



# MEMORANDUM

AGENDA ITEM #7f

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DATE: SEPTEMBER 8, 2008

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: TOWN OF DAVIE ADOPTED COMPREHENSIVE PLAN AMENDMENT

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## Introduction

On August 25, 2008 Council staff received adopted amendment #08-R1 to the Town of Davie Comprehensive Plan for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. The adopted amendments are to update the Town's Capital Improvement Element. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

## Community Profile

The Town of Davie, located in central Broward County, encompasses 35.5 square miles and in 2007 had an estimated population of 93,428, an increase of 23% since 2000 (partially due to annexation). The Town has worked to preserve its rural atmosphere, equestrian lifestyle and western theme district. The Town has numerous parks and more than 165 miles of trail system. A number of colleges, technical institutes, and universities are located in the South Florida Educational Center in eastern Davie. The State Road 7/U.S. 441 Corridor forms the eastern edge of the Town. The Town is a member of the State Road 7 Collaborative.

Additional information regarding the Town or the Region may be found on the Council's website, [www.sfrpc.com](http://www.sfrpc.com).

## **Capital Improvements Element Annual Update Amendments**

Every year local governments must update their Capital Improvements Element (CIE), including the Five-Year Schedule of Capital Improvements (Schedule). The purpose of the CIE and the Schedule is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) Standards are achieved and maintained for concurrency related facilities (sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, transportation facilities, including mass transit, where applicable, and public school facilities starting in 2008). In order to assure that facilities will be in place to maintain LOS standards in a timely manner, the Schedule must address deficiencies and be financially feasible. The adopted update amendment must be received by the Department of Community Affairs (DCA) by December 1 of each year.

The annual update amendment is exempt from the twice-per-year limitation on plan amendment adoptions and may be adopted by a local government with only one public hearing. Under this expedited process, the local government does not transmit the annual update as a proposed amendment and DCA does not issue an Objections, Recommendations and Comments (ORC) Report. Instead, the

local government simply adopts the CIE annual update amendment at a duly noticed public hearing, sends the adopted amendment to DCA, and DCA publishes a Notice of Intent after conducting a compliance review. However, a local government may elect to submit the annual update as a proposed amendment for review just like other large scale amendments.

Local governments with no scheduled improvements must still annually review and revise, as necessary, the CIE. If the annual review establishes that no capital improvement projects need be included in the Schedule, then the annual update should demonstrate that LOS Standards will be maintained during the next five-year planning period and, thus, no capital improvements need be scheduled.

Effective December 1, 2008, if the adopted annual CIE update amendment is not received by DCA by December 1 of each year, the local government is prohibited from adopting Future Land Use Map changes, except for amendments to meet new statutory requirements and emergency amendments, until the update amendment is submitted to the Department. This prohibition on future amendments also applies to small scale amendments.

### Summary of Staff Analysis

The Town of Davie's adopted amendment package #08R1 contains the Town's revised Capital Projects Program for fiscal years 2007-2011. This remedial amendment was adopted pursuant to a stipulated Settlement Agreement with the Department of Community Affairs.

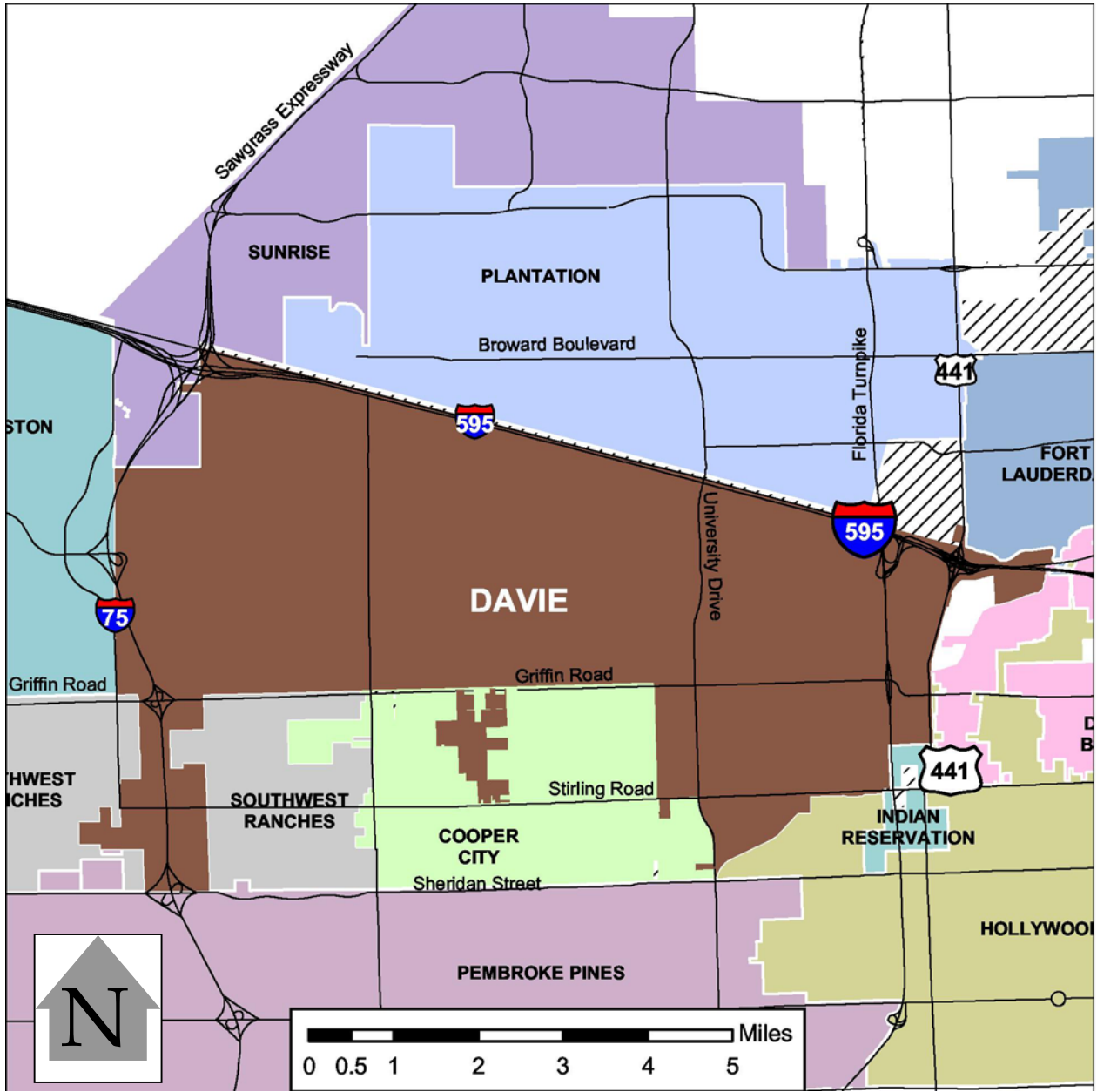
When first submitted, the Department found the capital projects program to be not in compliance due to the fact that certain projects listed in the 5-year schedule of capital improvements were not financially feasible as defined in the statute. Council staff worked with the Town and DCA to resolve the outstanding issues. Subsequently, the Town and DCA entered into a stipulated Settlement Agreement outlining the remedial actions necessary to bring the Capital Projects Program into compliance. The revised 5-year capital projects program in this amendment package conforms to the terms of the stipulated Settlement Agreement reached between the Town and DCA.

The Town of Davie Town Council adopted the land use plan amendment by a vote of 4-0 (one Council member was absent) at its meeting on August 20, 2008.

### Recommendation

Find adopted amendment package #08-R1 generally consistent with the *Strategic Regional Policy Plan for South Florida* and approve this report for transmittal to the Florida Department of Community Affairs.

Attachment 1



COMPREHENSIVE PLAN AMENDMENTS

Location Map

Town of Davie

Adopted Amendment #08R1

Sources: FDEP, SFWMD, Broward County, SFRPC.  
Note: For planning purposes only. All distances are approximate.