elderly individuals; or (e) any housing facility which provides for a life-care environment which is defined as a life-care environment shall include, but is not limited to, creation of a life estate in the facility itself and provision of off-site or on-site medical care.

Policy 1.3

Nonresidential development shall be consistent with the following density and intensity standards:

- a. Commercial: 50-foot maximum height and 15 percent minimum open space;
- b. Industrial: 35-foot maximum height and 15 percent minimum open space;
- c. Open Space and Recreation: maximum Floor Area Ratio of 0.10;
- d. Community Facilities: 30-foot maximum height and 25 percent minimum open space.

These maximum intensity standards shall not preclude the City from its ability to authorize variances to its Unified Land Development Regulations to exceed these parameters due to unusual circumstances and unnecessary hardship, provided that no variance shall exceed standards by one story.

Policy 1.4

Continue to ensure the location and intensity of nonresidential uses are in accordance with the City's adopted Future Land Use Map, the Unified Land Development Regulations and the Zoning Ordinance of the City.

Policy 1.5

Continue to ensure the Unified Land Development Regulations address performance standards for:

- a. buffering and open space requirements; and
- b. the intensities of the use of the land.

Policy 1.6

All commercial developments requiring a development order shall meet the off-street parking and loading facilities requirements as established in the City's Unified Land Development Regulations.

Policy 1.7

The City shall periodically review the parking provisions in the Unified Land Development Regulations and amend as necessary to update provisions which address construction standards, location, design, configuration, dimension and number of parking spaces and screening in a manner that promotes safety, compatibility and aesthetics.

Policy 1.8

The City shall periodically review the parking regulations in the Unified Land Development Regulations and amend as necessary to allow for alternative parking considerations for new commercial and industrial development, infill, redevelopment, revitalization, and reuse projects in vital commercial and industrial areas.

Policy 1.9

Commercial uses as provided for in Policy 1.3 shall be further defined as neighborhood commercial or community commercial in the Unified Land Development Regulations within one year of certification.

Policy 1.10

The City shall continue to ensure the Unified Land Development Regulations provide for both the timely completion and regular maintenance of all required capital improvements and amenities.

Policy 1.11

Continue to ensure the Unified Land Development Regulations include provisions to exclude those applications deemed appropriate for exemption from the mandatory formal site plan review process, wherein all departments within the City and other applicable agencies are provided the opportunity to respond to pending developments, by the City.

Objective 2

Support, encourage and guide infill, redevelopment and revitalization activities in appropriate areas.

Policy 2.1

The redevelopment of residential neighborhoods shall be designed to include a more efficient system of internal circulation, including the provision of collector streets to feed the traffic onto arterial roads and highways.

Policy 2.2

Promote infill development through the provision of potable water and sanitary sewer service to those developed portions of Wilton Manors which are currently inadequately served.

Policy 2.3 4

The lands encompassed by the Traditional Neighborhood District overlay zoning district as defined by the City Commission and the Powerline Road, Andrews Avenue, and Oakland Park Boulevard corridors shall be target areas for the promotion of infill, redevelopment, revitalization and reuse activities.

Policy 2.4

The City shall continue to identify strategies and programs to encourage infill, redevelopment, revitalization, and reuse activities in appropriate areas of the City.

Policy 2.5

The City shall continue to implement, and amend as necessary, its affordable housing program.

Policy 2.6

The City shall encourage increased density within appropriate areas and ensure the impacts of the increased density are mitigated by increased investment in facilities and services.

Objective 3

The City shall continue to protect parks and natural resources of the City.

Policy 3.1

Continue to ensure that recreational development and enhancement of existing and future facilities are compatible with the surrounding environment and continue to apply the performance standards adopted in the applicable Unified Land Development Regulations of the City and all other jurisdictions.

Policy 3.2

The clearing of trees, other than the necessary minimum for site clearance and preparation, shall be controlled through implementation of the Broward County Tree Removal and Replacement program.

Policy 3.3

The developer/owner of any site shall be responsible for the on-site management of runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

Policy 3.4

The City shall periodically evaluate the Unified Land Development Regulations and amend them as necessary to ensure adequate provisions are in place to limit activities which have the potential to contaminate water, soil, or natural resources, whether it be directly or indirectly.

Policy 3.5

Continue to protect groundwater quality through implementation of the City's Unified Land Development Regulations.

Policy 3.6

Continue to implement, and amend as necessary, the Unified Land Development Regulations intended to protect and enhance the City's rivers and marine resources identified on the Natural Resource Map Series of the Future Broward County Land Use Map Series.

Policy 3.7

Priority shall be given to water-dependent uses such as marine and public access to waterways, in decisions affecting waterfront property.

Policy 3.8

The City shall encourage the location of new boat ramps and other water-dependent uses in a manner which protects manatees in those areas which manatees frequent.

Policy 3.9

The City shall consider the potential impacts of land use plan amendments on wetland resources and strive to minimize those impacts to the extent feasible.

Policy 3.10

The City shall discourage land use plan map amendments for uses with the potential to cause aquifer contamination.

Objective 4

The City shall periodically assess, and amend as necessary, the Unified Land Development Regulations to incorporate innovative land development techniques and enhance the quality of development and redevelopment within the City.

Policy 4.1

Through its Unified Land Development Regulations, the City shall continue to encourage Mixed Use development, as appropriate, consistent with the Plan Implementation Requirements section of the City's Comprehensive Plan.

Policy 4.2

Innovative planning and similar techniques shall be used in conjunction with redevelopment activities as a means of increasing open space areas within the City.

Policy 4.3

Unified Land Development Regulations shall include provisions for the transfer of development rights which:

- a. provide for the transfer of development rights from environmentally sensitive areas in order to protect and preserve same; and
- b. provide for the transfer of development rights to encourage the development of and preservation of open space, whether it be public or private.

Policy 4.4

Encourage professional standards of architectural and urban design, site planning, and landscaping.

Policy 4.5

The City shall periodically evaluate the feasibility of amending the Unified Land Development Regulations to include architectural standards, and enhanced site planning and landscaping requirements for nonresidential development.

Policy 4.6

Continue to apply innovative planning techniques to development and redevelopment projects.

Policy 4.7

Through its Unified Land Development Regulations the City shall ensure that new housing developments are in keeping with the character of, or compatible with, the overall neighborhood character, as expressed through prevalent architectural style or other characteristics, where the preservation of such character is deemed desirable.

Policy 4.8

Continue to implement, and amend as necessary, the landscape provision of the Unified Land Development Regulations to ensure, at a minimum, the standards:

- a. promote the maximization of open/green space through appropriate project design,
- b. maximize the use of Florida Friendly landscaping, and other water conservation techniques,
- c. require the provision of adequate sight distances, and
- d. require maintenance of all on-site landscaping and prompt replacement of dead or diseased vegetation-
- e. Sustainable landscape practices.

Policy 4.9

In accordance with the Unified Land Development Regulations, require that site lighting be provided in an aesthetically pleasing manner with illumination levels compatible with adjacent areas and designed to ensure safe movement of pedestrian and vehicular traffic and to promote security and crime prevention.

Policy 4.10

In accordance with the Unified Land Development Regulations, require development and redevelopment to incorporate Crime Prevention Through Environmental Design (CPTED) principles, including lighting, street design, natural surveillance, natural access control and territorial reinforcement.

Policy 4.11

The Unified Land Development Regulations shall encourage increased use of mixed densities and housing product types within a development to increase the diversity of housing choices.

Policy 4.12

Facilitate pedestrian and bicycle movement and increase the use of mass transit by using such measures as innovative site design and transportation-oriented design.

Policy 4.13

Ensure that City programs, and the permitted uses and development standards of the Unified Land Development Regulations, adequately address the housing needs of the City’s diverse populations.

Policy 4.14

The City shall work with regional partners to provide affordable housing, and quantifiably treating affordable housing as infrastructure, to the extent that the cost of affordable housing is factored into proposed developments that create a need for affordable housing.

Policy 4.15

The City supports the principles of AARP’s Livable Communities policy book and shall incorporate the principles into the ULDRs and other City documents as appropriate.

Objective 5

In accordance with Florida Statutes and the Broward County Land Use Plan, all development orders and permits for future development and redevelopment activities shall be issued only if public facilities subject to concurrency are in place or under construction within three years of building permit approval. Those facilities which are subject to concurrency requirements include public education facilities, transportation, recreation and open space, drainage and flood protection, potable water, sanitary sewer and solid waste. These facilities are required to meet adopted level of service standards identified in the Capital Improvements Element of this comprehensive plan.

Policy 5.1

The City shall continue to ensure its established review and approval process is in conformance with Florida's Community Planning Act, including Section 163.3180 Florida Statutes, as amended, and:

- a. requires that facilities and services are available in accordance with the adopted Level of Service Standards; and
- b. requires that facilities are available concurrent with the impacts of development, or that the development orders are conditioned upon the availability of the infrastructure necessary to serve the proposed development; and
- c. requires that facilities that provide utility service to the land uses are authorized at the same time as the land uses are authorized.

Policy 5.2

Public facilities and utilities shall be subjected to an evaluation conducted under the City's direction prior to construction to:

- a. maximize the efficiency of services provided;
- b. minimize their cost;
- c. minimize their impacts on the natural environment; and
- d. consider utilizing US Green Building Council (USGBC) Leadership in Energy Efficient Design (LEED) criteria or other comparable certification program criteria.

Policy 5.3

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

Policy 5.4

The City shall consider the individual and cumulative impacts of proposed development on existing and planned local public services and facilities and regional roadway network taking into account the City's seasonal population and Broward County's tourist demands.

Policy 5.5

The City shall require that the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County

Commissioners be used to determine the capacities and levels of service on the regional roadway network.

Policy 5.6

Regional and community facilities shall be located close to major transportation corridors and mass transit routes.

Policy 5.7

All development permits shall be reviewed for approval consistent with the City's Future Land Use Element and Plan Implementation Requirements section and with the Development Review Requirements subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

Policy 5.8

The City shall ensure that adequate police, fire and emergency medical services and facilities exist to serve current and future residents.

Policy 5.9

The City shall consider transit in designating any area as a redevelopment area.

Policy 5.10

The City shall review the consistency of land use plan map amendments with the City's water supply availability. The consistency finding shall address whether sufficient capacity is available or anticipated to be available to accommodate the projected population of proposed amendments.

Policy 5.11

The City shall coordinate review of land use plan map amendments with the City's potable water supplier, the City of Fort Lauderdale, to ensure that potential water usage needs are met.

Policy 5.12

The City shall promote the location of publicly supported services within walking distance of regional transit services.

Objective 6

The City shall continue to implement adopted land use programs that encourage the elimination or reduction of incompatible land use patterns and land uses that are inconsistent with any applicable interagency hazard mitigation report recommendations, and to ensure the compatibility of future development.

Policy 6.1

Expansion or reconstruction of land uses which are inconsistent with the Future Land Use Plan shall be prohibited.

Policy 6.2

The City's Future Land Use Plan shall ensure that commercial, industrial and other non-residential Land Use Plan designations are located in a manner which facilitates their serving, but does not adversely impact, existing and designated residential areas or wellfield protection zones of influence.

Policy 6.3

The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the City's Future Land Use Plan Map.

Policy 6.4

The City shall periodically review the Future Land Use Plan Map to identify any amendments necessary to ensure consistency with the City's vision and shall initiate the land use amendment process for those amendments.

Policy 6.5

The City shall continue to ensure the zoning of each land parcel within the City is consistent with its Future Land Use Designation with the exception of those parcels which have been identified for land use amendments as a result of Policy 6.4.

Policy 6.6

To allow both the public and private sectors to respond to changing conditions and permit the appropriate location of neighborhood commercial uses within or adjacent to established residential neighborhoods, the City's Future Land Use plan shall permit 5% of the area designated residential to be used for neighborhood commercial uses as identified and in accordance with this Plan and the rules established within the "Administrative Rules Document: Broward County Land Use Plan."

Policy 6.7

The City's Future Land Use Plan may decrease by 20% the lands designated "Commercial" on the City's Plan and "Commerce" on the Broward County Land Use Plan Map for residential use in accordance with the rules established within the "Administrative Rules Document: Broward County Land Use Plan" and the Chapter 163, Florida Statutes plan adoption and amendment process. The City's Land Use Plan must be certified by the Broward County Planning Council.

Policy 6.8

The City of Wilton Manors may rearrange the residential densities shown on the Broward County Land Use Plan within the City by utilizing "Flexibility units" and/or "redevelopment units" in accordance with the Broward County Land Use Plan and the rules established within the "Administrative Rules Document: Broward County Land Use Plan". The City's Land Use Plan must be certified by the Broward County Planning Council.

Policy 6.9

Continue to implement the Nonconforming Uses provisions of the City's Land Development Regulations.

Policy 6.10

The preservation and protection of stable residential areas shall be a major consideration in the review of commercial and industrial development proposals.

Policy 6.11

Periodically evaluate the buffering and setback requirements in the City's Unified Land Development Regulations and amend as necessary to ensure compatibility of adjacent uses.

Policy 6.12

Periodically amend the Unified Land Development Regulations as necessary to ensure appropriate use, setback, height and buffering requirements are in place to protect residential areas from disruptive land uses and nuisances consistent with sound planning principles.

Policy 6.13

Continue to ensure the Unified Land Development Regulations include enhanced buffering and landscaping requirements for commercial and industrial projects, particularly where they abut residential neighborhoods.

Policy 6.14

Continue to ensure that the Unified Land Development Regulations require commercial and industrial properties to be properly screened, provide adequate parking, include orderly traffic circulation patterns, and integrate appropriate design features to enhance safety, efficiency, and site appearance and mitigate the impacts of noise, traffic, odor, and glare.

Policy 6.15

Future planning decisions shall be coordinated with and consistent with established Hurricane Evacuation Plans of the South Florida Regional Planning Council and Broward County.

Policy 6.16

The City shall evaluate the feasibility of creating a hazard mitigation/post-disaster redevelopment plan. The plan, at a minimum, shall consider appropriate redevelopment for hazard prone areas including:

- a. Infrastructure
- b. Nonconforming uses
- c. Densities
- d. Land use patterns
- e. Creation of a post-disaster continuity plan;
- f. Assistance for businesses within the City; and
- g. Reduction of building permit application fees for disaster resistant shutters, windows, and roof clips

Objective 7

Coordinate future land uses with topography and soil conditions to protect the City's water supply and minimize flooding problems.

Policy 7.1

The City shall continue to maintain an approval process that requires an assessment of topography concerns and soil conditions for all development orders.

Policy 7.2

Continue to ensure the Unified Land Development Regulations include provisions to regulate development on flood prone soils, as defined by the U.S. Soil Conservation Service, consistent with the criteria and mapping of the Federal Emergency Management Administration.

Policy 7.3

The City shall continue to require redevelopment within identified floodplains to address existing flooding problems.

Policy 7.4

Continue to ensure the Unified Land Development Regulations require public roads and parking lots to be designed consistent with the criteria of the South Florida Water Management District.

Objective 8

The City shall enforce the Property Maintenance Standards Code to eliminate deterioration of property and to maintain safe and sanitary conditions throughout the City.

Policy 8.1

Periodically evaluate the standards contained within the City's Property Maintenance Code, and amend as necessary to better serve the City's needs in meeting the objective.

Policy 8.2

Assess housing conditions in each neighborhood on a regular basis and identify deteriorating or dilapidated areas.

Policy 8.3

Continually inspect dilapidated and deteriorated areas for enhanced code enforcement activities and potential redevelopment opportunities.

Policy 8.4

Continue to enforce the County's minimum housing standards as set forth in the Florida Building Code.

Policy 8.5

Continue to link the licensing and regulation of residential rental units to compliance with Property Maintenance Standards.

Objective 9

Protect historic resources within the City from deterioration and/or loss.

Policy 9.1

Continue to designate historically, architecturally and archaeologically significant properties consistent with the standards and procedures established in the City's Unified Land Development Regulations.

Policy 9.2

Maintain a current list and map of historically, architecturally and archaeologically significant properties.

Policy 9.3

Continue to enforce the provisions in the City's Unified Land Development Regulations that address the protection of these historic resources.

Policy 9.4

The City shall consider the impacts of land use plan amendments on historic resources.

Policy 9.5

The City shall coordinate historic resource protection activities with applicable State and Federal laws and with the Broward County Historical Commission.

Policy 9.6

The City shall periodically conduct assessment of units that are 50 years old or older, to determine their historical significance and ensure continued preservation of such structures.

Objective 10

The City of Wilton Manors shall support the Broward County School Board in ensuring that public education facilities operate at the adopted level of service and will be available to meet the current and future needs of the school population.

Policy 10.1

Public schools are considered community facilities and as such are permitted in the following land use categories:

- a. Residential
- b. Commercial
- c. Community Facilities
- d. Industrial

Policy 10.2

The City shall consider the individual and cumulative impacts of land use plan amendments on existing and planned public education facilities.

Policy 10.3

The City shall coordinate with the Broward County School Board to expedite development review for public education facilities proposed within the City.

Policy 10.4

The City shall coordinate with the Broward County School Board regarding long range planning by providing requested population projections and coordinating comprehensive planning activities.

Policy 10.5

The City shall consider the feasibility of collocating public facilities such as libraries, parks and community centers with public schools. Collocation of public schools with community facilities shall be considered when:

- a. New or replacement schools are funded in the School Board's Capital Budget and are adjacent to other public facilities;
- b. New public facilities are funded in the City's Capital Improvement Plan and can be located adjacent to public schools; and/or
- c. Joint use projects are created and implemented.

Policy 10.6

The City of Wilton Manors shall review the consistency of land use plan amendments with the City's Public School Facilities Element. The consistency finding shall address whether sufficient capacity is available, or anticipated, to accommodate the projected student impact of the proposed amendments. As provided for within the Interlocal Agreement for Public School Facilities Planning (ILA), as may be amended from time to time, the School Board of Broward County shall advise the City regarding the projected student impact of proposed land use amendments and the availability of capacity at impacted schools.

Policy 10.7

The City shall abide by the requirements and responsibilities as set forth for municipalities in the Amended Interlocal Agreement for Public School Facility Planning.

Policy 10.8

The City shall continue to inform the Broward County School Board of Planning and Zoning Board (local planning agency) decisions on comprehensive plan amendments, rezonings, or equivalents that may impact public education facilities.

Objective 11

The City of Wilton Manors shall support the State's efforts to reduce greenhouse gas emissions and to promote energy efficiency and conservation through the development and implementation of local policies and programs that are focused on resiliency and sustainability.

Policy 11.1

The City shall support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing.

Policy 11.2

The City shall continue to periodically review its Unified Land Development Regulations to identify any regulatory barriers to promoting green building (e.g., prohibition of photovoltaic panels) in conjunction with technological advances in green building techniques and equipment. Upon identification of regulatory barriers to said program, the City shall amend the Unified Land Development Regulations as necessary to support energy efficiency and the use of renewable energy resources while continuing to ensure compatibility and a high standard of development.

Policy 11.3

The City shall support residential and commercial construction that meets the intent of the City's Green Building Code within the Code or Ordinances.

Policy 11.4

The Community Development Services Department shall encourage residents, businesses, and developers to embrace low impact development practices including green buildings by providing readily-available information and resources to these parties. Information and resources may include how-to-guides or information on available funding sources for green development or energy efficient improvements (e.g., tax credits, low interest loans, grants).

Policy 11.5

The City shall continue to include incentives in its Unified Land Development Regulations (e.g., expedited review process) for constructing green-certified buildings or implementing low impact development practices as identified by the City of Wilton Manors.

Policy 11.6

The City shall continue to support the efforts of local utility providers to reduce energy and water consumption of residences and businesses in the City of Wilton Manors.

Policy 11.7

The City shall continue to support the existing Broward County Transit bus routes that service the City.

Policy 11.8

The City shall continue to provide a curbside recycling program.

Objective 12 Transit Oriented Corridor

The Transit Oriented Corridor (TOC) land use category shall facilitate mixed use development with access to transit stations or stops along existing and planned high performance transit service corridors designated in the Broward Comprehensive Plan Transportation Element, the Broward County Transit Master Plan, the Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan, Broward County Transit Development Plan, or locally adopted financially feasible transportation or transit plan.

Policy 12.1

Residential use is required as a principal component within a Transit Oriented Corridor. The location of residential uses shall be incorporated into a mixed use project or mixed use building with the location of residential uses. Exclusively residential buildings, not part of an overall mixed use project shall be discouraged unless supporting commercial and office is within 1000' linear feet. The TOC through implementing regulations or agreements shall ensure that an appropriate balance of residential and non-residential uses occur in a manner to support each other.

Policy 12.2

The designation of land to transit oriented corridor and the increase in residential density is part of a planned growth management strategy to stimulate pedestrian oriented live and work places in connection with planned public transit investment.

Policy 12.3

Additional or expanded stand alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; "big box"/warehouse; and drive-through facilities are discouraged unless designed in a manner to encourage pedestrian and transit usage or strategically located interiorly to the TOC preserving the streetscape and consistent with the design guidelines.

Policy 12.4

Development within the TOC shall ensure that all parcels of land have sidewalk connections leading to transit stops. Such connections shall be required as part of the Unified Land Development Regulations adopted to implement the TOC land use category. Street connections and sidewalk locations shall, at a minimum, be consistent with the design guidelines.

Policy 12.5

Public plazas, urban open space or green space/pocket parks uses that are accessible to the public shall be provided as an integrated component within the TOC. The location of such green areas shall be consistent with the required amount of Park and Recreation space identified in the permitted uses section of the land use plan. The design of such areas shall be reviewed through the site plan review process and consistent with the Unified Land Development Regulations adopted to implement the TOC land use category and with the design established through the adopted design guidelines.

Policy 12.6

Consistent with the intent of a TOC land use category, design features shall be required that promotes and enhance pedestrian mobility, including connectivity to transit stops and stations. Such design elements shall include, but not be limited to the following:

- Integrated transit stops with shelter or station (within the TOC area);
- Pedestrian and bicycle paths ranging in width from 6 to 30 feet (or minimum width consistent with Federal ADA requirements) shall be required that minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements;
- Buildings shall front the street with zero or minimal setbacks as required per the land development regulations adopted to implement the TOC land use category;
- Vehicle parking strategies shall be adopted that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, maximum allowable parking and/or reduced parking ratios). The City shall provide, as part of the street master plan for on-street parking, and investigate opportunities for public/private partnerships for structured and other mechanisms for reducing vehicle parking requirements; and,
- Streets, both internal to and adjacent to the TOC shall be designed to discourage isolation and provide connectivity.

Policy 12.7

The City shall require, as part of the development review process internal pedestrian and transit amenities to promote alternative modes of transportation. These amenities shall include, but not be limited to: seating benches or planter ledges, shade, light fixtures, trash receptacles, information kiosks, and bicycle parking. Additional amenities incorporated into the street pattern shall include, but not be limited to: clocks, fountains, sculptures, drinking fountains, banners, flags and food and refreshment vendor areas. All such required amenities shall be reviewed as part of the land development review process and shall be consistent with the Unified Land Development Regulation adopted to implement the TOC land use category.

Policy 12.8

The City shall continue planning for build-out of the TOCs and integration of potential rail transit. Such planning shall include coordinating with Broward County to take advantage of the trafficway road sections provided for in the County's adopted alternative roadway design criteria.

Policy 12.9

Recognizing the goal of the TOC land use category is to promote transit usage and other methods of reducing single-occupancy vehicles upon overcapacity roadways, required transportation

impact analysis shall consider the modal shift provided through the provision of transit and transit oriented design. In addition, the transportation impact analysis shall consider the effects of internal capture as applicable to transit oriented mixed use projects.

Policy 12.10

The City will continue to coordinate with the Utilities to ensure that adequate water and wastewater facilities are available for all future development.

Policy 12.11

The City shall provide monitoring of development activity and enforcement of permitted land use densities and intensities per the interlocal agreement between the City and Broward County required BCPC.

Policy 12.12

It is the intent of the City to recognize and respect judicially acknowledged or constitutional protected private property rights. It is the intent of the City that all ordinances, regulations, and programs adopted pursuant to the TOC must be developed, promulgated, implemented and applied with sensitivity for private property rights and not be unduly restrictive, and property owners must be free from actions of others which would harm their property.

Policy 12.13

The City shall develop strategies for the TOC area which encourage the use of safe and convenient access to public transit terminals, sidewalks, and public parking areas.

Policy 12.14

Unified Land Development Regulations shall address transit accessibility in terms of relating bus stop locations to adjacent land uses, and to mitigate parking and other uses from negatively impacting transit and access to non-automotive modes. Criteria for a hierarchy of potential transit stops shall be developed and include the vehicle type intended to serve the facility.

Policy 12.15

Unified Land Development Regulations shall address internal access, including urban design, building placement and massing, block size, mix of uses, pedestrian circulation, and the provision of short- and long-term bicycle parking so as to promote transit.

Policy 12.16

Transit plans shall be coordinated with ongoing Florida East Coast Corridor (FECC) studies to ensure efficient planning and use of resources and provide for revisions to design standards after the studies are completed and locations for transit stops and infrastructure have been identified.

Policy 12.17

The Unified Land Development Regulations will be developed in a manner that encourages new residential development within the TOC to be allowed on reduced lot sizes, reduced parking ratios, zero lot lines, clustering and vertical integration of residential units with non-residential

units. Residential density shall be distributed along the corridor consistent with the land development regulations.

Objective 12.1 Transit Oriented Corridor Land Use Category

Policy 12.1.1

The City shall maintain a Transit Oriented Corridor (TOC) designation located just west of the North Dixie Highway corridor to NE 15th Avenue and from the City limits to the north and the City limits to the south. Redevelopment and development of this area shall be guided with the approved TOC Design Guidelines. Nothing in this policy will impair or diminish the rights of existing landowners or their successors or assigns, to continue the use and enjoyment of their properties consistent with the land uses existing at the time of adoption of the TOC designation.

Within the TOC land use category, the following mix of uses shall be included within the designated land. Residential, Commercial and Industrial uses shall be the principal uses. In addition, the maximum intensity allowed within the TOC is as indicated below:

Hotel:	172 rooms
Residential Land Uses:	622 <u>1,622</u> dwelling units*
Commercial Land Uses:	538,200 square feet
Industrial Land Use:	71,600 square feet
Rec. & Open Space	6.9 acres minimum
Transportation:	7.8 acres (FEC ROW/Train Station)

*Consisting of

High Rise <u>Mid Rise</u> :	382 <u>1,382</u> units
Single Family:	30 units
Town Home:	44 units
Garden Apt:	72 units
Duplex:	84 units
Studio:	10 units

No more than 124 additional residential dwelling units shall be permitted within the TOC during the planning horizon of 2025. However, in the event that additional residential dwelling units are requested before the 2025 planning horizon, the City Commission will hear such request and determine if additional units are necessary to further the TOC. In no case shall development proceed before the necessary concurrency requirements have been addressed.

Nothing in this policy shall limit the ability to address future redevelopment needs in the planning horizon post 2025 or to expand existing public water and wastewater facilities. Total residential and non-residential development may be limited by available water supply and wastewater treatment. The amount of development permitted within the TOC has been calibrated to match existing water and wastewater capacities and reflects a projected capacity of the existing public water and wastewater facilities. No more than 124 additional residential units shall be permitted

unless it can be demonstrated that sufficient wastewater and water supplies are available or necessary upgrades are incorporated into the Capital Improvements Program and Element.

Within the TOC land use category, the maximum residential density shall be 60 residential units per gross acre. Intensity for each project shall be guided by the requirements set forth within the zoning district.

Policy 12.1.2

Residential development shall be designed to be integrated into the existing neighborhoods created through the implementation of the TOCt. Compatibility and appropriate transitional design elements will be reviewed at time of site plan review, consistent with the Unified Land Development Regulations adopted to implement the TOC land use category. Such regulations and review shall ensure that existing industrial uses will not become incompatible with new development and that new development shall provide buffers and site design in light of the existing land uses and continue to protect areas that may be located within a wellfield protection zone. Single-family detached dwellings units may be permitted as part of an overall residential mixed-use project consistent with the adopted Unified Land Development Regulations.

Objective 12.2 Transit Oriented Corridor West

Policy 12.2.1

The TOC West designation shall apply to 117.8 acres generally located south of Oakland Park Boulevard, east of I-95 and west of NE 6th Avenue; and parcels to the west and east of North Andrews Avenue, south of Oakland Park Boulevard and north of the South Fork of the Middle River. Redevelopment and development within this area shall be subject to the approved TOC West Design Guidelines.

Within the TOC West land use category, the following mix of uses shall be included within the designated land. Residential, Commercial, and Community shall be the principal uses. In addition, the maximum intensity allowed within the TOC West is indicated below:

Residential Land Uses:	1,429*
Commercial Land Uses:	697,000 SF
Community Land Uses:	185,500 SF

* Consisting of:	Single Family:	72 dwelling units
	Garden Apartments:	1,357 dwelling units

Nonresidential uses shall have a maximum FAR of 5.0. Nonresidential uses within a mixed-use development shall have a minimum FAR of 0.25 unless the City Commission finds that a lesser FAR is necessary to prevent a hardship due to site constraints. Single-family and garden apartment dwelling units may be substituted for dwelling units of another category (ex: townhomes, mid-rise, etc.) provided that the substitution results in the same or lesser student generation using the County’s adopted student generation rates.

Within the TOC-West land use category, the maximum residential density shall be 60 residential units per gross acre. Intensity for each project shall be guided by the requirements set forth within the zoning district.

Policy 12.2.2

The land development regulations will be developed in a manner that encourage new residential development within the TOC West to be allowed on reduced lot sizes, reduced parking ratios, zero lot lines, clustering and vertical integration of residential units with non-residential units. Residential density shall be distributed along the corridors consistent with the land development regulations.

Policy 12.2.3

New residential development shall be designed to be integrated into to the existing neighborhoods within the TOC West. Compatibility and appropriate transitional design elements will be reviewed at the time of site plan review, consistent with the land development regulations adopted to implement the TOC West land use category.

Policy 12.2.4

The land development regulations shall establish minimum onsite urban open space requirements within the TOC West.

Policy 12.2.5

Redevelopment of riverfront properties should incorporate the river as a component in onsite public open space. Examples include riverside parks, promenades and boat ramps.

Policy 12.2.6

The full width of the Middle River abutting a public riverside open space shall be included in the acreage of such open space within the City’s open space inventory.

Policy 12.2.7

Inasmuch as an existing robust public transit system serves the needs of the TOC along Oakland Park Boulevard and Andrews Avenue, the City shall encourage use of the existing transit system within the TOC West, in lieu of the development of an internal transit system.

Policy 12.2.8

Future Trafficways planning shall occur in coordination with Broward County Transit and the Broward Metropolitan Planning Organization.

Policy 12.2.9

The southwest corner of the Andrews Avenue / Oakland Park intersection shall function as an activity node within the TOC.

Objective 13

Increase community resiliency through land use and built environment decisions.

Policy 13.1

The City shall encourage greener, more energy-efficient and climate resilient construction practices through the Green Building Code of the Code of Ordinances.

Policy 13.2

The City shall implement expedited permitting for photovoltaic systems to promote the use of solar energy.

Policy 13.3

The City shall implement expedited permitting for the installation of alternative fuel and electric vehicle charging infrastructure.

Policy 13.4

The City, shall continue to review and evaluate the zoning code, and Unified Land Development Regulations according to sustainable community development practices, such as those outlined in the criteria recommended by the United States Green Building Council's Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) certification, the Smart Growth Principals developed by Smart Growth America, the case studies of the Urban Land Institute, or by application of a national rating system for local governments, such as the STAR Community Index™ (STAR) and make recommendations on feasible revisions for incorporating increased sustainability.

Policy 13.5

An integral part of the City planning processes shall be considerations for adapting the built environment to the impacts of climate change including resource management, flood control and stormwater management, community development and capital planning. Adaptation strategy options may include but are not limited to: protection; accommodation; managed retreat; avoidance, and/or; other options.

Objective 14

Increase opportunities for the community to learn about and participate in decision-making processes regarding resiliency and climate change adaptation.

Policy 14.1

The City shall provide information to the public and community stakeholders about the current and potential impacts of climate change and sea level rise, as well as mitigation, protection, accommodation and adaptation strategies.

Policy 14.2

The City shall continue to support public education and outreach programs addressing issues including but not limited to: energy efficiency; water conservation; solid waste reduction and recycling; urban forests; native landscaping; air quality, greenhouse gas reduction, and climate change adaptation and response planning.

Objective 15

Incorporate the relevant objectives and policies of the Broward County Land Use Plan into the City's Future Land Use Element to facilitate certification of the City's Comprehensive Plan.

Policy 15

The Future Land Use Element includes by reference the following Objectives and Policies found elsewhere in the City's Comprehensive Plan:

- a. Transportation Element Policies 1.1 and 5.1, and Objective 3
- b. Housing Element Objective 1 and Policy 6.6
- c. Infrastructure Element Objective 1.2, Policy 4.5.2, and Policies 3.1.3, 3.1.4
- d. Coastal Management Element Objective 2, Objective 4 and Policy 4.4 and Objective 5 and Policies 5.1, 5.5, and 5.6
- e. Conservation Element Objective 4 and Policy 4.4
- f. Recreation and Open Space Element Objective 1 and Policies 1.1 and 5.1 Policy 5.3
- g. Intergovernmental Coordination Element Objective 1
- h. Plan Implementation Requirements

Future Land Use Map

The adopted Future Land Use Map, FLU 2, depicts the future land uses and the major natural resources of the City of Wilton Manors and is located in the Data, Analysis, and Inventory of the Future Land Use Element.

The specific uses that are permitted within the various categories are identified in the Plan Implementation Requirements Section of the Comprehensive Plan. Following is a generalized listing of the permitted uses in the categories identified on the Future Land Use Map (Map 1.1).

Residential

"R-LD" Low Density	0 to 5.0 Dwelling units/acre
"R-L/MD" Low/Medium Density	5.1 to 10.0 Dwelling units/acre
"R-MD" Medium Density	10.1 to 16.0 Dwelling units/acre
"R-M/HD" Medium/High Density	16.1 to 25.0 Dwelling units/acre

Commercial

"C"

This category provides land area for commercial activities including retail sales, services, and offices.

Industrial

"I"

This category provides land area for industrial activities which involve the manufacturing, assemblage, and distribution of products, research and development, or other substantial employment based activities.

Recreation and Open Space

"OS"

This category is for areas which contain passive or active recreation areas.

The passive recreational areas would also be considered open spaces. This category includes both public and private recreational areas. The private recreational areas would be those under the ownership and control of an entity other than a government.

Community Facilities

"CF"

This category is used to designate land used for facilities which provide some form of service to the community whether it be public or semiprivate. This category includes public facilities such as public schools, government buildings, and hospitals and semiprivate facilities such as private schools, houses of worship (e.g., churches), clubs and cemeteries.

Water

"W"

This category is used to identify that portion of the north fork of the Middle River which is a primary drainage facility under the jurisdiction of the South Florida Water Management District.

Transit Oriented Corridor

This category allows for a mix of uses residential and non-residential uses within two main areas, TOC East in close proximity to the FEC Railroad and TOC West along Oakland Park Boulevard and Andrews Avenue.

The following categories are not currently applicable to the Future Land Use Map of Wilton Manors:

Historical Resources

There are no areas within the City that have been identified which meet this category as it is defined in Florida State Statutes 163. As such, this category is not included on the Existing Land Use Map or Future Land Use Map.

Agriculture

There are no agricultural areas located within the City. As such, this category is not included on the Existing Land Use Map or Future Land Use Map.

Conservation

The two areas in Wilton Manors that would best be identified under this category are Colohatchee Park and Island City Park Preserve, both are City-owned and maintained parks. These areas are considered as open passive recreational space and are designated as Recreation and Open Space on the Existing Land Use Map and Future Land Use Map. For that reason this category is not included on the Existing Land Use Map or the Future Land Use Map.



Life's Just Better Here

CITY OF WILTON MANORS

COMPREHENSIVE PLAN

PROPERTY RIGHTS ELEMENT

GOALS OBJECTIVES AND POLICIES

June 2022

Property Rights Element

Goals, Objectives and Policies

Goal 1

To meet the requirements of Chapter 163.3177, Florida Statutes, as amended, to require a Property Rights Element.

Objective 1

To ensure that judicially acknowledged and constitutionally protected private property rights continue to be respected and considered in local decision-making.

Policy 1.1.1

The City will continue to consider the right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights.

Policy 1.1.2

The City will continue to consider the right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy 1.1.3

The City will continue to consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy 1.1.4

The City will consider to consider the right of a property owner to dispose of their property through sale or gift.

EXHIBIT I

*******NOTICE TO ADJACENT
CKVIGU REGARDING TOC AMENDMENT

From: Evangeline Kalus

Sent: Thursday, September 22, 2022 2:55 PM

To: 'CompPlans@fldoe.org' <CompPlans@fldoe.org>; 'Plan.Review@dep.state.fl.us' <Plan.Review@dep.state.fl.us>; 'CompliancePermits@DOS.MyFlorida.com' <CompliancePermits@DOS.MyFlorida.com>; 'john.krane@dot.state.fl.us' <john.krane@dot.state.fl.us>; 'sfadmin@sfrpc.com' <sfadmin@sfrpc.com>; 'SFLOCALGOVPLAN@WD.gov' <SFLOCALGOVPLAN@WD.gov>; 'bblakeboy@broward.org (bblakeboy@broward.org)' <bblakeboy@broward.org>; 'jsesodia@broward.org' <jsesodia@broward.org>; 'admin@lazylakefl.us' <admin@lazylakefl.us>; 'Ella Parker' <EParker@fortlauderdale.gov>; 'peter.schwarz@oaklandparkfl.gov' <peter.schwarz@oaklandparkfl.gov>; 'mohammed.rasheduzzaman@browardschools.com' <mohammed.rasheduzzaman@browardschools.com>; 'tmanning@sfwmd.gov' <tmanning@sfwmd.gov>
Cc: 'Roberta Moore' <rmoore@wiltonmanors.com>; James Hickey (Jhickey@Cgasolutions.com) <Jhickey@Cgasolutions.com>

Subject: RE: City of Wilton Manors' Comprehensive Plan Amendment 2022

Good Afternoon:

The previous copy of our State Transmittal of the City of Wilton Manors latest Comprehensive Plan Amendment was missing the Property Rights Element . Please see attached revised copy. If you have any questions, please do not hesitate to call.

Thank you,

Evvy

Evangeline G. Kalus

City Planner

Community Development Services

City of Wilton Manors

2020 Wilton Drive

Wilton Manors, Florida 33305

(954) 390-2187

ekalus@wiltonmanors.com

Our office hours are 7am – 6pm, Monday – Thursday



Please note: Florida Public Records Law provides that most written communications to or from municipal employees regarding city business are public records, available to the public and media upon request. Therefore, this e-mail message may be subject to public disclosure.

1
2
3 **ORDINANCE NO. 2022-015**

4 **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF**
5 **WILTON MANORS, FLORIDA, AMENDING ARTICLE I,**
6 **ENTITLED “FUTURE LAND USE ELEMENT,” “GOALS AND**
7 **OBJECTIVES,” POLICY 1.2, TO ALLOW FOR DOUBLE DENSITY**
8 **FOR HOTEL UNITS AND SPECIAL RESIDENTIAL FACILITY**
9 **CATEGORY (3) DEVELOPMENT THAT ALLOWS FOR ONE (1)**
10 **DWELLING UNIT PER EVERY TWO (2) SLEEPING ROOMS**
11 **REGARDLESS OF THE NUMBER OF KITCHENS OR BATHS PER**
12 **GROSS ACRE TO ALLOW FOR CONSISTENCY WITH**
13 **BROWARD COUNTY'S LAND USE PLAN (BROWARD NEXT);**
14 **AMENDING POLICY 12.1.1 OF THE FUTURE LAND USE**
15 **ELEMENT OF THE CITY OF WILTON MANORS’**
16 **COMPREHENSIVE PLAN, TO INCREASE THE OVERALL**
17 **PERMITTED MAXIMUM NUMBER OF DWELLING UNITS**
18 **FROM 1,000 TO 1,622, TO ALLOW FOR AN INCREASE FROM 382**
19 **MIDRISE UNITS TO 1,382 MIDRISE UNITS; TO ALLOW FOR**
20 **THE ALLOCATION OF DWELLING UNITS IN THE TRANSIT**
21 **ORIENTED CORRIDOR (“TOC”) LAND USE DESIGNATION BY**
22 **RIGHT WITHOUT THE ALLOCATION OF RESERVE,**
23 **FLEXIBILITY AND OR REDEVELOPMENT UNITS FOR THESE**
24 **ADDITIONAL 1,000 UNITS SOLELY; ADOPTING A PROPERTY**
25 **RIGHTS ELEMENT AS PART OF THE CITY OF WITLON**
26 **MANORS’ COMPREHENSIVE PLAN; PROVIDING FOR**
27 **CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING**
28 **FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE**
29 **DATE.**

30 **WHEREAS,** the City of Wilton Manors has adopted a Comprehensive Plan as
31 required by Chapter 163, Part II, Florida Statutes; and

32 **WHEREAS,** the land use plan element must also be consistent with the Broward
33 County Land Use Plan under the Broward County Charter; and

34 **WHEREAS,** as municipal land use plans are intended to be consistent or compatible
35 with the Broward Next Comprehensive Plan and Future Land Use Plan, the City’s Transit
36 Oriented Corridor (“TOC”) is consistent with the Broward Next Future Land Use Plan
37 designation of Activity Center. The permitted uses in the TOC are aligned with the permitted
38 uses in the Activity Center; and

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WHEREAS, City staff is proposing certain text amendments to the City’s adopted Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes, as more particularly described in Exhibit “A”, attached hereto; and

WHEREAS, the proposed text amendment specifically assigns these additional 1,000 dwelling units to the Midrise category; and

WHEREAS, the existing Future Land Use Element does not specify the maximum density of other land use categories that permit residential/mixed uses, including the TOC land use designation; and

WHEREAS, the amendment, as revised, will not change the maximum density of 60 units per gross acre or the boundary of the TOC land use designation; and

WHEREAS, Section 163.3184(2)(a), Florida Statutes, provides that comprehensive plan text amendments shall follow the expedited state review process except as set forth in Section 163.3184(2)(b) and (c), Florida Statutes; and

WHEREAS, the proposed text amendments to the City’s Comprehensive Plan meet the requirements of Section 163.3184(3)(a), Florida Statutes, to be processed through the expedited state review process; and

WHEREAS, at its regular meeting on June 13, 2022 the City’s Planning and Zoning Board, acting as the City’s Local Planning Agency, considered the proposed Comprehensive Plan Text Amendments, and the Planning and Zoning Board recommended the approval of the City’s amendments, with the condition that a letter of approval is received from the City of Wilton Manors’ Emergency Management / Utility Director with regards to drainage for the proposed amendment to the City’s Comprehensive Plan; and

1 **WHEREAS**, at a public hearing on August 23, 2022, the City Commission, upon
2 first reading of this Ordinance, authorized transmittal of the Amendments to the City’s
3 Comprehensive Plan to the Florida Department of Economic Opportunity and review
4 agencies for the purpose of a review in accordance with Sections 163.3184, Florida Statutes;
5 and

6 **WHEREAS**, at a public hearing held on _____, the City Commission, upon second
7 and final reading of this Ordinance, recommended approval and adoption of the revised
8 Amendments to the City’s Comprehensive Plan after considering the comments and
9 objections received in the State Coordinated Review in accordance with Sections 163.3184,
10 Florida Statutes; and

11 **WHEREAS**, the City Commission has held the required public hearings and desires
12 that the proposed text amendments to the City’s Comprehensive Plan be transmitted to the
13 Broward County Planning Council for recertification review and the Florida State
14 Department of Economic Opportunity (the “State Land Planning Agency” or “DEO”) for
15 compliance review; and

16 **WHEREAS**, the City Commission of the City of Wilton Manors finds the adoption
17 of the revised proposed text amendments to the City’s Comprehensive Plan to be in the best
18 interests of the citizens and residents of the City of Wilton Manors.

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
20 **OF THE CITY OF WILTON MANORS, FLORIDA, THAT:**

21 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and
22 confirmed as being true and correct and are hereby made a specific part of this Ordinance.
23 All exhibits attached hereto are hereby incorporated herein by this reference.

1 **Section 2.** The City Commission hereby adopts the revised text amendments to
2 the City’s Comprehensive Plan, as more particularly described in **Exhibit “A”**, attached
3 hereto.

4 **Section 3.** The City Commission of the City of Wilton Manors, Florida, hereby
5 directs that the revised proposed text amendments to the City’s Comprehensive Plan, as
6 more particularly described in **Exhibit “A”**, attached hereto, be transmitted to the Broward
7 County Planning Council with a favorable recommendation.

8 **Section 4.** The City's Comprehensive Plan is hereby amended to include the
9 amendments described herein.

10 **Section 5.** The City Manager, or the City Manager’s designee, is authorized to
11 transmit the revised amendments to the Florida Department of Economic Opportunity, the
12 Broward County Planning Council, Broward County, the South Florida Water Management
13 District, the Department of Environmental Protection, the Department of State, the
14 Department of Transportation, the School Board of Broward County, and the South Florida
15 Regional Planning Council with a request that the Planning Council re-certify the City of
16 Wilton Manors Comprehensive Plan. The Director of Community Development Services is
17 authorized to make the necessary changes to the City of Wilton Manors’ Comprehensive
18 Plan as more particularly described in Exhibit “A”.

19 **Section 6.** **Conflicts.** That all Ordinances, or parts of Ordinances, Resolutions,
20 or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of
21 such conflict.

22 **Section 7.** **Severability.** If any clause, section, or other part of this Ordinance
23 shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such

1 unconstitutional or invalid part shall be considered as eliminated and in no way affecting the
2 validity of the other provisions of this Ordinance.

3 **Section 8.** Codification. It is the intention of the City Commission of the City
4 of Wilton Manors that the provisions of this Ordinance shall become and be made a part of
5 the City’s Comprehensive Plan, that the Sections, Articles, and paragraphs may be
6 renumbered, re-lettered, and other labels changes or reorganized in order to accomplish such
7 intention.

8 **Section 9.** Effective Date. This Ordinance shall take effect 31 days after the
9 Department of Economic Opportunity notifies the City that the plan amendment adoption
10 package is complete, unless timely challenged pursuant to section 163.3184(5), Florida
11 Statutes, in which case the Ordinance shall take effect on the date that the Department of
12 Economic Opportunity or the Administration Commission enters a final order determining
13 the adopted amendment to be in compliance.

14 **PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF**
15 **WILTON MANORS, FLORIDA, THIS ____ DAY OF AUGUST, 2022.**

16
17 **PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY**
18 **COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS ____ DAY**
19 **OF _____, 2022.**

20 CITY OF WILTON MANORS, FLORIDA

21
22
23 By: _____
24 SCOTT NEWTON, MAYOR

25
26 ATTEST:

27 RECORD OF COMMISSION VOTE: 1ST
28 Reading

29 _____
30 FAITH LOMBARDO
31 CITY CLERK

32 MAYOR NEWTON _____
33 VICE MAYOR ROLLI _____
COMMISSIONER BRACCHI _____
COMMISSIONER CAPUTO _____
COMMISSIONER RESNICK _____

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I HEREBY CERTIFY that I have
approved the form of this Ordinance.

/s/ Kerry L. Ezrol

KERRY L. EZROL
CITY ATTORNEY

RECORD OF COMMISSION VOTE: 2ND
Reading

MAYOR NEWTON _____
VICE MAYOR ROLLI _____
COMMISSIONER BRACCHI _____
COMMISSIONER CAPUTO _____
COMMISSIONER RESNICK _____



Life's Just Better Here

FINAL
MEETING MINUTES
PLANNING AND ZONING BOARD
COMMISSION CHAMBERS
2020 WILTON DRIVE, WILTON MANORS, FLORIDA 33305
MONDAY, JUNE 13, 2022 – 7:00 P.M.

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MEMBERS **ATTENDANCE**

Richard Safaty, Chair	P
Rudy Molinet, Vice Chair (via phone)	P
Don D'Arminio	P
Jeffrey Ferraro	P
Tim Moses	P
Tim Theisen	A
Roy David Walker	P

Staff

Mike Cirullo, Assistant City Attorney
Roberta Moore, Community Development Services Director
Evy Kalus, City Planner
Carla Blair, Recording Secretary, Prototype, Inc.

I. CALL TO ORDER

Chair Safaty called the meeting to order at 7:00 p.m.

II. ROLL CALL

Roll was called by Ms. Blair and it was noted a quorum was present. It was noted that former Alternate Jeb Shafer has resigned from the Board.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. APPROVAL OF MINUTES

a. April 11, 2022

Motion made By Board Member Ferraro, seconded by Board Member D'Arminio, to approve.

Board Member D'Arminio noted the following corrections:

- P. 11, line 44: correct spelling of the name is "Connell"
- P. 12, lines 13-40: correct run-on sentence

- P. 3, line 25: Board Member D’Arminio requested that this comment be deleted, as it was not an accurate reflection of his statement

In a voice vote, the **motion** passed unanimously [as amended].

b. May 9, 2022

Motion made by Board Member Ferraro, seconded by Board Member D’Arminio, to approve. In a voice vote, the **motion** passed unanimously.

V. PUBLIC COMMENTS

It was determined that Public Comment would be heard following the Staff presentation on tonight’s Item.

VI. PUBLIC HEARING

a. Amendment to the City of Wilton Manors’ Comprehensive Plan to add 1,000 dwelling units within the Transit Oriented Corridor (TOC) land use designation and allow for double the maximum number of dwelling units for hotel, motel, or similar lodging units and adult living facilities in the Future Land Use Element; and the addition of a Property Rights Element.

City Planner Evy Kalus showed a PowerPoint presentation on the proposed Amendment, explaining that the following changes are proposed:

- Amend the Future Land Use Element to increase the permitted maximum number of dwelling units from six hundred twenty-two (622) to one thousand six hundred twenty-two (1622) in the Transit-Oriented Corridor (TOC) land use designation
- Amend the Future Land Use Element to allow for double density for hotel units and for special residential facility Category 3 development; this would count as one (1) dwelling unit for every two (2) sleeping rooms, regardless of the number of kitchens or baths per gross acre in the Future Land Use Element
- Addition of a new Property Rights Element

Planner Kalus advised that the first Amendment increases the overall permitted number of dwelling units by one thousand (1000). This will allow an increase from three hundred eighty-two (382) mid-rise units to one thousand three hundred eighty-two (1382). It will allow for the allocation of all dwelling units in the TOC land use designation by right, without the allocation of flexibility and/or redevelopment units. The proposed Amendment will not change the maximum density of sixty (60) units per gross acre or the boundary of the TOC.

Planner Kalus referred the Board members to a table showing the current and proposed permitted land uses within the TOC. She pointed out that the six hundred twenty-two (622)

1 units include one hundred three (103) dwelling units added by the City Commission per
2 Ordinance 2020-13 on June 22, 2021. There are three hundred sixty (360) flex units
3 available in the Urban Center Mixed-Use District, including the Wilton Arts and
4 Entertainment (WAE) district, TOC, and TOC-West (TOC-W).

5
6 There are fifty-four (54) reserve units available City-wide, thirty-eight (38) of which are
7 affordable housing flex units, two (2) of which are affordable housing Urban Center Mixed-
8 Use flex units, and fourteen (14) affordable housing reserve units. Flex reserve units are
9 allocated by the City Commission on a first come, first served basis.

10
11 The double density Amendment addressing hotel and special residential facility units
12 would allow for a dwelling unit to be equivalent to two (2) hotel rooms. A special residential
13 facility allows for one (1) dwelling unit for every two (2) sleeping rooms, regardless of the
14 number of kitchens or baths. Planner Kalus offered the example of an adult living facility
15 with shared uses, such as cafeterias, some bathrooms, and smaller kitchen facilities, as
16 an example of a special residential facility. Densities for these units would be capped
17 based upon the number of sleeping rooms. The proposed Amendment would be
18 consistent with Broward County's Comprehensive Plan, known as Broward Next.

19
20 The third Amendment would add a Property Rights Element. This requirement was signed
21 into law in 2021 by the Governor of Florida. The Amendment requires that local
22 governments adopt this Element into their Comprehensive Plans and acknowledge
23 constitutionally protected property rights, which include the following:

- 24 • Physical possession and controlled interest in property, including easements,
25 leases, and mineral rights
- 26 • Right to sue, maintain, develop, and improve property for personal use subject to
27 state law and local ordinances
- 28 • To exclude others from the property to protect the owner's possessions or property
- 29 • To dispose of the property through sale or gifts

30
31 The Amendment was recommended for approval by the City's Development Review
32 Committee (DRC) on June 2, 2022.

33
34 Chair Safaty noted that Vice Mayor Paul Rolli was present at tonight's meeting.

35
36 At this time Chair Safaty opened public comment.

37
38 Ray Carrier, 2048 NE 6 Terrace, expressed concern with major capital improvement
39 projects carried out by the City, including infrastructure projects. He pointed out that the
40 addition of landscaping on Wilton Drive has taken over four years. He was also concerned
41 with wastewater and stormwater management, pointing out that there are no "shovel-
42 ready" projects of this nature. While he did not object to the proposed Amendments, he
43 felt the addition of one thousand (1000) units was premature until it is certain that the
44 City's existing infrastructure is sufficient to the needs this addition would bring.

1 With no other individuals wishing to speak at this time, Chair Safaty closed public
2 comment.

3

4 Board Member Moses asked how many units were currently proposed by forthcoming
5 projects. Community Development Services Director Roberta Moore replied that there
6 are two (2) residential projects presently underway, one of which is located within the TOC
7 and proposes one hundred ninety (190) residential units on an approximately eight
8 thousand (8000) square foot development. The other project is ten thousand (10,000)
9 square feet in size and proposes three hundred twenty (320) multi-family residential units.
10 A third project outside the TOC is currently going through DRC review and requests two
11 hundred fifty (250) multi-family units. There are no commercial projects currently in
12 development.

13

14 Director Moore also addressed the concern for the City's infrastructure raised during
15 Public Comment, stating that the City has analyzed its infrastructure capabilities and
16 expects to be able to accommodate an additional one thousand (1000) units. She
17 emphasized that every application must go through this analysis and sufficient capability
18 must be demonstrated in order for a project to advance.

19

20 Board Member Ferraro asked if the Community Development Services Department
21 reviews the surrounding area for a proposed project as well as the project itself in order
22 to determine system capability. Director Moore confirmed this is done, noting that an
23 internal group has been created for this purpose. They review adequacy within the subject
24 area, including traffic conditions as well as water/wastewater/stormwater infrastructure.
25 These analyses are performed whenever a development is proposed. The possibility of
26 flooding is also reviewed as part of the Site Plan process.

27

28 Director Moore also clarified that the TOC-W is a separate zoning district from the other
29 TOC.

30

31 Board Member Walker asked if the City's existing systems would be able to accommodate
32 more than the proposed one thousand (1000) units to be added. Director Moore replied
33 that based on the professional judgments of Staff, the City can accommodate more than
34 these one thousand (1000) units. While she did not have full information on hand
35 regarding the additional capacity the City's sewer system can handle, she pointed out
36 that the City's Emergency Management/Utilities Department is looking into this to
37 determine how some of the existing issues may be addressed.

38

39 Chair Safaty asked if the additional impacts of stormwater runoff will be addressed once
40 the proposed projects have been built. Director Moore confirmed this. She also
41 emphasized that because of the importance of drainage and runoff issues to City
42 residents, both Board members and members of the public are encouraged to ask
43 questions to developers about these systems when they come before the Board.

44

1 Chair Safaty also asked if the addition of one thousand (1000) new units will affect the
2 City's levels of service, including those associated with traffic. Director Moore replied that
3 appropriate levels of service would still be met.
4

5 Vice Chair Molinet asked if the developers of new projects are required to include the
6 mitigation of wastewater as part of these projects, including the use of technologies such
7 as injection wells. Director Moore noted that there are existing developments within the
8 City which use this technology, providing for underground drainage in some cases.
9

10 Vice Chair Molinet also expressed concern that the TOC-East does not currently have the
11 same level of opportunity for commercial development to activate that community. He was
12 concerned that the result of development in this and other areas outside the TOC-W might
13 result in a canyon effect on some corridors. Director Moore advised that the City's
14 Economic Development Division is working with businesses which may be interested in
15 relocation.
16

17 Board Member D'Arminio suggested that Staff review the conditions that existed when
18 Article 30 was adopted. He pointed out that the City's current minimum residential unit
19 size is six hundred (600) square feet, and emphasized the importance of promoting the
20 development of smaller units.
21

22 **Motion made by Vice Chair Molinet, seconded by Board Member Moses, to approve,**
23 **subject to the inclusion of a letter confirming the City's adequacy to accommodate more**
24 **units. In a voice vote, the motion passed unanimously.**
25

26 VII. STAFF COMMENTS

27
28 None.
29

30 VIII. BOARD COMMENTS

31
32 It was noted that Board Members D'Arminio and Walker were serving their last meetings
33 as members of the Planning and Zoning Board. All present recognized their service to the
34 City.
35

36 IX. ADJOURNMENT

37
38 The meeting was adjourned at 7:58 p.m.
39

40 **NEXT MEETING DATE: July 11, 2022**

41
42 [Minutes prepared by K. McGuire, Prototype, Inc.]

DRAFT
MINUTES



REGULAR CITY COMMISSION MEETING
Tuesday, August 23, 2022
7:00 p.m.

CALL TO ORDER

Mayor Scott Newton called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Commissioner Bracchi led the Pledge of Allegiance. Mayor Newton read a brief statement on behalf of Commissioner Caputo, and all present observed a moment of silence in memory of Leo Peralta.

ROLL CALL

City Clerk Faith Lombardo called the roll. Present were Mayor Scott Newton, Vice Mayor Paul Rolli, Commissioner Mike Bracchi, Commissioner Chris Caputo, and Commissioner Gary Resnick (by phone). Also in attendance were City Manager Leigh Ann Henderson and City Attorney Kerry Ezrol.

ADDITIONS / CHANGES / DELETIONS

City Manager Leigh Ann Henderson requested that the presentation of the Wilton Manors 2019 Greenhouse Gas Inventory be deferred until a future meeting.

PROCLAMATIONS

Mid-Autumn Mooncake Festival

Mayor Newton read a Proclamation recognizing Saturday, September 10, 2022 as Mid-Autumn Mooncake Festival Day. Residents Janet Yuen and Dave Brassil were present to accept the Proclamation.

PRESENTATION

Presentation of the Wilton Manors 2019 Greenhouse Gas Inventory

This Item was deferred until September 13, 2022.

REPORT FROM POLICE DEPARTMENT

Wilton Manors Assistant Chief of Police Darren Brodsky reported that the Police Department has begun initiatives to address community concerns with traffic issues, particularly on Powerline Road and Oakland Park Boulevard. From August 17 through September 5, 2022, the national Drive Sober or Get Pulled Over campaign will remain in effect.

The Police Department has accepted nearly \$14,000 from the Florida Department of Transportation (FDOT) for a high-visibility enforcement initiative, which began on July 22, 2022 and will last through May 2023. These funds will reimburse the Department for roughly 250 overtime hours for Officers to target two specific locations: eastbound Oakland Park Boulevard from 10 Terrace to North Andrews Avenue and Powerline Road from NW 24 Street to the North Fork Middle River. The initiative will address pedestrian/bike safety and enforcement actions by Officers. A Tier 2 location, Wilton Drive from NE 22 Street to the North Fork Middle River, will be added in February 2023.

The Police Department has also been involved in action plans to address regular traffic safety, particularly on 26 Street, 15 Avenue, and Powerline Road. This has significantly reduced the number of crashes on those roadways since the previous year.

COMMENTS FROM THE PUBLIC

At this time Mayor Newton opened public comment.

Paul Kuta, 500 NE 28 Street (verbatim comments attached).

Tom Runyan, 1301 E Oakland Park Boulevard, spoke on an Ordinance regarding vacation rentals, which addresses vacation rentals. He requested clarification of whether or not a property must meet all criteria within the definition in order to be considered a motel. As the Ordinance also strikes the permanent residence exemption for vacation rentals, he asked if exempt properties would be grandfathered once the Ordinance takes effect.

Mr. Runyan continued that the Ordinance also addresses aspects of the City's Noise Ordinance, pointing out that there are two conflicting references to a requirement for a noise level protector. He requested that this be clarified for property owners. He concluded that while the term "maximum gathering" is defined as 1.5 times the number of units, the owner of a homesteaded property should be permitted to host guests in their permanent residence.

Gabby Klarsfeld, 210 NE 24 Street, advised that she is a volunteer at the Marine Environmental Education Center in Dania Beach, Florida. She expressed concern with the development of Transit-Oriented Corridors (TOCs), which negatively affect the natural environment. The higher density

permitted in these corridors is not sustainable, nor are the effects of fuel emissions from traffic or non-recyclable waste. She recommended a pause in development which would help regenerate Florida's natural ecosystems.

Jake Valentine, 1109 NW 30 Court, noted that Wilton Manors Police Officers are the lowest-paid Officers in the tri-county area. He felt negotiations between the City and the Police Benevolent Association (PBA) are requesting a reasonable increase so the City can recruit, retain, and promote Officers.

Bobby Edington, 508 NE 24 Street, President of the Neighborhood Crimestoppers Program, provided an update on a murder that occurred in the City three years ago, noting that two Wilton Manors Police Officers have not yet filed their reports on this case. He also noted that two individuals were recently robbed at gunpoint outside a club in the City.

Theo (last name not provided), 1609 NE 28 Grove, suggested placing high-resolution cameras at the City's entrances as a potential deterrent to crime.

Michael Sansevero, 1425 NE 23 Street, reported on the recent Pride Fete event, which took place at Richardson Park on Saturday, August 13, 2022. This was a Caribbean food and music event. Members of the Community Affairs Advisory Board (CAAB) assisted in putting on this event. He thanked its sponsors, volunteers, and attendees.

Mr. Sansevero also noted that one goal of the City's recently adopted Strategic Plan was support for public art, which has not yet been addressed by the City Commission. He hoped to see efforts in this area in the future, such as the appointment of a public arts liaison.

John Fiore, 2845 NE 17 Avenue, addressed proposed increases to impact fees, stating that with the City's increasing development, they are likely to need more Police Officers. He felt an increase in Police impact fees will help attract new Officers. He also noted that while there is public concern regarding increased density, the City's zoning is required to match is Comprehensive Land Use Plan.

Jonathan Klarsfeld, 2101 NE 24 Street, expressed concern with the effect of increasing development on quality of life for City residents. He did not feel that significant increases in residential units would make life better in Wilton Manors, and advocated for the retention of natural spaces.

Janet Yuen, 1125 NW 30 Court, thanked the Leisure Services Department and Wilton Manors Police Department for a successful National Night Out event. She added that she supported the expansion of park space in the City's Master Plan.

Michael Rajner, 2607 NE 8 Avenue, stated that he was not in favor of moving Parking Fund revenues into the General Fund, and recommended use of these funds to improve safety, particularly in the Entertainment District. He also thanked the Police Department for their response to a recent dog attack and expressed concern with the lack of response by 911 services.

Mr. Rajner continued that he was not in favor of how some of the new rules in parks have been addressed by the Commission, including rules related to dog parks. He recommended that the Commissioners be more thoughtful in the future.

Aimee Ballentyne, 2300 NE 20 Avenue, agreed with comments stated earlier by Ms. Klarsfeld.

Jeff Beylar, 221 NE 21 Street, also expressed concern with the proposed density increase, pointing out that potential impacts on traffic, parking, and City services have not been studied. He felt this increase was likely to result in the need for additional staff and services.

It was noted that a written comment received prior to tonight's meeting will also be attached to the minutes.

With no other individuals wishing to speak at this time, Mayor Newton closed public comment.

CONSENT AGENDA

Commissioner Resnick pulled Resolution 2022-071 for additional discussion.

Commissioner Resnick made a motion to approve the Consent Agenda. Commissioner Caputo seconded the motion, which prevailed by unanimous roll call vote (5-0).

Minutes

Minutes from the following meetings:

- July 12, 2022 Regular Meeting

Invoices

Goren, Cherof, Doody & Exrol P.A. Invoices

Consent Resolutions

Resolution No. 2022-072: (Finance)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING RESOLUTION NO. 2021-085 TO APPROPRIATE ADDITIONAL FUNDING FOR THE FISCAL YEAR 2021-22 BUDGET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Special Event Permit for Pride Center at Equality Park to host the annual Wicked Manors Street Festival on Monday, October 31, 2022.

Motion to approve 3Q22 Financial Statements

Items Pulled from Consent Agenda

Resolution No. 2022-071:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS OF THE CITY OF WILTON MANORS TO EXECUTE THE CONSENT AND APPROVAL PURSUANT TO THE REQUEST OF MARRINSON GROUP, INC. F/K/A MANOR PINES REALTY CORP.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Caputo made a motion to approve Resolution 2022-071. Commissioner Resnick seconded the motion.

Commissioner Resnick advised that approving the transfer of this property does not affect the restriction on it, which means any future sale of the property would have to come back before the Commission. City Attorney Kerry Ezrol confirmed that this was correct.

The motion prevailed by unanimous roll call vote (5-0).

End of Consent Agenda

PUBLIC HEARINGS

Ordinance No. 2022-012: *(Community Development Services) (Second Reading)*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 6 OF THE CITY CODE, “EMERGENCY MANAGEMENT”, SECTIONS 6-1 “DEFINITIONS”, 6-2 “DECLARATION OF EMERGENCY”, 6-5 “DISCRETIONARY EMERGENCY MEASURES”, 6-6 “DURATION AND TERMINATION OF EMERGENCY”, AND 6-7 “PENALTY FOR VIOLATION OF CHAPTER”; RENUMBERING SECTIONS; UPDATING SECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-012. Vice Mayor Rolli seconded the motion.

City Manager Henderson stated that this Ordinance is part of the City’s ongoing Code rewrite process and addresses Chapter 6, Emergency Management. It includes how and when emergencies may be declared and/or renewed, as well as the actions that can be taken in a declared emergency.

At this time Mayor Newton opened public comment, which he closed upon receiving no input.

The motion prevailed by unanimous roll call vote (5-0).

Ordinance No. 2022-013: *(Community Development Services) (Second Reading)*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES”, TO ADD ARTICLE VII “PROHIBITING SMOKING WITHIN CITY PARKS”, SECTIONS 17-28 “SMOKING PROHIBITED IN CITY PARKS”, AND SECTION 17-29 “PENALTY”; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-013. Vice Mayor Rolli seconded the motion.

City Manager Henderson explained that this Ordinance would prohibit smoking in public parks. One change has been made since first reading, which changes the fines for violation of this Ordinance to \$25.

At this time Mayor Newton opened public comment.

Aimee Ballentyne, 2300 NE 20 Avenue, felt the reduction of the proposed fine for smoking in City parks made the enforcement of the Ordinance a waste of time. She felt a greater fine would have made a stronger statement.

Janet Yuen, 1125 NW 30 Court, supported the Ordinance, and felt the proposed fines are not high enough.

Jake Valentine, 1109 NW 30 Court, also supported the Ordinance, and did not feel a low fine was the best way to address this issue. He recommended that the proposed fines serve as a tool for enforcement by the Police Department.

Michael Sansevero, 1425 NE 23 Street, agreed that the proposed fines were too low, pointing out that the ticketing and collection processes would cost the City money and that \$25 would not serve as a deterrent.

Michael Rajner, 2607 NE 8 Avenue, was supportive of the Ordinance, and recommended that law enforcement be permitted the discretion to ask individuals to put out their cigarettes or leave the park if they wished to smoke.

Theo (last name not provided), 1609 NE 28, suggested alternate means of determining community support of or objection to items.

With no other individuals wishing to speak at this time, Mayor Newton closed public comment.

Mayor Newton asked if prohibition of smoking in City parks would include parking areas. City Attorney Ezrol explained that the park area includes the parking lot, although the Commission could designate the parking lot as an area where smoking is permitted if they wish. Parks and

Recreation Director Patrick Cann stated that the parking areas for most City parks are located outside recreation areas.

Mayor Newton also addressed fines, noting that \$25 may be a deterrent to some individuals but not to all. He requested additional input from the Commission. Commissioner Bracchi recalled that the previously proposed fines ranged from \$250 for a first offense to a maximum of \$500, as recommended by City staff. He pointed out that he did not know if smoking constituted an issue in City parks: the Ordinance was brought forward because the state legislature no longer preempted the City from regulating it.

Mayor Newton requested clarification of where parking for Hagen Park ends and City Hall property begins. City Attorney Ezrol advised that most of the parking lot for Hagen Park predates the construction of City Hall, which meant this would have to be investigated further. He added that the state legislature has not indicated that municipalities may prohibit smoking on other properties: the prohibition is limited to parks and beaches.

Commissioner Caputo advised that while he was supportive of an escalating fine, he felt the Ordinance itself sent a clear message and the fine would not serve as a deterrent. He pointed out that any smokers would be asked by the Police or Code Enforcement not to smoke. He also recommended that any confusion regarding the boundaries of Hagen Park should be clarified, as this space is close to the Arts and Entertainment District.

Commissioner Resnick noted that the state legislature's decision to allow municipalities to regulate smoking on beaches and in parks was the result of years of lobbying efforts by municipal officials and the Florida League of Cities. He did not feel the amount of the proposed fine would affect compliance with the Ordinance, and felt the prohibition should also apply to City parks' parking lots, as some recreational and children's events are held there.

City Attorney Ezrol clarified that p.204, lines 11-12 of the Ordinance, which refers to legislative findings about designated smoking areas, would require the elimination of the Ordinance's final "whereas" clause. Commissioner Caputo accepted the amendment of his motion to eliminate that clause.

It was determined that no further changes would be made to Ordinance 2022-013.

The motion prevailed by unanimous roll call vote (5-0).

Ordinance No. 2022-015: *(Community Development Services) (First Reading)*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING ARTICLE I, ENTITLED "FUTURE LAND USE ELEMENT," "GOALS AND OBJECTIVES," POLICY 1.2, TO ALLOW FOR DOUBLE DENSITY FOR HOTEL UNITS AND SPECIAL RESIDENTIAL FACILITY CATEGORY (3) DEVELOPMENT THAT ALLOWS FOR ONE (1) DWELLING UNIT PER EVERY TWO (2) SLEEPING ROOMS REGARDLESS OF THE NUMBER OF KITCHENS OR BATHS PER GROSS ACRE TO ALLOW FOR CONSISTENCY WITH BROWARD COUNTY'S LAND USE PLAN (BROWARD NEXT); AMENDING POLICY 12.1.1 OF THE FUTURE LAND USE ELEMENT

OF THE CITY OF WILTON MANORS' COMPREHENSIVE PLAN, TO INCREASE THE OVERALL PERMITTED MAXIMUM NUMBER OF DWELLING UNITS FROM 1,000 TO 1,622, TO ALLOW FOR AN INCREASE FROM 382 MIDRISE UNITS TO 1,382 MIDRISE UNITS; TO ALLOW FOR THE ALLOCATION OF DWELLING UNITS IN THE TRANSIT ORIENTED CORRIDOR ("TOC") LAND USE DESIGNATION BY RIGHT WITHOUT THE ALLOCATION OF RESERVE, FLEXIBILITY AND OR REDEVELOPMENT UNITS FOR THESE ADDITIONAL 1,000 UNITS SOLELY; ADOPTING A PROPERTY RIGHTS ELEMENT AS PART OF THE CITY OF WILTON MANORS' COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-015. Vice Mayor Rolli seconded the motion.

Mayor Newton requested that the City Attorney address mailed notice of this Item. City Attorney Ezrol explained that Code requires notice of matters for which public hearings are necessary, such as Land Use Plan amendments, to be mailed to residents who live within 300 ft. of the subject area. Because the subject area in this case is of significant size, notice was mailed to a large number of residents. Notice must also be published in the newspaper. Ordinance 2022-015 requires two public hearings, one of which is required prior to its transmittal to other governmental entities and one of which must be held when it is returned to the City with governmental comments for adoption. There is no mailing requirement for the second public hearing.

Community Development Services Director Roberta Moore gave a presentation on the Item, which is an application for a Land Use Plan amendment to the City's Comprehensive Plan. There are three parts to the Ordinance:

- The addition of 1000 residential units within the Transit-Oriented Corridor (TOC) Land Use designation
- Allowance of a two-for-one density calculation for hotels and special residential facility categories; the term "Special Residential Facility, Category 3" is based on Broward County's Comprehensive Plan
- Addition of a new property rights element to the City's Comprehensive Plan

Director Moore advised that every development application evaluated by the City requires the review and analysis of various levels of service (LOS) standards. These include but are not limited to traffic, water, sewer, and parks. A development application may not proceed to public hearing until it has been shown that all levels of service have been addressed, along with all other applicable Code sections.

The application before the Commission tonight does not seek to increase density, nor is it a request to change the boundaries of the TOC Land Use. The City's Land Use Map is included in the Commissioners' backup materials.

The first request, which is for an additional 1000 dwelling units, would be added to the existing

622 available residential dwelling units within the TOC and would be specifically allocated to mid-rise development. The existing 622 residential units are currently allocated as follows:

- 382 mid-rise units
- 30 single-family units
- 44 town homes
- 72 garden apartments
- 84 duplexes
- 10 studios

The City also has flex and reserve units available, which are in addition to the units allocated within the TOC. Director Moore noted that within the TOC-West, which includes the Andrews Avenue/Oakland Park Boulevard areas, a separate number of 1429 residential units are also available. These units fall into the following categories:

- 72 single-family units
- 1357 garden apartments

Mid-rise units are defined as four or more attached dwelling units in a building of four to eight residential stories, exclusive of parking levels. Garden apartments are defined as three or more attached dwelling units in a two- or three residential story building, also exclusive of parking levels.

With the adoption of increased density and amendments to Article 30, the City has begun to receive development applications. Based on the applications currently being processed, the additional 1000 units are necessary in order for these developments to be approved. These include separate applications requesting 252, 320, and 190 residential units. The City would need to allocate flex units for one of these developments, while the others would be included among the TOC units.

Staff also proposes to permit a two-for-one density calculation for hotels and Special Residential Facilities Category 3. Director Moore noted that the latter designation is similar to an assisted living facility. The request is based on BrowardNext, which is Broward County's Comprehensive Plan. The two-for-one density would mean for every two rooms, an applicant would request the allocation of one dwelling unit, irrespective of whether it is for a hotel or an assisted living facility. If an applicant requests 100 hotel rooms/keys, they would be asking for an allocation of 50 units under two-for-one density. Within the TOC Land Use designation, 172 hotel units are already allocated.

The property rights element is a new element which is based on the Governor's signing an amendment to Florida Statutes 163.3177 into law. This would implement the requirements of House Bill (HB) 59. The element includes the following rights:

- Physically possess and control the interests of the property, including easements, leases, or mineral rights
- Right to sue, maintain, develop, and improve property for personal use or the use of any other person, subject to state law and local ordinances
- Privacy and exclusion of others from the property to protect the owner's possessions and property
- Dispose of the property through sale or gift

Director Moore explained that Land Use Plan or Comprehensive Plan amendments are required to be heard before the City's Development Review Committee (DRC). On June 7, 2022, the DRC approved the application by a vote of 5-0. On June 13, the application was heard by the Planning and Zoning Board, which approved it with the condition that a letter of approval is obtained from the City's Emergency Management/Utilities Director. This letter has been provided and is included in the backup materials. The Planning and Zoning Board approved the application by a vote of 6-0.

After first reading, if the Commission votes to approve the application, it will be transmitted with supporting documentation to Broward County, the South Florida Regional Planning Council, and the Florida Department of Economic Opportunity. Second reading will occur once these agencies have reviewed and scheduled public hearings of the application.

At this time Mayor Newton opened public comment.

Aimee Ballentyne, 2300 NE 20 Avenue, requested additional clarification of recently enacted legislature regarding property rights. She was supportive of the preservation of nature and the ecosystem.

Topper Geiger, 509 NE 26 Drive, expressed concern with continued development, including its effects on water and sewage, in South Florida.

With no other individuals wishing to speak on the Item, Mayor Newton closed public comment.

Commissioner Caputo observed that the letter sent as public notice to residents might have been clearer or included more information, and apologized for any resulting confusion. He noted that the proposed units include a number of affordable units, which are needed in South Florida.

Vice Mayor Rolli agreed with Commissioner Caputo's concerns regarding public notice, and advised that he had spoken with the City Manager and Community Development Services Director regarding this letter, which he felt was difficult to understand. He noted that in the future, notices of this nature should include a "plain language" paragraph as explanation.

Vice Mayor Rolli continued that there are currently 172 designated hotel units, and requested clarification of whether or not these were in the TOC only. Director Moore confirmed this was the case. Vice Mayor Rolli asked if any of the proposed new units would be designated as hotel units. Director Moore stated that they would not: if a hotel comes into the City, the 172 units would be allocated to it first. If there would be more than 172 keys, the City may pull additional units for a hotel from the pool of residential units.

Vice Mayor Rolli also requested further clarification of the TOCs. Director Moore replied that these areas include Dixie Highway north and south of Five Points, as well as the area east of Five Points to 15 and 16 Avenues and no further north than 26 Drive. The TOCs do not extend into nearby single-family neighborhoods.

Commissioner Bracchi stated that he had also had concerns regarding the public notice letter, and added that the TOC-West is a separate entity from the North, East, and South TOCs. Director Moore explained that the zoning districts associated with the TOC Land Use include TOC-North, -South, and -East, while the TOC-West and the Arts and Entertainment District are not included.

Director Moore continued that notice would traditionally be given to residents within 300 ft. of the subject application; however, because the application addresses Land Use and is City-wide, and due to the City-wide nature of the property rights element and the two-for-one density calculation, notice was sent to the entire City. Commissioner Bracchi clarified that this meant residents in single-family neighborhoods were sent notice of the City-wide application, even though they would not be affected by changes within the TOC itself.

Commissioner Bracchi requested clarification of the definition of “mid-rise” development within the TOC. Director Moore stated again that mid-rise development is defined as four or more attached dwelling units in a building with four to eight residential stories, excluding parking levels. Commissioner Bracchi added that the City’s TOCs and the Arts and Entertainment District have different height levels: for example, the maximum height permitted in some parts of the TOC may be three stories, while elsewhere it may be four to five. He emphasized that mid-rise does not always mean a high number of floors.

Commissioner Bracchi also requested additional information on the proposal to double the density for hotel units and/or special residential facilities. Director Moore advised that because BrowardNext allows a two-for-one density calculation, staff requested that this density be one of the tools it can use to enhance economic development.

Commissioner Bracchi concluded that he was in favor of continued smart growth, and emphasized that the City is working with developers to ensure there is more park space while also optimizing the existing park space. He added that he was not fully in favor of doubling density for hotel units or special residential facilities, as the proposed 172 hotel rooms would be significantly larger than the boutique hotel the City has discussed in the past would have significantly fewer rooms. The 172 hotel rooms would permit multiple hotels or one large hotel. In addition, after the 172 hotel rooms have been allocated to a project, another project would be able to take advantage of the doubled density. He was not certain this would be in the best interests of the City, and would be happy to see the doubled density for hotels or special residential facilities removed from the proposed Ordinance.

Commissioner Caputo observed that if a hotel is developed within the Arts and Entertainment District, it would still ultimately need to come before the Commission for unit approval. Director Moore confirmed that the units currently available within the City, including flex units within the TOC, must be allocated by the City Commission via Resolution. The 1000 units proposed within the TOC would be permitted by right and would not require a Resolution of allocation.

Mayor Newton stated that he has discussed this issue with prospective hotels which have indicated interest in Wilton Manors, and pointed out that large chain hotels do not feel there is an opportunity for them to make money in the City. If one hotel comes into the City and builds, for example, 100 to 150 rooms, it is unlikely that a second hotel would build a similar number of rooms, as this

would not be sustainable. He emphasized the importance of maintaining a balance between permitting height and protecting neighborhoods.

Commissioner Resnick advised that he understood these proposed changes are a natural follow-up to previous changes in the City's zoning of TOCs. In this case, the TOC-West is "carved out" because there are already sufficient units in that area, while this is not the case in the other TOCs. He pointed out that while the addition of 1000 units is not planned within single-family neighborhoods, it will affect traffic on all of the City's streets, as well as park space and the overall environment, all of which he felt would lower the quality of life for residents.

Commissioner Resnick continued that the City does not need the increase in its tax base that these units would bring. He added that there is no part of the proposed Ordinance to encourage development of affordable housing, as all the developers currently planning to file applications are proposing market-rate units. Commissioner Resnick concluded that he could not support the Ordinance.

Vice Mayor Rolli noted that the 172 proposed hotel units would fall under the TOC Land Use designation. This means a hotel built on Wilton Drive would require the allocation of another type of unit. Vice Mayor Rolli asked if there would also be a separate allocation of units if the City wished to further develop the City Hall site. Director Moore advised that there is the potential for another Land Use application to be submitted for the City Hall property and/or all of Wilton Drive, depending upon the wishes of the Commission.

City Attorney Ezrol stated that in the recent Florida legislative session, the State Legislature amended Chapter 163, which deals with Comprehensive Plan requirements. This required that governmental entities respect judicially acknowledged and constitutionally protected private property rights. Each local government must include a property rights element in its Comprehensive Plan, which would ensure that private property rights are taken into consideration during local decision-making. The Statute also sets forth a proposed property rights element, which is mirrored in the proposal before the Commission tonight.

Mayor Newton noted that this is only the first reading of Ordinance 2022-015, so members of the public would have an additional opportunity to address the issue upon its second reading.

The motion prevailed by 4-1 roll call vote (Commissioner Resnick dissenting).

City Manager Henderson explained that the Ordinance will be transmitted to the Broward County Planning Council as well as to the State, as the State has an expedited review process. A public hearing will be held at the County level. Once both these agencies have reviewed the Ordinance, it will come back to the City for another public hearing at second reading of the Ordinance before it is adopted.

ORDINANCES – FIRST READING

Ordinance No. 2022-014:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, ESTABLISHING THE ANNUAL COMPENSATION FOR THE MAYOR AND MEMBERS OF THE CITY COMMISSION EFFECTIVE OCTOBER 1, 2022; PROVIDING FOR HEALTH INSURANCE BENEFITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-014. Commissioner Bracchi seconded the motion.

City Manager Henderson explained that the City's Charter requires that the compensation of City Commission members be set by Ordinance. The last time compensation was adjusted for the Mayor, Vice Mayor, and Commissioners was 2015. This Item has been discussed during at least two previous Commission meetings, as well as by the City's Financial Advisory Board.

Approval of the Ordinance would adjust compensation for the Mayor to \$30,000 annually, and compensation for Commissioners to \$25,000 annually. These numbers were determined after a County-wide survey.

Mayor Newton commented that he felt this was an appropriate time to raise this issue due to the pending 2022 election, as he is in favor of transparency. He also noted that most cities have an assistant to the Commission and the Mayor, which is not a position in Wilton Manors. There is no discretionary stipend available to City elected officials. He concluded that an increase in salary could encourage more people to run for office.

Commissioner Bracchi observed that the Commission had wished to ensure City staff was compensated fairly before taking on the issue of their own salaries. He pointed out that Wilton Manors is among the bottom four Broward municipalities with regard to the Mayor's and Commissioners' salaries, and the proposed increase is below the Broward County municipalities' median as well as below the average.

Commissioner Caputo noted that the City Manager's contract will also be discussed later on tonight's Agenda, and that the City Manager is undercompensated in comparison to other Broward municipalities. He felt this will be addressed and adjusted.

Commissioner Resnick agreed that increased salaries are likely to attract better candidates for public office in Wilton Manors.

The Ordinance prevailed by unanimous roll call vote (5-0).

Ordinance No. 2022-016: *(Community Development Services) (First Reading)*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, DELETING CHAPTER 9.5 ENTITLED IMPACT FEES IN ITS ENTIRETY; AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDRS") TO AMEND ARTICLE 80 "CONCURRENCY AND IMPACT FEES" BY AMENDING SECTIONS

080-070 AND 080-080 TO ADOPT A COMPREHENSIVE IMPACT FEE SCHEDULE FOR POLICE FACILITIES, FIRE FACILITIES, PARKS AND RECREATION FACILITIES, LIBRARY FACILITIES, AND GENERAL GOVERNMENT FACILITIES; ADOPTING AN IMPACT FEE STUDY; CREATING AN IMPACT FEE SCHEDULE AND LAND USE CATEGORIES; ESTABLISHING CRITERIA AND ADMINISTRATIVE PROCEDURES FOR INDIVIDUAL ASSESSMENT OF IMPACT FEES, REFUNDS, CREDITS, COLLECTION OF FEES AND FAIR SHARE AGREEMENTS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-016. Vice Mayor Rolli seconded the motion.

City Manager Henderson advised that this Ordinance establishes impact fees that are consistent with the technical report provided to the City by consultant Raftelis. A presentation was provided to the Commission at a workshop to show the basis for the determination of these proposed impact fees. These fees are paid by developers of new construction units and are used to offset the costs associated with the population growth that accompanies this new development. Expenses covered include general government services, library, public safety, parks and recreation, and fire services.

Another workshop on proposed impact fees is scheduled for August 31, 2022, pursuant to State Statutes, which require two public hearings on this topic. The Commissioners declined to hear a presentation at tonight's meeting.

Commissioner Caputo stated that while he had originally felt the increase in the City's parks impact fee was high, the City's residents recognize the importance of these parks, and the impact fee for this purpose will help ensure park space remains for future residents. There will be opportunities to use these impact fees to expand existing park services and to replace equipment that is currently in disrepair.

The motion prevailed by unanimous roll call vote (5-0).

Ordinance No. 2022-017: *(Community Development Services) (First Reading)*

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 10 OF THE CITY CODE, "LICENSES, PERMITS AND BUSINESS REGULATIONS"; ARTICLE II, "LOCAL BUSINESS TAX RECEIPTS", SECTIONS 10-26 "REQUIRED", 10-27 "WHEN DUE AND PAYABLE; PENALTY FOR DELINQUENCY; FAILURE TO OBTAIN", 10-28 "APPLICATION", 10-31 "RESPONSIBILITY OF OFFICERS", 10-32 "REVOCATION", 10-35 "TRANSFER", 10-36 "DISPLAY UPON REQUEST; POSTING", 10-44 "AUTHORITY OF COMMUNITY SERVICES DIRECTOR", 10-45 "PENALTY FOR VIOLATION OF ARTICLE", 10-46 "BUSINESS TAX SCHEDULE", AND 10-47 "CONDITIONS ON ISSUANCE RENEWAL"; AMENDING ARTICLE III "AMUSEMENTS", REPEALING DIVISION 1 "GENERALLY",

SECTIONS 10-61 “SPONSORED RIDES”, 10-62 “PERMIT REQUIRED; PROCEDURE, FEES WAIVED”, 10-63 “ADDITIONAL POLICE PROTECTION”, AND 10-64 “TRAMPOLINE JUMPING CENTER”, AMENDING DIVISION 2 “GAME MACHINES AND COIN-OPERATED DEVICES”, SECTIONS 10-72 “PRIMARY USES”, 10-73 “SPECIAL EXCEPTION”, 10-75 “OPERATION STANDARDS FOR PRIMARY AND SECONDARY USE FACILITIES”, 10-76 “INSPECTIONS”, AND 10-79 “PENALTY FOR VIOLATION”; AMENDING ARTICLE IV “GARAGE, RUMMAGE AND OTHER OCCASIONAL SALES”, SECTIONS 10-37 “DEFINITIONS”, 10-82 “PROHIBITIONS”, 10-83 “PERMIT INFORMATION”; REPEALING ARTICLE V “MASSAGE ESTABLISHMENTS AND BATHHOUSES”; CREATING NEW SECTIONS FOR MASSAGE ESTABLISHMENTS AND BATHHOUSES BY ADDING SECTIONS 10-43 “DEFINITIONS”, 10-44 “LICENSE-REQUIRED”, 10-45 “APPLICATION”, 10-46 “SAME—INVESTIGATION OF APPLICANT BY CHIEF OF POLICE OR DESIGNEE; APPROVAL OR DISAPPROVAL OF APPLICATION; ISSUANCE; CONTENT; RECORDS”, 10-47 “MINIMUM STANDARDS”, 10-48 “ADVERTISEMENT”, 10-49 “FEES”, 10-50 “INSPECTIONS OF BATHHOUSES, POST-PERMIT ISSUANCE”, 10-51 “PROHIBITED ACTIVITIES”, 10-52 “ENFORCEMENT AND PENALTIES FOR VIOLATIONS”, AND 10-53 “LIMITED VISIBILITY REQUIREMENTS”; AMENDING ARTICLE VI “SOLICITORS, CANVASSERS, PEDDLERS AND ITINERANT VENDORS, SECTIONS 137 “DEFINITIONS”, 10-139 “SAME – APPLICATION”, 10-140 “SAME—INVESTIGATION OF APPLICANT; APPROVAL OR DISAPPROVAL OF APPLICATION; ISSUANCE; CONTENT; RECORDS”, 10-142 “SURETY BOND”, 10-143 “CARRYING, EXHIBITING LICENSE”, 10-146 “APPEALS”, AND 10-148 “CIVIL PENALTIES”; AMENDING ARTICLE VII “ADULT ENTERTAINMENT ESTABLISHMENTS”, SECTIONS 10-150 “DEFINITIONS”, AND 10-152 “LIMITED VISIBILITY REQUIREMENTS”; AMENDING ARTICLE VIII “RESIDENTIAL RENTAL PROPERTIES”, SECTIONS 10-161 “ANNUAL INSPECTION AND LICENSING OF PROPERTIES WITH RESIDENTIAL RENTAL UNITS”, AND 10-162 “ISSUANCE OF LICENSES”, REPEALING SECTION 10-163 “TEMPORARY LICENSES; REINSPECTION REQUIRED, FEE”, AMENDING SECTION 10-165 “PENALTY”, AND REPEALING SECTION 10-166 “EFFECTIVE DATE”; REPEALING ARTICLE IX “PAY TELEPHONES”; AMENDING ARTICLE X “PORTABLE STORAGE UNITS”, SECTIONS 10-246 “PURPOSE AND INTENT”, 10-248 “PORTABLE STORAGE UNIT PROVISIONS”; AMENDING ARTICLE XI “PAIN MEDICATION LICENSING PROCEDURE”, SECTION 10-249 “PURPOSE AND DEFINITIONS”; AMENDING ARTICLE XIII “VACATION RENTAL”, SECTIONS 10-276 “DEFINITIONS”, 10-277 “REGISTRATION REQUIRED”, 10-278 “APPLICATION FOR REGISTRATION”, 10-280 “RESPONSIBLE PARTY REQUIRED”, 10-281 “FALSE INFORMATION”, 10-282 “MINIMUM REQUIREMENTS FOR ISSUANCE OF A CERTIFICATE OF COMPLIANCE”, 10-283 “VACATION RENTAL STANDARDS”, 10-284 “INITIAL COMPLIANCE INSPECTIONS OF VACATION RENTALS”, 10-287 “REVOCATION”, AND 10-288 “COMPLAINTS”, CREATING SECTION 10-123 “FINES”, AND 10-124 “EFFECTIVE DATE”; AMENDING ARTICLE XIV “SPECIAL EVENTS PERMIT PROCEDURE”, SECTIONS 10-300 “GENERAL”, 10-306 “POLICE SERVICES”, AND 10-307 “FIRE RESCUE SERVICES/EMERGENCY MEDICAL SERVICES”; RENUMBERING SECTIONS; UPDATING SECTIONS; REPEALING RESERVED SECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Lombardo read the Ordinance by title only.

Commissioner Caputo made a motion to approve Ordinance 2022-017. Commissioner Bracchi seconded the motion.

Director Moore explained that this Ordinance amends Chapter 10, “Licenses, Permits, and Business Regulations,” of the City’s Code of Ordinances and is part of the Code rewrite project. Staff has reviewed this chapter and determined that general updates are required, including:

- Capitalization of Department names and Director titles
- Deletion of non-applicable language
- Update of fees
- Amendments to terms of business tax licenses
- Revision to the age of operation for amusements
- Capitalization of terms and correction of pronouns

Director Moore noted that the following Articles would include major changes:

- Article II, Local Business Tax Receipts
- Article III, Amusements
- Article V, Massage Establishments and Bathhouses
- Article VI, Solicitors, Canvassers, Peddlers, and Itinerant Vendors
- Article VII, Adult Entertainment Establishments
- Article VIII, Residential Rental Properties
- Article IX, Pay Phones
- Article X, Portable Storage Units
- Article XII, Pain Medication Licensing Procedure
- Article XIII, Vacation Rentals

Commissioner Resnick asked if the City is empowered to shut down a business that is operating without a BTR. City Attorney Ezrol replied that this could not be done without a court order. Any such action would have to come before the City Commission for a due process hearing.

Commissioner Caputo asked if the language added to Article V included a change in the hours a massage establishment or bathhouse may operate. Director Moore replied that the Ordinance states these services are prohibited from 10 p.m. to 6 a.m. There are no restrictions on hours of operation in current Code. The intent of the reduction is to prevent the possibility of human trafficking, although Commissioner Caputo noted that it is not clear how a minor reduction in hours would lessen the potential for that crime.

Commissioner Bracchi asked if the City has knowingly experienced any human trafficking. Assistant Chief Brodsky replied that while this has not been confirmed, the City has received reports and conducted an investigation that uncovered prostitution. Broward County leads the state in reports of human trafficking.

Commissioner Bracchi asked what hours Commissioner Caputo might propose for these

businesses. Commissioner Caputo advised that he was open to the establishment of “some reasonable set of hours,” as some of the businesses in question may be operating slightly beyond the hours proposed by the Ordinance. Assistant Chief Brodsky stated that there are two locations currently open until 11 and 11:30 p.m. Commissioner Caputo concluded that he would be satisfied with extending the proposed hours to 11 p.m. Commissioner Bracchi agreed that he was satisfied with allowing current businesses to continue to operate until 11 or 11:30 p.m.

Mayor Newton commented that he also did not take issue with the hours in which these businesses operate. Commissioner Caputo suggested that the existing businesses could be made nonconforming uses. It was clarified that no one was advocating for the businesses to be open on a 24-hour basis.

Commissioner Resnick asked how the proposed closure from 10 p.m. to 6 a.m. was determined. Assistant Chief Brodsky replied that two other Broward municipalities have required closures within the proposed time frame. No County-wide survey of hours has been conducted, as not all cities have a similar degree of massage parlor regulations. He did not oppose continued closure at 11 or 11:30 p.m.

There was Commission consensus to require the subject businesses to close no later than 11:30 p.m.

Commissioner Bracchi asked if the fingerprint requirements referred to in Section 10-45 applied to the owner of the establishment or another entity or entities. It was determined that this requirement applied to the leadership of the business. Because the Florida Department of Health has similar regulations, many cities have deferred to that Department for background checks. There are no other City businesses that require fingerprints, although they are required for solicitors.

Commissioner Caputo asked if there are any actions not included in the Ordinance that the Commission has not considered to reduce human trafficking. Assistant Chief Brodsky replied that law enforcement can partner with businesses to ensure they have sufficient training to detect and combat this crime.

Commissioner Bracchi addressed Section 10-53, which addresses the tinting of windows, and asked if this is addressed under another Ordinance. Assistant Chief Brodsky replied that he would verify whether or not this is addressed in another Ordinance and bring his findings back to the Commission.

Commissioner Bracchi addressed Article VII, Adult Entertainment Establishments, requesting definition of the term “adult motion picture theater.” He pointed out that this definition may include theaters on Dixie Highway which provide live as well as filmed entertainment. Director Moore clarified that the new definition of these businesses refers to films, live plays, dances, or other performances characterized by an emphasis on matter related to specific sexual activities for observation by patrons, and which restricts or purports to restrict admission to adults only. It may also refer to any business which features a person engaging in specific sexual activities for observation by a patron, also with admission restricted to adults only.

Commissioner Bracchi noted that the theaters on Dixie Highway to which he had referred do not show any specific sexual activities, although there may be nudity at times. He asked if those establishments would fall under the new definition. Director Moore replied that this would need further analysis. Commissioner Bracchi recommended against further restricting these theaters, and requested additional clarification of the new definition, particularly as regards nudity or the depiction of sexual activity without engaging in such.

Commissioner Caputo noted that the subject theaters on Dixie Highway do not have an age restriction. He also felt more information would be necessary before making a determination on these proposed changes. Commissioner Bracchi also noted that the reference to 50% visibility may once again be covered under another Ordinance, and would therefore be superfluous in the proposed Ordinance unless the City is attempting to place more restrictions on the businesses.

Commissioner Caputo requested clarification of what makes a hotel or motel an adult facility. Director Moore explained that these are defined as a place where motion pictures, not limited to film and videotape recordings, are shown in rooms designed primarily for lodging, with the motion pictures' dominant or primary themes being the depiction, description, or relation of specified sexual activities or specified anatomical areas.

Commissioner Caputo pointed out that premium cable television channels may also offer adult videos, and asked if these channels would cause a lodging facility to be classified as an adult hotel or motel. Director Moore confirmed that this could potentially occur.

City Attorney Ezrol advised that this clarification was in reference to a distance restriction. Commissioner Caputo pointed out that this would mean a hotel or motel offering premium cable channels could not be within 1000 ft. of a business selling alcohol. Commissioner Bracchi noted that the Section also clarifies that the motion pictures must have specific dominant or primary themes, which may be less likely.

Commissioner Bracchi asked where Article VIII addresses the rental of individual rooms rather than dwelling units. Director Moore advised that a single-family homeowner who wishes to lease an individual bedroom or bedrooms as long-term rentals would be required to obtain a residential rental license. She clarified, however, that no such situation has been brought to her attention thus far. Commissioner Bracchi stated that he did not feel the owner of a homesteaded property should not have to register their property as a rental unit if they offer a long-term lease on a bedroom.

Commissioner Caputo asserted that the licensing process is intended to protect people by ensuring safety standards. Commissioner Bracchi asked, however, how these rooms would be logistically identified and how Code might be enforced in this situation. City Attorney Ezrol stated that the definition of "residential rental unit" refers to "any part thereof," which he would interpret to mean renting out a room within a home.

Commissioner Bracchi asked what safety issues might trump the rights of a property owner living in their homesteaded house and renting a room. Code Compliance Supervisor Abel Alberro replied that one such issue he has encountered is the housing of different families in one home, which often result in calls for Police.

Commissioner Bracchi emphasized that he felt this Section constituted overreach for homesteaded properties and their owners, and he could not support it. He recommended separating references to “people who rent out a room” from individuals who rent out a property in which they do not reside.

Commissioner Resnick stated that he did not see a need to change current Code. Commissioner Bracchi reiterated that long-term room rentals are a concern for him. Commissioner Caputo added that he would be happy with Commission consensus to amend the Ordinance to exclude the rental of a bedroom. There was Commission consensus to make an exception from homesteaded owner-occupied properties that rent one or more rooms in their home.

Director Moore advised that under National Fire Code, multi-family properties must undergo inspections, while this is not a requirement for single-family homes. She recommended ensuring that when regulations for room rentals are dropped, inspections for room rentals may still occur.

Commissioner Caputo addressed Article X, Portable Storage Units (known as “pods”), requesting clarification of the duration of these units. Director Moore explained that Code states a permit for a pod may not be issued for more than 30 days within a 12-month period. Extensions to the 30-day time period are not permitted.

It was suggested that one extension might be permitted for these units if approved by the Community Development Services Director. The extension would not be automatically granted. Director Moore cautioned that active building permits for renovations can last for a number of years. City Attorney Ezrol advised that if the City’s Emergency Powers Act is invoked, the duration of a permit may be extended for the period of emergency plus six months.

Mayor Newton proposed that the time frame in which pods may be kept on-site be extended to 60 days rather than 30, after which time the unit must be moved offsite. There was Commission consensus to make this change.

Commissioner Bracchi asked if under Article XI, non-exempt pharmacies are required to file a report with the City and the Police Department each month. Assistant Chief Brodsky clarified that the Police Department does not receive such reports. Commissioner Bracchi suggested that this requirement could be removed, as it represents obsolete Code that is not followed by other municipalities.

The Commission moved on to Article XIII, Vacation Rentals, with Commissioner Caputo disclosing that he had previously operated an Airbnb but no longer does so, nor is he invested in a management company of this type. He added that he had also previously called a meeting of the City’s vacation rental license holders, which was well-attended. Most of the property managers who attended that meeting were in favor of the proposed changes to Code. He also plans to give testimony before the Special Magistrate regarding issues that occurred at a nearby vacation rental property.

Commissioner Caputo continued that Code should clarify that the telephone connection required

for vacation rentals must carry “E-911” ability. This does not have to be a landline. Other issues discussed by vacation rental managers included the requirement for renters to be 25 years of age or older: the managers felt that age 21 and up was a more appropriate age limit.

Commissioner Caputo continued that the requirement that the license plates of every vehicle that would be on the property or a copy of the licenses of all drivers on the property was seen as onerous by most of the property managers. He added that the requirement that property managers visit the property within 24 hours of guest checkout was not realistic in terms of the operation of the business, and the issues this requirement might resolve are addressed elsewhere in Code. He concluded that he would also like to hear clarification of the issues raised during public comment regarding the number of units.

Mayor Newton stated that he remained in favor of an age limit of 25 for renters, pointing out that this is the age limit under which individuals may not rent cars. While some young adults are responsible at the age of 21, he did not feel this applied to all persons of that age. He agreed that the requirement regarding vehicle licenses was unrealistic.

Assistant Chief Brodsky advised that the Wilton Manors Police Department is charged with protecting both guests and property owners. If vehicle license tag numbers are documented, this makes it easier to track them down if a vehicle is stolen. In addition, if a crime occurs, the information would provide an investigative lead. He was supportive of the continued collection of this information.

Commissioner Caputo advised that most drivers will know their own tag numbers, and in the case of a rental car, this information would be available through the rental company. He added that the full names of all individuals who are staying on the property are required, which he did not feel was an unreasonable requirement.

Director Moore noted that language regarding on-site inspection of a property following its rental period specifies that this be done “during the cleaning turnover” rather than within 24 hours of the end of the lease.

Director Moore continued that City staff has spoken with the Realtors’ Association regarding these Code changes, and that Association raised a number of issues, including:

- Removing the requirement that the responsible party for the property reside within Broward County
- Allowing a company rather than an individual to be that responsible party
- Modifying the owner inspection within 24 hours after each rental period to instead reference standard cleaning turn time frames
- Allowing required information to be provided in the rental guest information book rather than mounted on placards
- Adjusting the requirement that contact must be established within five minutes to one hour, and allowing for text or voicemail as long as contact is acknowledged

Commissioner Bracchi asked if Code requires one hour for a response from the responsible party to any issues that may occur on the premises. He pointed out that there is a significant difference

between requiring this party to return a phone call and requiring them to be on the premises. It was clarified that the responsible party must be able to respond and arrive at the address within 60 minutes.

Commissioner Bracchi pointed out that this may be problematic if the responsible party is elsewhere when they are contacted. Commissioner Caputo advised that most of the managers at his meeting did not take issue with this requirement, as there is typically a chain of command through which a responsible party is contacted.

Commissioner Bracchi also noted that the intent of the 24-hour turn time frame was to ensure that the property was not left in disarray immediately following a rental, which would create an issue for neighbors. He stated that the issue Code is intended to address is the existence of nuisance vacation rentals, and the property owner or manager would need to address any nuisance issues.

Commissioner Resnick felt there are other issues that constitute nuisance vacation rentals, citing the example of cars parked improperly on a property as an example of such. Commissioner Bracchi agreed this is also a nuisance violation, and pointed out that in these cases, neighbors of the property would need to call Code Compliance. He felt a responsible party should visit the property in a more timely manner than within the turnover period in order to ensure problems had not occurred.

Commissioner Caputo advised that the majority of issues that occur in nuisance vacation rentals are not issues that could be resolved by having a responsible party visit the property within 24 hours. He asserted that this regulation was making it more difficult for good property managers to do their jobs, with little to no verification of whether or not the managers of nuisance properties attempted to comply.

Commissioner Bracchi stated that while the average number of vacation rentals in Wilton Manors has increased significantly, the percentage of these properties being cited for violations was down to 8%. He felt this sent a message to nuisance vacation rentals, as did the City's improved Code Compliance staffing and better identification of the properties. Commissioner Caputo suggested that he might be supportive of the turnover requirement if it could be proven that a property manager has visited the property.

Commissioner Caputo also noted that if required information is placed on placards on the walls of vacation rental properties, they are likely to be ignored. He recommended placing this information in a binder with other rental information. Key information, such as the property address, the responsible party's phone number, and trash pickup information, would still be posted on the wall. Assistant Chief Brodsky recommended the inclusion of life safety information as well.

With regard to contact with a representative of the property, Commissioner Caputo agreed that acknowledgement of receipt of a text could be sufficient. Mayor Newton was not certain that acknowledgement would be enough. Commissioner Caputo pointed out that the intent is for the responsible party to make contact with the renter, and that a read receipt could be as valid as a phone call. Mayor Newton recommended that some kind of response be required. It was determined that no change would be made to this policy.

Director Moore next addressed the issues raised during public comment, including the definition of “motel.” She explained that this definition includes any public lodging establishment which offers rental units with an exit to the outside of each unit at daily or weekly rates, off-street parking for each unit, a central office on the property with hours of operation, a bathroom or connecting bathroom for each rental unit, and at least six rental units. The question had been whether or not a business must meet each of these requirements in order for the property to be considered a motel.

City Attorney Ezrol advised that the above definition comes from the state of Florida. A business operating as a motel would need to be registered as such with the state. The definition is intended to differentiate between a motel and a vacation rental. If a business is six units, it is not considered a vacation rental under state law or City Code, as the maximum number of units for a vacation rental, under state law, is up to four.

Director Moore noted that the property represented by Attorney Tom Runyan, who spoke during public comment, has been combined into a single parcel with five units, one of which is the residence of the property owner. She continued that another question had asked if the owner of the vacation rental resides on the subject property as a permanent residence, they were currently exempt from obtaining a vacation rental license. The City has proposed that this exemption be deleted.

Commissioner Bracchi stated that he did not support removing the exemption, pointing out that an owner residing on a property is more likely to take care of that property. If the owner’s residence is homesteaded, they would also have significantly more rights. He concluded that these issues were not what the Ordinance is intended to address. Commissioner Caputo agreed, although he pointed out that some homesteaded properties are not actually homesteads.

Commissioner Resnick asked how boardinghouses are regulated within the City, in which a property owner rents out a number of rooms. City Attorney Ezrol advised that regardless of the number of units in such a case, if one unit is occupied by an owner who resides on the property, they are permitted. He advised that he would look further into this and other issues discussed as part of the Ordinance.

City Attorney Ezrol requested that any other issues to be addressed as part of the Ordinance be raised before the item is tabled. Commissioner Caputo requested clarification of how the five units cited above, which are neither vacation rentals nor a motel, would be treated under the proposed Ordinance.

Commissioner Bracchi also requested more information on the requirement to provide noise detection devices. City Attorney Ezrol replied that one provision of the Ordinance addresses a standard for these devices, for which consistency would need to be ensured. The Ordinance also requires acknowledgement that if noise issues occur, the owner must install this type of device. This provision applies specifically to vacation rentals.

Commissioner Bracchi noted that documentation of vacation rental-related calls refers to only one noise violation thus far in 2022, and pointed out that if this is accurate, the Ordinance may be

overreaching by requiring noise measurement equipment. Commissioner Caputo did not feel this was overreach, and pointed out that this equipment would be helpful in addressing repeat offenses. He added that many property managers have already installed these devices.

City Attorney Ezrol also noted that there had been a question regarding the maximum gathering for an owner/resident-occupied vacation rental. Director Moore clarified that the maximum number of persons gathering at a vacation rental may not exceed 1.5 times the maximum occupancy reflected on the property's certificate of occupancy. This would replace a prior requirement that states occupancy shall not exceed 20 persons.

Commissioner Caputo made a motion to table Ordinance 2022-017. Commissioner Bracchi seconded the motion, which prevailed by unanimous roll call vote (5-0).

UNFINISHED BUSINESS

None.

REPORTS FROM BOARDS AND ADMINISTRATIVE OFFICIALS

City Manager's Report

City Manager Henderson reported that trees are being placed on Wilton Drive, and an additional surtax project is currently under construction on NE 24 Street and 15 Avenue. There will be temporary road closures on NE 15 Avenue beginning August 29 and lasting through September 9, 2022. Signs, message boards, and other notice will be provided.

The City continues to work with the Florida Department of Health to provide monkeypox vaccines. A mobile vaccination unit will be provided at the City Hall parking lot later this week as well as the week of August 28-September 3, 2022. Appointments are no longer required for this vaccine.

City Attorney's Report

None (written report attached).

NEW BUSINESS

Discussion of City Manager Compensation

It was clarified that the average City Manager's salary in Broward County was \$240,756. Human Resources Director Dio Sanchez advised that the survey did not include vehicle allowance. Every agency surveyed was found to provide either a vehicle allowance or a vehicle in lieu of allowance. The average salary does not include retirement, which varies from one agency to the next. Some cities may provide a higher salary and a lesser pension contribution. Others may contribute to more than one plan.

Commissioner Bracchi advised that the City needed to see the average total compensation,

including these differing contributions. It was determined that this Item would be brought back at the next meeting with the total compensation numbers. City Manager Henderson also noted that some municipalities did not report their pension contributions.

Commissioner Bracchi asked if the City Manager's current contract provided for salary increases every year, based on Cost of Living Adjustments (COLA) or another factor. Director Sanchez confirmed this calculation is the same COLA percentage as received by staff. The average compensation of \$240,756, recalculated with the pension contribution, was determined to be \$305,496.

It was clarified that any changes would require modification of the City Manager's contract as well as approval by Commission Resolution. The Commissioners determined that this Item would be brought back for additional discussion as a Resolution at the next scheduled meeting so it could be passed before the budget cycle ends. The intent was to establish compensation closer to the average amount for Broward County.

REQUEST FOR PLACEMENT OF ITEMS ON NEXT MEETING AGENDA

None.

ADJOURNMENT

The meeting was adjourned at 10:45 p.m.