

I. Applicant's Request.

Waste Management, Inc., seeks to change the future land use designation of the property identified below, and described in the application, from Electric Generation Facility to Industrial. The applicant's Letter of Intent (Attachment B), states that the request will provide continued use of the site as a municipal solid waste transfer station, and to allow for the future expansion of the existing, adjacent landfill once the power generation facility is dismantled. Solid waste transfer station and landfill use are not permitted as primary uses in the Electrical Generation Facility land use.

Figure 1: General Location Map

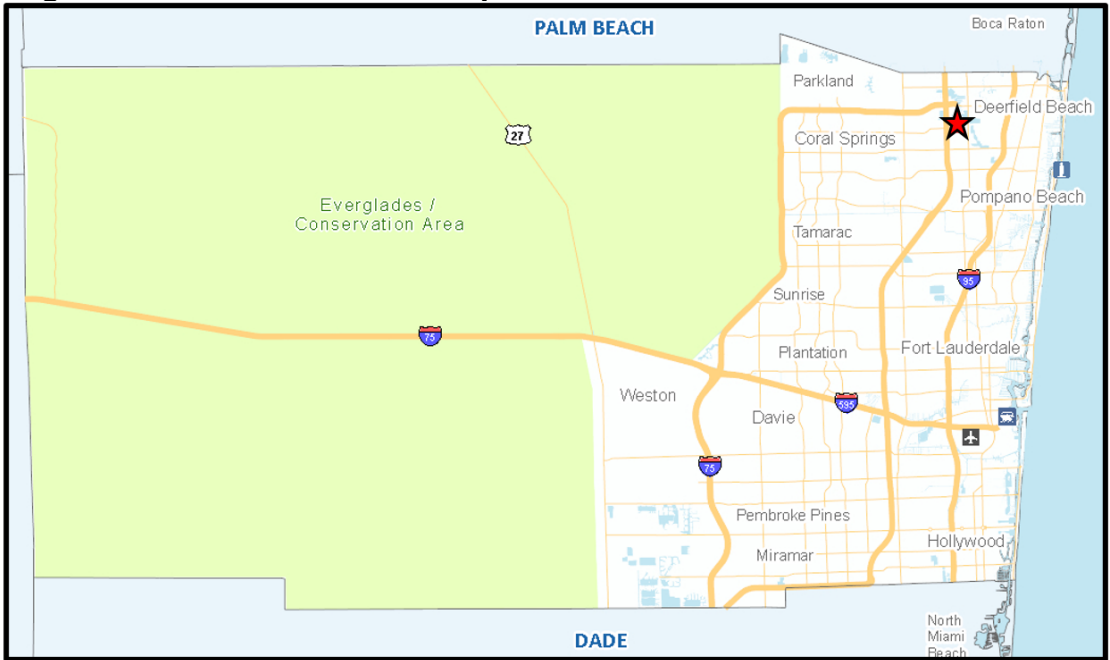


Figure 2: Specific Location Map



II. Staff Recommendation.

Staff recommendations are based upon a review of comprehensive plan goals, objectives, and policies concerning the uses allowed by the current future land use designation and the uses allowed by the proposed future land use designation. Considerations include compatibility with surrounding land uses, availability of public services and facilities, environmental impacts, and solid waste management.

The role of the Local Planning Agency (LPA) is to make recommendations to the Board of County Commissioners as to whether the proposed amendment is consistent with the Broward County Comprehensive Plan.

The Environmental Protection and Growth Management Department's Planning and Development Management Division:

- Recommends the Local Planning Agency (LPA) transmit the proposed amendment to the Board of County Commissioners (Board), with the recommendation that the Board transmits to Broward County Planning Council for their consideration; and
- Advises the LPA and the Board, that while the proposed amendment to Industrial future land use is compatible with adjacent uses and consistent with land use policies in the Broward County Comprehensive Plan; expansion of Monarch Hill Landfill and the loss of Electrical Generation Facility use is not consistent with environmental and solid waste goals, objectives and policies of the Comprehensive Plan.

III. Item Summary

The application site and Monarch Hill Landfill are located in unincorporated Broward County. Land use is regulated by both the countywide Broward County Land Use Plan (BCLUP) and by the Broward Municipal Services District Future Land Use Map (BMSD FLUM) in the Broward County Comprehensive Plan (BCCP). All land use plan amendments in the Broward Municipal Services District (unincorporated area) must be consistent with both documents.

This amendment proposes to change the BMSD FLUM designation of an approximately 24.2-acre site from Electrical Generating Facility to Industrial (Figure 1: General Location Map, Figure 2: Specific Location Map, Figure 3: Proposed Amendment Details, and Attachment A: Site Location Map). The proposed change also requires an amendment to the Broward County Land Use Plan. However, at this time, the applicant has not yet submitted an application to amend the BCLUP.

The site is the former Wheelabrator North Resource Recovery Facility that is owned and operated by Waste Management, Inc. of Florida. It is located adjacent to the Monarch Hill Landfill. It is bounded by landfill use to the south, east, and west.

The primary use on the site is the waste to energy plant that is no longer operating. In 2015, the use was discontinued following approval of a Global Amendment among

Broward County, Waste Management Inc. of Florida, Wheelabrator Environmental Systems Inc., Wheelabrator South Broward Inc., and related parties regarding solid waste disposal services (Broward County Commission Agenda Item No. 42, May 19, 2015.) The site is currently used as a solid waste transfer station consistent with the Global Amendment which term expires on July 2, 2023. The Global Agreement has renewal provisions, but use of the site for a solid waste transfer station beyond 2023 is uncertain. A land use plan amendment is necessary to provide for demolition of the waste to energy plant and the continued operation of the solid waste transfer station as a primary use.

Figure 3: Proposed Amendment Details

Commission District	4
Applicant and Property Owner	Waste Management, Inc.
Current Future Land Use Designation	Electrical Generation Facility
Proposed Future Land Use Designation	Industrial
Size	24.2 acres
Effect of Proposed Change	Allow waste transfer station and expansion of landfill
Existing Land Use	Inactive waste-to-energy facility
Current Zoning Districts	PUD and M-4
Address	2600 Wiles Road, Unincorporated Broward County
Folio Number	484216090010

IV. Analysis.

The following analysis reviews the Applicant's request for consistency with the Broward County Land Use Plan (BCLUP) and the Broward County Comprehensive Plan (BCCP), inclusive of the BMSD Land Use Plan element. Analysis of the applicant's request is divided into three parts:

- A. Land Use Compatibility;
- B. Consistency with policies in other Elements of the BCLUP and BCCP; and
- C. Other Planning Considerations.

A. Land Use Compatibility. Compatibility is a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition. Broward County Land Use Plan (BCLUP) Policy 2.10.2 requires compatibility of existing and future land uses be the primary consideration when considering local amendments.

Compatibility reviews involve evaluating the existing and proposed future land use designations in comparison with surrounding existing and planned land uses. Staff evaluates compatibility based upon the characteristics of the proposed use in relation to the surrounding existing and planned uses. This review includes policies from the BCCP.

- 1. Policies:** The following policies from the adopted Broward County Land Use Plan (BCLUP) and Broward County Comprehensive Plan (BCCP) address land use compatibility:
- BCLUP Policy 2.10.2: The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County and local land use plans. It is recognized that approved redevelopment plans aimed at eliminating or reducing blighted and deteriorating areas may appropriately promote the introduction of land use patterns in variance from existing land use patterns.
 - BCLUP Policy 2.10.3: In order to prevent future incompatible land uses, the established character of predominately developed areas shall be a primary consideration when amendments to the Broward County Land Use Plan are proposed.
 - BCCP, Broward Municipal Services District and Community Planning Element Policy 2.11.8: Landfills and resource recovery facilities shall be planned to minimize impacts on adjacent existing or planned uses.
- 2. Analysis:** The proposed amendment site is bound on the east, west, and south sides by an existing landfill with an Industrial land use designation. On the north, there are existing and planned industrial and commercial uses in the City of Deerfield Beach as shown in Attachments C, D, and E (maps). The proposed land use plan designation is the same as adjacent properties on three sides.

Figure 4 identifies the existing uses, zoning districts, and future land use designations of the proposed amendment site and surrounding area. The area surrounding the proposed amendment site is predominantly utilized and planned for industrial uses. The BCLUP Commerce designation allows industrial uses, such as manufacturing, wholesaling, storage, warehouse, and other uses, provided the local government determines that such uses are compatible with surrounding planned uses.

Figure 4: Site and Surrounding Land Uses

Location				
Subject Site	Waste to energy plant	PUD: Planned Unit Development & M-4: Heavy Industrial	Electrical Generation Facility	Electrical Generation Facility
North (Deerfield Beach)	Warehouse Light manufacturing	I-2: Limited Heavy Industrial	Industrial	Commerce
East	Vacant Industrial (Monarch Hill Landfill)	A-6: Agricultural Disposal	Industrial	Commerce

Location	Existing Use	Current Zoning	Future	
South	Industrial (Monarch Hill Landfill)	A-6: Agricultural Disposal	Industrial	Commerce
West	Trucking operations (Waste Management)	A-6: Agricultural Disposal	Industrial	Commerce

*As currently designated in the adopted map.

- a. **Existing Land Use:** Adjacent and nearby existing land uses include landfill, industrial uses such as warehouses, light manufacturing, and trucking operations (Attachment E.)
- b. **Zoning:** The proposed Industrial future land use designation is consistent with the heavy industrial and agricultural disposal zoning districts located adjacent to and within the vicinity of the proposed amendment site (Attachment F.)
- c. **Future Land Use:** The proposed Industrial future land use designation is consistent with the Industrial future land use designations located adjacent to and within the vicinity of the proposed amendment site. However, it reduces the number of sites designated for Electrical Generating Facilities within Broward County from five (5) to four (4), (further analysis provided below).

Future land use designations within comprehensive plans provide for general types of uses that are allowed, but they do not include specific development regulations associated with any use nor create a vesting of rights to any particular allowed use. Zoning, Land Development Regulations and licensing provisions provide for that level of specificity. Hence, while landfill and waste transfer facilities are allowed within an Industrial future land use designation, actual siting, development and operation of those uses would be regulated by zoning, site planning, permitting, licensing, inspection, and enforcement.

Industrial uses, including the those intended by the Applicant, have the potential to generate negative impacts on surrounding land uses. These include the generation of noise, odors, heavy truck traffic, unsightly aesthetics, and emissions. Consideration of such impacts is applied to how they may affect the adjacent land uses. Given the surrounding land uses are already industrial, it is likely the impact will be no greater than that created by the adjacent uses.

Landfills also have the potential to generate leachate, a form a water pollution. However, new landfills include leachate collection systems and liners to protect groundwater. Potential negative impacts on adjacent and surrounding land uses should be mitigated through the site planning process and compliance with all applicable local and state permitting and licensing requirements.

- 3. Findings:** *Staff finds that Industrial use would be compatible with the surrounding existing industrial land uses and that the proposed amendment is consistent with BCCP and BCLUP policies that address compatibility.*

B. Consistency with Policies in Other Elements of BCLUP and BCCP. The proposed amendment, from Electrical Generation Facility to Industrial use, would allow the applicant to demolish existing buildings and expand Monarch Hill Landfill onto the amendment site. The applicant has indicated that this is the long-term intent (see Attachment B.) As such, this portion of the analysis is divided into two parts. The first addresses Solid Waste Policies, and the second addresses Electric Generation Policies.

1. Solid Waste Policies: The following BCCP and BCLUP policies address solid waste and are applicable to the proposed amendment:

- BCLUP Policy 2.1.1: Broward County shall maintain a balanced Land Use Plan to implement a regional vision including the provision of essential public services and facilities, as well as enhanced sustainability and livability.
- BCLUP Policy 2.20.3: Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, an increased efficiency of utilizing water and energy resources to reduce the consumption of water and fossil fuel energy and the production of waste materials via techniques such as efficient design, renewable energy, efficient equipment and green infrastructure management systems.
- BCLUP Policy 2.20.13: Adopt, implement and encourage provisions, incentives and methods to reduce future per capita use of natural and non-renewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.
- BCLUP Policy 2.20.16: Broward County shall pursue strategies to diversify energy sources in order to reduce greenhouse gas emissions within Florida.
- BCCP Climate Change Element: Policy 2.16: Broward County shall continue to pursue the source reduction, reuse, recycling, and recovery model of waste management, consistent with the Solid Waste Element of the Broward County Comprehensive Plan, in order to meet the State of Florida goal of recycling seventy-five percent of municipal solid waste (including net waste combusted) by 2030; work towards the zero waste by 2030 goal established in the Broward County Climate Change Action Plan; and continue to provide the environmental and social benefits of lowering GHG emissions, producing alternative energy, and reducing toxins in our land and water.

- BCCP Climate Change Element: Policy 2.17: Broward County should develop, in conjunction with local municipalities and business, a sustainable and energy-efficient materials economy through cooperative materials management systems and infrastructure, in order to maximize the recovery and reuse of waste, water, wastewater, and other materials in ways that capture their economic value, conserve embedded energy, and minimize net life-cycle emissions of GHG and other pollutants.
- BCCP Solid Waste Element Policy 6.2.2: The impact of solid waste management facilities and support services on adjacent natural resources and land uses shall be considered during the siting of new solid waste management facilities and the expansion of, or increase in, capacity of solid waste management facilities.
- BCCP Solid Waste Element Policy 6.3.4. Potential expansion of the Central Disposal Sanitary Landfill (CDSL) [*Monarch Hill*] shall be governed by the following:
 - (a) Broward County shall not approve a solid waste license or a zoning application which would allow the CDSL [*Monarch Hill*] to expand horizontally beyond the confines of the major roadways that currently constitute its boundaries: Wiles Road to the north; Sample Road to the south; Powerline Road to the east; Florida's Turnpike to the west.
 - (b) Prior to January 1, 2018, Broward County shall not accept a solid waste license or zoning application which would allow the CDSL [*Monarch Hill*] to exceed a maximum vertical height of 225 feet NGVD with three to one slopes as those applicable slopes are defined in Chapter 62-701 of the Florida Administrative Code in effect on September 13, 2010, and within the confines of the following major roadways: Wiles Road to the north; Sample Road to the south; Powerline Road to the east; Florida's Turnpike to the west.
 - (c) On or after January 1, 2018, the County may approve an application for a solid waste license or a zoning approval which would allow the CDSL [*Monarch Hill*] to exceed a maximum vertical height of 225 feet NGVD with three to one slopes, as set forth in (b) above, only if said approval restricts the waste to be accepted at CDSL [*Monarch Hill*] to Summit Waste, as defined in (d) below, except in the following limited circumstances:
 - (i) The North Waste-to-Energy facilities located at 2600 Wiles Road, Pompano Beach, FL and/or the South Waste-to-Energy facilities located at 4400 South State Road 7, Fort Lauderdale FL are not operational;
 - (ii) There exists a declared disaster pursuant to a Federal, State of Florida, or Broward County declaration.
 - (iii) The waste must be disposed of at the CDSL [*Monarch Hill*] pursuant to an already existing contract between the operator of CDSL [*Monarch Hill*] and Miami Dade County, including any renewals or extensions


thereto based on Miami Dade County exercising any option it has in the already existing contract;

- (iv) There is a de minimis amount of processable waste that must be delivered to the CDSL [Monarch Hill] as a result of a hauler, truck or equipment breakdown; or
 - (v) Processable waste is inadvertently mixed in with bulk pick-up loads as a result of consumer error.
- (d) The term “Summit Waste” shall mean and include all types of non-hazardous solid waste which are authorized by the current (as of September 13, 2010) solid waste license for the CDSL [Monarch Hill] issued by Broward County, except “garbage” as defined by 62-701.200(34) of the Florida Administrative Code in effect as of September 13, 2010. Summit Waste shall include, but is not limited to ash, construction and demolition debris, Class III waste (as defined in Rule 62-701.200(14) F.A.C.), non-hazardous soils, and sludge (as defined in Rule 62-701.200(106) F.A.C., but excluding liquids).
- BCCP, Solid Waste Element Policy 6.4.3: New and expanded landfills, and new and expanded resource recovery facilities, shall be planned to minimize impacts on adjacent existing or adopted future land uses.

2. Solid Waste Analysis: The BCLUP policies listed above were adopted by the Board of County Commissioners on April 25, 2017, and the BCCP Climate Change Element was adopted on March 28, 2019. (These updates were also referred to as BrowardNEXT and BrowardNEXT 2.0 respectively.) The Solid Waste Element was not revised as part the BCCP update. Therefore, the goals objectives and policies adopted on September 28, 2010, for Solid waste, remain in effect. This information was included in the County’s October 19, 2018 letter transmitting the BrowardNEXT 2.0 BCCP to the Florida Department of Economic Opportunity and other required state agencies.

The United States Environmental Protection Agency (EPA) recommends an integrated, hierarchical approach to solid waste management, as shown in Figure 5. The hierarchy is intended to provide a mixture of solid waste disposal methods, that, when used in combination, will result in the safe and effective handling of municipal solid waste with the least adverse impacts on human health and the environment.

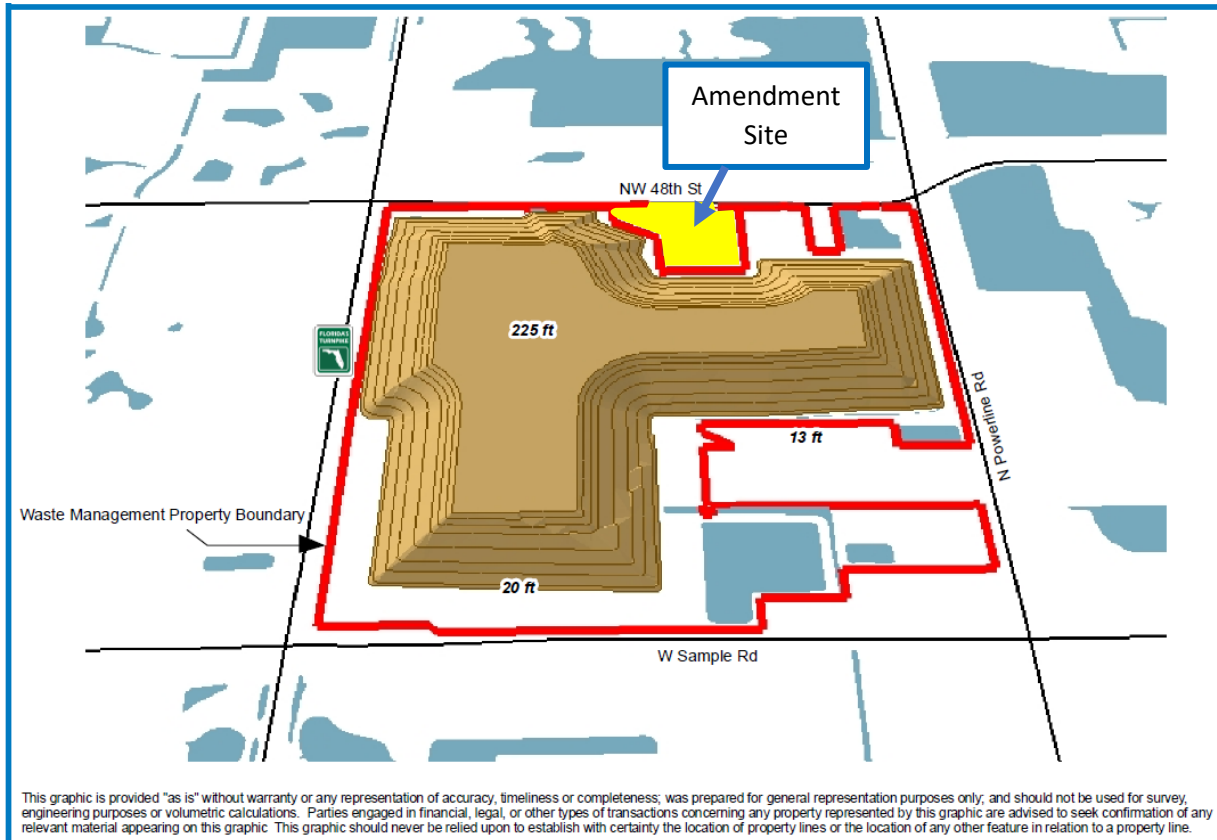
Figure 5: Integrated Solid Waste Management Hierarchy

	1. Source reduction and reuse (reduce volume and toxicity, increase product life)
	2. Recycling and composting (diverts waste from landfills and incinerators)
	3. Energy recovery (reduce volume, recover energy)
	4. Treatment and disposal (final disposal nonrecyclable and noncombustible materials)
https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials	

The adopted BCLUP policies and BCCP Climate Change Element policies reflect the Board's strong commitment to resiliency and sustainability. The intent is to implement energy conservation, recycling, and environmental protection. They aim for a regional approach to coordination of environmental matters. The applicant's site is part of that regional planning effort and its current operations, inclusive of the 2015 Global Amendment are reflective of that intent. It is not clear how a permanent change in use, specifically, the applicant's long-term plan to expand Monarch Hill Landfill, fulfills those policies. The site is part of a regional waste management system, any change to that system must fully address and be responsive to the community's needs in a regional context.

Figure 6 shows the extent of the Monarch Hill Landfill footprint based on current licenses and permits. The proposed amendment site would allow northward and eastward expansion of the landfill footprint (subject to rezoning, and issuance of required licenses and permits.) The applicant has not submitted data indicating the need for the expansion, its volume or proposed timing. Staff notes that Waste Management Inc. of Florida also owns the property to the southeast of the current Monarch Hill Landfill that is not currently under consideration for landfill expansion.

Figure 6: Monarch Hill Landfill Elevation



The Solid Waste Element of the BCCP is intended to address short and long-term policies to meet regional solid waste needs. The current policies of the element were adopted and implemented during the existence of the Resource and Recovery Board which helped guide the County's waste management system. The agency is no longer in existence and the County and its municipal partners are now in negotiations to create a new entity to manage solid waste countywide (ILA, dependent or independent board). With that new agreement, Broward County will then be able to update the Solid Waste Element as required by, and consistent with, State Statute.

Broward County and partner municipalities have been meeting for several months to identify the future solid waste management system. The recent Arcadis Study (Solid Waste and Recycling Issues Study, December 13, 2018) identified the following:

- a. Need for recovered materials processing facilities and additional transfer stations to improve capture and flow of recyclables, construction and debris, bulk and yard waste.
- b. Need to increase waste-to-energy capacity, including supplemental incinerator operations. This need is identified as a priority to reduce the volume of material that is disposed in landfills. Siting for these facilities has yet to be determined and there are few compatible locations in Broward County; the proposed amendment would remove one of the potential sites.

An essential element of an update Solid Waste Element is the need for resource recovery facilities to meet the State goal of recycling 75 percent of municipal solid waste. To accomplish this, further analysis at a countywide scale is needed, and will occur, in conjunction with the Solid Waste Element update. Allowing additional landfill capacity, by expansion beyond the permitted footprint, may be inconsistent with the County's goals to reduce the volume of solid waste disposed of in landfills and meet the State's 75% threshold. Again, the use proposed and the site's impact on surrounding communities are part of the regional solid waste planning effort. Decisions regarding the future use of an individual regional solid waste facility, without considering regional needs, may constrain Broward County's long-term ability to provide for efficient and cost-effective solid waste disposal.

3. Electrical Generation Facilities Policies: The following BCLUP policy addresses Electrical Generation Facilities:

- Broward County Land Use Plan Policy 2.11.9: Broward County shall encourage power generation facilities and power transmission infrastructure be sited and designed in a manner which takes into consideration impacts from climate change, including increasing winds, storm surge, ambient temperatures and sea level rise.

4. Electrical Generation Facilities Analysis: The Electrical Generation Facility future and use category and corresponding Future Land Use Map amendments were adopted into both the BCLUP and the BCCP Land Use Element on November 12, 2002. The

amendments were in response to compatibility issues raised concerning proposals to site new electrical generating facilities. In addition, the amendments specifically excluded electrical generating facilities from Utilities, Industrial, Commercial, Agricultural, and Residential categories. Since that time, the BCLUP has collapsed the Utilities, Industrial, and Commercial land use categories into the Commerce designation. However, the BCCP retains the separate categories. Hence, there remains a distinction between Electrical Generation Facility land use and other designations within both the BCCP Future Land Use Element and the BCLUP

The proposed amendment would result in the loss of one (1) of only five (5) sites in Broward County that are designated for electrical generation facility use consistent with Florida Power Plan Siting Act. Prior to its decommissioning in August 2015, the Wheelabrator North Broward waste to energy facility was one of the five (5) electrical generating facilities that served Broward County (Figure 7).

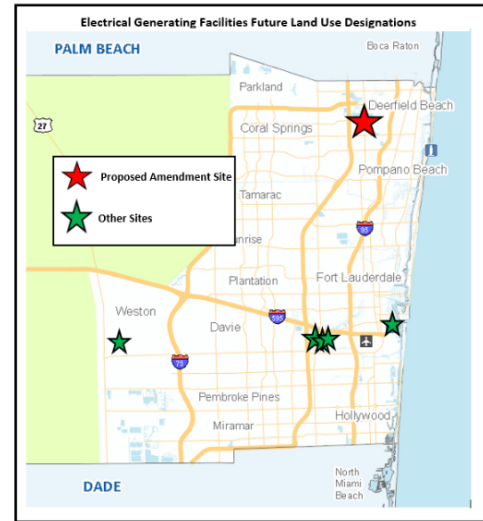
Figure 7: Energy Production Facilities Location, Type, and Production

Plant	Future Land Use ²	Operator	Municipality	Primary Fuel	Acres	Capacity (MW)
Wheelabrator North Broward ¹	EGF	WM Renewable Energy, LLC	Unincorporated	Municipal Solid Waste	24.2	67.6 (retired)
Csl Gas Recovery ¹	Industrial	WM Renewable Energy, LLC	Unincorporated	Landfill Gas	15.6	11.2
Lauderdale ¹	EGF	Florida Power and Light Co.	Dania Beach, Hollywood	Natural Gas	375.4	2,258.3
Port Everglades ¹	EGF	Florida Power and Light Co.	Hollywood	Natural Gas	54.8	1,352
Wheelabrator South Broward ¹	EGF	Wheelabrator Environmental Systems	Unincorporated	Municipal Solid Waste	50.4	66
Broward County Landfill	EGF	None	Unincorporated	N/A	45.6	0
Total					566.0	3,755.1

The five (5) plants together had a combined electrical generating capacity of 3,755.1 megawatts. The proposed amendment site previously generated 67.6 megawatts or approximately 1.8% of the energy generated in Broward County. Broward County is still served by the remaining four (4) electrical generating facilities with a combined electrical generating capacity of 3,687.5 megawatts. (Figure 8)

Figure 8: Broward County Electrical Generating Facilities Future Land Use Designations and Electricity Generated

Broward County Electrical Generating Facilities (EGF)	
Type	Number
Facilities with EGF Future Land Use	5
Existing EGF	4
Existing EGF with EGF Future Land Use	4
Daily Energy Output (Megawatts)	
Type	Amount
Total Daily Output, including former Monarch Hill EGF	3,775.1
Former Monarch Hill EGF	67.6
Former Monarch Hill EGF Output as Percent of Total Daily Energy Output	1.8%
Current Total Daily Output	3,687.5



5. Findings: *The proposed amendment is not generally consistent with BCCP and BCLUP policies related to expansion of landfill. Further, approval of land fill expansion at this time should be deferred until an updated Solid Waste Element is adopted by the Board of County Commissioners.*

C. Other Planning Considerations

The proposed amendment was reviewed by the various agencies that provide public infrastructure and facilities and natural and historic resource protection.

1. Policies:

The various elements of the BCCP and BCLUP are implemented through myriad policies of the BCCP, including, but not limited to, those referenced in this Staff Report.

2. Analysis:

a. Mobility. Broward County supports Complete Streets and the expansion of bicycle, pedestrian, and greenway networks (See Attachment G). The proposed amendment site is bounded by Wiles Road, NW 120th Avenue, and Coral Ridge Drive. The 2019-2028 Vision Plan component of the BCT Transit Development Plan includes new local routes, community shuttle improvements, and maintenance of local status quo routes. Bicycle lanes are not present on and adjacent to the amendment site and sidewalks are inconsistent. The existing sidewalk and bicycle infrastructure adjacent to the proposed amendment site needs improvement.

Staff recommends the applicant consider making improvements through the following:

- Collaborate with the City of Coral Springs, Florida Department of Transportation, Broward Metropolitan Planning Organization, and Broward County to construct sidewalks and dedicated bicycle facilities concurrent with new development.
 - Design the site to include safe and convenient connections to the surrounding transportation network.
 - Consider installing amenities, such as bus stops, pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations within and around the development.
 - Consider providing electric vehicle charging stations.
- b. Potable Water.** The Broward County Water and Wastewater Management Division stated it has the capacity to provide potable water services (Attachment H). It is estimated that demand for potable facilities will decline as a result of the proposed amendment.

Figure 9: Potable Water Impacts

Service Provider	Broward County Water and Wastewater Services Division-District 2
Treatment Plant	Broward County Water Treatment Plant 2A
Impact	-0.0081 MGD

- c. Sanitary Sewer.** The Broward County Water and Wastewater Management Division stated it has the capacity to provide wastewater treatment services. It is estimated that demand for sanitary sewer facilities will decline as a result of the proposed amendment (Attachment H).

Figure 10: Sanitary Sewer Impacts

Service Provider	Broward County Water and Wastewater Services Division
Treatment Plant	Broward County North Regional Wastewater Treatment Plant
Impact	-0.0063 MGD

- d. Solid Waste Generation.** The proposed amendment is expected to have a neutral impact on solid waste generation. Staff concludes adequate solid waste disposal facilities exist to serve the proposed amendment site. Broward County's Solid Waste and Recycling Services Division reviewed the proposed amendment and is neutral about impacts to solid waste generation rates (Attachment I).

Figure 11: Solid Waste Impacts

Future Land Use	Generation Rate¹	Total	Impact
<u>Current</u> : Electrical Generation Facility	2 lbs. per 100 sq. ft. per day	4,820.2 lbs. per day	N/A
<u>Proposed</u> : Industrial	2 lbs. per 100 sq. ft. per day	4,820.2 lbs. per day	0

¹ Broward County Comprehensive Plan, Solid Waste Element, Table 6-A: Solid Waste Generation Rates for Development Review.
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- e. **Drainage and Aquifer Recharge.** Pursuant to Florida Power Plant Siting Act, the Florida Department of Environmental Protection regulated surface water management. With the cessation of the power plant use, it is expected that Broward County will regulate surface water management. Due to changes in the site and surrounding area since the original license was issued, the license and permit may need to be recertified or modified. (Attachment J)

The proposed amendment site is located within the Hillsboro Canal Drainage Basin, the jurisdictions of Broward County Water Control District 2 and the South Florida Water Management District. Development is required to meet the drainage standards of both. Compliance should reduce the potential for flooding and ensure surface water quality is maintained. An environmental resource modification permit may be required. (Attachment K)

The proposed amendment site is located within the Federal Emergency Management Agency (FEMA) flood insurance zone X or areas determined to be outside the 0.2% annual chance floodplain. (Flood Insurance Rate Map (FIRM)12011C0166H, Effective August 18, 2014) (Attachment K)

Development consistent with the proposed future land use designation would increase the percentage of impervious area from 20% to 72%. Consequently, the volume of water available for recharge would decrease. The change in recharge capacity would be moderate. (Attachment K)

- f. **Air Quality.** The proposed amendment is not expected to generate additional peak hour trips. Based upon the preliminary traffic analysis and the projected levels of service on surrounding roadways, the proposed amendment can reasonably be assumed to have minimal impact on air quality. (Attachment K)
- g. **Wellfield Protection.** The proposed amendment is not expected to negatively impact wellfields. The proposed amendment is not located within a wellfield zone of influence. (Attachment K)
- h. **Specially Designated Areas.** The proposed amendment is not expected to negatively impact specially designated areas. The proposed amendment site does not contain, Areas with special county designations, such as Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, and Urban Wilderness Inventory Sites. (Attachment K)
- i. **Protected Natural Land.** The proposed amendment is not expected to negatively impact protected natural land. The proposed amendment site does not contain any land and is not adjacent to any land identified in the Protected Natural Lands Inventory. The closest site included in the Protected Natural

Lands Inventory is one of the Tradewinds Park Natural Areas, located approximately ½-mile west of the proposed amendment site. (Attachment K)

- j. Wetlands.** The proposed amendment is not expected to negatively impact wetlands. Broward County staff has not identified any wetlands on the proposed amendment site. Any work in, on, or under waters or wetlands of Broward County will require a license. (Attachment K)
- k. Upland Resources (Tree Preservation).** The proposed amendment is not expected to negatively impact upland resources. Aerial photographs indicate the presence of mature tree canopy. Site development must comply with the Broward County Code of Ordinances, Chapter 27-Pollution Control, Article XIV-Broward County Tree Preservation and Abuse Ordinance. The tree removal licensing process requires the applicant to minimize the number of trees removed by incorporating suitable existing trees in the site plan design. Suitable existing trees that cannot be incorporated into the site plan must be relocated. Trees permitted for removal must be replaced. The applicant's compliance with Broward County's Tree Preservation and Abuse ordinance is expected to mitigate any potential negative impacts on upland resources.

Staff notes that Broward County's NatureScape Program is geared toward creating Florida-friendly landscapes and guidance materials are available at www.broward.org/NatureScape/Pages.Default.aspx. (Attachment K)

- l. Marine and Riverine Resources.** The proposed amendment is not expected to negatively impact marine or riverine resources. (Attachment K)
- m. Proximity to Solid Waste Facilities, Contaminated Sites, SARA Title III (Community Right to Know) Facilities, Hazardous Materials Facilities.** (Attachment K)
No known SARA Title III Facilities are on or adjacent to the proposed amendment site. Hazardous Materials Facilities Eleven (11) hazardous materials and storage tank facilities located within ¼-mile of the proposed amendment site:
- Eight (8) hazardous materials facilities.
 - Three (3) facilities with both hazardous materials and storage tanks.
- n. Historic Resources.** Broward County's archaeological consultant determined that the proposed project will not affect any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. However, in the event that unmarked burials are discovered, all activity that may disturb the unmarked burial shall cease immediately and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. (Attachment L)

- o. Endangered, Threatened or Species of Special Concern; Plants Listed in the Regulated Plant Index.** Protected species are not known to exist on the proposed amendment site.
- p. Priority Planning Areas for Sea Level Rise.** The site is not included in a designated Priority Planning Area for sea level rise. (Attachment K)
- q. Hurricane Evacuation.** The proposed amendment site is not located within an evacuation zone.
- r. Redevelopment and Urban Infill.** The proposed amendment site is not located within a Community Redevelopment Area and is not an urban infill project.

3. Findings: *The proposed amendment is consistent with BCCP and BCLUP policies that address public infrastructure and facilities and that no negative impacts on adjacent natural and historic resources have been identified.*

V. Intergovernmental Coordination and Public Notice.

Staff solicited comments from City Commissioners, Managers, and Planning Directors of Coconut Creek, Deerfield Beach, and Pompano Beach. Comments have been received from two (2) cities and were forwarded to the applicant:

- A. Coconut Creek Response:** The City issued a letter opposing the proposed amendment. (Attachment M)
- B. Deerfield Beach Response:** The City issued a letter opposing the proposed amendment. (Attachment N)
- C. Public Notice.** The required newspaper legal ad for the Local Planning Agency public hearing was published in the Sun-Sentinel. The cities of Coconut Creek, Deerfield Beach and, Pompano Beach also were provided notice via letter. (Attachment O)

VI. Attachments

- A: Site Location Map
- B: Applicant's Letter of Intent
- C: Current Future Land Use Map
- D: Proposed Future Land Use Map
- E: Site Location Aerial Map
- F: Zoning Map
- G: Mobility comments
- H: Water and Wastewater comments
- I: Solid Waste and Recycling Services Division comments
- J: Drainage comments
- K: Environmental Resource comments
- L: Historic Resource comments
- M: City of Coconut Creek comments

N: City of Deerfield Beach comments

O: Pompano Beach Request for Comments

P: Public Notice (Newspaper Notice and Notices to Coconut Creek, Pompano Beach, and Deerfield Beach)