



February 8, 2024

Barbara Powell, Plan Processing Administrator
State Land Planning Agency
Florida Commerce
Caldwell Building
107 East Madison, MSC 160
Tallahassee, FL 32399

Dear Ms. Powell:

On February 6, 2024, the Broward County Board of County Commissioners held a public hearing in accordance with Chapter 163, Florida Statutes, and voted to adopt Ordinance Numbers 2024-05 and 2024-06, to amend the Broward County Comprehensive Plan (BCCP). The amendments are to the Broward County Land Use Plan (BCLUP) text (PCT 22-7 and PCT 23-3). Amendment PCT 22-7 was transmitted by the Board of County Commissioners on September 7, 2023, and was reviewed under the expedited State review process (#23-2ESR). Amendment PCT 23-3 was transmitted by the Board of County Commissioners on October 10, 2023, and was reviewed under the expedited State review process (#23-3ESR).

In accordance with the Florida Administrative Code, the adoption ordinances and the adopted amendments are provided in digital format. It is noted that the certified, sealed ordinances will be forwarded upon receipt from the County's Records, Taxes and Treasury Division. In addition, by copy of this letter, digital copies of this submittal are being provided directly to the South Florida Regional Planning Council, the Florida Department of Transportation - District IV, the South Florida Water Management District, the Florida Department of Environmental Protection, the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture and Consumer Services and the Florida Department of Education.

We appreciate the continued assistance and cooperation of the Division of Community Planning in the development and refinement of the Broward County Comprehensive Plan.

Please contact me or Deanne Von Stetina, AICP, Assistant Executive Director for the Planning Council, if you have any questions or require additional information.

Respectfully,

A handwritten signature in blue ink, appearing to read "Barbara Blake Boy".

Barbara Blake Boy
Executive Director

Barbara Powell
February 8, 2024
Page Two

BBB:DBT
Enclosures

cc/enc/email: Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council
Cesar Martinez, PE, Planning & Environmental Administrator, Florida Department
of Transportation, District IV
Larry Hymowitz, Planning Specialist, Planning & Environmental Management,
Florida Department of Transportation, District IV
Althea P. Jefferson, AICP, Senior Policy and Planning Analyst, Water Supply
Implementation Unit, South Florida Water Management District
Plan Review, Office of Intergovernmental Programs, Florida Department of
Environmental Protection
Alissa S. Lotane, State Historic Preservation Officer, Bureau of Historic
Preservation, Florida Department of State
Scott Sanders, Conservation Planning Services, Florida Fish & Wildlife
Conservation Commission
Comprehensive Plan Review, Office of Policy & Budget, Florida Department of
Agriculture and Consumer Services
Morgan Runion, AICP, Office of Educational Facilities, Florida Department of
Education
Monica Cepero, Broward County Administrator
Maite Azcoitia, Broward County Deputy County Attorney
Josie P. Sesodia, AICP, Director, Broward County Planning and Development
Management Division
Eleanor Norena, Director, Community Development Department, City of Dania
Beach



PUBLIC HEARING

BROWARD COUNTY COMPREHENSIVE PLAN

NOTICE OF CHANGE OF LAND USE PLAN

Broward County proposes amendments to the Broward County Comprehensive Plan, which includes the Broward County Land Use Plan. The amendments propose a change to the Broward County Land Use Plan as described below. The Broward County Board of County Commissioners will hold a public hearing on February 6, 2024, at 10:00 A.M. in Room 422, Governmental Center Building, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to consider adoption of the proposed amendments, per Chapter 163, Florida Statutes, as amended.

At the hearing any citizen, property owner, public official or local government representative shall be entitled to speak for or against the subject of this public hearing in person or by letter addressed to the Planning Council. Interested parties wishing to speak should pre-register online at https://broward.granicus.com/ViewPublisher.php?view_id=15 and should arrive no later than 10:00 a.m. on Tuesday, February 6, 2024. Written comments may be submitted at any time via email planningcouncil@broward.org or mailed to the Broward County Planning Council, 115 South Andrews Avenue, Room 307, Fort Lauderdale, FL 33301.

Time allotted to speakers, other than staff, members of the Commission and applicants for amendments, may be limited by the Mayor for each public hearing agenda item to allow maximum participation by the public at large. Potential speakers shall be prohibited from assigning allotted time, unless specifically authorized to do so by the Commission. Strict order and decorum shall be preserved. The Mayor shall limit repetitive debate. If you require communication aids, please contact the Office of the County Administrator at 954-357-7000 or Hearing Impaired/TTY at 954-831-3940. Please make accommodation requests at least three (3) days in advance.

Information on the amendments is presented below. For additional information contact the Broward County Planning Council, 115 South Andrews Avenue, Room 307, Fort Lauderdale, Florida 33301, Phone: 954-357-6695.

PUBLIC HEARING AGENDA

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS

BROWARD COUNTY COMPREHENSIVE PLAN

FEBRUARY 6, 2024 - 10:00 A.M.

ITEM 1 AMENDMENT PCT 22-7

Text Amendment to the Broward County Land Use Plan – City of Dania Beach

Addition of 4,000 dwelling units and reduction of commercial development thresholds within an existing Activity Center; approximately 1,334 acres; generally located east of Interstate 95, between Griffin Road and Sheridan Street.

ITEM 2 AMENDMENT PCT 23-3

Text Amendment to the Broward County Land Use Plan to add Policy 2.16.5 regarding Affordable Housing.



Notice to Members of the Public: If you wish to appeal any decision made by the Broward County Commission, with respect to any matter considered at such meeting or hearing, you will need a record of the proceedings. You may thus need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice is given pursuant to Section 286.0105, Florida Statutes.

ORDINANCE NUMBER 2024 - 05

ORDINANCE TO ADOPT AMENDMENT PCT 22-7

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT OF THE BROWARD COUNTY COMPREHENSIVE PLAN REGARDING THE DANIA BEACH ACTIVITY CENTER; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the Broward County Comprehensive Plan on April 25, 2017 (the Plan);

WHEREAS, the Department of Commerce has found the Broward County Comprehensive Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the Land Use Plan text regarding the Dania Beach Activity Center;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearings on May 25, 2023, and November 30, 2023, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on September 7, 2023, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held an adoption public hearing on February 6, 2024, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was accepted and

24 comments of the Department of Commerce, South Florida Regional Planning Council,
25 South Florida Water Management District, Department of Environmental Protection,
26 Department of State, Department of Transportation, Fish and Wildlife Conservation
27 Commission, Department of Agriculture and Consumer Services, and Department of
28 Education, as applicable, were considered; and

29 WHEREAS, the Board of County Commissioners, after due consideration of all
30 matters, hereby finds that the following amendment to the Broward County
31 Comprehensive Plan text is consistent with the State Plan, Regional Plan, and the
32 Broward County Comprehensive Plan; complies with the requirements of the Community
33 Planning Act; and is in the best interests of the health, safety, and welfare of the residents
34 of Broward County,

35 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
36 BROWARD COUNTY, FLORIDA

37 Section 1. The Broward County Comprehensive Plan is hereby amended by
38 Amendment PCT 22-7, which is an amendment to the Land Use Plan text regarding the
39 Dania Beach Activity Center, as set forth in Exhibit A, attached hereto and incorporated
40 herein.

41 Section 2. Severability.

42 If any portion of this Ordinance is determined by any court to be invalid, the invalid
43 portion will be stricken, and such striking will not affect the validity of the remainder of this
44 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
45 legally applied to any individual, group, entity, property, or circumstance, such

determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Effective Date.

(a) The effective date of the plan amendment set forth in this Ordinance shall be the later of:

- (1) Thirty-one (31) days after the Department of Commerce notifies Broward County that the plan amendment package is complete;
- (2) If the plan amendment is timely challenged, the date a final order is issued by the Administration Commission or the Department of Commerce finding the amendment to be in compliance;
- (3) If the Department of Commerce or the Administration Commission finds the amendment to be in noncompliance, pursuant to Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners nonetheless

elects to make the plan amendment effective notwithstanding potential
statutory sanctions;

(4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
date the Declaration of Restrictive Covenants is recorded in the Official
Records of Broward County; or

(5) If recertification of the municipal land use plan amendment is required, the
date the municipal amendment is recertified.

(b) This Ordinance is effective as of the date provided by law.

ENACTED February 6, 2024

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Maite Azcoitia 12/01/2023
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
12/01/2023
PCT22-7 City of Dania Beach Activity Center Ordinance
#80041

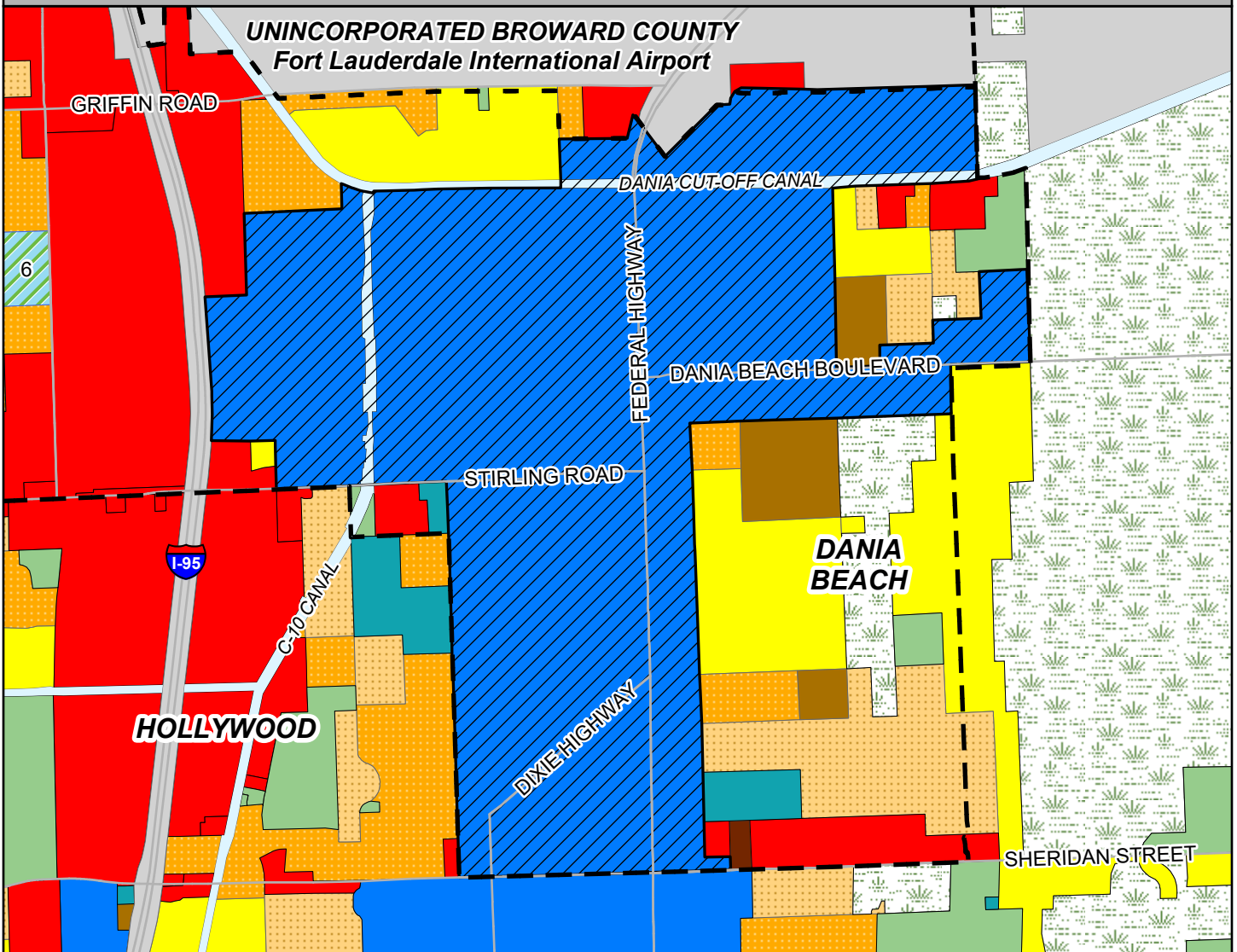
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PCT 22-7

Current Land Use: Activity Center

Proposed Land Use: Activity Center - Addition of 4,000 dwelling units. Reduction of 30 acres of commercial use.

Gross Acres: Approximately 1,344.0 acres



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCT 22-7
(DANIA BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

May 16, 2023

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan, and recommends **approval per Attachment 21**, subject to the City’s voluntary commitments as follows:

- Amend the existing **Education Mitigation Agreement** to include the anticipated students from the additional proposed 4,000 dwelling units, if necessary;
- Implement **sea level rise** and **flood protection mitigation strategies**;
- Restrict 15% of the additional proposed dwelling units (at least 600) as **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years; and
- Maintain the City’s commitment to not allow newly permitted residential dwelling units within the **60+ DNL contour** within the Activity Center.

Effectiveness of the approval of the land use plan amendment shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants to legally enforce any voluntary commitments proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, the City’s confirmation to comply with both the County’s environmental licensing and permitting requirements and with the County’s historic preservation regulations is noted.

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or

RECOMMENDATIONS/ACTIONS (continued)

DATE

I. Planning Council Staff Transmittal Recommendation (continued)

May 16, 2023

- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

If the Planning Council chooses to require a second Planning Council public hearing per Article 1.2(A)(1)(2) or (3), such recommendation must be made as part of its motion.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

II. Planning Council Transmittal Recommendation

May 25, 2023

Approval per Planning Council staff transmittal recommendation per Attachment 21, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 12-0: Castillo, Fernandez, Gomez, Greenberg, Hardin, Horland, Levy, Railey, Rosenof, Ryan, Zeman and DiGiorgio)

III. County Commission Transmittal Recommendation

September 7, 2023

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

October 12, 2023

The Florida Department of Transportation (FDOT) has issued technical assistance comments on the proposed amendment:

Comment: The FDOT issued the following technical assistance comments for the proposed Broward County comprehensive plan amendment with Florida Department of Commerce reference number 23-2ESR. **The FDOT has stated that these technical assistance comments will not form the basis of a legal challenge.**

IV. Summary of State of Florida Review Agency Comments (continued) October 12, 2023**Technical Assistance Comment #1 and #2 (summarized)**

During its review of the proposed amendment, the Florida Department of Transportation (FDOT) issued a comment recognizing that a portion of the subject Activity Center is situated in an area projected to be vulnerable to inundation from sea level rise, subject to increased flooding from rainfall events, and experience rising groundwater level (as identified by the BCRED above), and the impacts this may have on redevelopment and transportation infrastructure.

To address these impacts, the FDOT recommends considering postponing the additional residential units or phasing the allocation of the residential units until such time that the City can assure that adaptation strategies, plans, policies, and infrastructure needed for resilience have been identified and can reasonably be funded and provided in a timely fashion, or until the foregoing have been solidified based on completion of the City's ongoing resilience efforts.

The FDOT also recommends that the City should coordinate with FDOT, the Broward MPO and the County on the planning, programming and funding of needed adaptations for infrastructure. In addition, the FDOT recommends the City should ensure clear connections between its stormwater management planning and planning for local and state transportation infrastructure, including coordinating with FDOT on the preparation of Dania Beach's Citywide Stormwater Master Plan and updated stormwater regulations to the extent that there may be impacts to state rights of way.

Response: Planning Council staff notes that climate resiliency and sea level rise impacts are evaluated by Broward County Land Use Plan (BCLUP) Policies 2.21.1, 2.21.5, 2.21.7, BCLUP Strategy CCR-2 and Comprehensive Plan Policy CC 2.14. As previously established, a portion of the Dania Beach Activity Center is designated on the Priority Planning Areas for Sea Level Rise Map and therefore subject to the foregoing. In response, the City submitted information detailing its projects and plans to address climate change, sea level rise, flood protection and resiliency planning citywide and within the Activity Center, including adoption of a resolution committing to the implementation of future conditions planning standards citywide, as well as interim design standards until the City's Stormwater Master Plan is adopted. Based on the provided information, the County is satisfied that the City has addressed the County's climate policies supporting resilient development.

In response to FDOT's comments, the City of Dania Beach has provided additional correspondence reiterating various plans, programs and initiatives currently in place and underway to ensure future development and redevelopment within the City is resilient, inclusive of structures and infrastructure. The City has identified that resilient redevelopment can occur alongside infrastructure improvements and that it can work

RECOMMENDATIONS/ACTIONS (continued)

DATE

IV. Summary of State of Florida Review Agency Comments (continued) **October 12, 2023**

with developers to ensure improvements are part of the redevelopment process, particularly as the City develops long-term comprehensive approaches to flooding and sea level rise. The City has restated its willingness to continue coordinating with all applicable agencies, including the County, Broward MPO and FDOT, to ensure positive development and redevelopment within its boundaries.

In addition, Planning Council, Dania Beach and FDOT staffs met on November 14, 2023, to review the FDOT technical assistance comments and the above referenced responses. All parties concur that continued coordination is paramount to the successes of the extensive resilient planning efforts currently underway and in the planning process by various state, regional, county and local government agencies. As such, the City and FDOT are actively working to establish regular intergovernmental communication in this regard.

V. Planning Council Staff Final Recommendation **November 20, 2023**

Planning Council staff continues to support its initial recommendation that the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan, and recommends **approval per Attachment 21**, subject to the City’s voluntary commitments as follows:

- Amend the existing **Education Mitigation Agreement** to include the anticipated students from the additional proposed 4,000 dwelling units, if necessary;
- Implement **sea level rise** and **flood protection mitigation strategies**;
- Restrict 15% of the additional proposed dwelling units (at least 600) as **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years; and
- Maintain the City’s commitment to not allow newly permitted residential dwelling units within the **60+ DNL contour** within the Activity Center.

Effectiveness of the approval of the land use plan amendment shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants to legally enforce any voluntary commitments proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, the City’s confirmation to comply with both the County’s environmental licensing and permitting requirements and with the County’s historic preservation regulations is noted.

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

November 20, 2023

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

VI. Planning Council Final Recommendation

November 30, 2023

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous; 15-0: Abramson, Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Levy, Newbold, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

VII. County Commission Final Action

February 6, 2024

Approved per Planning Council final recommendation.

PROPOSED AMENDMENT PCT 22-7

INTRODUCTION AND APPLICANT'S RATIONALE

- | | | |
|------|--|--|
| I. | <u>Municipality:</u> | Dania Beach |
| II. | <u>County Commission District:</u> | District 6 |
| III. | <u>Site Characteristics</u> | |
| A. | Size: | Approximately 1,344.0 acres |
| B. | Location: | In Sections 3, 33, 34 and 35, Townships 50 and 51 South, Range 42 East; generally located east of Interstate 95, between Griffin Road and Sheridan Street. |
| C. | Existing Uses: | Retail, hotels, single-family and multi-family residential, municipal facilities, educational facilities, marinas, religious institution, warehouses, cemeteries, pari-mutuel (Jai-Alai), parks and vacant |
| IV. | <u>Broward County Land Use Plan (BCLUP) Designations</u> | |
| A. | Current Designation: | Activity Center consisting of:
7,818 dwelling units consisting of:
2,348 single-family units
2,165 high-rise units
2,047 townhouse units
972 garden apartment units
286 duplexes
640 hotel rooms
294 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center land uses
40.5 acres minimum of recreation and open space use
36.2 acres maximum of community facilities land uses
6.5 acres of transportation land uses
2.6 acres minimum of conservation land uses
2.5 acres maximum of utilities land uses |

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

- B. *Proposed Designation:* Activity Center consisting of:
11,818 dwelling units consisting of:
3,683 multi-family units
2,665 single-family units
2,165 high-rise units
2,047 townhouse units
972 garden apartment units
286 duplexes
640 hotel rooms
264 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center land uses
40.5 acres minimum of recreation and open space use
36.2 acres maximum of community facilities land uses
6.5 acres of transportation land uses
2.6 acres minimum of conservation land uses
2.5 acres maximum of utilities land uses
- C. *Estimated Net Effect:* **Addition** of 4,000 dwelling units
Reduction of 30 acres of commercial use
No net change to hotel, industrial, employment center, community facilities, transportation, recreation and open space, conservation and utilities land uses.

V. **Existing Uses and BCLUP Designations Adjacent to the Amendment Site**

- A. *Existing Uses:*
- North:* Retail, single-family residential (including mobile homes) and County Regional Facility (Fort Lauderdale-Hollywood International Airport)
- East:* Single-family and multi-family residential, park/conservation area and educational facility
- South:* Single-family and multi-family residential and retail
- West:* Single-family and multi-family residential, municipal and educational facilities and Interstate 95

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site (continued)

- B. Planned Uses:**
- North:** Commerce, Low-Medium (10) Residential, Low (5) Residential and Transportation (Unincorporated Broward County)
- East:** Conservation-Natural Resources, Low (5) Residential, Medium-High (25) Residential, Low-Medium (10) Residential, Medium (16) Residential, Community, Commerce and High (50) Residential
- South:** Activity Center (City of Hollywood)
- West:** Commerce, Low-Medium (10) Residential, Community, Low (5) Residential and Transportation

VI. Applicant/Petitioner

- A. Applicant:** City of Dania Beach
- B. Agent:** Leigh R. Kerr, AICP, Leigh Robinson Kerr & Associates, Inc.
- C. Property Owners:** There are numerous property owners within the subject area

VII. Recommendation of Local Governing Body:

The City of Dania Beach recommends approval of the proposed amendment.

ATTACHMENT 21

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 22-7

Dania Beach Activity Center

Acreage: Approximately 1,344.0 acres

General Location: Generally located east of Interstate 95, between Griffin Road and Sheridan Street.

Density and Intensity of Land Uses:*

Residential Land Uses: 11,818 ~~7,818~~ dwelling units**

Hotel: 640 rooms

Commercial Land Uses: 264.0 ~~294.0~~ acres plus an additional 500,000 square feet

Industrial Land Uses: 247.5 acres

Employment Center Land Uses: 74.5 acres

Parks and Recreation Land Uses: 40.5 acres minimum

Community Facilities Land Uses: 36.2 acres maximum

Transportation Land Uses: 6.5 acres

Conservation Land Uses: 2.6 acres minimum

Utilities Land Uses: 2.5 acres maximum

Remarks:

Chapter 163 Community Redevelopment Area, provides access to Fort Lauderdale-Hollywood International Airport and Port Everglades, and is located around the proposed FEC commuter rail alignment.

*Acreage for non-residential land uses will be assigned on a gross acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc. Within mixed use projects, acreage shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross acreage of the development parcel will be assigned to A).

**Consisting of 3,683 multi-family units, 2,665 ~~2,348~~ single-family units, 286 duplexes, 2,047 townhomes ~~townhouse units~~, 972 garden apartments ~~units~~ and 2,165 high or mid-rise units¹. Dwelling units from any given category (ex. single-family, townhouse, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation using the County's adopted student generation rates.

At least 600 (15%) of the additional 4,000 dwelling units permitted by PCT 22-7 will be affordable at the "moderate-income" (up to 120% of the median income) level or below for a minimum period of 30 years.

Prior to the site plan approval of unit 2,001 of the 4,000 additional dwelling units, the City shall demonstrate that at least 300 of the permitted or built units are deed restricted as affordable (up to 120% of area median income adjusted for family size) for a period of at least 30 years. If the City is unable to demonstrate that at least 300 of the permitted or built dwelling units meet that criteria, no additional market rate units shall be permitted or built until such time that the City provides an implementation action plan or program that is reviewed by the Planning Council and approved by the County Commission. Per Broward County Land Use Plan Policy 2.4.12, a written record reflecting the current status of allocated or assigned dwelling units shall be transmitted to the Planning Council twice per year, during the months of January and July, and shall include the referenced affordable units, including the location and annual confirmation of income certification.

No more than 5,367 ~~3,867~~ dwelling units shall be located east of U.S. 1 ~~in Traffic Evacuation Zone 16, as per the Broward County Hurricane Evacuation Study, 2001.~~

No building permits issued for new residential development within the Airport's current 60+ DNL noise contour, as amended and as clarified by the County Commission that areas within the 60+ DNL where residential was previously permitted by land use and/or zoning of residential may continue to allow residential development.

~~Prior to the issuance of any building permit of development, the City will consult with the appropriate water supplier to ensure that adequate water supplies to serve the new development will be available no later than the anticipated date of the certificate of occupancy. Any determination that adequate water supplies will be available will require the demonstration that a consumptive use permit has been issued to the City with sufficient allocation available to serve the new development, given all other existing commitments for that allocation. The "sufficient allocation" in the Consumptive Use Permit (CUP) shall be defined consistent with the permit's limiting conditions as they exist at the time of building permit issuance. Permitted projects may be issued a Certificate of Occupancy only upon demonstration by the City that adequate water supply exists within the City's current legal allocation.~~

~~*-Note: High-rise units are defined as four (4) stories or more, consistent with the effective Broward County Land Development Code definition at the time of adoption of Broward County Land Use Plan amendment PC 03-6.~~

Note: Underlined words are proposed additions by the City of Dania Beach. ~~Struck-through~~ words are proposed deletions by the City of Dania Beach. Double underlined words are proposed additions by Planning Council staff. ~~Double struck-through~~ words are proposed deletions by Planning Council staff.

EXHIBIT B

The City of Dania Beach's voluntary commitment regarding affordable housing is reflected in the text amendment. See Attachment 21.

The applicant's voluntary commitments regarding the existing Education Mitigation Agreement, sea level rise and flood protection mitigation and the 60+ DNL contour have been memorialized in the following letters.



February 10, 2023



Via Email: bblakeboy@broward.org
and U.S. Mail

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room #307
Foti Lauderdale, FL 33301

Re: P C T 22-7 (Dania Beach Activity Center) - Responses to Review Agency Comments

Dear Barbara:

As you know, we received comments from the School Board of Broward County and Urban Planning Division regarding proposed amendment PCT 22-7 (Dania Beach Activity Center). Please see below response to comments:

School Board of Broward County:

1. Tri-Party Education Mitigation Agreement/additional student impacts.

Response: The City of Dania Beach (applicant) acknowledges that the Tri-Party Education Mitigation Agreement will need to be amended to address additional student impacts.

Urban Planning Division:

2. Response regarding complete streets and acknowledgment of mobility enhancements.

Response: The City of Dania Beach supports Complete Streets both Citywide and within the RAC. The City is also supporting mobility enhancements within the City. Please see below projects that have been completed, are underway, or are pending and which demonstrate the City's support and implementation of Complete Streets.

- NW 1st Street project includes landscape, sidewalk (repairs) ADA curb ramps, crosswalks, and street improvement (new asphalt).
- Bike lanes (SW 40th Ave), sidewalks (SW 40th Ave)
- New bus stops (shelters) throughout City
- New Crosswalk at SE 5th Ave SW 12th Avenue/N 22nd (FDOT assumed this joint project with Hollywood).

Barbara Blake-Boy, Executive Director
Broward County Planning Council
February 10, 2023
Page 2 of 2

- SW 25th Terrace - Bike Lane
- Dania Beach Multi-modal Project
- Citywide Sidewalk Repair Project

Historical/Cultural Resources:

3. Response for Historical/Cultural Resource.

Response: The City of Dania Beach (applicant) acknowledges compliance with Broward County Ordinance 2014-32 and regulations if any historical and/or archaeological resources are identified during redevelopment. The City is regulated by Broward County's Historic Preservation Services and also has policies supporting historic preservation as identified in **Exhibit A**. Historic resources are not anticipated to be impacted by the amendment.

We trust the above is responsive to School Board and Broward County Urban Planning Division agency review comments regarding the Dania Beach RAC LUPA. If you have any questions or require additional information, please do not hesitate to contact me at (954) 924-6805 x 3645.

Sincerely,

8L

Eleanor Norena, CFM
Community Development Director



October 11, 2022



Jennifer Jurado, PhD, Deputy Director
Broward County Resilient Environment Department
1 N. University Dr. #203
Plantation, FL 33324

Re: Dania Beach RAC (PCT 22-7) - PPA

Dear Dr. Jurado:

The City of Dania Beach has submitted a Text Amendment to its Regional Activity Center (RAC) which was established in 2009. The RAC is a mixed use area of approximately 1,300 acres. The proposed amendment includes reducing commercial acreage and adding 4,000 dwelling units. When the RAC was established in 2009, it only permitted the future land use intensities depicted on the FLU map in 2009 and all of those uses were pooled into a table of uses which could be assigned by the City of Dania Beach through its approval processes.

In addition, the RAC is coterminous with the City's established CRA District which is intended to promote transit friendly uses, compact development in an efficient pattern of development to meet the growing demands of the City and Broward County.

Your department's review of the City's application, identified areas that are within the designated Priority Planning Areas for Sea Level Rise.

In response, below is a summary of the City's projects and plans as it relates to Priority Planning Areas, climate change, sea level rise, flood protection, and resiliency planning in the Dania Beach RAC and City-Wide. The following projects have been identified.

1. Southeast Dania Beach Drainage Improvement Project

- This \$16 million project is underway which includes the area from Dania Beach Boulevard south into the southeast portion of the city.
- Address flooding for a 103-acre residential neighborhood East of US 1 and south of Dania Beach Boulevard.
- Over six thousand feet of exfiltration trench to collect stormwater.
- Two new lift stations are being installed at lowest points will pump water to outfall.
- New exfiltration trenches and existing swales shall provide the necessary water quality treatment required to reduce runoff sediment and other nutrients from polluting West Lake Park.

2. City-Wide Stormwater Master Plan

- This project is funded by a Florida Department of Economic Opportunity (DEO) CDBG-MIT Grant for \$795,000. Chen Moore and Associates is the consulting engineer for this project.
- Collect, Review, and Analyze Current Stormwater Documentation - including field investigations and engaging staff, regulatory agencies, and the public in questionnaires and surveys.
- Stormwater modeling - conduct water quality and sea level rise analysis.
- Seawall analysis.
- Capital Planning - prepare conceptual designs and cost estimates for recommended stormwater improvements and review existing stormwater fees and alternative funding options.
- The future Conditions Stormwater Modeling will include the research from the Southeast Florida Regional Climate Change Compact and the Broward County future groundwater requirements (2017).
- The project includes a Policy Review and Recommendations for amendments of the City Policies and Codes related to stormwater, resiliency, and sea level rise impacts.

3. City of Dania Beach, Floodplain Management Initiatives

The City of Dania Beach has recently improved its CRS rating from Class 9 to Class 6 and has established a variety of floodplain management initiatives. The city coordinates these initiatives and participates in an annual assessment of these activities for re-certification. These can be categorized under the following general activities:

- Public Information Activities
- Mapping and Regulations
- Flood Damage Reduction Activities
- Warning and Response

Under **Public Information Activities**, the City maintains and makes available Elevation Certificates, offers map information services, and provides flood hazard information through printed and electronic media. This includes offering flood protection advice and promoting flood insurance.

Under **Mapping and Regulations**, the City preserves Open Space, enforces higher regulatory standards, maintains flood data and manages stormwater issues.

Under **Flood Damage Reduction Activities**, the City participates in floodplain management planning, invests in flood protection projects and maintains its drainage system.

Under **Warning and Response**, the City works together with Broward County to provide emergency management before, during and after potential and actual flood events.

4. Sustainable Code

- The City has several provisions in the Land Development Code focused on Climate Change and Sustainability which related to the following:
 - o Seawall regulations related to sea level rise, adopted by the City Commission on October 26, 2021, via 0-2021-027.
 - o Ordinance allowing rooftop gardens to be calculated as pervious area, adopted by the City Commission on January 13, 2015, via 0-2015-002.
 - o Photovoltaic regulations allowing the use of solar panels, adopted by the City Commission on August 14, 2012, via 0-2012-014.
 - o Sustainable Building Practiced incentive, adopted by the City Commission on September 14-2012, via 0-2010-02.
- The City is in the process of creating a City-Wide Green Building Program, whereby all new City Facilities greater than 50,000 square feet will be required to reach a prescribed threshold of green building standards or be certified as a green building by an outside certifying agency. This program includes development incentives for new structures that achieve certification as a green building. The City has hired a green industry firm to prepare these regulations which have been presented to the City Commission and are anticipated to be brought through the public hearing process for adoption in early 2023.

5. Neighborhood Drainage Projects for Construction in FY2023

- SW 43rd Terrace Drainage Project (\$2.2M) - A stormwater management project to address flooding along SW 43 Terrace, from SW 54 Street to SW 48th Court. This project is funded by Broward County Surtax funds.
- SW 54th Court Drainage Project (\$1.2M) - A stormwater management project to address flooding on SW 54th Court, from S.R. 7 east to SW 40th Avenue. Funded in part with Resilient Florida funds.
- SW 37th Terrace Drainage Project (\$1.2M) - A stormwater management project to address flooding on SW 37th Terrace, from Stirling Road north to end. Funded in part with Resilient Florida funds.
- SW 52nd Street Drainage Project (\$1M) - A stormwater management project to address flooding on SW 52nd Street, from SW 40th Avenue, west to SW 43rd Terrace. Submitted for Resilient Florida funding.
- SW 34th Avenue Drainage Project (\$1M) - A stormwater management project to address flooding on SW 34th Avenue from Griffin Road north to end. Submitted for Resilient Florida funding.

6. Resilient Florida Program Planning Grant

- City has undertaken a study administered by SFRPC and funded by State DEP grant to conduct a City-Wide Vulnerability Assessment (per 380.093, F.S.) including Perils of Flood. The project includes the following elements:

Jennifer Jurado, PhD, Deputy Director
Broward County Resilient Environment Department
October 11, 2022
Page 4 of 4

- o Background data collection and analyses. Identify any gaps for additional data collection.
- o Develop community Steering Committee.
- o Identify critical assets and generate a comprehensive inventory to utilize with the modeling process.
- o Identify areas at risk to sea level rise.
- o Produce a complete Vulnerability Assessment Report

7. Framework for a Climate Change Preparedness Program

Prepared by Public Utility Management & Planning Services, Inc. in 2010 to provide the following:

- o Evaluation of the City's vulnerability to the impacts of climate change, especially as is related to long-term sea level rise.
- o The timelines for anticipated impacts.
- o Summary of the City's current condition and potential future risks, to be used in discussion with staff to identify opportunities for increasing the City's climate resiliency.
- o Development of a matrix of potential policy initiatives that should be evaluated further and potentially developed.
- o A toolbox of infrastructure needs that should be evaluated further.

8. FDOT

- City has initiated discussions with FDOT District IV regarding the FDOT State-wide policy regarding Resiliency of State Transportation Infrastructure. A virtual meeting was held on September 30, 2022, with City Engineers, several members of FDOT as well as Broward County MPO.
- On going meetings have been scheduled to occur monthly. The City of Hollywood Engineer has also been invited, as much of the affected roadway is located within the municipal boundary of the City of Hollywood.

9. City of Dania Beach Ocean Park Master Plan (2014)

The Master Plan is a resiliency plan to address sea level rise by improving the beach's dune system by raising the height, providing for walkovers, landscaping, and widening the dune landward. In addition, the parking area will be reduced and raised.

We trust the outline of above materials is responsive to your department's review of the City's RAC LUPA. Should you require additional information, please do not hesitate to contact me at (954) 924-6805 x3645.

Sincerely,



Eleanor Norena, CFM
Community Development Director



May 3, 2023



Via Email: jjurado@broward.org
and U.S. Mail

Jennifer Jurado, Ph.D., Deputy Director
Broward County Resilient Environment Department
1 N. University Drive, #203
Plantation, FL 33324

Re: Dania Beach RAC (PCT 22-7) - PPA

Dear Dr. Jurado:

As you are aware, on July 12, 2022, the City of Dania Beach (City) submitted a Text Amendment Application for Amendment to the City of Dania Beach and Broward County Land Use Plans to amend the mix of uses within the Regional Activity Center (RAC). The City subsequently received specific questions and recommendations from the County's Resilient Environment Department (RED) dated 11/3/22 because portions of the RAC were located within the Broward County designated Priority Planning Areas (PPAs) for Sea Level Rise.

Broward County's comments on the land use plan amendment (LUPA) initiated a process within the City to enact policy changes that would improve the City's overall resilience in coordination and collaboration with the County. In response to your department's comments, the City has developed a list of actions to address these concerns contained within a Resolution more fully described below.

On March 20, 2023, the City met with you and your team, including Barbara Blake-Boy, to discuss the content and draft of a proposed resolution. The County provided comments and general support for the draft resolution and provided initial comments in response. In the two weeks subsequent to that meeting, the City requested and received final comments from the County on the Resolution. The City also determined that one key provision of the Resolution related to the consideration of future groundwater conditions within the City's adopted stormwater criteria should be adopted by Ordinance into the Code.

Resolution No. 2023-039 was approved by the City of Dania Beach City Commission unanimously 5 to 0 at its April 25, 2023, meeting. Attached for your reference is a copy of Resolution No. 2023-039 as well as the staff report supporting the resolution.

The Resolution:

- Recognizes the 2019 Unified Sea Level Rise Projections and recognizes Section 380.093 F.S. that requires the use of 2040 and 2070 and NOAA Intermediate Low and Intermediate High for state-funded vulnerability assessments. The City has a grant to perform a vulnerability assessment and that effort is ongoing.
- Recognizes the County's Priority Planning Areas.
- Agrees to include the above projections in the ongoing City's Stormwater Master Plan.
- Acknowledges upcoming work in the City's Comprehensive Plan Evaluation and Appraisal Report process to address Section 163.3178, F.S. related to the "Peril of Flood" Amendments.
- Adopts a city-wide "interim design standard" for new construction projects in accordance with existing stormwater regulations incorporating future groundwater conditions into the pre-development vs. post-development.
- Requires upon completion of the Stormwater Master Plan, a final updated standard is to be recommended and brought to the Commission.

Also, at the April 25, 2023, meeting, the Commission unanimously approved the implementing Ordinance for the stormwater requirements on first reading. A copy of the proposed ordinance is also attached for your reference.

We hope this will address your department's comments regarding the City's modifications to the RAC LUPA. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Eleanor Norena, CFM
Community Development Director



May 12, 2023



Via Email: Bblakeboy@broward.org

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 S. Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: PCT 22-7 Dania Beach Activity Center

Dear Barbara,

As you know, the City of Dania Beach submitted a Text Amendment to its Regional Activity Center (RAC) which was originally established in 2009 (PC 09-5). The City issued a letter dated March 17, 2023 committed to continued coordination with BCAD regarding dwelling units within the RAC that fall within the airport's 2023 DNL 60+ noise contour map.

We are in receipt of BCAD's letter dated May 10, 2023 regarding new residential units within the DNL 60+ contour and coordination between the City and BCAD.

The City will continue to coordinate with BCAD. In addition, a voluntary restriction for the DNL 60+ was established through the attached recorded agreement with PC 09-5 when the RAC was originally designated. The agreement restricts new residential units within the 60+ DNL contour. This stipulation will also apply to the units established as part of the subject amendment (PCT 22-7).

We trust the City's commitment to continued coordination with BCAD and the existing agreement regarding new residential units within the 60+ DNL satisfies BCAD's comments.

Should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Eleanor Norena, CFM".

Eleanor Norena, CFM
Community Development Director

ORDINANCE NUMBER 2024 - 06

ORDINANCE TO ADOPT AMENDMENT PCT 23-3

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT OF THE BROWARD COUNTY COMPREHENSIVE PLAN REGARDING POLICY 2.16.5 RELATING TO COMMUNITY USES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County adopted the Broward County Comprehensive Plan on April 25, 2017 (the Plan);

WHEREAS, the Department of Commerce has found the Broward County Comprehensive Plan in compliance with the Community Planning Act;

WHEREAS, Broward County now wishes to propose an amendment to the Land Use Plan text regarding Policy 2.16.5 relating to Community Uses;

WHEREAS, the Planning Council, as the local planning agency for the Broward County Land Use Plan, held its hearings on June 22, 2023, August 24, 2023, and November 30, 2023, with due public notice;

WHEREAS, the Board of County Commissioners held its transmittal public hearing on October 10, 2023, having complied with the notice requirements specified in Section 163.3184(11), Florida Statutes;

WHEREAS, the Board of County Commissioners held an adoption public hearing on February 6, 2024, at 10:00 a.m. [also complying with the notice requirements specified in Section 163.3184(11), Florida Statutes] at which public comment was accepted and

24 comments of the Department of Commerce, South Florida Regional Planning Council,
25 South Florida Water Management District, Department of Environmental Protection,
26 Department of State, Department of Transportation, Fish and Wildlife Conservation
27 Commission, Department of Agriculture and Consumer Services, and Department of
28 Education, as applicable, were considered; and

29 WHEREAS, the Board of County Commissioners, after due consideration of all
30 matters, hereby finds that the following amendment to the Broward County
31 Comprehensive Plan text is consistent with the State Plan, Regional Plan, and the
32 Broward County Comprehensive Plan; complies with the requirements of the Community
33 Planning Act; and is in the best interests of the health, safety, and welfare of the residents
34 of Broward County,

35 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
36 BROWARD COUNTY, FLORIDA

37 Section 1. The Broward County Comprehensive Plan is hereby amended by
38 Amendment PCT 23-3, which is an amendment to the Land Use Plan text regarding
39 Policy 2.16.5 relating to Community Uses, as set forth in Exhibit A, attached hereto and
40 incorporated herein.

41 Section 2. Severability.

42 If any portion of this Ordinance is determined by any court to be invalid, the invalid
43 portion will be stricken, and such striking will not affect the validity of the remainder of this
44 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
45 legally applied to any individual, group, entity, property, or circumstance, such

determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Effective Date.

(a) The effective date of the plan amendment set forth in this Ordinance shall be the later of:

- (1) Thirty-one (31) days after the Department of Commerce notifies Broward County that the plan amendment package is complete;
- (2) If the plan amendment is timely challenged, the date a final order is issued by the Administration Commission or the Department of Commerce finding the amendment to be in compliance;
- (3) If the Department of Commerce or the Administration Commission finds the amendment to be in noncompliance, pursuant to Section 163.3184(8)(b), Florida Statutes, the date the Board of County Commissioners nonetheless

elects to make the plan amendment effective notwithstanding potential
statutory sanctions;

(4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the
date the Declaration of Restrictive Covenants is recorded in the Official
Records of Broward County; or

(5) If recertification of the municipal land use plan amendment is required, the
date the municipal amendment is recertified.

(b) This Ordinance is effective as of the date provided by law.

ENACTED February 6, 2024

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Maite Azcoitia 12/01/2023
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
12/01/2023
PCT23-3 Policy 2.16.5 Ordinance
#80041

EXHIBIT A

SECTION I AMENDMENT REPORT BROWARD COUNTY LAND USE PLAN TEXT PROPOSED AMENDMENT PCT 23-3

“Policy 2.16.5 – Community Uses”

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

June 13, 2023

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. **See Attachment 1.**

Planning Council staff recommends a second Planning Council public hearing.

II. Planning Council Recommendation

June 22, 2023

Deferred to the August 24, 2023, Planning Council meeting. (Vote of the board; 9 to 3; Yes: Brunson, Gomez, Hardin, Levy, Railey, Rich, Ryan, Zeman and Castillo. No: DiGiorgio, Greenberg and Horland.)

III. Planning Council Transmittal Recommendation

August 24, 2023

Approval per Planning Council staff transmittal recommendation, including requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 14-0: Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Horland, Levy, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

IV. County Commission Transmittal Recommendation

October 10, 2023

Approval per Planning Council transmittal recommendation.

V. Summary of State of Florida Review Agency Comments

November 9, 2023

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

VI. Planning Council Final Recommendation

November 30, 2023

Approval per Planning Council staff transmittal recommendation. (Vote of the board; Unanimous; 15-0: Abramson, Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Levy, Newbold, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

RECOMMENDATIONS/ACTIONS (continued)

DATE

VII. County Commission Final Action

February 6, 2024

Approved per Planning Council final recommendation. **See Attachment 1.**

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN Proposed Text Amendment PCT 23-3

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

...

AFFORDABLE HOUSING

Policy 2.16.5 is an incentive-based Policy change, evolving from the Broward County Commission discussion regarding the proposed expansion of the "Community" permitted uses (f/k/a PCT 22-5). All changes are indicated in ~~strike-through~~/underline format.

POLICY 2.16.5 Within parcels located west of and including US 1 and designated "Community" on the Broward County Land Use Plan, dwelling units may be permitted subject to the following:

- (1) The parcel is and will remain publicly owned by a municipality and within its jurisdiction or is and will remain publicly owned by the Broward County Board of County Commissioners or School Board of Broward County;
- (2) At least 25% of the dwelling units are deed restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism;
- (3) Maximum density does not exceed 50 dwelling units per acre;
- (4) The applicable local government must make a finding that sufficient public facilities and services are in place, or will be in place with completion of project construction, to accommodate the proposed development;
- (5) The governing body of the local government shall make a finding of compatibility with existing and future land uses and its local land development regulations at a publicly noticed meeting consistent with its notification requirements;
- (6) Local governments may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map; and
- (7) Local governments may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

EXHIBIT B

A Declaration of Restrictive Covenants is not applicable to this amendment.

EXPLANATION OF TRANSPORTATION TERMINOLOGY

Year 2045:	Long Range Planning Horizon
I.T.E.:	Institute of Transportation Engineers Trip Generation Manual – 11 th Edition
Capacity:	The maximum sustainable flow rate at which vehicles can reasonably be expected to traverse a point or a uniform section of roadway during a given time period under prevailing conditions.
Volume:	The number of vehicles passing a given point on a roadway during a specified time period.
P.M. Peak Hour Trip:	The highest hourly volume of traffic between the hours of 4:00 p.m. and 6:00 p.m.
Significance Threshold:	Corresponding to additional p.m. peak hour trips at three-percent (3%) or more of such capacity of a regional transportation link at the long-range planning horizon per BrowardNext - Broward County Land Use Plan Policy 2.14.9.
LOS:	Level of Service ¹ – a quantitative stratification of quality of service into six (6) letter grades:
A	LOS A describes primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the given street class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.
B	LOS B describes reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the street class. The ability to maneuver within the traffic stream is only slightly restricted, and control delays at signalized intersections are not significant.
C	LOS C describes stable operations; however, ability to maneuver and change lanes in midblock locations may be more restricted than at LOS B, and longer queues, adverse signal coordination, or both may contribute to lower average travel speeds of about 50 percent of the free-flow speed for the street class.
D	LOS D borders on a range in which small increases in flow may cause substantial increases in delay and decreases in travel speed. LOS D may be due to adverse signal progression, inappropriate signal timing, high volumes, or a combination of these factors. Average travel speeds are about 40 percent of free-flow speed.
E	LOS E is characterized by significant delays and average travel speeds of 33 percent or less of the free-flow speed. Such operations are caused by a combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.
F	LOS F is characterized by urban street flow at extremely low speeds, typically one-third to one-fourth of the free-flow speed. Intersection congestion is likely at critical signalized locations, with high delays, high volumes, and extensive queuing.

¹ Highway Capacity Manual. Transportation Research Board: National Research Council, 2000, Page 10-5.

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AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN PCT 22-7 & PCT 23-3 ADOPTION (#23-2ESR & #23-3ESR)

FEBRUARY 6, 2024

ITEM 1 AMENDMENT PCT 22-7

Text Amendment to the Broward County Land Use Plan – City of Dania Beach
Addition of 4,000 dwelling units and reduction of commercial development thresholds
within an existing Activity Center; approximately 1,334 acres; generally located east
of Interstate 95, between Griffin Road and Sheridan Street.

ITEM 2 AMENDMENT PCT 23-3

Text Amendment to the Broward County Land Use Plan to add Policy 2.16.5 regarding
Affordable Housing.

ITEM 1

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCT 22-7
(DANIA BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

May 16, 2023

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan, and recommends **approval per Attachment 21**, subject to the City’s voluntary commitments as follows:

- Amend the existing **Education Mitigation Agreement** to include the anticipated students from the additional proposed 4,000 dwelling units, if necessary;
- Implement **sea level rise** and **flood protection mitigation strategies**;
- Restrict 15% of the additional proposed dwelling units (at least 600) as **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years; and
- Maintain the City’s commitment to not allow newly permitted residential dwelling units within the **60+ DNL contour** within the Activity Center.

Effectiveness of the approval of the land use plan amendment shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants to legally enforce any voluntary commitments proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, the City’s confirmation to comply with both the County’s environmental licensing and permitting requirements and with the County’s historic preservation regulations is noted. See Attachments 9 and 12.

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or

RECOMMENDATIONS/ACTIONS (continued)

DATE

I. Planning Council Staff Transmittal Recommendation (continued)

May 16, 2023

- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

If the Planning Council chooses to require a second Planning Council public hearing per Article 1.2(A)(1)(2) or (3), such recommendation must be made as part of its motion.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

II. Planning Council Transmittal Recommendation

May 25, 2023

Approval per Planning Council staff transmittal recommendation per Attachment 21, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 12-0: Castillo, Fernandez, Gomez, Greenberg, Hardin, Horland, Levy, Railey, Rosenof, Ryan, Zeman and DiGiorgio)

III. County Commission Transmittal Recommendation

September 7, 2023

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

October 12, 2023

The Florida Department of Transportation (FDOT) has issued technical assistance comments on the proposed amendment (See Attachment 27):

Comment: The FDOT issued the following technical assistance comments for the proposed Broward County comprehensive plan amendment with Florida Department of Commerce reference number 23-2ESR. **The FDOT has stated that these technical assistance comments will not form the basis of a legal challenge.**

IV. Summary of State of Florida Review Agency Comments (continued) October 12, 2023**Technical Assistance Comment #1 and #2 (summarized)**

During its review of the proposed amendment, the Florida Department of Transportation (FDOT) issued a comment recognizing that a portion of the subject Activity Center is situated in an area projected to be vulnerable to inundation from sea level rise, subject to increased flooding from rainfall events, and experience rising groundwater level (as identified by the BCRED above), and the impacts this may have on redevelopment and transportation infrastructure.

To address these impacts, the FDOT recommends considering postponing the additional residential units or phasing the allocation of the residential units until such time that the City can assure that adaptation strategies, plans, policies, and infrastructure needed for resilience have been identified and can reasonably be funded and provided in a timely fashion, or until the foregoing have been solidified based on completion of the City's ongoing resilience efforts.

The FDOT also recommends that the City should coordinate with FDOT, the Broward MPO and the County on the planning, programming and funding of needed adaptations for infrastructure. In addition, the FDOT recommends the City should ensure clear connections between its stormwater management planning and planning for local and state transportation infrastructure, including coordinating with FDOT on the preparation of Dania Beach's Citywide Stormwater Master Plan and updated stormwater regulations to the extent that there may be impacts to state rights of way. See Attachment 27.

Response: Planning Council staff notes that climate resiliency and sea level rise impacts are evaluated by Broward County Land Use Plan (BCLUP) Policies 2.21.1, 2.21.5, 2.21.7, BCLUP Strategy CCR-2 and Comprehensive Plan Policy CC 2.14. As previously established, a portion of the Dania Beach Activity Center is designated on the Priority Planning Areas for Sea Level Rise Map and therefore subject to the foregoing. In response, the City submitted information detailing its projects and plans to address climate change, sea level rise, flood protection and resiliency planning citywide and within the Activity Center, including adoption of a resolution committing to the implementation of future conditions planning standards citywide, as well as interim design standards until the City's Stormwater Master Plan is adopted. Based on the provided information, the County is satisfied that the City has addressed the County's climate policies supporting resilient development. See Attachments 11, 15 through 17, and 22.

In response to FDOT's comments, the City of Dania Beach has provided additional correspondence reiterating various plans, programs and initiatives currently in place and underway to ensure future development and redevelopment within the City is resilient, inclusive of structures and infrastructure. The City has identified that resilient redevelopment can occur alongside infrastructure improvements and that it can work

RECOMMENDATIONS/ACTIONS (continued)

DATE

IV. Summary of State of Florida Review Agency Comments (continued) **October 12, 2023**

with developers to ensure improvements are part of the redevelopment process, particularly as the City develops long-term comprehensive approaches to flooding and sea level rise. The City has restated its willingness to continue coordinating with all applicable agencies, including the County, Broward MPO and FDOT, to ensure positive development and redevelopment within its boundaries. See Attachment 28.

In addition, Planning Council, Dania Beach and FDOT staffs met on November 14, 2023, to review the FDOT technical assistance comments and the above referenced responses. All parties concur that continued coordination is paramount to the successes of the extensive resilient planning efforts currently underway and in the planning process by various state, regional, county and local government agencies. As such, the City and FDOT are actively working to establish regular intergovernmental communication in this regard.

V. Planning Council Staff Final Recommendation **November 20, 2023**

Planning Council staff continues to support its initial recommendation that the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan, and recommends **approval per Attachment 21**, subject to the City’s voluntary commitments as follows:

- Amend the existing **Education Mitigation Agreement** to include the anticipated students from the additional proposed 4,000 dwelling units, if necessary;
- Implement **sea level rise** and **flood protection mitigation strategies**;
- Restrict 15% of the additional proposed dwelling units (at least 600) as **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years; and
- Maintain the City’s commitment to not allow newly permitted residential dwelling units within the **60+ DNL contour** within the Activity Center.

Effectiveness of the approval of the land use plan amendment shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants to legally enforce any voluntary commitments proffered by the applicant, as an inducement for Broward County to favorably consider its application.

In addition, the City’s confirmation to comply with both the County’s environmental licensing and permitting requirements and with the County’s historic preservation regulations is noted. See Attachments 9 and 12.

RECOMMENDATIONS/ACTIONS (continued)

DATE

V. Planning Council Staff Final Recommendation (continued)

November 20, 2023

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced BCLUP amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

VI. Planning Council Final Recommendation

November 30, 2023

Approval per Planning Council staff final recommendation. (Vote of the board; Unanimous; 15-0: Abramson, Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Levy, Newbold, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

VII. County Commission Final Action

February 6, 2024

Approved per Planning Council final recommendation.

PROPOSED AMENDMENT PCT 22-7

INTRODUCTION AND APPLICANT'S RATIONALE

- | | | |
|------|--|--|
| I. | <u>Municipality:</u> | Dania Beach |
| II. | <u>County Commission District:</u> | District 6 |
| III. | <u>Site Characteristics</u> | |
| A. | Size: | Approximately 1,344.0 acres |
| B. | Location: | In Sections 3, 33, 34 and 35, Townships 50 and 51 South, Range 42 East; generally located east of Interstate 95, between Griffin Road and Sheridan Street. |
| C. | Existing Uses: | Retail, hotels, single-family and multi-family residential, municipal facilities, educational facilities, marinas, religious institution, warehouses, cemeteries, pari-mutuel (Jai-Alai), parks and vacant |
| IV. | <u>Broward County Land Use Plan (BCLUP) Designations</u> | |
| A. | Current Designation: | Activity Center consisting of:
7,818 dwelling units consisting of:
2,348 single-family units
2,165 high-rise units
2,047 townhouse units
972 garden apartment units
286 duplexes
640 hotel rooms
294 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center land uses
40.5 acres minimum of recreation and open space use
36.2 acres maximum of community facilities land uses
6.5 acres of transportation land uses
2.6 acres minimum of conservation land uses
2.5 acres maximum of utilities land uses |

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

- B. *Proposed Designation:* Activity Center consisting of:
11,818 dwelling units consisting of:
3,683 multi-family units
2,665 single-family units
2,165 high-rise units
2,047 townhouse units
972 garden apartment units
286 duplexes
640 hotel rooms
264 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center land uses
40.5 acres minimum of recreation and open space use
36.2 acres maximum of community facilities land uses
6.5 acres of transportation land uses
2.6 acres minimum of conservation land uses
2.5 acres maximum of utilities land uses
- C. *Estimated Net Effect:* **Addition** of 4,000 dwelling units
Reduction of 30 acres of commercial use
No net change to hotel, industrial, employment center, community facilities, transportation, recreation and open space, conservation and utilities land uses.

V. **Existing Uses and BCLUP Designations Adjacent to the Amendment Site**

- A. *Existing Uses:*
- North:* Retail, single-family residential (including mobile homes) and County Regional Facility (Fort Lauderdale-Hollywood International Airport)
- East:* Single-family and multi-family residential, park/conservation area and educational facility
- South:* Single-family and multi-family residential and retail
- West:* Single-family and multi-family residential, municipal and educational facilities and Interstate 95

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site (continued)

B. Planned Uses:	North: Commerce, Low-Medium (10) Residential, Low (5) Residential and Transportation (Unincorporated Broward County)
	East: Conservation-Natural Resources, Low (5) Residential, Medium-High (25) Residential, Low-Medium (10) Residential, Medium (16) Residential, Community, Commerce and High (50) Residential
	South: Activity Center (City of Hollywood)
	West: Commerce, Low-Medium (10) Residential, Community, Low (5) Residential and Transportation

VI. Applicant/Petitioner

A. Applicant:	City of Dania Beach
B. Agent:	Leigh R. Kerr, AICP, Leigh Robinson Kerr & Associates, Inc.
C. Property Owners:	There are numerous property owners within the subject area

VII. Recommendation of Local Governing Body:

The City of Dania Beach recommends approval of the proposed amendment.

VIII. Applicant's Rationale

The applicant states: "The amendment area is the Dania Beach Regional Activity Center (RAC) which contains approximately 1,344 acres and is generally located east of Interstate 95, between Griffin Road and Sheridan Street. The subject area will remain designated RAC. The applicant proposes to amend the mix of uses to reduce the commercial category by thirty (30) acres and add 4,000 dwelling units consisting of 317 single-family units and 3,683 multi-family units. The original RAC established in 2009 did not propose any additional units above what was permitted under the existing future land uses at that time. The proposed change in uses will help the City adjust to development that has occurred within the RAC, as well as changing conditions anticipated to occur within the community.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VIII. Applicant's Rationale (continued)

The successful implementation of the RAC, originally established in 2009, has resulted in Dania Pointe, a +/- 100-acre mixed-use development consisting of more than 1 million square feet of commercial, 1 million square feet of office, 400 hotel rooms, and 1,400 dwelling units. Spirit Airlines recently developed an office complex within the Dania Beach RAC, multiple hotels have been developed along U.S. 1, and high-rise residential developments have occurred along Dania Beach Boulevard. The proposed amendment will facilitate the continued evolution of the RAC and will ensure that an appropriate mix of uses are available so that it can continue to thrive and evolve as a vibrant, transit supportive, mixed-use urban center.

The RAC is also coterminous with the City's Community Redevelopment Area (CRA) limits. Development within the RAC will implement the CRA and its mission to revitalize and improve the quality of life for the community.

An amendment to the RAC occurred in 2010 to increase commercial and employment center uses. No dwelling units were added at that time. Only +/- 600 units are presently available of the 7,818 units currently permitted in the RAC. The City continues to see interest in RAC units which may rapidly outpace the number of units available for (re)development. The additional 4,000 units requested will help the RAC meet the demand and continue to evolve. Additionally, a 15% set aside for affordable housing is proposed which will also help the City meet demands for affordable housing.

Goals, objectives and policies that were added to the City's Comprehensive Plan in support of the RAC will be maintained except for Policy 27.19 which limits units/density east of U.S. 1. That policy and text is proposed to be amended for an additional 1,500 dwelling units. The City remains committed to ensuring compliance with Policy 27.21 of the comprehensive plan regarding the availability of water supplies to serve new development, and also to Policy 27.14 regarding day-night average sound levels (DNLs) of 65 decibels or greater. It is understood that Broward County is also revisiting this policy.

Recognizing potential traffic concerns in the City and the region, the proposed change in commercial and residential uses was established in a manner that will mitigate changes in trip generation that might result from the amendment. The analysis indicates a net reduction of approximately 279 trips resulting from the change in uses. Existing neighborhoods will continue to be protected through the City's Land Development Regulations. Development activity within the RAC district will be developed in accordance with the City's Land Development Regulations, which ensure compatibility through appropriate setbacks and buffers between uses."

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-7

REVIEW OF PUBLIC FACILITIES AND SERVICES

I. Potable Water/Sanitary Sewer/Solid Waste/Drainage/Parks & Open Space

Adequate **potable water facility capacity and supply, sanitary sewer facility capacity, drainage and solid waste services** will be available to serve the proposed land use. **See Attachment 3.**

The City's 2045 projected population (44,329) requires approximately 132.99 acres of parks. It is estimated that the proposed land use plan amendment will result in an increase of 31.32 acres on the projected demand for local parks, bringing the total **park acreage** needed to satisfy the parks requirement to approximately 164.31. The City's recent evaluation of its existing park and open space inventory has revealed additional existing park and open space facilities that are eligible for inclusion in its inventory, as well as future park facilities. These potential parks would bring the citywide acreage total to 173.4 acres and provide a park and open space acreage surplus based on the projected population resulting from the proposed amendment. It is noted that the Activity Center requires a minimum of 40.5 acres of parks and recreation uses and 2.6 acres of Conservation uses, with approximately 29.5 of those acres currently utilized for open space, 2.6 acres currently preserved as Conservation and an additional 3.7 acres of future park facilities planned. **See Attachment 4.**

II. Transportation & Mobility

The amendment proposes an **addition of 4,000 dwelling units** and a **reduction of 30 acres of commercial use** to the existing Activity Center, with no net changes to the remaining development thresholds.

Planning Council staff's standard traffic analysis, which includes a 7% internal capture trip reduction for mixed-use designations and utilized a floor area ratio (FAR) of 0.52 or 22,651.2 square feet per acre, indicates that the proposed amendment is projected to **decrease** the net number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 339 p.m. peak hour trips. **See Attachment 5.** As such, the proposed amendment is not anticipated to negatively impact the operating conditions of the regional transportation network.

Planning Council staff notes the following roadway levels of service for informational purposes only:

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

- **Dixie Highway**, north of Sheridan Street, is currently operating at and projected to continue operating at level of service (LOS) “C,” with or without the subject amendment.
- **U.S. 1/Federal Highway**, between Sheridan Street and Stirling Road, is currently operating at LOS “E,” and projected to operate at LOS “F,” with or without the subject amendment.
- **U.S. 1/Federal Highway**, between Stirling Road and Griffin Road, is currently operating at and projected to continue operating at LOS “F,” with or without the subject amendment.
- **Old Griffin Road**, south of Griffin Road, is currently operating at LOS “C,” and projected to operate at LOS “E,” with or without the subject amendment.
- **Dania Beach Boulevard**, east of U.S. 1/Federal Highway, is currently operating at LOS “C,” and projected to operate at LOS “F,” with or without the subject amendment.
- **Stirling Road**, east of Interstate 95, is currently operating at and projected to continue operating at LOS “C,” with or without the subject amendment.

The City of Dania Beach established the initial 1,344-acre Regional Activity Center in 2009, which incorporated an existing 157-acre Local Activity Center. In 2010, the City revised the non-residential permitted uses within the Activity Center and was required to provide a traffic mitigation plan to address impacts to the regional transportation network. A Traffic Mitigation Special Revenue Fund was created to collect up to \$1,800,000 of transportation mitigation impact fees as (re)development occurs. These funds are to be dedicated to transit infrastructure improvements, programmed roadway improvements, and/or pedestrian, bicycle and greenway improvements that are within the boundaries of and/or in proximity to the Activity Center and are consistent with the Broward Metropolitan Planning Organization Year 2045 Metropolitan Transportation Plan. **See Attachment 6.**

The Broward County Transit Division (BCT) staff report states that current and planned fixed-route county transit service, as well as the community shuttle service, is provided within a quarter mile of the proposed amendment area. In addition, the County’s Mobility Advancement Program (MAP) identifies several fixed route bus improvements to the county routes serving the amendment area, such as shorter headways, increased span of service and route realignment. The BCT report notes that existing or future bus stops located adjacent to or within the amendment area will be addressed during the development review process. Further, the BCT staff recommends that any proposed development be designed to provide safe movement for pedestrians and bicycles, including transit connectivity to the existing sidewalk/bicycle network and bus stops. **See Attachment 7.**

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

Given the proposed increase in development intensity, the Broward County Urban Planning Division (BCUPD) report recommends that the City actively pursue the complete streets enhancements currently in the Broward Metropolitan Planning Organization Complete Streets Master Plan, including the potential expansion of nearby multi-use paths and bicycle lanes to connect with U.S. 1/Federal Highway and Old Griffin Road. The BCUPD also suggests pursuing transit-oriented design for buildings, open spaces and streetscape leading to the potential Coastal Link stop along the FEC railway within the City. Further, the BCUPD report promotes street tree planting and maintenance along major bicycle and pedestrian corridors as well as electric car charging stations incorporated in the amendment area. **See Attachment 8.**

The City of Dania Beach has indicated that it **supports complete streets** and has several projects that have been completed, are underway or pending that implement complete streets and enhance mobility throughout the City and within the Activity Center. **See Attachment 9.**

III. Public Schools

The School Board of Broward County staff report states that the proposed amendment would generate **1,263 additional students** into Broward County Public Schools, consisting of 592 elementary school students, 242 middle school students and 429 high school students. The report further states that Mary M. Bethune, Collins, Dania and Oakridge Elementary, Attucks and Olsen Middle and Hollywood Hills and South Broward High schools are all under-enrolled in the 2021-2022 school year and are anticipated to operate below the adopted level of service (LOS) of the higher of 100% of gross capacity or 110% of permanent capacity through the 2023-2024 school year. **See Attachment 10.**

It is noted that the School Consistency Review Report is primarily based on the proposed 3,683 “multi-family” dwelling units which are analyzed at the highest student generation rate that is currently “townhouse,” although the resulting “multi-family” development will likely result in multi-story type development due to land availability and limitations, which could result in the generation of many fewer students.

Based on the School District’s Seven Long Range Planning Areas, the proposed amendment is located within School District Planning Area “1,” which is anticipated to have **sufficient excess capacity** to support the students generated by the residential units proposed in the Planning Area. The residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 10.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

III. Public Schools (continued)

The School Board report notes that the existing 1,344-acre Activity Center is subject to an Education Mitigation Agreement, which requires payment of student station costs per dwelling unit permitted by amendments PC 03-6 and PC 09-5. School Board staff recommends that approval of the amendment be conditioned upon updating the existing Agreement to address the anticipated students from the additional proposed 4,000 dwelling units. See Attachment 10. The City has acknowledged the existing Education Mitigation Agreement and will consider an amendment to same, if it is determined to be necessary. **See Attachment 9.**

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-7

REVIEW OF NATURAL RESOURCES

I. Designated Protected/Regulated Areas

The Broward County Resilient Environment Department (BCRED) report indicates that the proposed amendment area **does not contain Natural Resource Areas, Local Areas of Particular Concern, Urban Wilderness Inventory sites, or Protected Natural Lands** within its boundaries. The BCRED report notes that the proposed amendment area is adjacent to a section of West Lake Park, which is a forested saltwater wetland site in the Protected Natural Lands Inventory. **See Attachment 11.**

II. Wetlands

The BCRED report indicates that the proposed amendment area **may contain County jurisdictional wetlands within its boundaries and that a wetland determination is required prior to any site work**, including clearing and filling. The BCRED report also identifies that the proposed amendment area contains or abuts water bodies, which requires an Environmental Resource License to be obtained from the Environmental Permitting Division prior to undertaking any surface disturbing activities, excavation or filling of any surface waters, installation of headwalls, end walls or outfalls. **See Attachment 11.** The City has confirmed that BCRED review and approval will be obtained prior to any site work occurring. **See Attachment 12.**

III. Sea Level Rise

The BCRED report indicates that **portions of the proposed amendment area are designated on the Priority Planning Areas for Sea Level Rise Map** and thus are subject to Broward County Land Use Plan Policies 2.21.1, 2.21.5, 2.21.7, BCLUP Strategy CCR-2 and Comprehensive Plan Policy CC 2.14. **See Attachment 11.** The City of Dania Beach submitted information detailing its projects and plans to address climate change, sea level rise, flood protection and resiliency planning citywide and within the Activity Center. See Attachment 15. The BCRED recognized the City's efforts in this regard and requested a legally enforceable mechanism confirming adherence to and inclusion of specific future conditions planning standards, which would require the City to ensure that minor and major (re)development within the Activity Center meet said future conditions surface water management standards. See Attachment 16. The City of Dania Beach **adopted a resolution committing to the implementation of future conditions planning standards citywide, including interim design standards until the City's Stormwater Master Plan is adopted.** The City has indicated that it will further codify the design standards via the

REVIEW OF NATURAL RESOURCES (continued)

III. Sea Level Rise (continued)

adoption of an ordinance. **See Attachment 17. The BCRED is satisfied that the City has addressed the County's climate policies supporting resilient development and recommends approval of the proposed amendment. See Attachment 22.**

Update: November 20, 2023: The Florida Department of Transportation (FDOT) issued two (2) technical assistance comments regarding the proposed amendment. See Attachment 27.

As detailed in the Sea Level Rise discussion above, the City of Dania Beach submitted information detailing its projects and plans to address climate change, sea level rise, flood protection and resiliency planning citywide and within the Activity Center, including adoption of a resolution committing to the implementation of future conditions planning standards citywide and interim design standards until the City's Stormwater Master Plan is adopted. See Attachments 11, 15 through 17 and 22.

Further, in response to FDOT's comments, the City of Dania Beach has provided additional correspondence reiterating various plans, programs and initiatives currently in place and underway to ensure future development and redevelopment within the City is resilient. The City has identified that resilient redevelopment can occur alongside infrastructure improvements and that it can work with developers to ensure improvements are part of the redevelopment process, particularly as the City develops long-term comprehensive approaches to flooding and sea level rise. The City has restated its willingness to continue coordinating with all applicable agencies, including the County, Broward MPO and FDOT, to ensure positive development and redevelopment within its boundaries. See Attachment 28.

In addition, Planning Council, Dania Beach and FDOT staffs met on November 14, 2023, to review the FDOT technical assistance comments and the above referenced responses. All parties concur that continued coordination is paramount to the successes of the extensive resilient planning efforts currently underway and in the planning process by various state, regional, county and local government agencies. As such, the City and FDOT are actively working to establish regular intergovernmental communication in this regard.

REVIEW OF NATURAL RESOURCES (continued)

IV. Other Natural Resources

Tree Canopy: The BCRED report states that the subject area contains mature tree canopy. Development of the site must comply with the Tree Preservation regulations of the City of Dania Beach if trees are to be removed or relocated. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use designation is not expected to have a negative impact on upland resources. See Attachment 11.

Vegetation: The BCRED report also notes that invasive exotic vegetation is encouraged to be removed during the development process and a management plan may be necessary to control reinvasion of same, nor should landscape material include any plants considered to be invasive. Further, development of the proposed amendment area should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 11.

Lighting: As the City is a coastal municipality, BCRED staff recommends becoming familiar with the County's Outdoor Lighting Ordinance that identifies preferred lighting standards to minimize sky glow and ways to minimize lighting disturbance of wildlife. See Attachment 11. The City has confirmed that is familiar with said lighting ordinance. See Attachment 12.

Manatee Protection: The BCRED report states that the proposed amendment area does contain and/or overlap with the Dania Cut-Off Canal/C-10 Canal, which is one (1) of three (3) waterways identified as primary travel corridors for the Florida manatee in Broward County. As such, said waterway is designated as an Area of Special Concern in the Broward County Manatee Protection Plan and an area of particular importance to manatees. The City acknowledges the proposed amendment area contains habitat important to manatees and recognizes the applicable construction standards outlined in the Broward County Manatee Protection Plan. The City has also provided a list of its policies that demonstrate compliance with applicable County requirements in this regard, which BCRED staff found to satisfy same. **See Attachments 11, 13 and 14.**

Contaminated Sites: The BCRED report indicates that the proposed amendment area contains known contaminated sites, and that for any site overlying or containing potential or actual sources of pollution to ground or groundwater, the Broward County Environmental Permitting Division (BCEPD) approval of an application for a building permit or approval to construct on or alter the site shall not be granted until BCEPD is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site. See Attachment 11.

REVIEW OF NATURAL RESOURCES (continued)

IV. Other Natural Resources (continued)

Contaminated Sites (continued): The City of Dania Beach has indicated that a site inspection will be required for all development proposals that are on or within a quarter mile of any contaminated sites and dewatering of any site will be prohibited without approval from BCEPD. See Attachment 12.

Water Recharge: The BCRED report also notes that the proposed amendment would result in no net change in the volume of water available for recharge and suggests that development seek to maximize open space or provide other alternatives to offset negative impacts on recharge capacity within the amendment area. Open space can include but is not limited to parks, stormwater retention, ponds, drainage easements, landscaped areas and other pervious areas. See Attachment 11. The City has indicated that landscape and open space areas, as well as all required drainage areas, will be incorporated into development designs to fulfill the goal of aquifer water recharge. See Attachment 12.

IV. Historical/Cultural Resources

The Broward County Urban Planning Division (BCUPD) report states that the proposed amendment is located within the jurisdiction of the **Broward County Historic Preservation Ordinance**. The BCUPD report indicates that the amendment has the potential to adversely impact known historical and archaeological resources, as well as areas of archaeological or paleontological sensitivity. The BCUPD report states that the Florida Master Site File (FMSF) identifies 216 known historical structures, along with several other historical resources. Further, based on a review of parcel data, the BCUPD report identifies that there are approximately 1,531 unrecorded historical structures within the amendment area. **See Attachment 8.**

The BCUPD report states that the last citywide historical survey was completed in 1993, and that an up-to-date inventory of historical resources is necessary for development planning purposes within the proposed amendment area. The BCUPD staff recommends the City conduct an architectural historic survey within the proposed amendment area for structures of 50 years of age or older, including photographs and FMSF documentation. See Attachment 8. The City of Dania Beach has provided correspondence acknowledging it is within the jurisdiction of the Broward County Historic Preservation Ordinance and that it will comply with the County regulations regarding same. The City has also provided a list of its policies and code requirements that support historic preservation and indicated that the proposed amendment is not anticipated to impact historic resources. **See Attachment 9.**

REVIEW OF NATURAL RESOURCES (continued)

V. Emergency Management

The existing Activity Center includes lands located within the designated mandatory Broward County **Hurricane Evacuation Zone B**, Category 3 and higher storm. As such, Planning Council staff solicited comments from the Broward County Regional Emergency Services and Communications Division (BCRESCD) for comment; BCRESCD has indicated that it will not be providing comments. The existing Activity Center currently permits a maximum of 3,867 dwelling units east of U.S. 1. The proposed amendment will allow a maximum of 1,500 additional dwelling units permitted east of U.S. 1 and west of the Dania Beach Boulevard Bridge.

SECTION V
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-7

OTHER PLANNING CONSIDERATIONS/INFORMATION

I. Affordable Housing

The proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) **Policy 2.16.2**, as it proposes 4,000 additional dwelling units to be permitted by the BCLUP. Since the proposed amendment is to revise an existing activity center, Policy 2.4.6 is also applicable.

The amendment application was submitted with a voluntary commitment to designate 15% of the additional dwelling units (i.e. 600 dwelling units) as moderate-income **affordable housing** (up to 120% of median income), or below, for a period of 30 years, as memorialized in Attachment 1. Therefore, the proposed amendment was exempt from the land use plan amendment fee and is **in compliance** with Policies 2.16.2 and 2.4.6. **See Attachments 1 and 8.**

It is noted that the previous 7,818 dwelling units were not subject to applicable affordable housing policies when the Activity Center was initially established in 2009, as the amendment captured unbuilt density permitted from the BCLUP to redirect towards the corridors and protect the single-family neighborhoods.

II. BrowardNext - Broward County Land Use Plan Policies

The proposed amendment is found to be **generally consistent** with the policies of the BrowardNext - Broward County Land Use Plan (BCLUP).

Planning Council staff notes that the City of Dania Beach established the initial 1,344-acre Regional Activity Center (RAC) in 2009, which incorporated an existing 157-acre Local Activity Center. In 2010, the City revised the non-residential permitted uses within the boundaries of the Activity Center. Each RAC amendment was evaluated and determined to be consistent and in compliance with the objective, policies and implementation criteria of the BCLUP regarding the Activity Center category. Planning Council staff notes that the adoption of BrowardNext combined and streamlined all mixed-use categories into a single Activity Center category, maintaining all permitted intensities and densities. **The proposed amendment to reduce 30 acres of commercial use and add 4,000 dwelling units within the Activity Center will allow the City to facilitate the positive redevelopment occurring throughout its boundaries and ensure that an appropriate mix of uses are available to foster a vibrant, transit supportive, mixed-use area.** The proposed amendment to revise the Dania Beach Activity Center is consistent with BrowardNext.

OTHER PLANNING CONSIDERATIONS/INFORMATION (continued)

III. Other Pertinent Information

The existing Activity Center is located **adjacent to the City of Hollywood**. Planning Council staff solicited comments from the adjacent municipality regarding the proposed amendment. As of this writing, no comments have been received from the City.

The existing Activity Center is located adjacent to the Fort Lauderdale-Hollywood International Airport, which is a County Regional Facility located in Unincorporated Broward County. This **proximity to the airport resulted in the prohibition of new residential development within the 60+ DNL contour** when the Activity Center was adopted in 2009. As such, Planning Council staff solicited comments from the Broward County Aviation Department (BCAD) regarding the proposed amendment to increase residential uses within the Activity Center. Prior to the receipt of BCAD comments, the City confirmed that its agreement restricting new residential dwelling units within the 60+ DNL noise contours will remain in effect. **See Attachment 18.** The BCAD provided comments stating its concern regarding new residential dwelling units within the 60+ DNL noise contour and requested that the City of Dania Beach ensure proper coordination prior to the adoption of the amendment. **See Attachment 23.** The City of Dania Beach provided additional correspondence reiterating and restating its commitments to cooperate with BCAD, including the binding agreement. **See Attachment 24.**

The City of Dania Beach conducted two (2) **community outreach meetings** with physical and virtual participation to present the proposed amendment to the public and other interested stakeholders.

Regarding **notification of the public**, the *Administrative Rules Document: BrowardNext* requires courtesy notification to property owners and those owners within a 300-foot radius of the amendment site. Broward County Planning Council staff sent approximately 3,572 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

Correspondence has been received from an interested party. **See Attachment 25.**

Update: February 6, 2024: Additional correspondence was received from interested parties regarding the proposed amendment. **See Attachment 29.**

SECTION VI
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-7

PLANNING ANALYSIS

The City of Dania Beach established its initial 1,344-acre Regional Activity Center in 2009, which incorporated an existing 157-acre Local Activity Center adopted in 2003. See Attachment 1. The Activity Center is primarily surrounded by single- and multi-family residential with municipal and educational facilities and retail uses. See Attachments 2.A. and 2.B.

The existing Activity Center boundary aligns with the Dania Beach Community Redevelopment Area (CRA). The redevelopment goals of the CRA Plan are to promote further investment within the area by continuing to improve the quality of life for its residents and the economy by supporting the expansion of housing options, business inventory and art and entertainment opportunities, as well as mobility improvements. The City has stated that the purpose of the revision to the Activity Center is intended to facilitate continued redevelopment opportunities, provide additional housing choices to residents and ensure that an appropriate mix of uses is available.

Planning Council staff's review indicates that the established Activity Center and the proposed amendment are generally consistent with and support the BrowardNext - Broward County Land Use Plan (BCLUP) policies concerning the Activity Center land use designation, noting that the subject area will continue to facilitate and promote an interconnected mix of land uses, encouraging multi-modal transportation opportunities and integrating housing. A review of the City's Activity Center monitoring tables indicates 7,561 dwelling units are existing or have been allocated by the City for development and that fewer than 300 dwelling units remain available for assignment, resulting in the City's application for additional dwelling units to continue to direct its population growth towards this redevelopment area with access to transit, goods and services.

Planning Council staff's analysis finds the following:

- Based on information available, adequate **potable water plant capacity and supply, sanitary sewer, drainage and solid waste capacity** will be available to serve the proposed land use. See Attachment 3.
- Sufficient **park acreage** will be available to serve the projected permanent population and includes a minimum of 40.5 acres of open space and 2.6 acres of conservation lands within the boundaries of the Activity Center.
- The proposed amendment is not projected to negatively impact the operating condition of the **regional transportation network** as it will result in a decrease in the net number of p.m. peak hour trips due to a balance of the increase in residential density and decrease in the permitted commercial uses. See Attachment 5.

PLANNING ANALYSIS (continued)

- Regarding impacts to **public schools**, the School Board of Broward County staff report states that the proposed amendment is located within School District Planning Area “1,” which is anticipated to have sufficient excess capacity to support the additional students anticipated to be generated by the residential units proposed in the Planning Area. The School Board report further notes that the existing Activity Center is subject to an Education Mitigation Agreement and recommends that approval of the amendment be conditioned on updating said Agreement to address the anticipated students from the additional proposed dwelling units. See Attachment 10. The City has stated that it will consider an amendment to said Agreement if it is determined to be necessary. See Attachment 9.
- Concerning impacts to **potential jurisdictional wetlands**, the City has acknowledged and indicated that BCRED review and approval will be obtained prior to the occurrence of any site work. See Attachment 12.
- The proposed amendment area contains a primary waterway travel corridor for the Florida manatee, which is designated an Area of Special Concern in the **Broward County Manatee Protection Plan**. The City has acknowledged the proposed amendment area contains habitat important to manatees and recognizes the applicable construction standards outlined in the Broward County Manatee Protection Plan. The City has also provided a list of policies demonstrating its compliance with applicable County requirements in this regard, which BCRED staff found to satisfy same. See Attachments 11, 13 and 14.
- Recognizing that a sizeable portion of the proposed amendment area is designated on the **Priority Planning Areas for Sea Level Rise Map** and subject to BCLUP Policies 2.21.1 and 2.21.5, the City of Dania Beach adopted a resolution committing to the implementation of future conditions planning standards citywide, including interim design standards until the City’s Stormwater Master Plan is adopted. The City has indicated that it will further codify the design standards via the adoption of an ordinance. See Attachment 17. The BCRED is satisfied that the City has addressed the County’s climate policies supporting resilient development and recommends approval of the proposed amendment. See Attachment 22.

Update: November 20, 2023: The Florida Department of Transportation (FDOT) issued two (2) technical assistance comments regarding the proposed amendment. See Attachment 27.

In response to FDOT’s comments, the City of Dania Beach has provided additional correspondence reiterating various plans, programs and initiatives currently in place and underway to ensure future development and redevelopment within the City is resilient.

PLANNING ANALYSIS (continued)

Update: November 20, 2023 (continued): The City has identified that resilient redevelopment can occur alongside infrastructure improvements and that it can work with developers to ensure improvements are part of the redevelopment process, particularly as the City develops long-term comprehensive approaches to flooding and sea level rise. The City has restated its willingness to continue coordinating with all applicable agencies, including the County, Broward MPO and FDOT, to ensure positive development and redevelopment within its boundaries. See Attachment 28.

In addition, Planning Council, Dania Beach and FDOT staffs met on November 14, 2023, to review the FDOT technical assistance comments and the above referenced responses. All parties concur that continued coordination is paramount to the successes of the extensive resilient planning efforts currently underway and in the planning process by various state, regional, county and local government agencies. As such, the City and FDOT are actively working to establish regular intergovernmental communication in this regard.

- Concerning **hurricane evacuation and sheltering space and capacity**, the existing Activity Center includes lands located within the designated mandatory Broward County Hurricane Evacuation Zone B, Category 3 and higher storm and currently permits a maximum of 3,867 dwelling units east of U.S. 1. The proposed amendment will add 4,000 dwelling units, 1,500 of which will be located east of U.S. 1 and west of the Dania Beach Boulevard Bridge.
- Regarding **historical and cultural resources**, the City of Dania Beach acknowledges it is subject to the Broward County Historic Preservation Ordinance and that it will comply with the County regulations regarding same. The City has also provided a list of its policies and code requirements that support historic preservation and indicated that the proposed amendment is not anticipated to impact historic resources. See Attachment 9.
- Regarding **affordable housing**, the proposed amendment application was submitted with a voluntary commitment to designate at least 15% of the additional dwelling units (i.e. 600 dwelling units) as moderate-income affordable housing (up to 120% of median income) for a period of 30 years, as memorialized in Attachment 1. As such, the proposed amendment is in compliance with BCLUP Policies 2.16.2 and 2.4.6. See Attachment 8.

The additional 4,000 dwelling units will likely facilitate the City's future anticipated population as these units could accommodate just over 10,000 additional residents, growing the City's population by approximately 30%. To ensure the realization of the binding commitment that at least 600 dwelling units will be deed restricted to a moderate-income affordable housing or below, **Planning Council staff, in coordination with the Broward County Housing Finance Division staff, recommends a phasing plan for the market rate units, as well as reporting and annual income verification for the affordable units, be included in the text of the BCLUP. See Attachment 21.**

PLANNING ANALYSIS (continued)

- The **proximity to the airport resulted in the prohibition of new residential development within the 60+ DNL contour** when the Activity Center was adopted in 2009. As such, Planning Council staff solicited comments from the Broward County Aviation Department (BCAD) regarding the proposed amendment to increase residential uses within the Activity Center. Prior to the receipt of BCAD comments, the City confirmed that its agreement restricting new residential dwelling units within the 60+ DNL noise contours will remain in effect. **See Attachment 18.** The BCAD provided comments stating its concern regarding new residential dwelling units within the 60+ DNL noise contour and requested that the City of Dania Beach ensure proper coordination prior to the adoption of the amendment. **See Attachment 23.** The City of Dania Beach provided additional correspondence reiterating and restating its commitments to cooperate with BCAD, including the binding agreement. **See Attachment 24.** **Planning Council staff recommends that the binding agreement be memorialized in the text of the BCLUP. See Attachment 21.**

Based on the planning analysis, Planning Council staff **recommends the approval of the proposed text amendment per Attachment 21**, inclusive of the following voluntary commitments to:

- Amend the existing **Education Mitigation Agreement** to include the anticipated students from the additional proposed 4,000 dwelling units, if necessary;
- Implement **sea level rise** and **flood protection mitigation strategies**;
- Restrict 15% of the additional proposed dwelling units (at least 600) as **affordable housing** units at the “moderate-income” level or below (up to 120% of median income) for a minimum of 30 years; and
- Maintain the City’s commitment to not allow newly permitted residential dwelling units within the **60+ DNL contour** within the Activity Center.

In addition, Planning Council staff recommends the following modifications to the BCLUP text to accurately reflect updated definitions or plans:

- Update the 2,165 “high-rise” units to include “mid-rise” unit type. This modification eliminates the necessity for a footnote as when the 2,165 “high-rise” units were adopted into the BCLUP in 2003, the Broward County Land Development Code definition was “four (4) stories or more” and that definition transitioned to “nine (9) stories or more” in 2008. The transition to add “or mid-rise” addresses all units four (4) stories or more.
- Eliminate the outdated reference to the 2001 Hurricane Evacuation Study.
- Eliminate the 2010 note regarding water supply as the City adopted its updated water supply plan in late 2022 and demonstrated adequate supply to accommodate future population projections.

SECTION VII
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 22-7

ATTACHMENTS

1. Broward County Land Use Plan Text Amendment PCT 22-7
2.
 - A. Aerial Photograph
 - B. BrowardNext – Broward County Land Use Plan Future Land Use Designations
3. Broward County Planning Council Supplemental Report of August 2022
4. Correspondence regarding Parks and Open Space from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated February 3, 2023
5. Broward County Planning Council Traffic Analysis of July 14, 2022
6. City of Dania Beach Ordinance No. 2014-005 Regarding Traffic Mitigation Impact Fee Program
7. Broward County Transit Division Report of July 19, 2022
8. Broward County Urban Planning Division Report of July 15, 2022
9. Correspondence regarding Public Schools, Complete Streets and Historic Resources from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated February 10, 2023
10. School Board of Broward County Consistency Review Report of July 12, 2022
11. Broward County Resilient Environment Department Report of July 19, 2022
12. Correspondence regarding Environmental Comments from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated April 28, 2023
13. Email Correspondence regarding Manatees and Marine Resources from Kelly Ray-Sosnowski, Planner, Leigh Robinson Kerr & Associates, Inc., to Dawn Teetsel, Director of Planning, Broward County Planning Council, dated October 27, 2022

ATTACHMENTS (continued)

14. Email Correspondence regarding Manatees and Marine Resources from Angela Delaney, Marine Resources Environmental Program Manager, Broward County Resilient Environment Department, to Dawn Teetsel, Director of Planning, Broward County Planning Council, dated November 7, 2022
15. Correspondence regarding Priority Planning Areas and Resilient Development from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director, Broward County Resilient Environment Department, dated October 11, 2022
16. Correspondence regarding Priority Planning Areas and Resilient Development from Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director, Broward County Resilient Environment Department, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 3, 2022
17. Correspondence regarding Priority Planning Areas and Resilient Development from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director, Broward County Resilient Environment Department, dated May 3, 2023
18.
 - A. Correspondence regarding 60+ DNL Noise Contours from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated March 17, 2023
 - B. Recorded Agreement Restricting New Residential Dwelling Units within the 60+ DNL Noise Contours and Non-Airport Compatible Land Uses
 - C. Graphic Depicting the Fort Lauderdale-Hollywood International Airport 60 and 65 DNL Noise Contours
19. Broward County Parks and Recreation Division Report of July 5, 2022
20. Broward County Water Management Division Report of June 29, 2022
21. Planning Council Staff Recommended Broward County Land Use Plan Text Amendment PCT 22-7
22. Correspondence regarding Priority Planning Areas and Resilient Development from Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director, Broward County Resilient Environment Department, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated May 10, 2023
23. Broward County Aviation Department Report of May 10, 2023

ATTACHMENTS (continued)

- 24. Correspondence regarding 60+ DNL Noise Contours from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated May 12, 2023
- 25. Email correspondence from Interested Party dated May 12, 2023

Update: September 7, 2023:

- 26. Correspondence regarding the City's proposed Regional Activity Center text from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated June 21, 2023

Update: November 20, 2023:

- 27. Email correspondence from Larry Hymowitz, Planning Specialist, Policy and Mobility Planning Section, Planning and Environmental Management, District Four, Florida Department of Transportation, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated October 12, 2023
- 28. Correspondence regarding the Florida Department of Transportation comments from Eleanor Norena, CFM, Community Development Director, City of Dania Beach, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated November 3, 2023

Update: February 6, 2024:

- 29. Email correspondence from Interested Parties Received between January 29, 2024 and February 6, 2024

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 22-7

Dania Beach Activity Center

Acreage: Approximately 1,344.0 acres

General Location: Generally located east of Interstate 95, between Griffin Road and Sheridan Street.

Density and Intensity of Land Uses:*

Residential Land Uses: 11,818 ~~7,818~~ dwelling units**

Hotel: 640 rooms

Commercial Land Uses: 264.0 ~~294.0~~ acres plus an additional 500,000 square feet

Industrial Land Uses: 247.5 acres

Employment Center Land Uses: 74.5 acres

Parks and Recreation Land Uses: 40.5 acres minimum

Community Facilities Land Uses: 36.2 acres maximum

Transportation Land Uses: 6.5 acres

Conservation Land Uses: 2.6 acres minimum

Utilities Land Uses: 2.5 acres maximum

Remarks:

Chapter 163 Community Redevelopment Area, provides access to Fort Lauderdale-Hollywood International Airport and Port Everglades, and is located around the proposed FEC commuter rail alignment.

*Acreage for non-residential land uses will be assigned on a gross acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc. Within mixed use projects, acreage shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross acreage of the development parcel will be assigned to A).

**Consisting of 3,683 multi-family units, 2,665 ~~2,348~~ single-family units, 286 duplexes, 2,047 townhomes ~~townhouse units~~, 972 garden apartments ~~units~~ and 2,165 high-rise units¹. Dwelling units from any given category (ex. single-family, townhouse, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation using the County's adopted student generation rates.

At least 600 (15%) of the additional 4,000 dwelling units permitted by PCT 22-7 will be affordable at the "moderate-income" (up to 120% of the median income) level or below for a minimum period of 30 years.

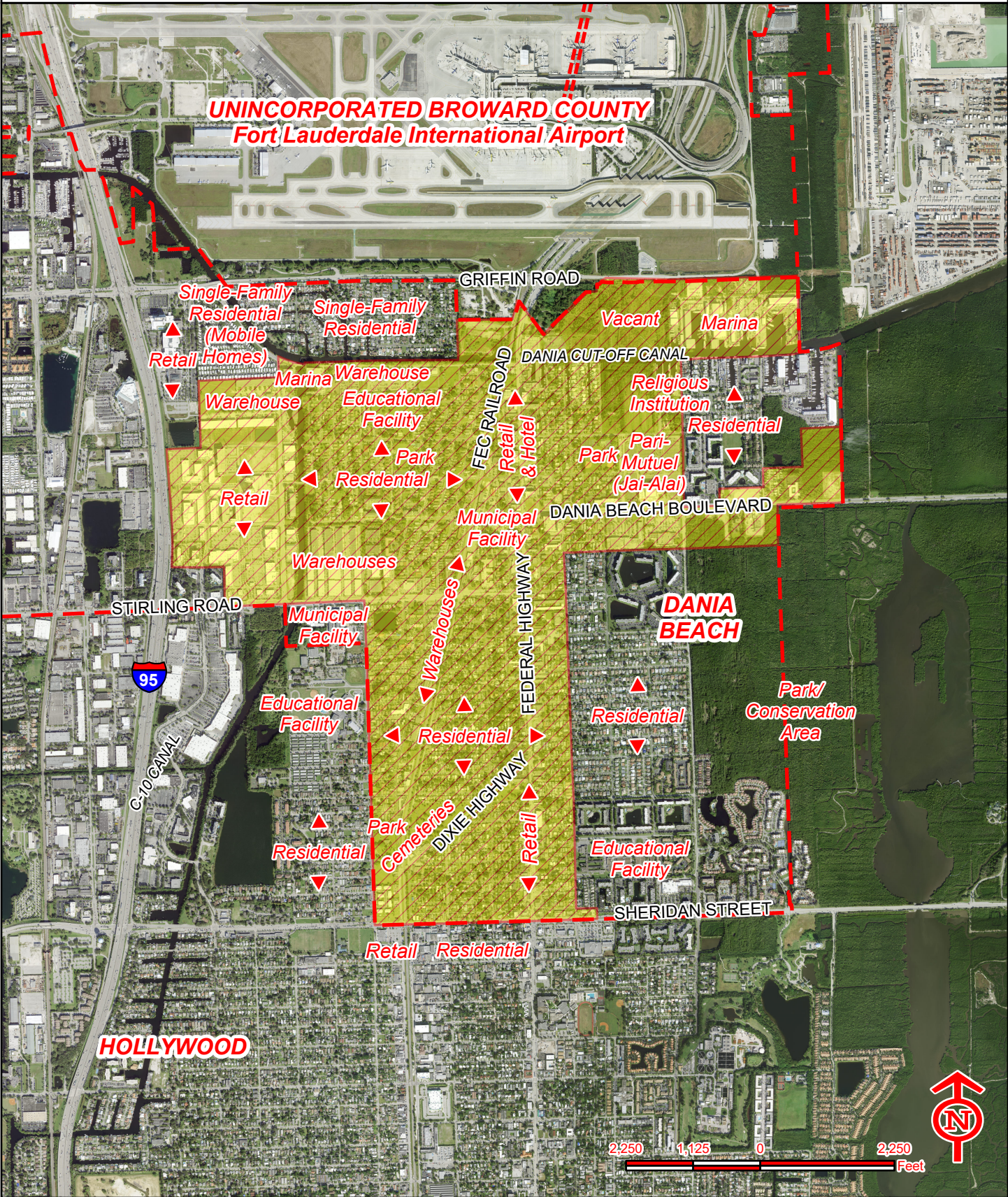
No more than 5,367 ~~3,867~~ dwelling units shall be located east of U.S. 1 in Traffic Evacuation Zone 16, as per the Broward County Hurricane Evacuation Study, 2001.

Prior to the issuance of any building permit of development, the City will consult with the appropriate water supplier to ensure that adequate water supplies to serve the new development will be available no later than the anticipated date of the certificate of occupancy. Any determination that adequate water supplies will be available will require the demonstration that a consumptive use permit has been issued to the City with sufficient allocation available to serve the new development, given all other existing commitments for that allocation. The “sufficient allocation” in the Consumptive Use Permit (CUP) shall be defined consistent with the permit’s limiting conditions as they exist at the time of building permit issuance. Permitted projects may be issued a Certificate of Occupancy only upon demonstration by the City that adequate water supply exists within the City’s current legal allocation.

¹ Note: High-rise units are defined as four (4) stories or more, consistent with the effective Broward County Land Development Code definition at the time of adoption of Broward County Land Use Plan amendment PC 03-6.

Note: Underlined words are proposed additions by the City of Dania Beach. ~~Struck-through~~ words are proposed deletions by the City of Dania Beach.

**ATTACHMENT 2.A.
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH
AMENDMENT PCT 22-7**

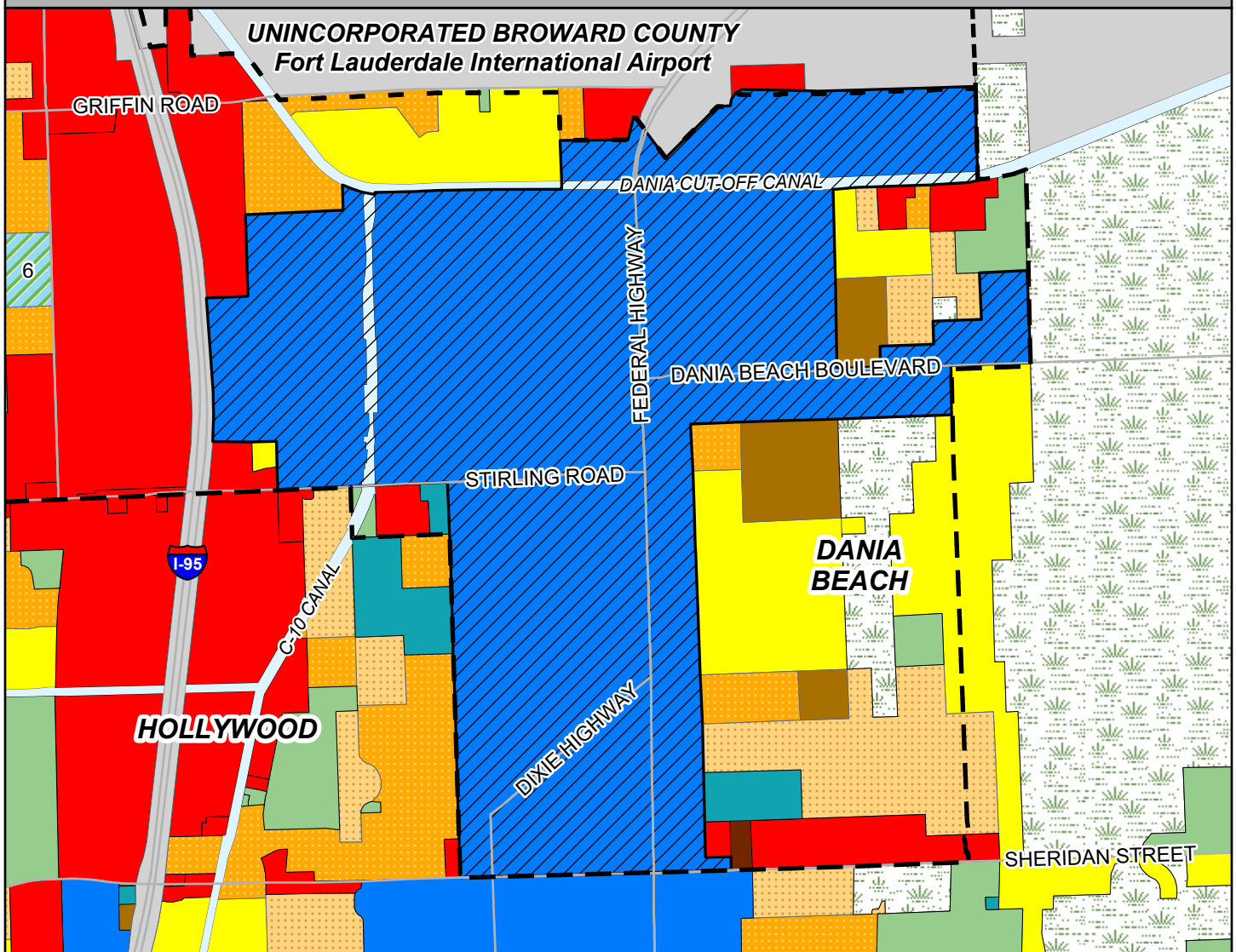


ATTACHMENT 2.B. **BROWARDNEXT - BROWARD COUNTY LAND USE PLAN** **FUTURE LAND USE DESIGNATIONS** **AMENDMENT PCT 22-7**

Current Land Use: Activity Center

Proposed Land Use: Activity Center - Addition of 4,000 dwelling units. Reduction of 30 acres of commercial use.

Gross Acres: Approximately 1,344.0 acres



ATTACHMENT 3

BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PCT 22-7

Prepared: February 2023

POTABLE WATER

The proposed amendment area will be served by the Dania Beach Water Treatment Plant, which has a current capacity of 5.04 million gallons per day (mgd). The current and committed demand on the treatment plant is 2.36 mgd, with 2.68 mgd available. The City of Dania Beach wellfield serving the amendment area has a permitted withdrawal of 1.3 mgd, which expires on April 5, 2042. In addition, the City has entered into agreements with Broward County to provide 1.58 mgd from its South Regional Wellfield and with Palm Beach Aggregates to provide 1.0 mgd from the C-51 Reservoir, resulting in a maximum available raw water capacity of 3.88 mgd in the long-range planning horizon, with 1.52 mgd available. Planning Council staff utilized a level of service of 135 gallons per day (gpd) per capita (2.61 persons per household (pph)) for residential uses and 0.1 gpd per square foot for commercial uses. The amendment will result in a net increase in demand of 1.38 mgd. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment area. The City of Dania Beach adopted its 10-year Water Supply Facilities Work Plan (WSP) on October 25, 2022. It is noted that within said WSP, the City has a planned improvement to construct the Tigertail horizontal well, which is anticipated to be online in 2027 and will provide an additional 1.0 mgd for the City's potable water needs.

SANITARY SEWER

The proposed amendment area will be served by the Hollywood Wastewater Treatment Plant, which has a current capacity of 55.5 mgd. The current and committed demand on the treatment plant is 45.4 mgd, with 10.1 mgd available. Planning Council staff utilized a level of service of 300 gpd per dwelling unit for residential uses and 0.1 gpd per square foot for commercial uses. The amendment will result in a net increase in demand of 1.13 mgd. Sufficient sanitary sewer capacity will be available to serve the proposed amendment area.

SOLID WASTE

The proposed amendment area will be served by Waste Management for solid waste disposal service. Waste Management collects and transports the City's solid waste to the Broward County Landfill, which has a current capacity of 13,213.7 tons per day (tpd) and a current demand of 1,561.6 tpd, with 11,652.1 tpd available. Planning Council staff utilized a level of service of 8.9 pounds per day per dwelling unit for residential uses and 4 pounds per 100 square feet per day for commercial uses. The proposed amendment will result in a net increase in demand of 8,419 pounds per day or 4.2 tpd. Sufficient solid waste capacity will be available to serve the proposed amendment area.

DRAINAGE

The proposed amendment area is located within the jurisdiction of the Broward County Resilient Environment Department (RED) and the South Florida Water Management District (SFWMD). Surface water management licenses/permits from RED and SFWMD will be required prior to any construction.

PARKS AND OPEN SPACE

The City of Dania Beach has 149.65 acres in its parks and open space inventory. The 2045 projected population (44,329) requires approximately 132.99 acres to meet the community parks acreage requirement of 3 acres per one thousand persons population. The amendment will result in a net increase of 31.32 acres on the projected demand for local parks. As a result of the proposed amendment, the City is anticipated to have a deficit of 14.66 acres of park and open space by 2045 and will not meet the community parks acreage requirement of the Broward County Land Use Plan (BCLUP) of 3 acres per one thousand persons population. The City acknowledges the deficit and through an evaluation of its existing park and open space inventory revealed additional facilities that are eligible for inclusion in its inventory, as well as future park facilities. The additional existing facilities provide the City with 13.36 acres and brings the citywide park and open space acreage total to 163.01 acres, which reduces the park acreage deficit resulting from the proposed amendment to 1.29 acres. The future park facilities provide the City an additional 10.39 acres to meet the park requirement. All combined these potential parks would bring the citywide acreage total to 173.4 acres and provide a park and open space acreage surplus based on the projected population resulting from the proposed amendment. It is noted that the Activity Center permitted uses allows for a minimum of 40.5 acres of parks and recreation uses. Based on the City's park and open space evaluation, approximately 29.51 acres currently exist within the Activity Center boundary, and approximately 3.67 acres of future park facilities will be located within the Activity Center. See Attachment 4.

ATTACHMENT 4



February 3, 2023



Via Email: bblakeboy@broward.org
and U.S. Mail

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

Re: PCT 22-7 (Dania Beach Activity Center) - Responses to Review Agency Comments - PARKS

Dear Barbara,

The City has re-examined its existing parks inventory and further researched potential park sites in order to address how it will meet the adopted level of service at the long-range planning horizon (2045). Exhibit A attached depicts the proposed updated Municipal Open Space Inventory table.

As shown on Exhibit A, in addition to the 149.65 acres of parks depicted on the County's Municipal Open Space Inventory List effective July 27, 2021, 13.36 gross acres of "New Existing Parks" and 10.39 gross acres of "Future Parks", collectively 23.75 gross acres, will ensure the adopted level of service for parks in 2045 is met by providing a total of 173.4 acres total of park and open space, where 164.3 acres are required.

The County's current recertified list depicts a population of 44,239 people in 2045 which results in a park demand of 132.98 acres and 149.65 acres are currently available to meet that demand. Utilizing 2.61 people per household (pph), the proposed 4,000 units will result in an additional park demand of 31.32 acres ($4,000 \text{ du} \times 2.61 \text{ pph} \times .003$). Therefore, the total park demand in 2045 is projected to be 164.3 acres, where 149.65 acres are currently available. As such, there will be a deficit of 14.65 acres in 2045 without the addition or development of new parks. However, the additional 23.75 gross acres of parks noted above will bring the total parks available in 2045 to 173.4 acres which exceeds the 164.3 acres required with the proposed 4,000 units.

The City is also adding the 10.4 gross acres of "Future Parks". The "Future Parks" land is all City-owned except The Wave which is half owned by Broward County and half owned by the

Barbara Blake-Boy, Executive Director
Broward County Planning Council
February 3, 2023
Page 2 of 2

City and FDOT Annex (Beach) which the City is annexing from the City of Hollywood effective March 28, 2023.

In addition to the tools noted above, Exhibit B attached includes the City's Comprehensive Plan policies addressing park and open space.

Exhibit C attached depicts a map of the City's Existing Parks, New Existing Parks and Future Parks located within the RAC boundary.

Exhibit D further depicts details of the new existing and future park areas.

I trust the above addresses the County parks comments related to PCT 22-7. Should you have any questions or require additional information, please contact Leigh Kerr with Leigh Robinson Kerr & Associates, Inc. via email lkerr808@bellsouth.net or by phone at (954) 467-6308.

Sincerely,

Eleanor Norena, CFM

Eleanor Norena, CFM
Community Development Director

EXHIBIT A

PROPOSED UPDATE TO CTY OF DANIA BEACH MUNICIPAL OPEN SPACE INVENTORY

CITY OF DANIA BEACH
MUNICIPAL OPEN SPACE INVENTORY

PARK NAME	FACILITY TYPE	ACREAGE
CURRENT RECERTIFIED PARKS		
IT Parker Center (Houston Park)	Community	7.8
Tigertail Lake Center/Dog Park	Community	39.3
Secret Woods	Community	5.7 (57 ac)*
Pond Apple Slough	Community	4.6 (46 ac)*
Dania Beach (incl. Tootie & Whiskey Creek)	Community	26.5
West Lake Marsh	Community	10 (136 ac)*
Dania Elementary	Neighborhood	2.6
Olsen	Neighborhood	9.9
PJ Meli Park	Neighborhood	9.7
Collins	Neighborhood	4.9
CW Thomas	Neighborhood	9.7
Frost	Neighborhood	10.1
Dania Cove Park	Neighborhood	4.65
Northside/Malaleuca Park	Neighborhood	0.7
Mullikan	Neighborhood	1.0
Chester Byrd	Neighborhood	2.5
Subtotal		149.65
NEW EXISTING PARKS		
Griffin Marine	Neighborhood	2.6
Mildred Jones	Neighborhood	0.86
Star Centennial	Neighborhood	0.35
SW Community Center	Neighborhood	1.42
SE 5th Avenue Linear park	Neighborhood	5.53
PJ Meli Park (add. Acreage)	Neighborhood	2.6
Subtotal		13.36
FUTURE PARKS		
City Hall	Neighborhood	1.65
BSO Substation	Neighborhood	0.21
Boise Waiters	Neighborhood	5.43
Nyberg Swanson	Neighborhood	1.07
FDOT Annex (Beach)	Neighborhood	1.29
Mullikan ROW	Neighborhood	0.22
The Wave	Neighborhood	0.52
Subtotal		10.39
TOTAL		173.4

*10% of county park area up to a max of 10 acres toward LOS

EXHIBIT B

COMPREHENSIVE PLAN POLICIES ADDRESSING REC & OPEN SPACE

IV. REQUIREMENTS FOR RECREATION AND OPEN SPACE GOALS, OBJECTIVES AND POLICIES

The goal of this element will be to ensure the provision of sufficient parks, recreation facilities and open space areas to satisfy the needs of the City of Dania Beach residents and visitors. This will include a variety of types of recreational and open space uses.

Objective I

Maintain current standards of public access to all recreational facilities and open space.

- Policy 1.1 All public facilities within the City of Dania Beach will be open to the public.
- Policy 1.2 Coordinate with the County, Regional and State Agencies where public resources under other jurisdictions are within the City of Dania Beach.
- Policy 1.3 Maintain present public access to the Dania Beach and Dania Beach Fishing Pier.

Objective II

Public and private resources will meet the standards of the Recreation and Open Space Element to ensure recreational demands of the community are met.

- Policy 2.1 Coordinate public and private development activities to ensure provision of sufficient recreation to meet the demands of said developments.
- Policy 2.2 Operation of recreation facilities should be through the most efficient means.

Objective III

Maintain the Park and Recreational Facility requirements of the Recreation and Open Space Element.

- Policy 3.1 Local park dedication for new development shall be 3 acres/1,000 population.
- Policy 3.2 Maintain the present accessibility status for all parks and recreational facilities within the community.
- Policy 3.3 Maintain facility standards of the Recreation and

Open Space Element for existing and new park facilities.

Objective IV

Maintain the present standards of the Recreation and Open Space Element to insure that open space is responsive to community needs.

- Policy 4.1 Maintain a fee system that is equitably and uniformly applied throughout the community.
- Policy 4.2 Planning of new park facilities shall be developed with citizen participation for the area affected by the park.
- Policy 4.3 The City shall meet or exceed the recreation/open space standards contained in this element.
- Policy 4.4 Open space areas shall be spatially distributed throughout the community and not concentrated in one area.

Objective V

Enhance the quality of parks throughout the community.

- Policy 5.1 Continue maintenance and irrigation of park facilities on a regular bases.
- Policy 5.2 Maintain and upgrade the facilities.
- Policy 5.3 Enhancements to park and recreation facilities should be made on a regular basis.

Objective VI

Develop a linear park on Southeast 5th Avenue.

- Policy 6.1 Utilize excess right-of-way for linear park development.
- Policy 6.2 Include drainage and water quality improvements for the area.

- Policy 3.1 New development shall provide for utility and community facility sites in accordance with the level of service standards of the Comprehensive Plan.
- Policy 3.2** New park and recreational facilities shall be supplied and tied with new growth in accordance with the level of service standards of the Comprehensive Plan.
- Policy 3.3** Dania Beach shall provide for a minimum of three (3) acres of Community level parks for every 1,000 existing and projected permanent residents. The acreage that may be used to meet this requirement is listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan. (B.C.P. #05.02.01).
- Policy 3.4** Dania Beach shall adopt and implement those procedures and practices necessary to meet or exceed the minimum parks and open space standards contained with the Broward County Land Use Plan. (B.C.P. #05.02.03)
- Policy 3.5** Dania Beach shall address, within its development codes and regulations, the protection of existing and designated parks, recreation and open space lands to ensure such lands are protected from future development. (B.C.P. #05.02.04)
- Policy 3.6 Dania Beach shall continue to permit public schools (defined for the purpose of the land use element to mean public schools K through 12), which are classified by this Plan as a type of community facility, in the following land use categories.
- a. Residential
 - b. Community Facilities
- Policy 3.7 Dania Beach will utilize the following Broward County School Board land area guidelines for individual school facilities.
- a. Elementary school: 12 acres
 - b. Middle school: 20 acres
 - c. High school: 45 acres

Land development regulations will be maintained which will ensure the future residential densities for land uses within the coastal hazard zone will be limited by the hurricane evacuation standards identified within the Broward County Hurricane Evacuation Plan.

Policy 7.1 Land use plan amendments to residential categories east of the Intracoastal Waterway will be limited by the hurricane evacuation standards identified within the Broward County Hurricane Evacuation Plan.

Objective VIII

New growth and development will only be permitted where services are available and meet the level of service standards of the Comprehensive Plan thereby eliminating urban sprawl.

Policy 8.1 Adequate drainage and stormwater management shall be provided for all development.

Policy 8.2 Open space shall be provided in accordance with the Comprehensive Plan and the land development regulations.

Policy 8.3 Safe and convenient on site traffic flow shall be provided in accordance with the Comprehensive Plan and the land development regulations.

Policy 8.4 Adequate vehicular parking shall be provided for new development in accordance with the land development regulations.

Policy 8.5 Dania Beach shall implement procedures which identify the cumulative impacts of proposed development on public services and facilities. (B.C.P. #08.01.03)

Policy 8.6 Promote infill development through the provision of potable water and sanitary sewer service to those developed portions of Dania Beach which are currently inadequately served. (B.C.P. #08.03.02)

Policy 8.7 When extending new services to undeveloped portions of Dania Beach, priority shall be given to

Policy 10.1 Innovative site design and land planning shall be permitted within these land development regulations.

Policy 10.2 The permitted uses of the Comprehensive Plan shall permit the mixing of land uses consistent with land development regulations.

Objective XI

**Coordinate future land uses with topography and soil conditions to protect Dania Beach's water supply and minimize flooding g problems.
(B.C.O. #09.10.00)**

Policy 11.1 Regulate development on flood prone soils, as defined by the United States Soil Conservation Service, consistent with the criteria and mapping of the Federal Emergency Management Administration and the policies included under Objectives XIX and XX. (B.C.P. #09.10.02)

Objective XII

Establish land development regulations that address controlled access to adjacent traffic circulation facilities, the provision of adequate on-site traffic circulation and off-street parking relative to existing and planned commercial development. (B.C.O. #02.05.00)

Policy 12.1 The Dania Beach Plan shall contain a policy that forms the basis for access control regulations for the protection of the regional roadway network and Broward County Trafficways Plan. (B.C.P. #02.05.01)

Objective XIII

Develop and implement land use controls which promote residential neighborhoods that are attractive, well maintained and contribute to the health, safety and welfare of their residents. (B.C.O. #01.06.00)

Objective XIV

Encourage provision of a system of public and private open space areas including natural reservations, parks, beaches,

scenic vistas, and waterways compatible with the tropical and resort character of Dania Beach. (B.C.O. #05.04.00)

Policy 14.1 Dania Beach shall pursue programs that will ensure the provision of and access to open space as consistent with its adopted comprehensive plan and the Broward County Land Use Plan. (B.C.P. #05.04.01)

Objective XV

Concurrency management systems shall be established to effectively monitor and manage new growth, in conformance with Florida's ~~Comprehensive Planning and Land Development Regulation~~ Community Planning Act, including Section 163.3180 Florida Statutes ~~(1999). (B.C.O. #08.06.00)~~

Policy 15.1 Dania Beach shall establish concurrency management systems to effectively manage new growth and to ascertain whether necessary facilities identified within their local Capital Improvements Elements are being constructed in accordance with the schedules in its local plan and to measure the development capacity of such facilities in a given area at a given time. (B.C.P. #08.06.01)

Policy 15.2 Those facilities which are subject to the local concurrency requirements include: traffic circulation, recreational, drainage and flood protection, potable water, solid waste and sanitary sewer facilities. (B.C.P. #08.06.02)

Objective XVI

Encourage the development and implementation of land use controls to increase the protection and enhancement of beaches, rivers and marine resources identified on the Natural Resources Map Series of the Dania Beach Land Use Plan Map Series. (B.C.O. #9.03.00)

Policy 16.1 Land development codes and regulations shall require the protection and/or restoration of beaches, particularly dunes and vegetation, through techniques such as conservation easements, re-vegetation, elevated walkways, and clustering of

Objective XXVII - Encourage compact development reflecting characteristics which include a mixture of community-serving uses such as commercial, office, employment, civic, and institutional, recreation and open space, and residential, characterized by an efficient infrastructure, close-knit neighborhoods and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Regional Activity Center land use category.

Encourage attractive and functional mixed living, employment, shopping, education and recreational activities in the City of Dania Beach Community Redevelopment Area (CRA) by establishing within the Dania Beach Land Use Plan a Regional Activity Center.

Policy 27.1 The development of the Regional Activity Center shall be guided by the Community Redevelopment Agency's Redevelopment Master Plan and consistent with all elements of this plan.

Policy 27.2 The Dania Beach Regional Activity Center shall support the location of uses and internal circulation such that pedestrian mobility is a priority. All land uses in the Dania Beach Regional Activity Center shall be directly accessed via pedestrian ways, and accessible to existing or future alternate public transportation modes, including bicycle and transit.

Policy 27.3 Non-motorized transportation as well as mass transit shall be encouraged to serve the Dania Beach Regional Activity Center to reduce reliance upon automobile travel.

Policy 27.4 Park land and/or open space that is accessible to the public shall be included as a functional component within the Dania Beach Regional Activity Center.

Policy 27.5 To facilitate public transit access, integrated transportation systems shall be encouraged to serve the Dania Beach Regional Activity Center.

Policy 27.6 Quality, Affordable Housing opportunities shall be included as a functional component within the Dania Beach Regional Activity Center.

Policy 27.7 To enhance pedestrian movement and safety, the separation of pedestrian and vehicular traffic shall be encouraged within the Dania Beach Regional Activity Center.

Policy 27.8 Encourage affordable housing opportunities within the Dania Beach Regional Activity Center through various mechanisms such as the utilization of "affordable housing units." The direction of public housing program funds into the Regional Activity Center, reduced lot size for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, the allowance

EXHIBIT C

MAP OF EXISTING PARKS, EXISTING NEW PARKS AND FUTURE PARKS IN THE RAC

EXISTING, NEW EXISTING AND FUTURE PARKS IN THE RAC

Legend

- Existing Parks in RAC
- New Existing Parks in RAC
- Future Parks in RAC
- RAC

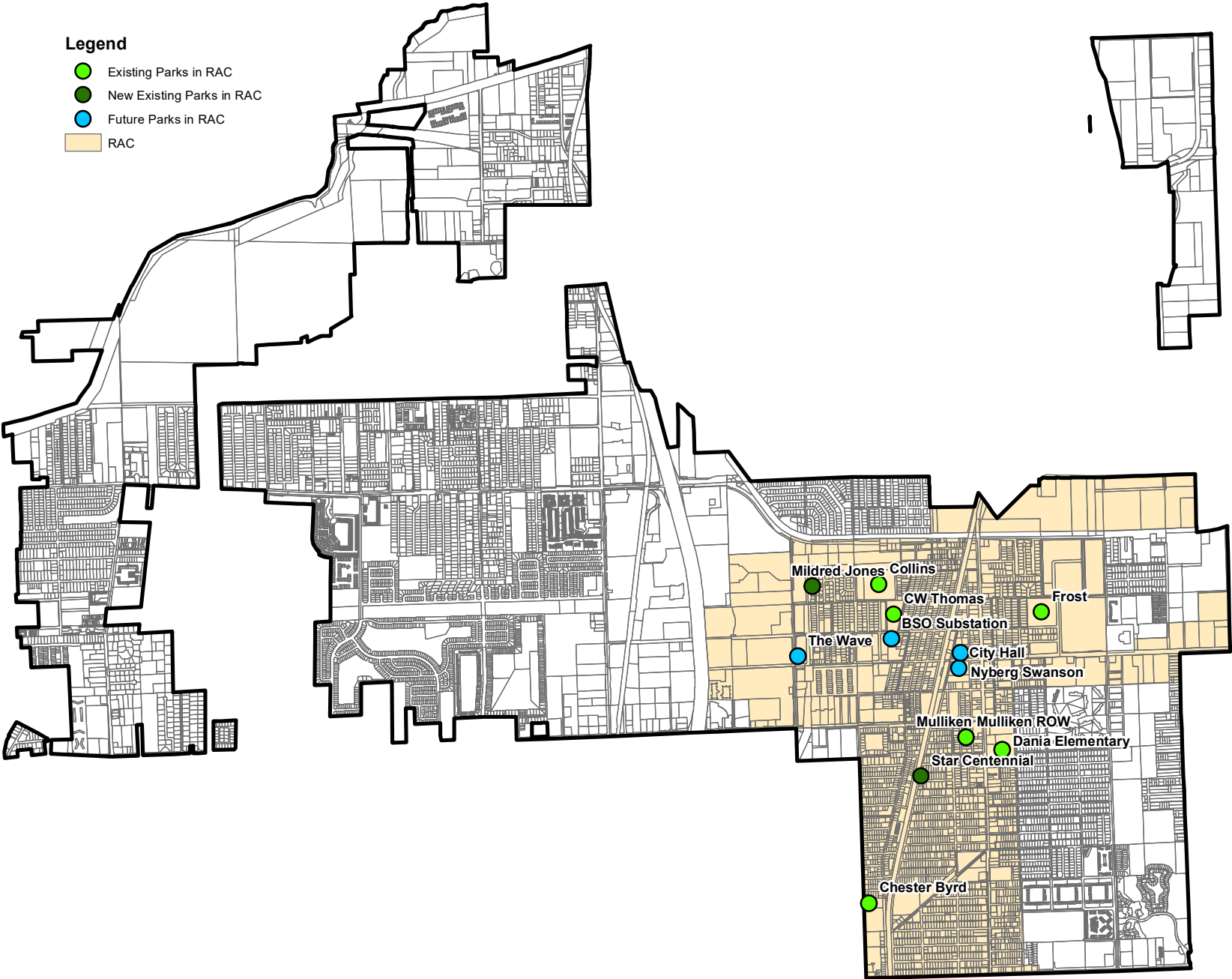


EXHIBIT D

NEW EXISTING AND FUTURE PARK PARCELS

New Existing

Griffin Marine Park



Legend



- Streets
-  ROW
-  GriffinMarinePark (1.9 ac)

1.9 ac net + 0.7 ROW = 2.6 gross

Mildred Jones Park



Legend



- Streets
-  ROW
-  Mildred_Jones (0.7 ac)

0.7 ac net + 0.16 ROW = 0.86 gross

Star Centennial



Legend

- Streets
-  ROW
-  Star_Centennial (0.2 ac)

0.2 ac net + 0.15 ROW = 0.35 gross

SW Community Park



Legend

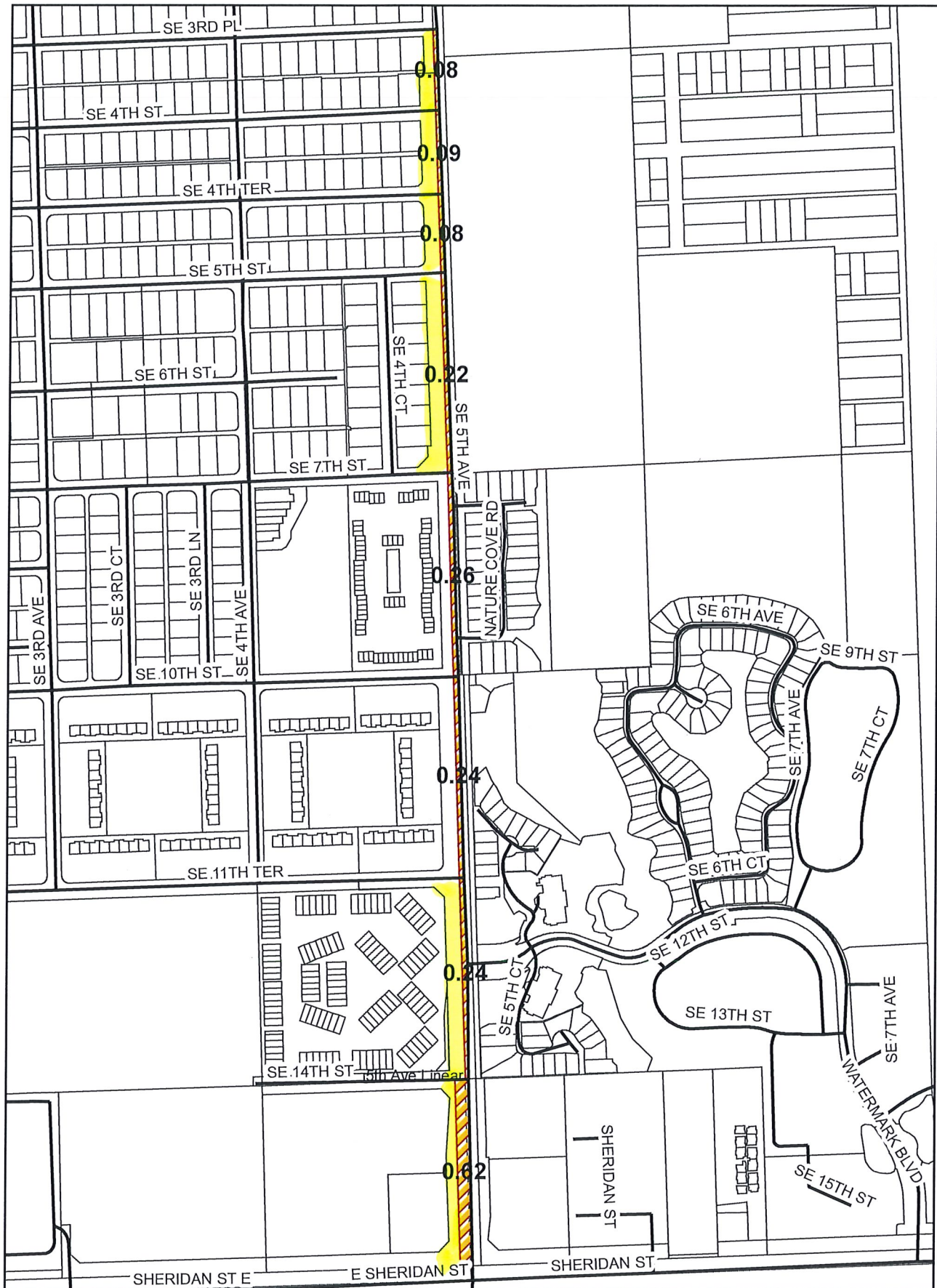
— Streets

▨ ROW

■ SW_Community_Ctr (0.5ac)

0.5 ac net + 0.92 ROW = 1.42 gross

5TH AVENUE LINEAR PARK



Park: 3.7 ac net + ROW: 0.62 + 0.24 + 0.24 + 0.26 + 0.22 + 0.08 + 0.08 + 0.09 = 5.53 gross

— Streets

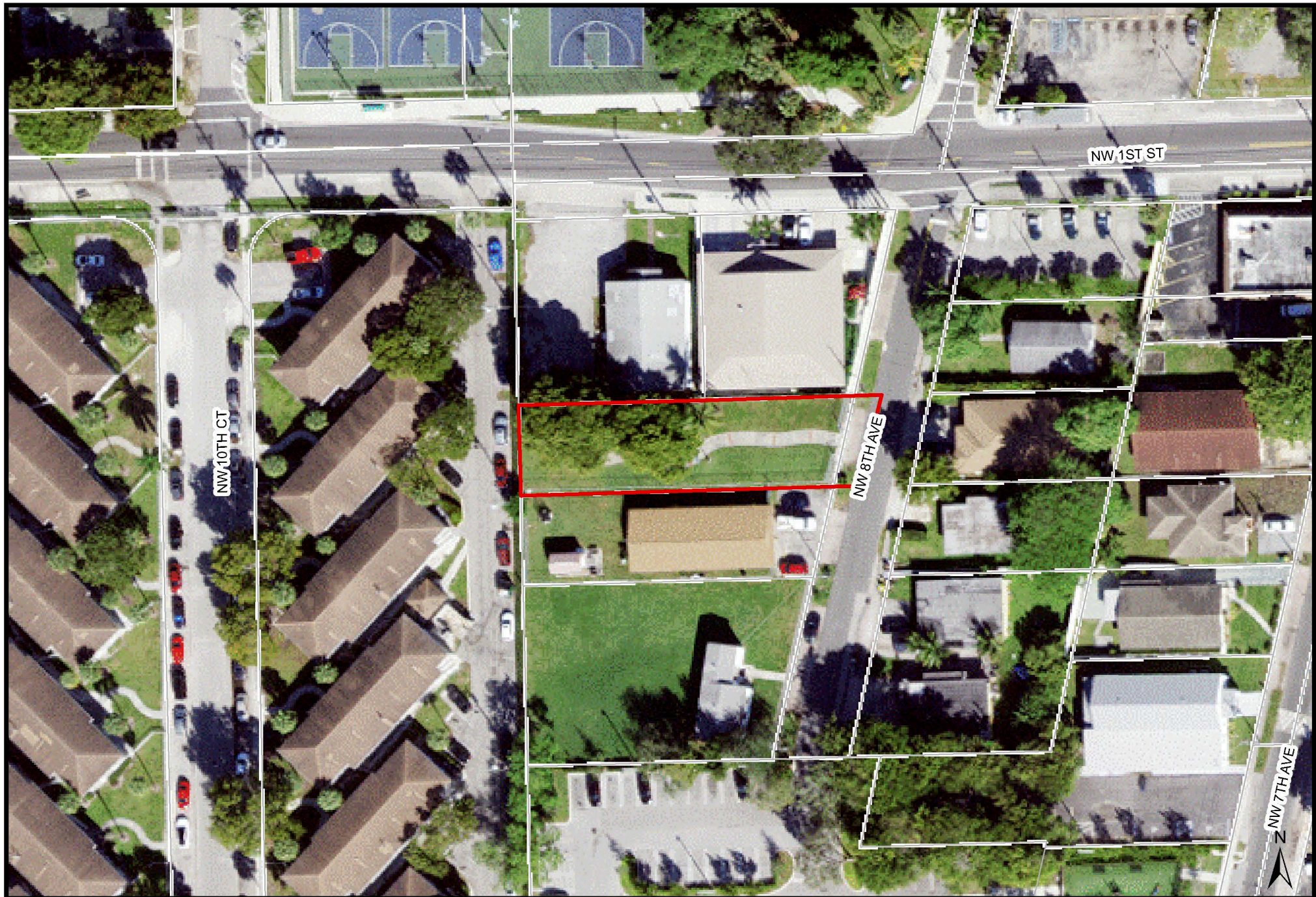
 ROW

Future Parks




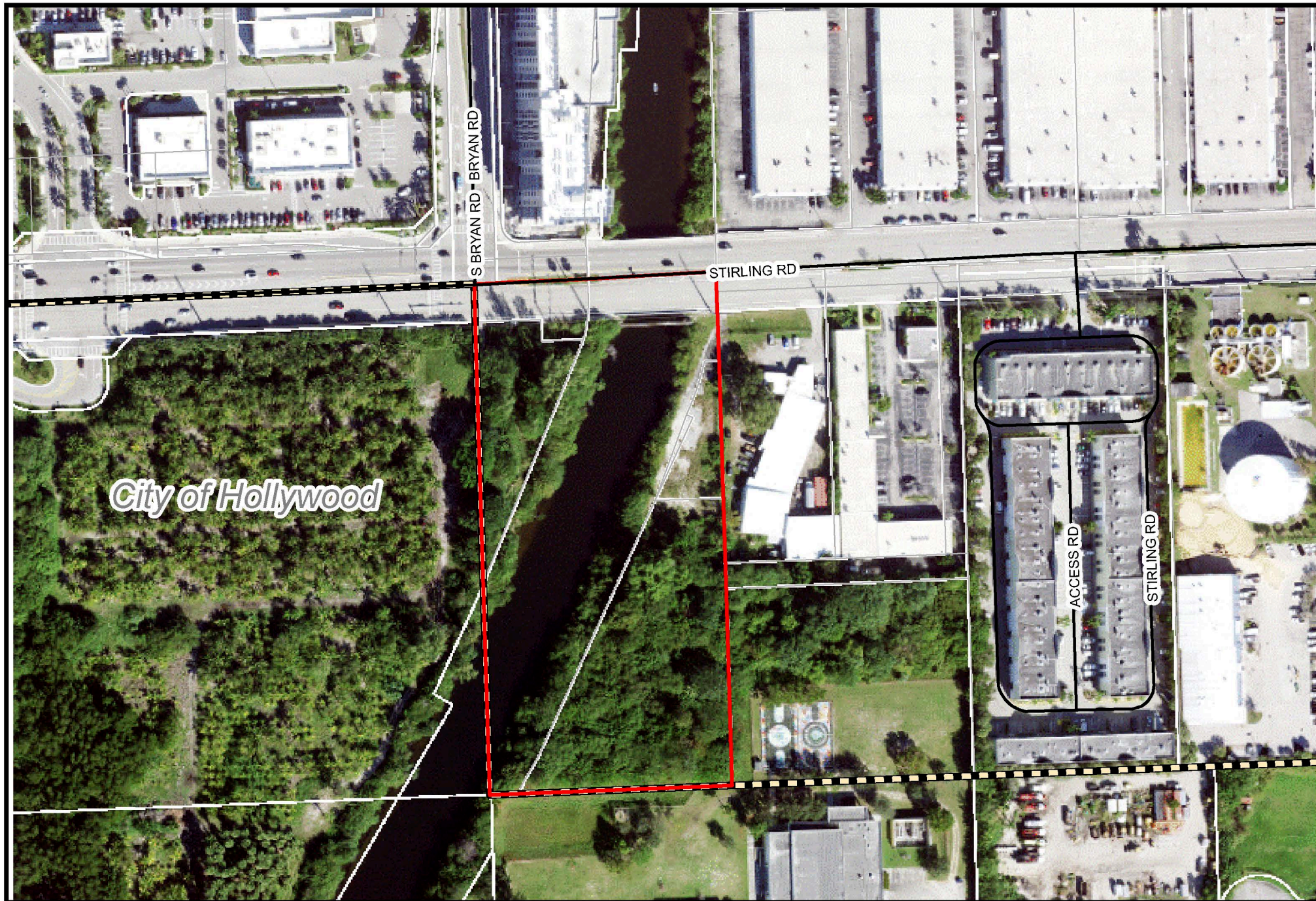
Future Park

 City Hall Park - 1.65 ac





Future Park

 BSO Substation - 0.21 ac



Future Park

-  Boisy Waiters - 5.43 ac (2.6 ac SFWMD)
-  City Limits





Future Park



Nyberg Swanson - 1.07 ac

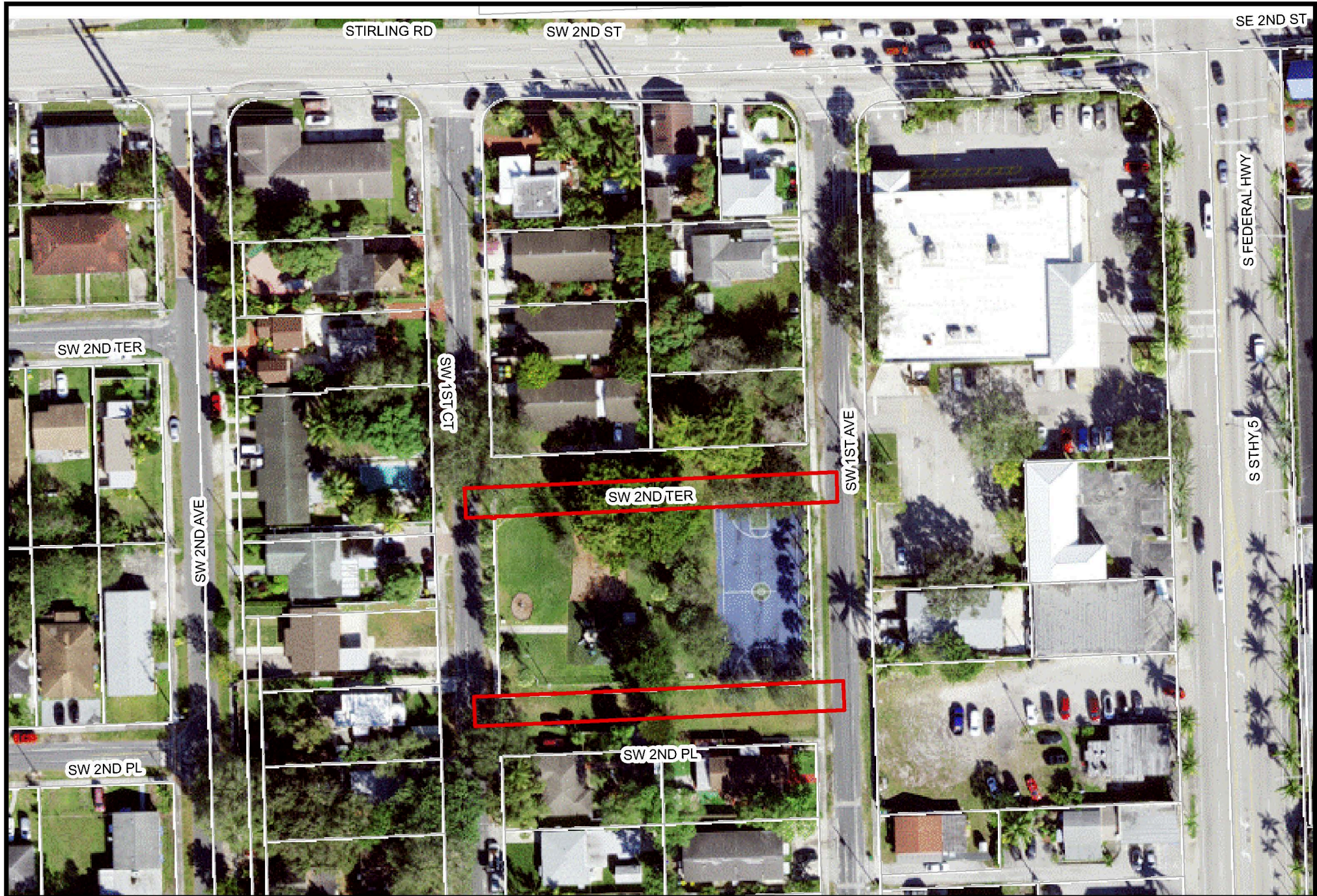


Future Park



FDOT Annex - 1.29 ac





Future Park



ROW Mullikans - 0.22 ac





Future Park

The Wave - 0.52 ac



ATTACHMENT 5

TRAFFIC ANALYSIS - Peak PCT 22-7

Prepared: July 14, 2022

INTRODUCTORY INFORMATION

Jurisdiction:	City of Dania Beach
Size:	Approximately 1,344.0 acres

TRIPS ANALYSIS

Potential Trips – Current Land Use Designation

Current Designation:	Activity Center (permits a range of residential and non-residential uses)
Uses Proposed to be Modified:	2,348 single-family units 294.0 acres of commercial uses*

[No net change to remaining development thresholds]

Trip Generation Rates:	“ITE Equation (210) Single-Family Detached Housing”** “ITE Equation (820) Shopping Center”
------------------------	---

Total P.M. Peak Hour Trips: $2,162 + 25,329 = 27,491$ peak hour trips***

Potential Trips – Proposed Land Use Designation

Modified Development:	3,683 multi-family units 2,665 single-family units 264.0 acres of commercial uses*
-----------------------	--

[No net change to remaining development thresholds]

Trip Generation Rates:	“ITE Equation (220) Multifamily Housing (Low-Rise)” “ITE Equation (210) Single-Family Detached Housing” “ITE Equation (820) Shopping Center”
------------------------	--

Total P.M. Peak Hour Trips: $1,952 + 2,454 + 22,746 = 27,152$ peak hour trips***

<u>Net P.M. Peak Hour Trips</u>	<u>- 339 peak hour trips</u>
--	-------------------------------------

PLANNING COMMENTS

The proposed amendment is projected to decrease traffic on the regional transportation network by approximately 339 p.m. peak hour trips at the long-range planning horizon.

Notes:

*Commercial development utilizes a Floor Area Ratio (FAR) of 0.52 or 22,651.2 square feet per acre.

**Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation - Eleventh Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.

***Reflects an internal capture rate of 7% consistent with the ITE guidelines.

ATTACHMENT 6

ORDINANCE NO. 2014-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE BY AMENDING ARTICLE 810 "IMPACT FEES" TO PROVIDE FOR ADOPTION OF A MITIGATION FEE PROGRAM ASSOCIATED WITH THE MITIGATION OF TRAFFIC IMPACTS ASSOCIATED WITH THE MODIFICATION OF PERMITTED USES WITHIN THE AREA DESIGNATED AS THE DANIA BEACH REGIONAL ACTIVITY CENTER ("RAC") BY THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN, AS OUTLINED IN THE BROWARD COUNTY LONG RANGE TRANSPORTATION PLAN ("LRTP"); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 8, 2009, the City Commission of the City of Dania Beach amended its Comprehensive Plan to adopt a Regional Activity Center ("RAC") for the area that is designated as the City's Community Redevelopment Agency redevelopment area, the geographic area depicted in the attached "Exhibit A"; and

WHEREAS, on September 28, 2010, the City amended the RAC Plan to include the addition of thirty (30) acres of Commercial Land Use and twenty (20) acres of Employment Center Land Use via Ordinance No. 2010-007; and

WHEREAS, as part of the Broward County Planning Council staff review of the amendment, adverse traffic impacts were identified on the Regional Transportation System that are estimated to increase the number of P.M. Peak Hour Vehicle Trips at the long term planning horizon (2020); and

WHEREAS, as a condition of the approval of the amendment, the Broward County Planning Council required the City to develop a traffic mitigation system for development within the RAC; and

WHEREAS, in satisfaction of this traffic mitigation condition, the City Commission of the City of Dania Beach adopted Resolution Number 2010-114, which committed to the development of a transportation mitigation impact fee of up to \$1.8 Million Dollars for future development within the RAC; and

WHEREAS, the purpose of this Ordinance is to amend Article 810 "Impact Fees" of the Land Development Code of the Code of Ordinances, to establish the fair share contribution

payment schedule, which will be implemented for new development within the RAC, after the effective date of this Ordinance; and

WHEREAS, the proposed fee schedule is based upon the available remaining development rights within the RAC, and will be assignable to and used toward traffic impacts of proposed development within the RAC, based upon the P.M. peak hour trips that those developments generate; and

WHEREAS, for the purposes of this program, the P.M. peak hour trips are based upon the Institute of Transportation Engineer's ("ITE") trip generation rates current at the date of the building permit application, and will be utilized to determine the fair share contribution payment at the time of building permit application for each individual project; and

WHEREAS, the maximum total impact fee amount of \$1,800,000.00 is required to mitigate a maximum of 84,649 P.M. peak hour trips within the RAC; and

WHEREAS, the payment schedule that has been developed for the procedure provides for a fee of \$21.26 per P.M. peak hour trip as the fair share contribution payment for traffic mitigation for projects within the RAC; and

WHEREAS, funds received by the City through the RAC Transportation Mitigation Impact Fee will be placed into a new RAC Traffic Mitigation Special Revenue Fund to be created by the City; and

WHEREAS, the funds collected by the City at the time of building permits through this program shall be utilized for transit infrastructure improvements, programmed roadway improvements and pedestrian/greenway/bicycle improvements, or all of the foregoing and will be consistent with the Broward County 2035 Long Range Transportation Plan ("LRTP") and within the RAC boundaries; and

WHEREAS, the Planning and Zoning Board, sitting as the City's local planning agency, has reviewed this Ordinance; and

WHEREAS, a public notice was provided in accordance with Section 163.31801, F.S.; and

WHEREAS, a public hearing was held before the City Commission pursuant to the published notice described above; and

WHEREAS, the City Commission finds that adoption of this Ordinance through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies of the City's Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Article 810 "Impact Fees" of the City of Dania Beach Land Development Code is amended to read as follows:

Section 810-70. Regional Activity Center Transportation Mitigation Impact Fee.

(A) Impacts to the regional transportation system within the Regional Activity Center (RAC) designation of the City's Comprehensive Plan shall be mitigated through the RAC Transportation Mitigation Impact Fee, based upon a fair share contribution payment schedule, for the mitigation of transportation impacts associated with development within the RAC.

(B) The amount of a required RAC Transportation Mitigation Impact Fee payment shall be determined by the number of trips to be generated by a proposed development at the time of building permit application. The amount of the fee shall be calculated based on the RAC Transportation Mitigation Impact Fee schedule which shall be adopted by resolution of the city commission.

Section 3. All ordinances of the City of Dania Beach in conflict with any provisions of this Ordinance are repealed to the extent of such conflict.

Section 4. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Dania Beach, Florida, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section," "Article" or other appropriate word.

Section 6. That this Ordinance shall take effect immediately upon its passage and adoption.

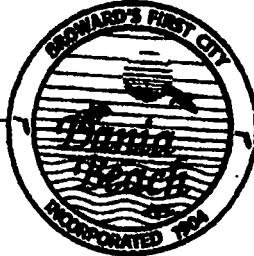
PASSED on first reading on May 27, 2014.

PASSED AND ADOPTED on second reading on June 24, 2014.

ATTEST:

Louise Stilson

LOUISE STILSON, CMC
CITY CLERK



Walter B. Duke, III
WALTER B. DUKE, III
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

Thomas J. Ansbro
THOMAS J. ANSBRO
CITY ATTORNEY

ATTACHMENT 7



Transportation Department

Service and Strategic Planning Division

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8340 • FAX 954-357-8482

VIA EMAIL

July 19, 2022



Leny Huaman
Planner
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

RE: Land Use Plan Amendment – PC 22-7

Dear Ms. Huaman:

Broward County Transit (BCT) has reviewed your correspondence dated June 16, 2022, regarding the Land Use Plan Amendment (LUPA) of the property located east of I-95, between Griffin Road and Sheridan Street for current and planned transit service. The correct transit service provided within a quarter mile of the amendment site is limited to BCT Routes 1, 101, 4, 6, 12, 16, and the Community Shuttle Dania Beach East and West routes. Please refer to the following table for detailed information.

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
1	Weekday Saturday Sunday	5:00a-12:21x 5:20a-12:16x 6:00a-10:21p	26 minutes 23 minutes 29 minutes
101	Weekday Saturday Sunday	5:05a-9:01p	31 minutes
4	Weekday Saturday Sunday	5:15a-10:57p 6:00a-11:03p 7:45a-10:46p	40 minutes 50 minutes 50 minutes
6	Weekday Saturday Sunday	5:17a-11:35p 5:20-10:59p 8:20a-9:11p	47 minutes 60 minutes 60 minutes
12	Weekday Saturday Sunday	5:00a-11:37p 5:20a-11:37p 6:20a-10:20p	45 minutes 45 minutes 45 minutes



Transportation Department

Service and Strategic Planning Division

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8340 • FAX 954-357-8482

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
16	Weekday Saturday Sunday	5:45a-10:35p 6:00a-10:35p 7:05a-10:10p	45 minutes 45 minutes 45 minutes
Dania Beach Community Shuttle East	Weekday	9:00a – 5:30p	60 minutes
Dania Beach Community Shuttle West	Weekday	9:00a – 5:47p	75 minutes

As part of the 30 year [Mobility Advancement Program](#), BCT plans to implement several fixed route bus improvements, including shorter headways, increased span of service, and route realignment to better meet passenger needs.

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

BCT has adequate capacity for current and planned services to meet additional service demand as described in this proposed LUPA. BCT recommends that any proposed (re)development on the amendment site be designed to provide safe movement for pedestrians and bicycles including transit connectivity between the existing sidewalk / bicycle network and proposed future bus stops.

Please feel free to call me at 954-357-8381 or email me at tacrawford@broward.org if you require any additional information or clarification on this matter.

Sincerely,

Tara T. Crawford, AICP
Planning Section Supervisor- Service Planning
Service and Strategic Planning

ATTACHMENT 8



Resilient Environment Department
URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

DATE: July 15, 2022

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council

FROM: Darby Delsalle, AICP, Assistant Director **DARBY**
Urban Planning Division **DELSALLE**



Digitally signed by
DARBY DELSALLE
Date: 2022.07.15
16:07:48 -04'00'

SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Dania Beach PCT 22-7

The Broward County Urban Planning Division staff reviewed proposed amendment PCT 22-7. The subject site is located in Dania Beach involving approximately 1,3440.0 acres. The amendment proposes:

Current Designations: Activity Center consisting of:

- 7,818 dwelling units consisting of:
 - 2,348 single-family units
 - 2,165 high-rise units
 - 2,047 townhomes
 - 972 garden apartments
 - 286 duplexes
- 640 hotel rooms
- 294.0 acres plus an additional 500,000 square feet of commercial uses
- 247.5 acres of industrial uses
- 74.5 acres of employment center uses
- 40.5 acres minimum of recreation and open space uses
- 36.2 acres maximum of community facilities uses
- 6.5 acres of transportation uses
- 2.6 acres minimum of conservation uses
- 2.5 acres maximum of utilities uses

Proposed Designation: Activity Center consisting of:

- 11,818 dwelling units consisting of:
 - 3,683 multi-family units
 - 2,665 single-family units
 - 2,165 high-rise units
 - 2,047 townhomes
 - 972 garden apartments
 - 286 duplexes

640 hotel rooms
264.0 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center uses
40.5 acres minimum of recreation and open space uses
36.2 acres maximum of community facilities uses
6.5 acres of transportation uses
2.6 acres minimum of conservation uses
2.5 acres maximum of utilities uses

Estimated Net Effect: **Addition** of 4,000 dwelling units [7,818 dwelling units currently permitted by the BCLUP]
 Reduction of 30 acres of commercial use
 No net change to hotel rooms, industrial, employment center, recreation and open space, community facilities, transportation, conservation and utilities uses

Item 7 – Analysis of Natural and Historic Resources

The County's archaeological consultant determined that the proposed project has the potential to create adverse effects on both known historical and archaeological resources, as well as areas of archaeological or paleontological sensitivity, in addition to unknown historical resources. This determination is based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF).

- A. A Florida Master Site File search shows that there are 216 historical structures, one historical bridge, one archaeological site, one historical cemetery, eight resource groups, and one National Register of Historic Places (NRHP)-listed resource within the LUPA site. Two historical structures (8BD00141 and 8BD02608) have been determined potentially eligible for the NRHP and one structure (8BD00119) has been listed in the NRHP. The historical bridge (8BD04863) has been determined eligible for the NRHP. Three of the resource groups (8BD04227, 8BD04176, 8BD04087) have been determined eligible or potentially eligible for the NRHP. The LUPA site also intersects Archaeological Zone AZ-14, Coastal Ridge / Large Island. There are at least 1,747 parcels with build dates of 1972 or earlier. This indicates that there are approximately 1,531 unrecorded historical structures within the LUPA site.
- B. The FMSF review shows that there have been 27 surveys within the LUPA site. The last citywide historical structures survey was performed in 1993. As has been mentioned, a review of parcel data indicate that there are approximately 1,531 unrecorded historical structures within the LUPA site. As the Broward County archaeological consultant, it is my recommendation that an architectural history survey be performed within the LUPA site. Since development within the Activity Center will occur incrementally over time and may occur anywhere within the Activity Center, an accurate and up-to-date inventory of the historical structures within the LUPA site will



be necessary for development planning purposes within the Activity Center. The architectural history survey should record all structures 50-years of age or more in addition to any resource groups and potential historic districts within the LUPA site. Photo documentation and FMSF forms should be completed for each resource and the results should be summarized in a survey report to inform future planning efforts.

- C. The subject property is located within the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g), if, "in the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued," and the property owner shall notify the County Historic Preservation Officer of the discovery and undertake certain additional actions.

Item 8 - Affordable Housing

The Urban Planning Division (UPD) staff has reviewed this application and is determined that it generally meets the requirements of BCLUP Policies 2.16.2, 2.4.6, and 2.4.7 and Article 5.

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5. Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 7,818 residential units are currently permitted under the existing Land Use Plan and this request represents an increase of 4,000 dwelling units; therefore, Policy 2.16.2 applies to this project. Additionally, since the proposed project will be modifying an existing Activity Center, LUP Policies 2.4.6 and 2.4.7 also apply.

The Dania Beach Activity Center was established through Land Use Plan Amendment PC/PCT 09-5, adopted by the County Commission on December 8, 2009, and subsequently amended on September 28, 2010 through PCT 10-5. The associated applications were not subject to the existing BCLUP Policy 1.07.7 regarding affordable housing as they did not propose any additional units to the BCLUP.

This application proposes a mix of 317 single-family and 3,683 multi-family units within the Activity Center which is located within the City's Community Redevelopment Area (CRA) boundaries. According to the City of Dania Beach, it has experienced increasing demand for additional residential development within the Activity Center, and this application will facilitate CRA's goal of encouraging new housing development and providing affordable housing alternatives.

An Affordable Housing Analysis was not provided with this application. However, the application states that this request aligns with the City's comprehensive plan policies regarding affordable housing opportunities, including the inclusion of quality affordable



housing opportunities within the Activity Center through reduced lot size, zero lot line construction and allowance of accessory dwelling units.

The application indicated in both Item VII-Affordable Housing and Attachment IX-Draft Declaration of Restrictive Covenant, that the City proposes to set aside 15% or 600 of the additional 4,000 dwelling units in the Activity Center as affordable, moderate-income housing.

The UPD staff finds this application to be generally consistent with Broward County Land Use Plan Policies 2.16.2, 2.4.6, and 2.4.7 and Article 5, based on the City's provision of affordable housing policies in its comprehensive plan and proposed affordable housing commitment.

Staff recommends that approval of this application be subject to the following:

- A. The proposed text amendment for the Dania Beach Activity Center, as shown in Exhibit B of the application, be modified to include language regarding the voluntary commitment of 600 affordable moderate-income units; and
- B. Execution and recordation of a legally enforceable agreement, deemed acceptable by the Broward County Attorney's Office, restricting 15 percent (or 600) of the dwelling units in the Dania Beach Activity Center to affordable, moderate-income housing **for a minimum term of 30 years**.

Item 11 – Redevelopment Analysis

The boundaries of the proposed Dania Regional Activity Center (RAC) are coterminous with the Dania Beach Community Redevelopment Area (CRA). The application states that the proposed amendment *will implement the CRA Master Plan*.

Item 12 – Intergovernmental Coordination

The proposed amendment site is located on the south side of Broward County's Fort Lauderdale-Hollywood International Airport, and to the north, east, and west of the City of Hollywood. The City of Hollywood should be included in all public notification processes for this amendment.

Complete Streets

BCLUP POLICY 2.29.2 states that Broward County's greenways and trails shall link neighborhoods with park and recreation facilities, beaches, conservation areas, schools and other public buildings, cultural and historic sites, business areas and multi-modal transportation facilities, in a manner generally consistent with the Broward Complete Streets Guidelines, or equivalent principles.

The applicant listed several mobility enhancements contained in the MPO Complete Streets Master Plan that are consistent with Policy 2.29.2; however, given the increase in development intensity which will potentially generate more vehicular trips in the area, and opportunities for further complete streets enhancements, staff suggests the following:



- Actively pursue the complete streets enhancements currently in the MPO Complete Streets Master Plan in the short term. The cities of Hollywood and Hallandale are currently engaged in a planning process to add green bicycle lanes and multi-use paths along the Dixie Highway Corridor south of Sheridan Blvd. This would be a good opportunity to initiate discussions about extending and funding these types of features north to US 1 and/or Old Griffin Rd (along SW 4th, SW 3rd, SW 1st Avenues, and the FEC corridor, as appropriate).
- Actively pursue transit-oriented design of buildings, open spaces and streetscape leading to/from the potential future Coastal Link stop in the City along the FEC railway, which will promote more walking and biking in the area.
- Review opportunities for further enhancing safety along routes to Dania Beach Elementary School, including improving crossings and nearby intersections.
- Promote street tree planting and maintenance along major bicycle and pedestrian corridors.
- Promote electric car charging stations, particularly in commercial, residential or mixed-use development parking lots.
- Enhance bicycle and pedestrian connections to bus stops.

DD/hec



ATTACHMENT 9



February 10, 2023



Via Email: bblakeboy@broward.org
and U.S. Mail

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

Re: PCT 22-7 (Dania Beach Activity Center) - Responses to Review Agency Comments

Dear Barbara:

As you know, we received comments from the School Board of Broward County and Urban Planning Division regarding proposed amendment PCT 22-7 (Dania Beach Activity Center). Please see below response to comments:

School Board of Broward County:

1. Tri-Party Education Mitigation Agreement/additional student impacts.

Response: The City of Dania Beach (applicant) acknowledges that the Tri-Party Education Mitigation Agreement will need to be amended to address additional student impacts.

Urban Planning Division:

2. Response regarding complete streets and acknowledgment of mobility enhancements.

Response: The City of Dania Beach supports Complete Streets both Citywide and within the RAC. The City is also supporting mobility enhancements with in the City. Please see below projects that have been completed, are underway, or are pending and which demonstrate the City's support and implementation of Complete Streets.

- NW 1st Street project includes landscape, sidewalk (repairs) ADA curb ramps, crosswalks, and street improvement (new asphalt).
- Bike lanes (SW 40th Ave), sidewalks (SW 40th Ave)
- New bus stops (shelters) throughout City
- New Crosswalk at SE 5th Ave SW 12th Avenue/N 22nd (FDOT assumed this joint project with Hollywood).

- SW 25th Terrace – Bike Lane
- Dania Beach Multi-modal Project
- Citywide Sidewalk Repair Project

Historical/Cultural Resources:

3. Response for Historical/Cultural Resource.

Response: The City of Dania Beach (applicant) acknowledges compliance with Broward County Ordinance 2014-32 and regulations if any historical and/or archaeological resources are identified during redevelopment. The City is regulated by Broward County's Historic Preservation Services and also has policies supporting historic preservation as identified in **Exhibit A**. Historic resources are not anticipated to be impacted by the amendment.

We trust the above is responsive to School Board and Broward County Urban Planning Division agency review comments regarding the Dania Beach RAC LUPA. If you have any questions or require additional information, please do not hesitate to contact me at (954) 924-6805 x 3645.

Sincerely,



Eleanor Norena, CFM
Community Development Director

EXHIBIT A

COMPREHENSIVE PLAN POLICIES SUPPORTING PRESERVATION OF HISTORIC/ARCHAEOLOGICAL RESOURCES

A. HISTORIC/CULTURAL RESOURCES

1. FUTURE LAND USE ELEMENT

Objective VI

Natural resources and historic resources shall be maintained at their present levels at a minimum.

- | | |
|-------------|--|
| Policy 6.1 | Identify historically significant properties within the community on the Future Land Use Map and support the efforts of the Dania Beach Historical Society to designate and protect the identified properties. |
| Policy 6.12 | Dania Beach shall coordinate its historic resource protection activities with applicable state and federal laws through the procedures established in the Broward County Land Development Code. (B.C.P. #09.08.04) |
| Policy 6.13 | Dania Beach shall consider the impacts of land use plan amendments on those historic resources identified in Table XII of the Housing Element. (B.C.P. #09,08.05) |
| Policy 6.14 | All applicants shall be required to analyze the potential impacts of proposed land use plan amendment on the historic resources identified in Table XII of the Housing Element. |

ARTICLE IX. HISTORIC PRESERVATION¹

Sec. 8-151. Intent.

- (a) The City of Dania Beach's city commission finds that there are buildings within the city that have specific architectural, historic, or aesthetic significance, and that the loss of these buildings would cause an irreplaceable loss to the people of the city of the aesthetic, cultural, and historic values represented by such sites. It is hereby declared as a matter of public policy that protection, enhancement, perpetuation, and use of such sites of special historic or aesthetic interest or value is a public necessity and is required in the interests of the health, prosperity, safety, and welfare of the people.
- (b) The architectural and historical significance of the city has been established through an inventory and field survey of historic standing structures, the documentation and preparation of a Florida Site File for each historic property in the city, and the preparation of an historic architectural report of the city's historic resources.
- (c) The City of Dania Beach contains a small, but distinctive collection of historic buildings developed between c. 1905 and the 1940s with architectural styles and influences including but not limited to Bungalow, Classical Revival, Colonial Revival, Mediterranean Revival, Minimal Traditional, Modern, Mission, and various frame, industrial, and masonry vernacular forms.
- (d) The historic architecture of the city has been achieved over time, and the growth and development of the city is worthy of protection. This article seeks to maintain and preserve what is unique to the city by managing future growth and development that is incompatible with the surrounding buildings and assure that changes within the city will be compatible with the historic character of the buildings and environment of the city.
- (e) The recognition, protection, enhancement, and use of such resources is a public purpose and is essential to the health, safety, morals, and economic, educational, and cultural welfare of the public, since these efforts result in the enhancement of property values, the stabilization of neighborhoods and commercial area of the city, the increase of economic benefits to the city and its inhabitants, the promotion of local interests, the enrichment of human life in its educational and cultural dimensions serving spiritual as well as material needs, and the fostering of civic pride in the accomplishments of the past.
- (f) The city commission desires to take advantage of all available state and federal laws and programs that may assist in the development or redevelopment of the City of Dania Beach, including but not limited to Amendment 3 of the Florida State Constitution.
- (g) The federal government and the State of Florida have established programs of matching grants-in-aid for projects having as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archaeology, and culture.
- (h) There are other federal programs providing monies for projects involving the rehabilitation of existing sites, buildings, structures, and objects.

¹Editor's note(s)—Ord. No. 2010-019, § 11, adopted Sept. 14, 2010, renumbered Art. XI, Historic Preservation, to read as herein set out.

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- (i) The policy of the City of Dania Beach is to conserve the existing housing stock and extend the economic life of each housing unit through the rehabilitation of such units under housing and neighborhood development programs in selected areas.
 - (j) Inherent in the enactment and implementation of these federal mandates is the policy of the United States government that the spirit and direction of the nation are founded upon and reflected in its historic past; that the historical and cultural foundations of the nation should be preserved as a living part of our community life and development in order to provide a sense of orientation to the American people; that in the face of the ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental programs and activities are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our nation.
 - (k) It is the will of the people of the State of Florida as expressed in Article II, Section 7 of the 1968 Constitution, that the state's natural resources and scenic beauty be conserved and protected.
 - (l) It is the will of the State Legislature as expressed in Chapter 267 of the Florida Statutes that the state's historic sites and properties, buildings, artifacts, treasure troves and objects of antiquity which have scientific or historic value, or are of interest to the public, be protected and preserved.

(Ord. No. 2000-037, § 1, 9-12-00)

Sec. 8-152. Purpose.

The purpose of this article is to promote the health, morals, economic, educational, aesthetic, cultural, and general welfare of the public through:

- (a) The identification, protection, enhancement, perpetuation and use of sites, buildings, structures, and objects that are reminders of past eras, events, and persons important in local, state or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide this and future generations examples of the physical surroundings in which past generations lived; and
- (b) The enhancement of property values, the stabilization of neighborhoods and the commercial areas of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests; and
- (c) The preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political, and architectural history; and
- (d) The enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

(Ord. No. 2000-037, § 2, 9-12-00)

Sec. 8-153. Definitions.

As used in this article, the following terms shall mean:

Alteration. Any act that changes the exterior features of a designated property.

Commission or city commission. Refers to the city commission of the City of Dania Beach, Florida.

Amendment 3. The Florida Constitution, Article VII, Section 3(e) and the Florida Legislature in Sections 196.1997 and 196.1998, govern the allowance of certain ad valorem tax exemptions for historic properties.

Demolition. Any act that destroys in whole or in part a landmark, landmark site, building, or structure in or on a landmark site.

Documentation. Photographs, slides, drawings, plans, or written descriptions.

Landmark. A building or structure meeting one (1) or more of the criteria contained in the section on designation of landmarks and landmark sites. A "landmark" shall include the location of significant archaeological features or of an historical event.

Local register. A means by which to identify and classify various sites, buildings and objects as historic and/or architecturally significant.

Decision or recommendation. When referring to the commission, the executive action taken by the commission on an application for a designation or a certificate of appropriateness regardless of whether that decision or recommendation is immediately reduced to writing.

(Ord. No. 2000-037, § 3, 9-12-00)

Sec. 8-154. Responsibilities of city commission.

The following are the responsibilities of the city commission regarding historic preservation activity.

- (a) The City of Dania Beach city commission hereby seeks the accomplishment of the following municipal purposes and shall take action necessary and appropriate to accomplish the purposes of this chapter. These actions may include, but are not limited to:
 - 1. Recommending the designation of individual historic properties and landmark sites; and
 - 2. Regulating alterations, demolitions, relocations, and new construction to designated property; and
 - 3. Adopting guidelines for changes to designated property; and
 - 4. Advising and assisting property owners and other persons and groups who are interested in historic preservation; and
 - 5. Initiating plans for the preservation and rehabilitation of historic buildings; and
 - 6. Undertaking educational programs including the preparation of publications and the placing of historic markers.
- (b) The commission shall review all nominations of local property to the National Register of Historic Places following the guidelines of the State Historic Preservation Office (SHPO). Following a public hearing with public notice of no less than ten (10) days, the commission shall consider the nomination. If the commission determines that expert advice is necessary, the commission shall seek expert advice before evaluating the nomination. The commission shall forward to the SHPO its action on the nomination and the recommendations of the local officials.

When a property owner objects to having his/her property nominated to the National Register, a notarized written statement must be submitted to the commission before the nomination is considered. The commission may then either continue its review, forwarding its recommendation to the SHPO and noting owner's objection or, it may cease any further review process and notify the state historic preservation officer of the property owner's objection to the proposed listing. The commission shall not recommend registration over objection of the owner except by a majority vote.

- (c) The commission shall recommend the designation of landmarks. Applicants shall be given written notification of the commission's decisions. The commission shall prepare and keep on file, available for

public inspection, a written annual report of its historic preservation activities, cases, decisions, qualifications of members and other historic preservation work.

Meetings shall have a previously advertised agenda and shall be open to public participation. All records of the commission, including its rules of procedure, minutes and inventory shall be public records open to inspection by the public. The commission shall adopt rules of procedure for use in all its meetings and the city manager shall provide staff assistance. The commission shall have the following reporting requirements:

1. It shall notify the public of the meeting at least ten (10) days before each meeting, following its first meeting. Notice shall be in the form provided for notification of code hearings.
2. It shall prepare minutes of each meeting.
3. It shall maintain a record of all historic designations or alterations to existing designations. These shall include, but are not limited to:
 - a. Any changes in the rules of procedure;
 - b. Number of proposals reviewed;
 - c. Designations or listings;
 - d. Changes to commission;
 - e. Revised resumes of commission members as appropriate;
 - f. Review of survey and inventory activity with the description of the system used; and
 - g. Program report on each grant-assisted activity.
4. The commission shall provide guidance to the city manager with regard to the preparation of applications for grant awards, and assist property owners with tax certifications for historic preservation.
5. The area of geographic responsibility for the commission shall be coterminous with the boundaries of the City of Dania Beach.
6. The commission is encouraged to be represented at pertinent informational or educational meetings, workshops, and conferences relating to preservation activities in the state.

(Ord. No. 2000-037, § 4, 9-12-00)

Sec. 8-155. Designation of historic buildings and landmark sites.

Upon recommendation of the commission, the city commission may designate by ordinance individual landmarks and landmark sites. Each designation of a landmark shall include a designation of a landmark site. When an owner objects to an application involving designation of his property, approval by the city commission requires a majority vote.

- (a) *Application requirement.* Consideration of the designation of a landmark and landmark site shall be initiated by the filing of an application for designation by the property owner, or by the City of Dania Beach, through its staff or city commission. The city shall charge a fee for each application, which reflects processing costs for the application except that such fee shall be waived for city-initiated applications. The applicant shall complete an application form provided by the city clerk that shall include:

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1. A written description of the architectural, historical, or archaeological significance of the proposed landmark and landmark site or buildings, specifically addressing and documenting those related points contained in this chapter;
 2. Date of construction of the structures on the property and the names of former owners;
 3. Photographs of the property; and
 4. Legal description and map of the property to be designated as a landmark or landmark site.

The city manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

- (b) *Public hearings for designations.* The commission shall schedule a public hearing on the proposed designation within sixty (60) days of the submission of a completed application. Notice of the public hearing and notice to the owner shall be given in accordance with other notification consistent with this article and shall state clearly the boundaries for a landmark designation.
- (c) *Criteria for designation of property.* The commission shall recommend the designation of property as a landmark or landmark site after the public hearing based upon one (1) or more of the following criteria:
 1. Its value is a significant reminder of the cultural or archeological heritage of the city, county, state, or nation;
 2. Its location is a site of a significant local, state, or national event;
 3. It is identified with a person or persons who significantly contributed to the development of the city, state, or nation;
 4. It is identified as the work of a master builder, designer or architect whose individual work has influenced the development of the city, state, or nation;
 5. Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;
 6. It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials;
 7. Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or
 8. Its character is an established and geographically definable neighborhood, united in culture, architectural style or physical plan and development.
- (d) *Commission decision.* After evaluating the testimony, survey information and other materials presented at the public hearing, the commission shall, within sixty (60) days, make its recommendation with a written report on the property under consideration. Applications for designation shall be approved or denied. The commission may vote to defer its decision for an additional thirty (30) days. If the commission recommends a designation, its decision shall be based on the criteria contained in this section. This evaluation may include references to other buildings in the City of Dania Beach and shall identify the significant features of the proposed landmark. The report shall include a discussion on the relationship between the proposed designation and existing and future plans for the development of the city. The commission shall promptly notify the applicant and the property owner of its decision.
- (e) *Appeals to city commission.* Any person may appeal the decision to the city commission within fifteen (15) days of the initial decision. The city commission shall grant or deny the appeal within sixty (60) days after the appeal is filed.

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- (f) *City commission designation.* If a designation is made, the comprehensive plan, including the land use map, shall be amended to contain the designation in accordance with state law. The planning department shall notify each applicant and property owner of the decision relating to his property within thirty (30) days of the city commission action and shall arrange that the designation of a property as a landmark be recorded in the official record books of Broward County, Florida.
 - (g) *Amendments and rescissions.* The designation of any landmark and landmark site may be amended or rescinded through the same procedure utilized for the original description.

(Ord. No. 2000-037, § 4.1, 9-12-00)

Sec. 8-155.1. Historic marker and plaque program.

The city's historic marker and plaque program recognizes the increased value of its historic resources and the impact of their contribution to the community's pride of place. This architectural heritage is an important asset in the city's increasing attractiveness to visitors and investors. This program was created as a way to promote the city's rich past and recognize the investments made to preserve Dania Beach's heritage and provide for a standard method, in the form of a metal standing marker or wall mounted metal plaque, to display the significance of contributing structures and sites.

- (a) *Historic marker program.* The city's historic marker program recognizes historic resources, persons and events that are significant in the areas of architecture, archaeology, Florida or Dania Beach history, and traditional culture by promoting the placing of historic markers at sites of historical and visual interest to residents and visitors. The purpose of the program is to increase public awareness of the rich cultural heritage of the city and to enhance the enjoyment of historic sites in Dania Beach by its residents and visitors.
 - (1) *Subjects of historic markers.*
 - a. The city encourages applications on subjects of historically significant people, places, and events in the city's history. Historic residential structures are more adequately recognized by the plaque program discussed in subsection (b) below.
 - b. Unless there is sufficient documentary evidence to establish authenticity, no markers shall be approved to recognize "firsts".
 - c. Approval of markers recognizing persons shall be considered only when the subject has been deceased for at least twenty-five (25) years.
 - d. Markers recognizing events shall be considered only when the event in question took place at least twenty-five (25) years prior to the date of the application.
 - (2) *Approval of historic markers for buildings, sites, or other structures.* Buildings, sites or other structures should be at least fifty (50) years old in order to be considered for a historic marker. Any property previously designated historic by the city commission shall automatically be deemed eligible for placement of a historic marker. The following criteria shall apply to consideration of a request for approval of a historic marker for a building, site or other structure. Prior to approving a historic marker for a building, site or structure, the city commission shall find that at least one or more of the following criteria are met:
 - a. The site is associated with the events that have made a significant contribution to the broad pattern of the city's history.
 - b. The site is associated with the lives of persons no longer living, who have made significant contributions to the patterns of history and culture in the city.

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- c. The site embodies the distinctive characteristics of a type, style, period, or method of construction or architecture, or is representative of the work of a master, or that possesses high artistic value.
 - d. The site yields, or is likely to yield, information important in prehistory or history.
 - e. The site is associated with ethnic groups who have made distinctive and significant contributions to history.
 - f. The site embodies the characteristics of the city representing significant aspects of the physical or natural history of the earth and its life.
- (3) *Location.* The following criteria shall apply to city commission approval of the location of a historic marker which is approved in accordance with the standards of subsection (2) above:
- a. The site selected for the marker must be accessible to the public and visible from a public right-of-way.
 - b. An applicant requesting placement of a marker within a public right-of-way must obtain written approval from the appropriate transportation official or governing body with jurisdiction over that public right-of-way.
 - c. If the marker is to be placed on private property, an easement agreement that permits public access for as long as the marker stands must be included as part of the marker application, and approved as to form by the city attorney.
 - d. The relocation of any city historic marker requires approval of the city commission.
 - e. Once a historic marker approved in accordance with this section has been located or relocated, written notification, including photographs, must be furnished to the community development department.
- (4) *Application.* The historic marker application package shall provide the following information:
- a. A completed application. Application shall be made using the most current form obtained from the community development department.
 - b. A signed easement agreement from the property owner(s) of the proposed marker site, if the marker is located upon private property. The easement agreement shall permit public access for as long as the marker stands, and shall be approved as to form by the city attorney.
 - c. The proposed text to be on the marker of approximately one hundred words. The marker's narrative text must be clear, concise and well documented. The Community Development Department reserves the right to request editorial changes he or she considers necessary for accuracy and to ensure that the marker serves its intended purpose.
 - d. Historical documents regarding the person, building or location, as applicable. It is vital that the facts and assertions contained within the historical document can be authenticated or verified.
 - e. The application package shall include at least two (2) images of differing views of the proposed marker site, plus a least two (2) images if the marker subject is a structure, at least one (1) image if the marker subject is a person. Images should be submitted digitally. A brief description of each image should also be included. The submitted pictures will not be returned; they will remain on file at the city.
- (5) *Ordering the marker and placement of the marker.* The city shall administer the ordering of historic markers which are approved in accordance with this section.

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- a. Costs of the installation of historic markers shall generally be recovered from the recommending person or organization. However, when municipal funds are available the request may be funded by a matching grant to defray half the cost of markers. The matching grant will be approved by resolution of the city commission.
 - b. A marker application shall be approved by the city commission before the grant application may be considered.
 - c. Use of the city seal is only permitted on a marker which has been approved by the city commission.
 - d. A marker application must be approved by the city commission before the city will place the order for the marker.
 - e. After the marker application is approved by the city commission, payment in full of the applicant's share for the marker is required prior to the order being placed with the marker foundry.
- (6) *Installation and maintenance.* The following requirements shall apply to the installation and maintenance of historic markers approved in accordance with this section:
- a. The marker installation will be the responsibility of the applicant.
 - b. Once the marker has been installed, the applicant shall submit three (3) high-resolution digital images of the marker and marker location to the community development department.
 - c. The applicant is responsible for maintenance and repair of the marker, as well as replacement of the marker if necessary.
- (7) *Restrictions.*
- a. The name of the current owner of the property or the name of any living person cannot be listed on the marker.
 - b. Only sites approved by the city commission may be marked with a marker displaying the city seal.
 - c. Buildings, locations or sites already displaying a marker are not eligible for a second marker.
 - d. No person may erect or use a marker which has not been approved pursuant to this section, and that is identical to or misleadingly resembles the markers issued by the city.
- (b) *Historic plaque program.* The city's residential architecture spans several decades and the city's neighborhoods offer a unique look at historic homes adapted by today's families and lifestyles. The plaque program offers a way to identify these homes to the public.
- (1) *Applicability.* Only properties that have been designated as a historic building or landmark site by the city commission pursuant to section 8-155 may apply for a historic plaque.
 - (2) *Application.* A photo of the property shall be submitted to the community development department with the application.
 - (3) *Ordering plaques.* Before ordering the plaque, the owner must comply with the following:
 - a. The owner shall obtain approval by the city commission.

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- b. Upon approval of the historic plaque by the city commission, the recipient shall sign a letter of agreement with the city in which the owner agrees to provide for continued maintenance of the historic plaque.
 - (4) *Costs.* Costs of the installation of historic markers shall generally be recovered from the requesting person or organization. However, when funds are available the request may be funded by a matching grant to defray half the cost of plaques. The application for the plaque must be approved by the city commission before the grant application may be submitted.

(Ord. No. 2011-024, § 2, 8-9-11)

Sec. 8-156. Approval of changes to landmarks and landmark sites.

- (a) *Certificate of appropriateness.* No person may undertake the following actions affecting a designated landmark or a designated landmark site without first obtaining a certificate of appropriateness from the commission:

Alterations of an archaeological site or the exterior part of a building or structure, new construction, demolition, or relocation.

A certificate of appropriateness shall:

- (1) Review new construction and alterations to designated buildings and structures, and shall be limited to exterior changes visible to the public. Whenever any alteration, new construction, demolition or relocation is undertaken on a designated landmark or a designated landmark site without a certificate of appropriateness, the chief building official is authorized to issue a stop work order.
- (2) Be issued in addition to other building permits required by law. The issuance of a certificate of appropriateness from the commission shall not relieve the property owner of the duty to comply with other state and local laws and regulations.
- (3) Not be issued for ordinary repairs and maintenance that are otherwise permitted by law, provided the work on a designated landmark or a designated landmark site does not alter the exterior appearance of the building, structure, or archaeological site, or alter elements significant to its architectural or historic integrity.

- (b) *Application procedures for certificates of appropriateness.*

- (1) Each application for a certificate of appropriateness shall be accompanied by the required fee. The chief building official shall forward to the commission each application for a permit that would authorize an alteration, new construction, demolition, or relocation affecting a designated landmark or a designated landmark site. The applicant shall complete an application form provided by the building department containing in part the following information:

- a. Drawings of the proposed work;
- b. Photographs of the existing building or structure and adjacent properties; and
- c. Information about the building materials to be used.

- (2) The city manager or his designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

- (c) *Public hearings for certificates of appropriateness.* The commission shall hold a public hearing on each certificate of appropriateness within sixty (60) days after receipt of a completed application. The commission shall approve, approve with conditions, or disapprove each application, based on the criteria contained in this section. The commission shall act within sixty (60) days after the close of the public hearing. If the

commission fails to decide an application within the specified time period, the application shall be deemed approved.

(d) *General criteria for granting certificates of appropriateness.*

- (1) In approving or denying applications for certificates of appropriateness for alterations, new construction, demolition, or relocation, the commission shall consider the following general guidelines:
 - a. The effect of the proposed work on the landmark or the property upon which such work is to be done;
 - b. The relationship between such work and other structures on the landmark site;
 - c. The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture, materials, and color of the landmark or the property will be affected;
 - d. Whether the denial of a certificate of appropriateness would deprive the property owner of a reasonable economic return or beneficial use of his property; and
 - e. Whether the plans may be reasonably carried out by the applicant.

(e) *Additional guidelines for alterations.*

- (1) In approving or denying applications for certificates of appropriateness for alterations, the commission shall use the U. S. Department of the Interior's Standards for Rehabilitating Historic Buildings and the State of Florida's Model Guidelines.
- (2) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure, or site and its environment, or to use a property for its originally intended purpose.
- (3) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided.
- (4) All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (5) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (6) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
- (7) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (8) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be allowed.
- (9) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

(f) *Additional guidelines for new construction.*

- (1) In approving or denying applications for certificates of appropriateness for new construction, the commission shall also consider the following additional guidelines:
- a. The height of the proposed building shall be visually compatible with adjacent buildings;
 - b. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings and places to which it is visually related;
 - c. The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which the building is visually related;
 - d. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related;
 - e. The relationship of building to open space between it and adjoining buildings shall be visually compatible with the buildings and places to which it is visually related;
 - f. The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible with the buildings and places to which it is visually related;
 - g. The relationship of the materials, texture, and color of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related;
 - h. The roof shape of a building shall be visually compatible with the buildings to which it is visually related;
 - i. Appurtenances of a building such as walls, wrought iron, fences, evergreens, landscape masses, building facades, etc., shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the building with the buildings and places to which it is visually related;
 - j. The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related; and
 - k. A building shall be visually compatible with the buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.

(g) *Additional requirements for demolitions.*

- (1) No certificate of appropriateness for demolition shall be issued by the commission until the applicant has demonstrated that no other feasible alternative to demolition can be found. The commission may defer on granting a demolition permit for up to six (6) months to provide sufficient time to locate a new owner, or a suitable site to which to relocate the historic building. The commission may ask interested individuals and organizations for assistance in seeking an alternative to demolition. On all demolition applications, the commission shall consider any economic hardship for the applicant and shall determine whether the landmark can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the commission shall also determine whether the applicant can obtain a reasonable return from his existing building. The commission may ask applicants for additional information to be used in making these determinations including, but not limited to, evidence that the plans for a new building on the site will be implemented. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, the commission shall deny the demolition application.

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- (2) The commission may grant a certificate of appropriateness for demolition even though the designated landmark or designated landmark site has reasonable beneficial use if:
 - a. The commission determines that the property no longer has significance as a historic, architectural, or archeological landmark; or
 - b. The commission determines that the demolition of the designated property is required by a community redevelopment plan or the comprehensive plan.
 - (h) *Additional guidelines for relocation.*
 - (1) When an applicant seeks to obtain a certificate of appropriateness for the relocation of landmark or a building or structure on a landmark site, or wishes to relocate a building or structure to a landmark site, the commission shall also consider the following:
 - a. The contribution the building or structure makes to its present setting;
 - b. Whether there are definite plans for the site to be vacated;
 - c. Whether the building or structure can be moved without significant damage to its physical integrity; and
 - d. The compatibility of the building or structure to its proposed site and adjacent properties.
 - (i) *Appeals to city commission.* Within fifteen (15) days of the commission's initial decision, any aggrieved property owner may appeal the commissions' decision on an application for a certificate of appropriateness to the city commission. The city commission shall approve, approve with modifications, or disapprove the application within sixty (60) days after the filing of the appeal.
 - (j) *Emergency conditions—Designated properties.* In any case where the chief building official determines that emergency conditions exist that are dangerous to life, health or property affecting a landmark or a landmark site, he may order the remedying of these conditions without the approval of the commission or issuance of a required certificate of appropriateness. The chief building official shall promptly notify the mayor of the action being taken.
- (Ord. No. 2000-037, § 4.2, 9-12-00)

Sec. 8-157. Emergency actions—Nondesignated properties.

The city commission may call an emergency meeting to review a threat to a property that has not yet been designated by the city but appears to be eligible for designation. The city commission may request that a stop-work order be issued by the chief building official for a thirty-day period in order to provide time to negotiate with the property owner to remove the threat to the property; during this time, the commission shall seek alternatives that will remove the threat to the property. During the thirty-day period the city commission may initiate steps to designate the property under the provisions of this chapter.

(Ord. No. 2000-037, § 4.3, 9-12-00)

Sec. 8-158. Conformity with the certificate of appropriateness.

All work performed pursuant to a certificate of appropriateness shall conform to all provisions of such certificate. It shall be the responsibility of the building department to inspect from time to time any work being performed to assure such compliance. In the event work is being performed not in accordance with such certificate, the chief building official is authorized to issue a stop-work order. No additional work shall be undertaken as long as such stop-work order shall continue in effect.

(Ord. No. 2000-037, § 4.4, 9-12-00)

Sec. 8-159. Maintenance and repair of landmarks and landmark sites.

- (a) Every owner of a landmark or a landmark site shall keep in good repair:
 - (1) All of the exterior portions of such buildings or structures;
 - (2) All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair; and
- (b) The commission may refer violations of this section to the building department for enforcement proceedings on any building or structure designated under this chapter so that such building or structure shall be preserved in accordance with the purposes of this chapter.
- (c) The provisions of this section shall be in addition to the provisions of the building code requiring such buildings and structures to be kept in good repair.

(Ord. No. 2000-037, § 4.5, 9-12-00)

Sec. 8-160. Penalty.

Any person violating any of the provisions of this chapter shall be fined not less than fifty dollars (\$50.00), nor more than one hundred dollars (\$100.00) for each offense. Each day's continued violation shall constitute a separate offense. The citizen code enforcement board shall review any violation of this chapter in accordance with the board's procedures.

(Ord. No. 2000-037, § 4.6, 9-12-00)

Sec. 8-161. Civil penalties.

In addition to the penalties provided in section 8-160, any person who violates any provision of this chapter shall forfeit and pay to the city civil penalties equal to the fair market value of any property demolished or destroyed in violation of this chapter, or the cost to repair or rehabilitate any property that is altered in violation of this chapter. In lieu of a monetary penalty, any person altering property in violation of the provisions of this chapter may be required to repair or restore any such property.

(Ord. No. 2000-037, § 4.7, 9-12-00)

Sec. 8-162. Designated historic buildings and landmarks.

The following properties in the City of Dania Beach are hereby designated as historic buildings and landmarks:

A.J. Ryan House, 215 SW 6 Street
Crudup-Hansen House, 38 SW 5 Street
Ocean Waterway, 1500 W. Griffin Road
Private Residence, 101 SE 2 Street
Nyberg-Swanson House, 101 West Dania Beach Boulevard
Dania Woman's Club, 117 N.W. 1st Avenue

Bank of Dania, 2 South Federal Highway

Hotel Poinciana, 141 N.W. 1st Avenue

Martin C. Frost Residence, 400 South Federal Highway

(Ord. No. 2000-038, § 1, 9-12-00; Ord. No. 2011-024, § 2, 8-9-11)

Editor's note(s)—A full description of the properties listed above are on file in the office of the city clerk.

Secs. 8-163—8-184. Reserved.

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

LAND USE
SBBC-875-2010
County No: PCT 22-7
Dania Beach RAC LUPA



July 12, 2022

Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE				PROPERTY INFORMATION
Date: July 12, 2022	Units Permitted	7,818	Units Proposed	11,818	Existing Land Use: Activity Center
Name: Dania Beach RAC LUPA	NET CHANGE (UNITS):			4,000	Proposed Land Use: Activity Center
SBBC Project Number: SBBC-875-2010	Students	Permitted	Proposed	NET CHANGE	Current Zoning Multiple
County Project Number: PCT 22-7	Elem	948	1,540	592	Proposed Zoning: Multiple
Municipality Project Number: TBD	Mid	479	721	242	Section: 33-35
Owner/Developer: City of Dania Beach	High	745	1,174	429	Township: 50
Jurisdiction: Dania Beach	Total	2,172	3,435	1,263	Range: 42

SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS* Capacity	Benchmark** Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of LOS*** Capacity	Available Capacity
Bethune, Mary M. Elementary	1,106	1,217	414	-803	-45	34.0%	
Collins Elementary	371	408	298	-110	-4	73.0%	
Dania Elementary	623	626	378	-248	-12	60.4%	
Oakridge Elementary	721	721	472	-249	0	65.5%	
Attucks Middle	1,227	1,350	787	-563	-22	58.3%	
Olsen Middle	1,125	1,238	696	-542	0	56.2%	
Hollywood Hills High	2,667	2,667	1,766	-901	-30	66.2%	
South Broward High	2,297	2,527	2,308	-219	-7	91.3%	

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Capacity Adjusted Benchmark	Projected Enrollment				
				22/23	23/24	24/25	25/26	26/27
Bethune, Mary M. Elementary	414	-803	34.0%	402	410	418	416	424
Collins Elementary	324	-84	79.4%	282	286	290	284	288
Dania Elementary	378	-248	60.4%	361	364	367	360	363
Oakridge Elementary	472	-249	65.5%	445	436	426	406	397
Attucks Middle	840	-510	62.2%	856	928	901	924	896
Olsen Middle	730	-508	59.0%	703	766	730	743	706
Hollywood Hills High	1,846	-821	69.2%	1,797	1,738	1,779	1,820	1,838
South Broward High	2,388	-130	94.8%	2,309	2,208	2,206	2,204	2,202

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

* This number already represents the higher of 100% gross capacity or 110% permanent capacity. ** The first Monday following Labor Day. *** Greater than 100% represents above the adopted Level Of Service (LOS)

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	26/27	27/28	28/29	29/30	30/31
Area 1 - Elementary	18,979	12,018	-7,067	10,975	10,760	10,581	10,402	10,221
Area 1 - Middle	7,416	4,711	-2,705	4,784	4,814	4,781	4,749	4,717
Area 1 - High	9,447	7,179	-2,259	7,023	6,910	6,872	6,835	6,797

* See comments for additional Impacted Planning Area information

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2021-22 Contract Permanent Capacity	2021-22 Benchmark** Enrollment	Over/(Under)	Projected Enrollment		
				22/23	23/24	24/25
Alpha International Academy	384	46	-338	46	46	46
Avant Garde Academy	750	1,080	330	1,080	1,080	1,080
Avant Garde K-8 Broward	1,050	984	-66	984	984	984
Ben Gamla Charter	625	381	-244	381	381	381
Ben Gamla Charter North Broward	900	260	-640	260	260	260
International Studies Academy High School	800	200	-600	200	200	200
International Studies Academy Middle School	594	185	-409	185	185	185
Paragon Academy Of Technology	500	138	-362	138	138	138

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

**The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

* See comments for additional Impacted Planning Area information

PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN (Years 1 - 5)

School(s)	Description of Capacity Additions
Bethune, Mary M. Elementary	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Collins Elementary	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Dania Elementary	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Oakridge Elementary	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Attucks Middle	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Olsen Middle	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
Hollywood Hills High	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.
South Broward High	There are no scheduled classroom additions in the Adopted DEFP that would increase the reflected FISH capacity of the school.

PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN (Years 6 - 10)

Capacity Additions for Planning Area 1	
School Level	Comments
Elementary	None
Middle	None
High	None

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 1,344-acre site is generally located on the east side of I-95 between Griffin Road and Sheridan Street in the City of Dania Beach. Current land use designation for the site is Activity Center (approved via LUPA PC 09-5) consisting of Residential, Commercial, Industrial, Employment Center, Transportation, Hotel, Community Facilities, Park and Recreation, Conservation, and Utilities uses, which permits the development of 7,818 residential units consisting of 2,348 single-family (4 or more bedrooms), 2,333 townhouse (3 or more bedrooms), 972 garden apartment (3 or more bedrooms), and 2,165 high-rise units. Of the 7,818 residential units, 2,465 residential units consisting of 100 townhouse (3 or more bedrooms), 200 garden apartment (3 or more bedrooms), and 2,165 high-rise units are currently permitted via a previously approved Local Activity Center (LUPA PC 03-6) and located within site. The applicant proposes add an additional 4,000 residential units (317 single family all 4 or more bedroom and 3,683 townhouse all 3 or more bedroom) within the Activity Center site. The project as proposed is anticipated to generate 1,263 (592 elementary, 242 middle, and 429 high schools) additional students into Broward County Public Schools.

The application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the level of service standard (LOS) status of the actual schools impacted by this land use plan amendment application in the initial five-year of the ten-year period is depicted herein for informational purposes only. Schools serving the site in the 2021-22 school year are Elementary – Oakridge, Dania, Collins, and Bethune Mary; Middle - Attucks and Olsen; High – South Broward and Hollywood Hills. Based on the District's Public School Concurrency Planning Document, all the schools are operating below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities in the 2021-22 school year.

Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2021-22 – 2023-24), all the schools are anticipated to operate below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities through the 2023-24 school year. It should be noted that the permanent school capacity or Florida Inventory of School Housing (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2021-22 – 2025-26. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the site in the 2021-22 school year are depicted herein. Capital Improvements scheduled in the long range section (2026-27 to 2030-31) of the currently Adopted DEFP, FY 2021-22 - 2025-26 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "1" and the elementary, middle and high schools currently serving Planning Area "1" and their cumulative twentieth day student enrollments, permanent capacities and ten-year student enrollment projections are depicted herein. Therefore, Planning Area "1" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first. Please be advised that mitigation for the student impacts anticipated from LUPA PC 03-6 and LUPA PC 09-5 are addressed in the Educational Mitigation Agreements between Broward County, the City of Dania Beach, and the School Board of Broward County, Florida. Since the application for LUPA PCT 22-7 incorporates additional residential unit within the Activity Center, the Agreements must be amended to address the anticipated additional student impacts from PCT 22-7. Therefore, staff recommends that approval of LUPA PCT 22-7 should be conditioned upon amendment of the Agreements.

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT
PROJECT NUMBER: SBBC-875-2010

July 12, 2022

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

ATTACHMENT 11

RED Environmental Comments
PCT 22-7
Page 1

RESILIENT ENVIRONMENT DEPARTMENT (RED) REVIEW AND COMMENTS ON PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT

For: Broward Planning Council

Applicant: City of Dania Beach

Amendment No.: PCT 22-7

Jurisdiction: Dania Beach

Size: Approximately 1,344.0 acres

Existing Use: Retail, single-family and multi-family residential, educational facilities, community facilities, hotels, offices, religious institutions, warehouses, casino, cemeteries, utilities, recreation, and open spaces and vacant



Current Land Use Designation: Activity Center consisting of:
7,818 dwelling units consisting of:
2,348 single-family units
2,165 high-rise units
2,047 townhomes
972 garden apartments
286 duplexes
640 hotel rooms
294.0 acres plus an additional 500,000 square feet
of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center uses
40.5 acres minimum of recreation and open space
uses
36.2 acres maximum of community facilities uses
6.5 acres of transportation uses
2.6 acres minimum of conservation uses
2.5 acres maximum of utilities uses

Proposed Land Use Designation: Activity Center consisting of:
11,818 dwelling units consisting of:
3,683 multi-family units
2,665 single-family units
2,165 high-rise units
2,047 townhomes
972 garden apartments

286 duplexes
640 hotel rooms
264.0 acres plus 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center uses
40.5 acres minimum of recreation and open space uses
36.2 acres maximum of community facilities uses
6.5 acres of transportation uses
2.6 acres minimum of conservation uses
2.5 acres maximum of utilities uses

Estimated Net Effect: **Addition of 4,000 dwelling units** [7,818 dwelling units currently permitted by the BCLUP]
 Reduction of 30 acres of commercial use
 No net change to hotel rooms, industrial, employment center, recreation and open space, community facilities, transportation, conservation and utilities uses dwelling units

Location: In Sections 3, 33, 34 and 35, Townships 50 and 51 South, Range 42 East; generally located east of Interstate 95, between Griffin Road and Sheridan Street.

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

ANALYSIS AND FINDINGS

ENVIRONMENTAL PERMITTING DIVISION

Contaminated Sites - [CP Policies C1.6, C2.1, C2.4, C2.5, C2.7, WM3.6; BCLUP Strategy EP-3 and Policy 2.5.5]

The list of known contaminated sites (from RED's GIS Database of Contaminated Locations in Broward County) has been reviewed. There are **twenty-eight (28)** listed contaminated sites that were found within one-quarter mile of the proposed amendment location. See attached map and table for further information as it relates to the land use amendment site.

Because the proposed amendment location contains contaminated sites, please note that for any site overlying or containing potential or actual sources of pollution to ground or groundwater, the Environmental Permitting Division's (EPD) approval of an application for a building permit or approval to construct or alter shall not be granted until EPD is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h), Broward County Code]. The interactive map of contaminated sites in Broward County can be found on the internet at <https://www.broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to (954) 519-1483 or EAR@broward.org.

Further, because contaminated sites have been identified at or within one-quarter mile of the proposed amendment location, please be advised that Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without approval from the EPD. In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at <https://www.broward.org/Environment/ContaminatedSites/Pages/Dewatering.aspx>. The interactive map of contaminated sites in Broward County can be found on the internet at <https://www.broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to (954) 519-1483 or EAR@broward.org. (AR 7/8/22)

Solid Waste - [CP Policies (SW) 6.1.2, 6.1.3, 6.2.6, 6.2.7, 6.2.10, WM3.18; BCLUP Policies 2.11.8, 2.20.3, 2.20.13, 2.34.1, 3.4.3 and Implementation Regulations and Procedures – 1. Development Review Requirements]

There **are no active** solid waste facilities and **one (1) inactive** solid waste facilities located within one mile of the proposed amendment location. (AR 7/8/22)

Wetlands - [CP: Objectives C8 and C9 Policies; BCLUP Strategy EP-2 and Policies 2.22.1, 2.22.2, 2.22.3]

The Water and Environmental Licensing Section of the Environmental Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging data (LIDAR) indicate that this property may contain County jurisdictional wetlands. The applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands. Contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

This proposed development contains or abuts water bodies or will be creating same. Excavation or filling of lakes or canals, or installation of headwalls, end walls, or outfalls is regulated under Chapter 27, Article XI of the Natural Resource Protection Code and may require an Environmental Resource License. Design criteria shall be in compliance with Section 27-337 which requires that lake slopes be a minimum of 4:1 (H:V) to a depth of two (2) feet below the average dry season low water elevation as demonstrated by water management district or county maps. Littoral areas should be constructed and designed to encourage the growth of native, aquatic vegetation to improve filtration of runoff and to increase biological productivity per South Florida Water Management District and Broward County surface water management requirements. Contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine

and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at <https://www.fleppc.org/list/list.htm>.

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Surface Water Management - [CP Policies BMSD1.2.2, BMSD1.1.3, BMSD1.2.3, IC7.4, WM2.4, WM2.5, WM3.4, WM3.5, WM3.9, WM3.10, WM3.15, WM3.23, WM3.34, WM4.6, CM6; BCLUP Strategy CCR-2, EP-2, DP-2, and Policies 2.12.5, 2.21.1, 2.21.3, 2.21.5, 2.21.7, 2.24.1, 2.24.2, 2.24.4, 2.24.5, 2.26.5]

Surface Water - under Drainage Analysis, item 1, Building - the finished floor elevations should also be designed to be above the computed 100-yr, 3-day zero discharge stage, the Broward County 100-yr, 3-day Flood Map Elevation and the Broward County Future Conditions 100-yr Flood Map Elevation. (JN 07/18/2022)

Upland Resources (including Tree Preservation and Greenways) - [CP Objective C6 and Policies C6.1, C6.7, C6.10, C6.11; BCLUP Strategy CCR-2 and EP-3 and Policies 2.5.5, 2.23.3, 3.3.1]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the tree preservation regulations of the City of Dania Beach. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Hazardous Material Facilities - [CP Policies C2.2, (SW) 6.2.6, 6.2.7, WM3.18; BCLUP Strategy EP-3 and Policy 2.26.21]

The list of known hazardous material facilities and storage tank facilities (from EPD's GIS Database of hazardous material facilities in Broward County) has been reviewed. There are ninety-eight (98) known hazardous material/storage tank facilities on, adjacent to, or within ¼ mile of the amendment site. Of the ninety-eight (98) facilities, sixty-nine (69) are hazardous material facilities, sixteen (16) are storage tank facilities, and thirteen (13) are facilities that have both hazardous materials and storage tanks. (SC 07/06/2022)

Wellfield Protection - [CP Policies (SW) 6.2.7, WM3.6, WM3.8, WM3.18; BCLUP Policies 2.26.1, 2.26.2, 2.26.3]

The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations. (SC 07/06/2022)

SARA TITLE III (Community Right to Know) - [CP Policy C2.5, (SW) 6.2.10, 6.2.12, WM3.18; BCLUP Strategy EP-3 and Policy 2.5.5, 2.26.1]

The list of known SARA Title III Facilities in Broward County has been reviewed. There is one (1) known SARA Title III Facility on, adjacent to, or within ¼ mile of the proposed amendment site. (SC 07/06/2022)

NATURAL RESOURCES DIVISION

Air Quality - [CP Objective C1 and C2, and Policy C2.5, C2.6, C2.9, C2.10, (SW) 6.2.10; BCLUP Strategy EP-3 and Policies 2.9.2, 2.25.1]

The preliminary traffic analysis indicates that the proposed amendment would result in a **decrease of 339 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a **minimal impact** on air quality.

There are **twelve (12) air permitted facilities** located within half a mile of the proposed amendment site. Only one air permitted facility had an air quality complaint, and after inspection, there was no observed violation. There are no facilities in the area with existing or potential odor or noise problems. (LA 7/14/22)

Specially Designated Areas - [CP Objective C6 and policies C6.1, C6.3, C6.5, C6.6, C7.2, C7.4; BCLUP Strategies EP-3, IG-3 and Policies 2.5., 2.12.4, 2.23.1, 2.23.2, 2.23.3, 2.29.1, 3.3.7, 3.3.9, 3.3.10, Implementation Regulations and Procedures - 7. Criteria and Procedures For Environmentally Sensitive Lands And Local Areas of Particular Concern]

County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site.

[Check _____ map _____ at:
<https://www.broward.org/PlanningCouncil/Documents/EnvironmentallySensitiveLands.pdf>]

Protected Natural Lands – The project site is not included, but it is adjacent to a section of West Lake Park, which is a forested saltwater wetland site in the Protected Natural Lands Inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>

Marine and Riverine Resources - [CP Objectives CM1, CM4 and Policies C.7.7 C7.6, C7.8; BCLUP Strategy EP-1 and Policies 2.7.1, 2.11.7, 2.20.3, 2.24.2, 2.27.1, 2.27.2, 2.27.3, 2.27.4, 2.27.5, 2.28.1, 3.3.4, 3.3.7, 3.3.9, 3.3.12]

While the County encourages applicants to consider the listed objectives, strategies, and policies during the site planning process, the proposed amendment site does not contain, fall within, or overlap with a coastal area. Therefore, Broward County Comprehensive Plan Objective CM4 and Policies C.7.7 and C.7.8 and Land Use Plan Strategy EP-1 and Policies 2.7.1, 2.11.7, 2.20.3, 2.27.1, 2.27.2, 2.27.3, 2.27.5, 3.3.4, 3.3.12 do not apply to the review of this project.

Regarding Comprehensive Plan Objective CM1 and Land Use Plan Policy 3.3.7, please see the Analysis and Findings from the Environmental Engineering and Permitting Division concerning wetlands impact from the proposed land use designation. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. As it relates to Broward County Land Use Plan Policy 2.24.2 and 2.27.4, please refer to Surface Water Management section of this assessment.

The proposed amendment site does contain and/or overlaps with one of three waterways identified as primary travel corridors for the Florida manatee in Broward County: Dania Cut-Off Canal. The Florida manatee is listed as a threatened species under the federal Endangered Species Act. The Dania Cutoff Canal Middle/C-10 Canal is designated as an Area of Special Concern in the Broward County Manatee Protection Plan. It is noted as an area of particular importance to manatees. Therefore, the Broward County Comprehensive Plan Objective CM1, Policy CM1.1 and CM1.6, the Broward County Land Use Plan Policies 2.27.4, 3.3.7, and 3.3.9 apply to the review of this project. Acknowledgement in Section 6.F. of the Land Use Plan Text Amendment application is desired to indicate the proposed site contains habitat important to a federally threatened species. Information to demonstrate compliance with these policies should be submitted by the applicant. County staff will evaluate the information provided and issue an update to comments, as needed.

The Division strongly encourages the applicant to review the Broward County Outdoor Lighting Ordinance (Chapter 27, Article IX, Sec. 39-112) to become familiar with preferred lighting standards to minimize sky glow and ways to minimize lighting disturbance of wildlife as it relates to Comprehensive Plan Policy C.7.6 and Broward County Land Use Plan Policy 2.28.1, recognizing that the proposed amendment area is not along the coast but is located within a coastal municipality.

Priority Planning Areas for Sea Level Rise – [CP Policies CC1.7, CC2.1, CC2.9, CC2.10, CC2.12, CC2.14, CC2.15, CC3.6, CM2.6; BCLUP Strategy CCR-2 and Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5, 2.21.6, 2.21.7]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of flooding due to, or exacerbated by, sea level rise by the year 2070. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

The proposed amendment site does contain, fall within, and/or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policies A.03.05, 9.07.02, and 9.09.04 apply to the review of this project. Information to demonstrate compliance with these policies should be submitted by the applicant to the Planning Council. County staff will evaluate information provided and issue an update to comments, as needed.

NatureScape Program – [CP Policies C6.8, CC3.9, WM3.33, WM4.17; BCLUP 2.20.14, 2.20.17]

NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding Naturescape can be accessed at: <http://www.broward.org/NatureScape/Pages/Default.aspx>

Water Recharge - [CP Policies WM1.15, WM2.2, WM3.8, WM3.9, WM3.32, WM4.3; BCLUP Policies 2.5.5, 2.26.1]

The development resulting from the current land use designation to the proposed land use designation would result in no net change in the volume of water available for recharge. The change in acreage and open space remained unchanged. This impact level is minimal and is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

Staff suggests that the design of the increase residential units seek to maximize open space or provide other alternatives to offset negative impacts on recharge capacity on the property. Open space can include but not be limited to parks and open space, stormwater retention, ponds, rain gardens, drainage easements, landscaped areas and other pervious areas fulfilling the goal of water recharge into the aquifer.

BROWARD COUNTY PLANNING COUNCIL
WETLAND RESOURCE QUESTIONNAIRE
as completed by the
RESILIENT ENVIRONMENT DEPARTMENT

I. Description of the Site and Proposed Amendment

For: Broward County Planning Council
Applicant/Agent: City of Dania Beach
Amendment No.: PC 22-7
Jurisdiction: Dania Beach
Size: Approximately 1,344.0 acres
Existing Use: Retail, single-family and multi-family residential, educational facilities, community facilities, hotels, offices, religious institutions, warehouses, casino, cemeteries, utilities, recreation, and open spaces and vacant

Current Land Use Designation: Activity Center consisting of:
7,818 dwelling units consisting of:
2,348 single-family units
2,165 high-rise units
2,047 townhomes
972 garden apartments
286 duplexes
640 hotel rooms
294.0 acres plus an additional 500,000 square feet of commercial uses
247.5 acres of industrial uses
74.5 acres of employment center uses
40.5 acres minimum of recreation and open space uses
36.2 acres maximum of community facilities uses
6.5 acres of transportation uses
2.6 acres minimum of conservation uses
2.5 acres maximum of utilities uses

Proposed Land Use Designation: Activity Center consisting of:
11,818 dwelling units consisting of:
3,683 multi-family units
2,665 single-family units
2,165 high-rise units
2,047 townhomes
972 garden apartments
286 duplexes
640 hotel rooms
264.0 acres plus 500,000 square feet of commercial uses

Wetland Resource Questionnaire
PC 22-7

247.5 acres of industrial uses
74.5 acres of employment center uses
40.5 acres minimum of recreation and open space uses
36.2 acres maximum of community facilities uses
6.5 acres of transportation uses
2.6 acres minimum of conservation uses
2.5 acres maximum of utilities uses

Estimated Net Effect: **Addition of** 4,000 dwelling units [7,818 dwelling units currently permitted by the BCLUP]
 Reduction of 30 acres of commercial use
 No net change to hotel rooms, industrial, employment center, recreation and open space, community facilities, transportation, conservation and utilities uses dwelling units

Location: In Sections 3, 33, 34 and 35, Townships 50 and 51 South, Range 42 East; generally located east of Interstate 95, between Griffin Road and Sheridan Street.

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

II. Wetland Review

- A.** *Are wetlands present on subject property?* Yes as indicated by LIDAR
- B.** *Describe extent (i.e. percent) of wetlands present on subject property.* Unknown at this time.
- C.** *Describe the characteristics and quality of wetlands present on subject property.* Unknown at this time.
- D.** *Is the property under review for an Environmental Resource License?* No.
- E.** *Has the applicant demonstrated that should the proposed Land Use designation be approved, the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances?* No.

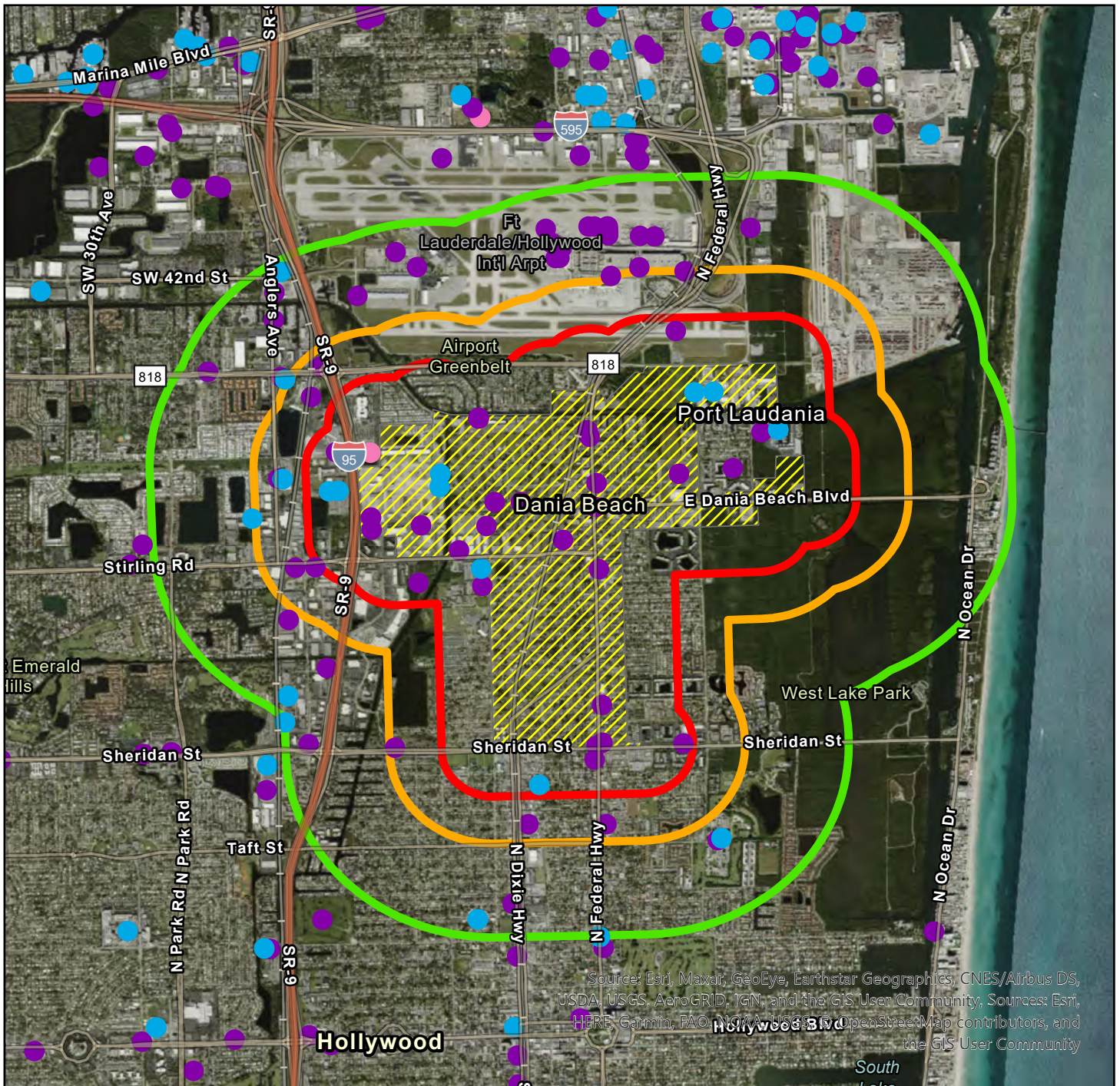
III. Comments:

Prior to ANY site work, including clearing and grubbing, an Environmental Resource License is required. Avoidance and minimization on impacts to wetlands must be demonstrated prior to the issuance of an ERL with additional requirements may be necessary for the release of the conservation easement. Any unavoidable wetland impacts must be mitigated.

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Engineering and Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Completed by: Linda Sunderland, Environmental Program Supervisor

Broward County Land Use Plan Proposed Amendment PCT 22-7



- AQD Facilities
- Contaminated Sites
- Solid Waste Facilities
- Proposed Site
- Quarter Mile Buffer
- Half Mile Buffer
- One Mile Buffer

0 0.5 1 2 Miles



Generated for location purposes only. Marker size is a visual aid and neither represents exact location nor area of designated facility.

Prepared by: A. Robins 7/1/22
Natural Resources Division

Contaminated Sites

Site Number	Facility Name	Street Address	City	Zip Code	Pollutant	Facility Type	DEP Facility Number	Active
OT-3527	The Dry Cleaner	2422 N UNIVERSITY DR	Sunrise	33322	Chlorinated	Dry Cleaner	69501368	Y
NF-1015B	Shell Station	2595 N UNIVERSITY DR	Sunrise	33322	Gasoline	Gas Station	68502751	Y
NF-0294A	MAC'S MILLIONS OF PARTS	1200 OLD GRIFFIN RD	Dania Beach	33004	Petroleum	Junk Yard	69402002	Y
NF-0294B	MAC'S MILLIONS OF PARTS	1200 OLD GRIFFIN RD	Dania Beach	33004	Petroleum	Junk Yard	69402002	Y
SF-1020	MOBIL #10-092 GENE'S	1505 S FEDERAL HWY	Dania Beach	33004	Petroleum	Gas Station	68502015	Y
SF-1030	CHEVRON #47271 FIL'S	1554 S FEDERAL HWY	Dania Beach	33004	Petroleum	Gas Station	68502678	Y
SF-1063	SHELL STATION TEDDY'S	2414 N FEDERAL HWY	Hollywood	33020	Petroleum	Gas Station	68502748	Y
SF-1121A	SUPER STOP DANIA	321 N FEDERAL HWY	Dania Beach	33004	Petroleum	Gas Station	68501698	Y
SF-1382	TWIN MINI SHOP	1201 S FEDERAL HWY	Dania Beach	33004	Petroleum	Gas Station	68502819	Y
SF-1484	HARBOR TOWNE MARINA	801 NE 3RD ST	Dania Beach	33004	Diesel Gasoline	Marina	68942606	Y
SF-1665	J & L FEED & SUPPLY	133 SW 3RD AVE	Dania Beach	33004	Mixed Product	Warehouse	68737224	Y
SF-1686A	BROWARD LINEN SERVICES	303 N FEDERAL HWY	Dania Beach	33304	Mixed Product	Other	68627809	Y
SF-1772	STANDARD GARRISON	102 N FEDERAL HWY	Dania Beach	33004	Petroleum	Gas Station	68502006	Y
NF-2718	DANIA DISTRIBUTION CTR	71 SW 12TH AVE	Dania Beach	33004	Arsenic; Organic Metals	Warehouse	<Null>	Y
SF-1277	L C BOGGS INDUSTRIES	1320 STIRLING RD	Dania Beach	33004	Petroleum	Retail	68622282	Y
OT-3551	PREMIER CLEANERS	411 E SHERIDAN ST	Dania Beach	33004	Chlorinated	Dry Cleaner	69501218	Y
OT-3592	ONE HOUR MARTINIZING	265 S FEDERAL HWY	Dania Beach	33004	Chlorinated	Dry Cleaner	69501154	Y
NF-1608B	MOBIL #2-FNQ	1 S FEDERAL HWY	Dania Beach	33004	Gasoline	Gas Station	68501819	Y
NF-2809	World Watersports/Divers Direct	180 GULF STREAM WAY	Dania Beach	33004	Unknown	<Null>	<Null>	Y
NF-2845A	OTO Development/Summerfield Suites	SW 18 AV & DANIA BCH BLVD (SW CORNER)	Dania Beach	33004	Arsenic; Unknown; Ammonia	Landfill	<Null>	Y
NF-1590B	VALUE RENT-A-CAR	1030 TAYLOR RD	Dania Beach	33004	Arsenic; Solvents	Aviation	68943846	Y
NF-2902	Dania Entertainment Center	301 E DANIA BEACH BLVD	Dania Beach	33004	Arsenic	Vacant Lot	<Null>	Y
NF-2050	Dania Pointe Brownfield Site	181 BRYAN RD	Dania Beach	33004	Organic Metals	Landfill	<Null>	Y
NF-2845B	Dania Pointe Parcels 8A and 8C	SW 18 AV & DANIA BCH BLVD (SW CORNER)	Dania Beach	33004	Arsenic	Vacant Lot	<Null>	Y
NF-0294C	MAC'S MILLIONS OF PARTS	1200 OLD GRIFFIN RD	Dania Beach	33004	Arsenic	Junk Yard	<Null>	Y
NF-2108A	Saratoga Crossings East	705 W DANIA BEACH BLVD	Dania Beach	33004	Arsenic	Vacant Lot	<Null>	Y
NF-2108B	Saratoga Crossings West	1105 W DANIA BEACH BLVD	Dania Beach	33004	Arsenic	Vacant Lot	<Null>	Y
NF-2127	Town Hollywood Property	STIRLING RD AND SOUTH COMPASS WAY	Dania Beach	33020	Arsenic	Vacant Lot	<Null>	Y
NF-2134	East Side Five, LLC	South of NE 2nd St., West of Gulfstream Rd., West of NE 1st St.	Dania Beach	33004	Arsenic; Organic Metals	Vacant Lot	<Null>	Y
NF-2152	Liberia Economic & Social Development Inc.	Evans Street	Hollywood	33020	Arsenic; Organic Metals	Vacant Lot	<Null>	Y

Solid Waste Facilities						
Facility Number	Facility Name	Street Address	City	Zip Code	Nature of Business	Status Description
2200	Design Center of the Americas, Inc.	1855 GRIFFIN RD	Dania Beach	33004	Borrow Pit Reclamation Project	Licensed - Under Construction

LUA PCT 22-7 City of Dania Beach

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
A + Tires Depot & Auto Care	2106 N DIXIE HWY, Hollywood, FL 33020	7538 - General Automotive Repair Shops	Hazardous Materials
American & Import Car Center	2035 SCOTT ST, Hollywood, FL 33020	7538 - General Automotive Repair Shops	Hazardous Materials
Hollywood Stone	2110 N DIXIE HWY, Hollywood, FL 33020	1752 - Floor Laying and Other Floor Work	Hazardous Materials
High Tech Collision, Inc.	2015 LIBERTY ST, Hollywood, FL 33020	7532 - Top, Body & Upholstery Repair Shops & Paint Shops	Hazardous Materials
T-Mobile USA, Inc - FB 1155.A	1700 SHERIDAN ST, Hollywood, FL 33020	4812 - Radiotelephone Communications	Hazardous Materials
Publix Store #1454	1700 SHERIDAN ST, Hollywood, FL 33020	6512 - Operators of Nonresidential Buildings	Storage Tank
Sheridan Texaco	2000 SHERIDAN ST, Hollywood, FL 33020	5541 - Gasoline Service Stations	Hazardous Materials & Storage Tank
FCE #2844	2414 N FEDERAL HWY, Hollywood, FL 33020	5541 - Gasoline Service Stations	Storage Tank
7-Eleven Store #38068	1554 S FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank
Wal-Mart Neighborhood Market #4563	401 E SHERIDAN ST, Dania Beach, FL 33004	5122 - Drugs, Drug Proprietaries and Druggists	Hazardous Materials
Olsen Middle	330 SE 11TH TER, Dania Beach, FL 33004	8211 - Elementary and Secondary Schools	Hazardous Materials
Sunoco-Twin Station	1201 S FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank
City of Dania Beach Lift Station #3	1200 SE 2ND AVE, Dania Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
Alsa Auto Inc	326 DIXIE HWY, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
Barrak Group Enterprises LLC	1040 S FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Hazardous Materials & Storage Tank
Machine Top	720 SW 4TH CT, Dania Beach, FL 33004	3542 - Machine Tools, Metal Forming Types	Hazardous Materials
American Maritime Officers Plans	2 DIXIE HWY, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Hazardous Materials & Storage Tank
Sunrise Food Mart #114	701 S FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank
Attucks Middle, #0343	3500 N 22ND AVE, Hollywood, FL 33020	8211 - Elementary and Secondary Schools	Hazardous Materials
City of Dania Beach Lift Station #2	400 SE 2ND AVE, Hallandale Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
Empower Generators	364 SW 4TH CT, Dania Beach, FL 33004	7699 - Repair Shops and Related Services	Hazardous Materials
B J's Wholesale Club #109	4000 OAKWOOD BLVD, Hollywood, FL 33020	5399 - Misc. General Merchandise Stores	Hazardous Materials & Storage Tank
City of Dania Beach Public Works - Fleet	1201 STIRLING RD, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials & Storage Tank
Mobil 'On The Run'	2780 STIRLING RD, Hollywood, FL 33020	5541 - Gasoline Service Stations	Storage Tank
Mac's Towing Service, Inc.	418 SW 2ND PL, Dania Beach, FL 33004	4789 - Transportation Services	Hazardous Materials
All Star Auto Body, Inc.	735 STIRLING RD, Dania Beach, FL 33004	7532 - Top, Body & Upholstery Repair Shops & Paint Shops	Hazardous Materials
Advance Auto Parts #9183	1750 STIRLING RD, Dania Beach, FL 33004	5531 - Auto and Home Supply Stores	Hazardous Materials
MGN, Inc	500 STIRLING RD, Dania Beach, FL 33004	7216 - Drycleaning Plants	Hazardous Materials
7-Eleven Store #41121	800 STIRLING RD, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
Stirling Suites Dania	151 SW 18TH CT, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Hazardous Materials
Dania Motors, Inc.	157 PHIPPEN RD, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
Oasis Pointe	150 S BRYAN RD, Dania Beach, FL 33004	6513 - Operators of Apartment Buildings	Storage Tank
The Lake Doctors	1200 STIRLING RD, Dania Beach, FL 33004	0721 - Crop Planting, Cultivating and Protecting	Hazardous Materials
Keolis Transit Services	110 SW 12TH AVE, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
Ravenswood Paint & Body	121 SE 1ST AVE, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
T-Mobile USA, Inc - Meadowbrook Condos	111 SE 3RD AVE, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
City of Dania Beach Lift Station #1	50 SE 2ND AVE, Dania Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
Nautical Ventures Marine, LLC	50 BRYAN RD, Dania Beach, FL 33004	5088 - Transportation Equipment and Supplies	Hazardous Materials
Publix Store #0788	402 E DANIA BEACH BLVD, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Storage Tank
Neptune Fireworks Company	768 E DANIA BEACH BLVD, Dania Beach, FL 33004	5999 - Misc. Retails Stores	Hazardous Materials
Sprint MI73XC034-Dania Beach	700 E DANIA BEACH BLVD, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
7-Eleven Store #34961	1 S FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank
Sprint MI54XC035-Dania Beach Fire Department	100 W DANIA BEACH BLVD, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
City of Dania Beach City Hall	100 W DANIA BEACH BLVD, Dania Beach, FL 33004	9111 - Executive Offices	Storage Tank
Avery Dania Pointe	121 N COMPASS WAY, Dania Beach, FL 33004	6513 - Operators of Apartment Buildings	Hazardous Materials

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
Danians Clubhouse, Inc.	549 E DANIA BEACH BLVD, Dania Beach, FL 33004	7999 - Amusement and Recreation Services	Hazardous Materials
T-Mobile - 6FB1404M	116 W DANIA BEACH BLVD, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
Prestige Auto Paint & Body	1936 TIGERTAIL BLVD, #BLD 13, Dania Beach, FL 33004	7532 - Top, Body & Upholstery Repair Shops & Paint Shops	Hazardous Materials
Motronix	1910 TIGERTAIL BLVD, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
E. J. Refinishing	1936A TIGERTAIL BLVD, #13, Dania Beach, FL 33004	7641 - Reupholstery and Furniture Repair	Hazardous Materials
Quality Boat & Yacht Repair, Inc.	2034 TIGERTAIL BLVD, #Bldg 6, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Hazardous Materials
Uretech of Dania Beach, LLC	1960 TIGERTAIL BLVD, #10, Dania Beach, FL 33004	7532 - Top, Body & Upholstery Repair Shops & Paint Shops	Hazardous Materials
All-Pro Automotive Service	2024A TIGERTAIL BLVD, #7, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
The Creative Workshop	118 NW HILL ST, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
Dania Beach Offshore	90 BRYAN RD, Dania Beach, FL 33004	4493 - Marinas	Storage Tank
Danians South Condominium Association, Inc.	501 E DANIA BEACH BLVD, Dania Beach, FL 33004	6513 - Operators of Apartment Buildings	Hazardous Materials
City of Dania Beach Lift Station #15	1905 TIGERTAIL BLVD, Dania Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
T-Mobile - 6FB1430M	1700 NW 1ST ST, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
New Cingular Wireless DEXE	1660 NW 1ST ST, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
Dania Pointe-Marriott Full Service & AC Hotel	166 N COMPASS WAY, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Storage Tank

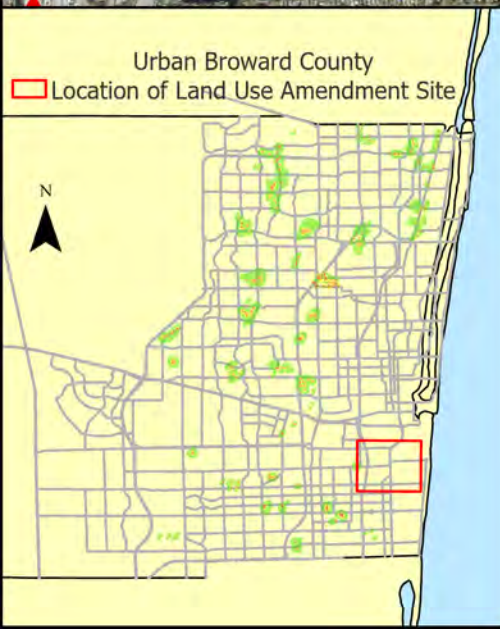
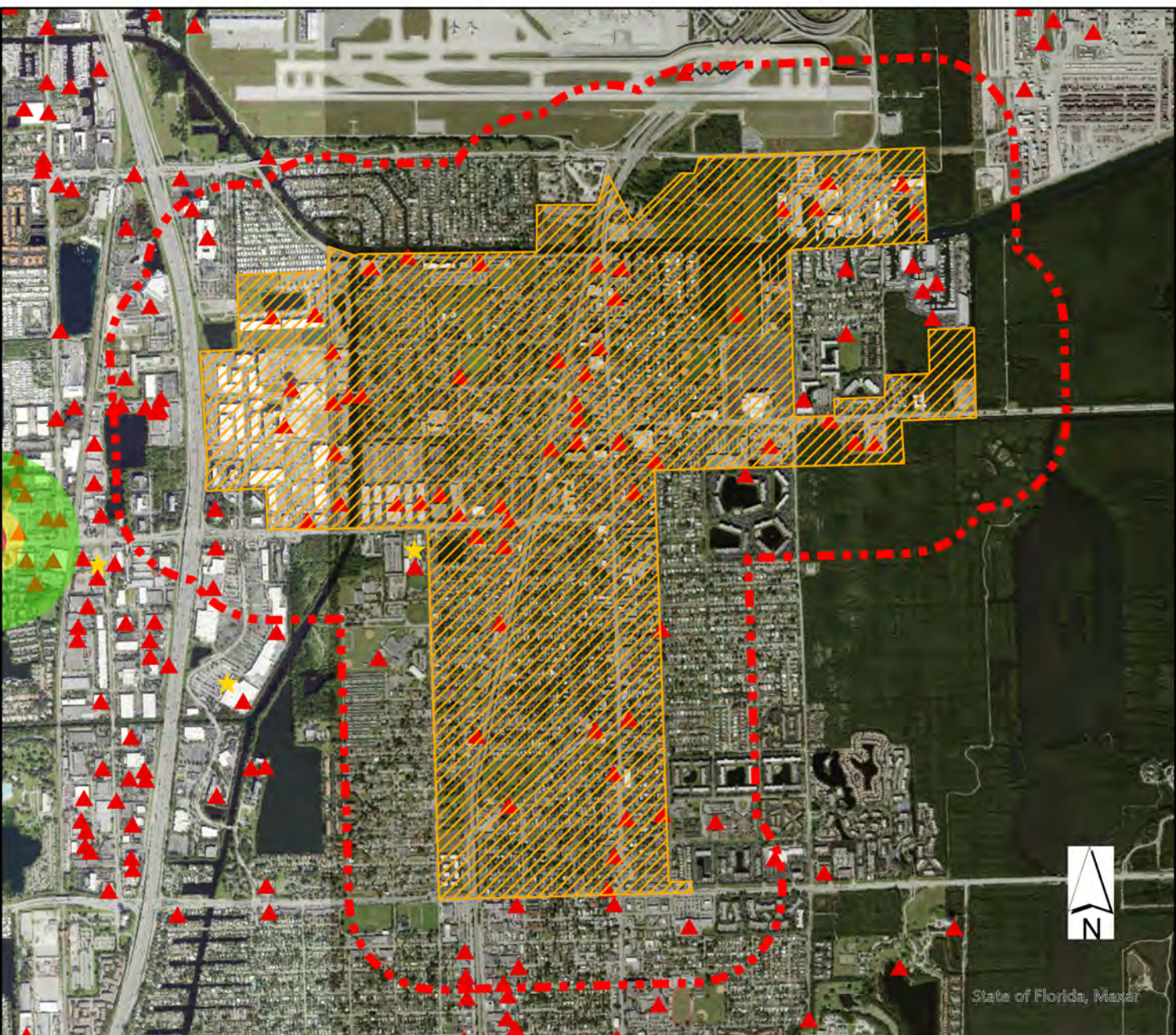
LUA PCT 22-7 City of Dania Beach

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
CMC Steel US, LLC	2025 TIGERTAIL BLVD, Dania Beach, FL 33004	3441 - Fabricated Structural Metal	Hazardous Materials
City of Dania Beach Lift Station #7	128 NW 10TH CT, Dania Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
Verizon Wireless - ATT Dania	113 NW 1ST AVE, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
New Cingular Wireless #16111 / FL18 Dania	113 NW 1ST AVE, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
GR Auto Body LLC	129 NW 4TH AVE, Dania Beach, FL 33004	7532 - Top, Body & Upholstery Repair Shops & Paint Shops	Hazardous Materials
Dusky Marine, Inc.	110 BRYAN RD, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials & Storage Tank
Franco's Auto Repair	167 N FEDERAL HWY, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
City of Dania Beach Lift Station #6	631 NE 2ND ST, Dania Beach, FL 33004	9511 - Air & Water Resource & Solid Waste Mgmt	Hazardous Materials
Atlantic Yacht Services	850 NE 3RD ST, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
Yacht Management Group, Inc.	850 NE 3RD ST, #101, Dania Beach, FL 33004	4499 - Water Transportation Services	Hazardous Materials
Just Catamarans, Inc.	850 NE 3RD ST, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
Treichel Marine Repair	850 NE 3RD ST, #105, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
Galvez Yachts USA, Inc.	850 NE 3RD ST, #107, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
Energys Delaware	277 BRYAN RD, Dania Beach, FL 33004	3691 - Storage Batteries	Hazardous Materials
U.S. 1 Deli Provisions	247 BRYAN RD, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Hazardous Materials

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
Dania Entertainment Center	301 E DANIA BEACH BLVD, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Hazardous Materials & Storage Tank
Outdoor World	200 GULF STREAM WAY, Dania Beach, FL 33004	5399 - Misc. General Merchandise Stores	Hazardous Materials
Comfort Suites	302 N FEDERAL HWY, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Storage Tank
Dave Gillen Diesel & Marine Services, Inc.	811 NE 3RD ST, Dania Beach, FL 33004	7699 - Repair Shops and Related Services	Hazardous Materials
Sun Power Diesel and Marine	833 NE 3RD ST, Dania Beach, FL 33004-3401	4493 - Marinas	Hazardous Materials
Royale Palm Yacht Basin, Inc.	629 NE 3RD ST, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials
Cozy Cove Marina	300 N FEDERAL HWY, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials
Thunderboat Marine Service Center, LLC	1451 OLD GRIFFIN RD, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials & Storage Tank
Harbour Towne SMI OpCo, LLC	801 NE 3RD ST, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials & Storage Tank
Chevron, Airport	345 N FEDERAL HWY, Dania Beach, FL 33004	5541 - Gasoline Service Stations	Storage Tank
Competition Cycle Center, LLC	903 OLD GRIFFIN RD, Dania Beach, FL 33004	7538 - General Automotive Repair Shops	Hazardous Materials
Mac's Millions of Parts, Inc.	1200 OLD GRIFFIN RD, Dania Beach, FL 33004	5015 - Motor Vehicle Parts, Used	Hazardous Materials
Design Center of the Americas, Inc.	1855 GRIFFIN RD, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Hazardous Materials & Storage Tank
Verizon Wireless - FPL Taylor - 421	760 NE 7TH AVE, Dania Beach, FL 33004	4812 - Radiotelephone Communications	Hazardous Materials
Dania Cut Super Yacht Repair	760 NE 7TH AVE, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials
Seacor Island Lines LLC	760 NE 7TH AVE, Dania Beach, FL 33004	4491 - Marine Cargo Handling	Hazardous Materials

Hazardous Materials Facilities within, adjacent to, or in close proximity (0.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
Le Meridian (formerly Sheraton Fort Lauderdale Hotel)	1825 GRIFFIN RD, Dania Beach, FL 33004	6512 - Operators of Nonresidential Buildings	Storage Tank
MarineMax East	490 TAYLOR LN, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials
Derecktor-Gunnell	775 TAYLOR LN, Dania Beach, FL 33004	4493 - Marinas	Hazardous Materials & Storage Tank
Joe V's Yacht Refinishing, Inc	775 TAYLOR LN, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
Broward Shipyard, Inc.	750 NE 7TH AVE, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials
760 Taylor Lane, LLC	760 TAYLOR RD, Dania Beach, FL 33004	3732 - Boat Building and Repairing	Hazardous Materials & Storage Tank
BCAD Runway Tunnels 9R/27L Utility Building	4500 E PERIMETER RD, Fort Lauderdale, FL 33315	6512 - Operators of Nonresidential Buildings	Hazardous Materials & Storage Tank

Land Use Amendment Site: PCT 22-7



0 0.25 0.5 Miles

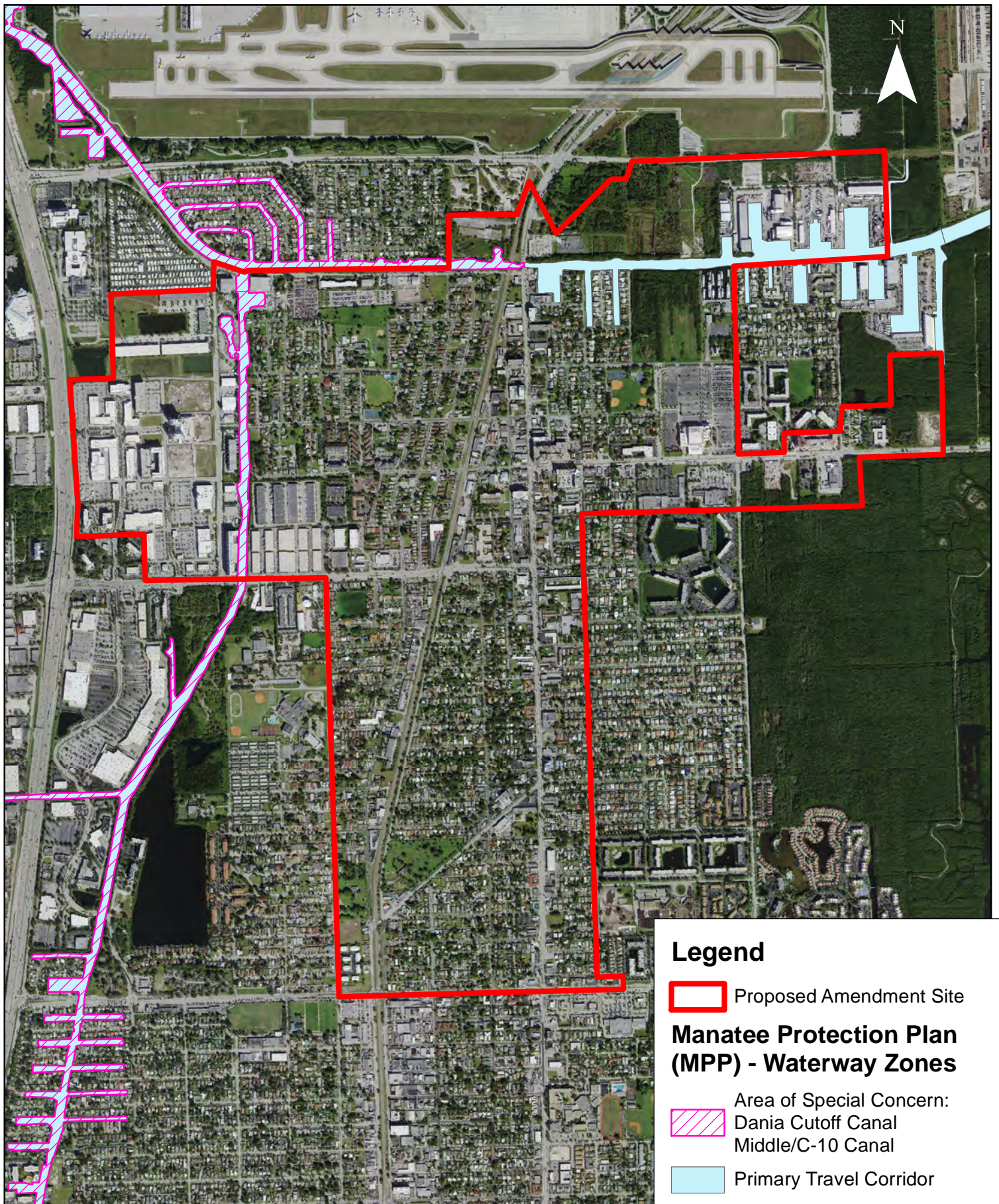
Date Prepared: 7/6/2022 2:50 PM
Prepared by: schristine

Land Use Amendment Legend

-  Wellfield Zone 1
-  Wellfield Zone 2
-  Wellfield Zone 3
-  Hazardous Materials Facility
-  SARA Title III Facility
-  Proposed Amendment Site
-  0.25 Mile Buffer

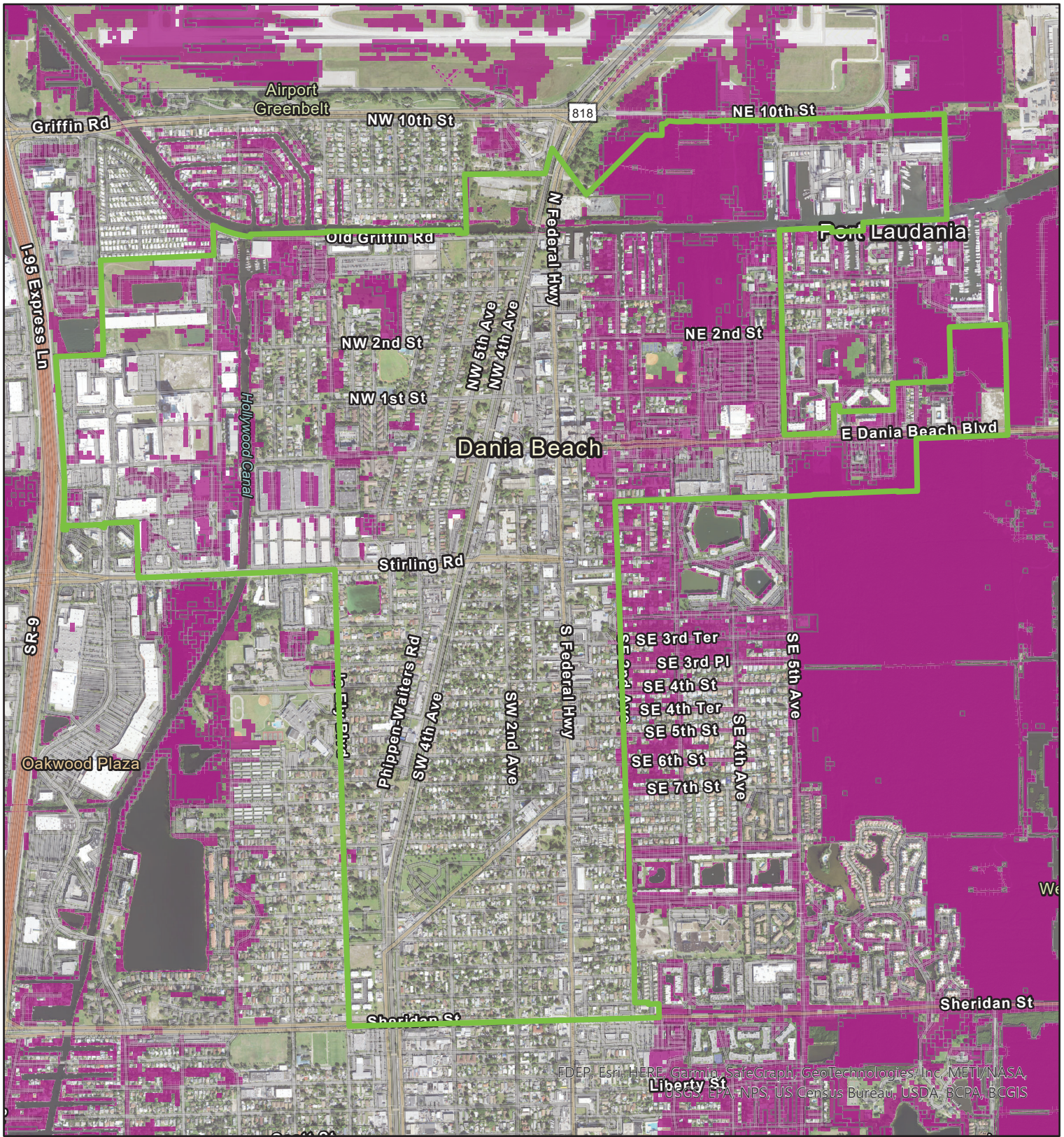
Environmental Permitting Division review of Land Use Amendments for presence of hazardous materials and community right-to-know sites within Broward County. Review includes the location of Wellfield Protection Zones. The display is generated for location purposes only. Marker, if present, is a visual aid and neither represents exact location nor distance to project site. If data are associated, data are provided "as is".

The division does not accept responsibility for damages suffered as a result of using, modifying, contributing or distributing the materials.



Broward County Land Use Plan Proposed Amendment

PCT 22-7



0 800 1,600 Feet

Proposed Land Use Plan Amendment

Priority Planning Areas for Sea Level Rise near tidal water bodies at an increased risk of inundation under a 40 inch sea level rise scenario projected to occur by 2070 (PCT22-7 contains Priority Planning Areas)

ATTACHMENT 12



April 28, 2023

Via Email: bblakeboy@broward.org
and U.S. Mail

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 S. Andrews Avenue, Room 307
Fort Lauderdale, FL 33301



Re: PCT 22-7 (Dania Beach Activity Center) - Responses to Review Agency Comments

Dear Barbara:

As you know, we received agency review comments from the Resilient Environment Department (RED) regarding proposed amendment PCT 22-7 (Dania Beach Activity Center). Please see below response to RED's comments except for those regarding sea level rise which will be provided separately.

Resilient Environment Department:

1. Wetlands Comments:

Response: The City of Dania Beach (applicant) acknowledges that any proposed improvements that would impact wetlands will be submitted to Broward County for review and approval.

2. Contaminated Sites:

Response: A site inspection will be required for all preliminary site plan reviews for development proposals that are on or within a quarter mile of any identified contaminated sites and dewatering of any site will be prohibited without approval from the County's EEPD.

3. Water Recharge Impacts:

Response: Open space, landscape areas and all required drainage areas will be incorporated into site plan designs to fulfill the goal of water recharge into the aquifer.

April 28, 2023
Barbara Blake-Boy, Executive Director
Broward County Planning Council
Page 2

4. Outdoor Lighting:

Response: The City of Dania Beach (applicant) acknowledges that the proposed amendment area is located within a coastal municipality and that the City is familiar with the Broward County Outdoor Lighting Ordinance.

Should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Eleanor Norena, CFM

Eleanor Norena, CFM
Community Development Director

ATTACHMENT 13

From: lkerr808@bellsouth.net
To: [Teetsel, Dawn](#)
Cc: [Von Stetina, Deanne](#); ["Lajoie, Corinne"](#); kray808@bellsouth.net; ["Norena, Eleanor"](#); lkerr808@bellsouth.net
Subject: DANIA BEACH RAC LUPA - MANATTEE/MARINE/HISTORIC
Date: Thursday, October 27, 2022 9:07:57 AM
Attachments: [MANATTEE-MARINE-HISTORIC.docx](#)

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Good morning.

Please find attached City of Dania Beach Comprehensive Plan Policies and LDC sections to address the above matters brought up by the County review agencies.

Kelly Ray-Sosnowski, LEED AP+BDC

Planner

Leigh Robinson Kerr & Associates, Inc.

808 E. Las Olas Boulevard

Suite 104

Fort Lauderdale, FL 33301

Ph: 954-467-6308 Email: Kray808@bellsouth.net

FUTURE LAND USE ELEMENT

Objective VI

Natural resources and historic resources shall be maintained at their present levels at a minimum.

- Policy 6.1 Identify **historically significant properties** within the community on the Future Land Use Map and support the efforts of the Dania Beach Historical Society to designate and protect the identified properties.
- Policy 6.2 Maintain the quality of the **existing wildlife habitats and natural resources** within the community.
- Policy 6.3 Continue to **protect and identify environmentally sensitive lands**. Protect any identified future water wellfields in accordance with the wellfield protection ordinance.
- Policy 6.4 Promote restoration of the Dania Beach ecological systems including its hydrological and ecological functions as well as any degraded or substantially disrupted surface waters. (B.C.P. #06.01.01)
- Policy 6.5 Protect the minimum seasonal flows and levels of surface watercourses, as established by the South Florida Water Management District. (B.C.P. #06.01.05)
- Policy 6.6 Protect and conserve those areas known to contain plant species listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services. (B.C.P. #06.01.08)
- Policy 6.7 Promote the acquisition, **retention and management of unique natural areas** in order to preserve their environmental, recreational and other public benefits. (B.C.P. #06.02.02)
- Policy 6.8 Discourage activities in the vicinity **of Local Areas of Particular Concern** which would have detrimental impact upon such areas. (B.C.P. #09.01.05)
- Policy 6.9 Amendments to the Dania Beach Land Use Plan Map proposing land use categories which permit Industrial uses shall be discouraged, to the greatest extent feasible, for lands within wellfield protection zones of influence as identified by the Potable Water Supply Wellfield Protection Ordinance of Broward County shall be approved only if proposed uses are

consistent with those uses allowed by the Broward County Wellfield Protection Ordinance. (B.C.P. #09.02.03)

- Policy 6.10 Dania Beach shall, when it is determined to be practical and financially feasible, require land uses currently on septic systems to be connected to central wastewater treatment facilities, with priority given to those land uses in proximity to surface waters. (B.C.P. #09.02.06)
- Policy 6.11 Local land development codes and regulations shall provide for the protection and creation of surface waters in conformance with State and South Florida Water Management District Policies. (B.C.P. #09.04.01)
- Policy 6.12 Dania Beach shall coordinate **its historic resource protection** activities with applicable state and federal laws through the procedures established in the Broward County Land Development Code. (B.C.P. #09.08.04)
- Policy 6.13 Dania Beach shall consider the impacts of land use plan amendments on **those historic resources** identified in Table XII of the Housing Element. (B.C.P. #09,08.05)
- Policy 6.14 All applicants shall be required to analyze the potential impacts of proposed land use plan amendment on the **historic resources** identified in Table XII of the Housing Element.
- Policy 6.17 The City shall not issue development orders, except as listed below, for development within wetlands, until an Environmental Resource License has been issued by the Broward County Department of Planning and Environmental Protection. However, the City may issue rezoning, site plan, plat approval or development orders issued pursuant to Chapter 380, Florida Statutes, in areas containing wetlands upon issuance of a conceptual review report by the Broward County Department of Planning and Environmental Protection. (B.C.P. #9.05.02)

Objective XVI

Encourage the development and implementation of land use controls to increase the protection and enhancement of beaches, rivers and marine resources identified on the Natural Resources Map Series of the Dania Beach Land Use Plan Map Series. (B.C.O. #9.03.00)

- Policy 16.1 Land development codes and regulations shall require the protection and/or restoration **of beaches, particularly dunes and vegetation, through techniques such as conservation easements, re-vegetation, elevated walkways**, and clustering of developments. (B.C.P. #09.03.01)

- Policy 16.2 Priority shall be given to water-dependent uses such as marinas and public access to waterways, in decisions affecting waterfront property. (B.C.P. #09.03.02)
- Policy 16.3 In order to protect and enhance sea turtle nesting, Dania Beach in coordination with the Sea Turtle Conservation Program of the Broward County Department of Planning and Environmental Protection shall prepare and adopt land development regulations consistent with state and federal guidelines. The City shall also, through ordinance, adopt regulations within one year from the effective date of this policy, to control beachfront lighting.
- Those regulations shall be consistent with Chapter 62B-55 (FAC) Model Ordinance for Marine Turtle Protection and they shall additionally be in compliance with Lighting/Development Categories as outlined in the Broward County Technical Report 97-06 Broward County Beach Lighting Management Plan. (B.C.P. #09.03.03)
- Policy 16.4 In addressing beachfront property, land development regulations shall establish special district or standards sufficiently flexible to give priority to implementation of the coastal construction control line of the State of Florida. (B.C.P. #09.03.04)
- Policy 16.5 The Dania Beach Land Use Plan shall give priority to protection to public beach access sites. (B.C.P. #09.03.05)
- Policy 16.6 Marinas which service live aboard boats shall provide for sewage pumpage facilities and/or other improvements which promote environmental compatibility with marine resources consistent with Florida State Law. (B.C.P. #09.03.06)
- Policy 16.7 Locate marinas, boat ramps and other water-dependent uses in a manner which protects manatees in those areas which they frequent. (B.C.P. #09.03.10)
- Policy 16.8 The City and applicable regulatory agencies shall encourage intergovernmental coordination among coastal cities to protect beaches, promote beach restoration, minimize the impacts of structures on beach systems and increase public access to beaches and marine resources.
- Policy 16.9 Local land development regulations should protect the City's remnant natural rivers by prohibiting new construction, not including the repair or replacement of bulkheads, revetments and seawalls in such areas, by

promoting softened shorelines, riprap and other natural methods to prevent erosion, by requiring the restoration of historic vegetative cover to the areas being restored, and by ensuring that the construction of new docks is compatible with the growth of submerged and littoral vegetation and communities of bottom dwelling organisms.

Policy 16.10 The City will ensure that all new marine facilities comply with the Broward County Manatee Protection Plan.

CONSERVATION ELEMENT

Objective IV

Conserve native vegetative communities, wildlife habitats and marine habitats at their present levels.

Policy 4.1 Protect unique Vegetative communities through site design and enhancement.

Policy 4.2 Require all development in sensitive vegetative areas to obtain permits from FDER and the Corps of Engineers.

Policy 4.3 Require the continued functioning of all natural systems within the City.

Policy 4.4 Utilize natural reservations as a means of protecting natural resources.

Policy 4.5 The City shall require that wetlands be preserved within any new development or mitigated in accordance with the Broward County Department of Planning and Environmental regulations by coordinating with the Broward County Department of Planning and Environmental Protection during review of proposed site plans for new development involving potential impacts to existing natural resource areas.

Policy 4.6 The City shall continue to require the identification of potential impacts on flora, fauna, air quality and water quality and quantity with all applications for new development which may potentially impact existing natural resources identified within this Comprehensive Plan.

Policy 4.7 The City shall review and revise land development regulations by August 2000 to protect and conserve the natural functions of existing soils, wildlife habitats, canals, lakes rivers and marine habitats during the review of applications for new development and/or redevelopment to address the

following:

- a. Site plan for new development identify the location and extent of wetlands located on the property;
- b. Site plans provide measures to assure that normal flows and quality of water will be provided to maintain wetlands after development;
- c. Where alteration of wetlands is necessary in order to allow reasonable use of property, either the restoration of disturbed wetlands will be provided or additional wetlands will be created to mitigate any wetlands destruction;
- d. Proposed developments comply with Broward County's Wellfield Protection Program;
- e. All endangered and threatened plant and animal populations are protected;
- f. All habitats of significant value to existing populations of endangered and threatened species are preserved;
- g. All nuisance vegetation (i.e. Brazilian Pepper, Australian Pine, and Melaleuca) is removed by the developer at the time of development or redevelopment of a site;
- h. All native woody vegetation of a significant size is preserved or replaced.

Policy 4.8	Encourage the provision and maintenance of a buffer zone of native upland (i.e. transitional) vegetation and littoral zones in and around wetland and retention areas which are constructed or preserved on new development sites.
Policy 4.9	Development orders and permits for development and redevelopment activities shall be issued only if the conservation of wildlife and natural systems is ensured consistent with goals, objectives, and policies of this Comprehensive Plan.
Policy 4.10	The City shall coordinate review of proposed wetlands mitigation activities with the Broward County Department of Planning and Environmental Protection to ensure that Broward County's "Wetlands Benefit Index" is utilized as one basis for determining the scope of need mitigation.

Policy 4.11 The City of Dania Beach shall distribute land uses in a manner that avoids or minimizes, to the greatest degree possible, the effect and impact on wetlands. Those future land uses identified in the table provided below as being incompatible with the protection and conservation of wetland functions shall be directed away from wetland, or when incompatible land uses are allowed to occur, shall be mitigated or enhanced, or both, to compensate for loss of wetlands functions.

<p style="text-align: center;">CONSERVATION ELEMENT Compatibility of Future Land Uses Relative to Wetland Class</p>	
WETLAND CLASS	FUTURE LAND USE COMPATIBILITY
Wetlands wither Wetlands Benefit Index (WBI) value greater than or equal to 0.80	All future uses identified on the Future Land Use Element Map Series, except for Conservation, are incompatible
Wetlands with a WBI value less than 0.80.	All future land uses are compatible, provided that the wetland impact compensation requirements of Chapter 27, Article XI, Broward County Code of Ordinances are satisfied.

SOURCE: Broward County Department of Natural Resource Protection (Nov. 1996); and Broward County Code of Ordinances, Chapter 27 Article XI., Aquatic and Wetland Resource Protection.

Objective V

Continue to coordinate with adjacent local governments and regional interests to protect natural resources.

- Policy 5.1** Continue to promote a coordination system with the adjacent local governments and the Regional Planning Council.
- Policy 5.2** Continue to participate in the Broward County Technical Advisory Committee.
- Policy 5.3** Continue to coordinate with the Broward County Department of Planning and Environmental Protection, Florida Department of Natural Resources, Broward County and Port Everglades to protect endangered species particularly the West Indian Manatee.
- Policy 5.4** All Local Areas of Particular Concern and Urban Wilderness Areas shall be consistent with the County's environmentally sensitive land status.

Policy 5.5

Hazardous waste shall be managed and disposed in accordance with the Broward County Department of Planning and Environmental Protection rules and standards.

LAND DEVELOPMENT CODE

ARTICLE 250. - WILDLIFE PROTECTION

Sec. 250-10. - *Wildlife* protection requirements.

(A) The developer of any existing natural land area in excess of one-half (½) acre in the city must provide for the avoidance of impacts to or the safe capture and relocation of any *wildlife* species protected by federal or state law in accordance with relevant permits and regulations. The developer, at the developer's sole expense, shall:

(1) Upon request from the city, provide a written report of a qualified, independent, private consultant, approved by the city, which evaluates the land area's existing conditions, *wildlife* populations of protected species (by numbers and types) and proposes a specific action plan for the conservation identified protected animal populations; and.

(2) Upon request from the city, provide proof of permits and coordination with federal, state and county environmental regulatory agencies; and

(B) The city may request changes to proposed development designs and proposed methods for construction in order to conserve *wildlife* species in the vicinity (including off site) regardless of protected status of the species and permit authorization to remove or relocate the species.

(C) The city may require proof of compliance with federal, state, county and city *wildlife* protection measures prior to issuance of building permits as well as prior to issuance of certificates of occupancy.

ATTACHMENT 14

From: [Delaney, Angela](#)
To: [Teetsel, Dawn](#)
Subject: RE: PCT 22-7 (Dania Beach Activity Center)
Date: Monday, November 7, 2022 8:25:26 AM
Attachments: [image005.png](#)

Good morning,

The City of Dania Beach list of its comprehensive plan policies for consideration regarding PCT 22-7 for the waterway designated as a primary travel corridor for manatees satisfies the Marine Resources (RED). Please let me know if there are any further questions.

Thank you,
Angela

[Angela Delaney](#)

Marine Resources Environmental Program Manager

Resilient Environment Department

NATURAL RESOURCES DIVISION

115 S Andrews Ave., Room 329-H | Fort Lauderdale, FL 33301

O: 954.519.1207 C: 954.939.1204

[Broward.org/NaturalResources/BeachAndMarine](https://www.broward.org/NaturalResources/BeachAndMarine)

ATTACHMENT 15



October 11, 2022

Jennifer Jurado, PhD, Deputy Director
Broward County Resilient Environment Department
1 N. University Dr. #203
Plantation, FL 33324



Re: Dania Beach RAC (PCT 22-7) - PPA

Dear Dr. Jurado:

The City of Dania Beach has submitted a Text Amendment to its Regional Activity Center (RAC) which was established in 2009. The RAC is a mixed use area of approximately 1,300 acres. The proposed amendment includes reducing commercial acreage and adding 4,000 dwelling units. When the RAC was established in 2009, it only permitted the future land use intensities depicted on the FLU map in 2009 and all of those uses were pooled into a table of uses which could be assigned by the City of Dania Beach through its approval processes.

In addition, the RAC is coterminous with the City's established CRA District which is intended to promote transit friendly uses, compact development in an efficient pattern of development to meet the growing demands of the City and Broward County.

Your department's review of the City's application, identified areas that are within the designated Priority Planning Areas for Sea Level Rise.

In response, below is a summary of the City's projects and plans as it relates to Priority Planning Areas, climate change, sea level rise, flood protection, and resiliency planning in the Dania Beach RAC and City-Wide. The following projects have been identified.

1. Southeast Dania Beach Drainage Improvement Project

- This \$16 million project is underway which includes the area from Dania Beach Boulevard south into the southeast portion of the city.
- Address flooding for a 103-acre residential neighborhood East of US1 and south of Dania Beach Boulevard.
- Over six thousand feet of exfiltration trench to collect stormwater.
- Two new lift stations are being installed at lowest points will pump water to outfall.
- New exfiltration trenches and existing swales shall provide the necessary water quality treatment required to reduce runoff sediment and other nutrients from polluting West Lake Park.

2. City-Wide Stormwater Master Plan

- This project is funded by a Florida Department of Economic Opportunity (DE0) CDBG-MIT Grant for \$795,000. Chen Moore and Associates is the consulting engineer for this project.
- Collect, Review, and Analyze Current Stormwater Documentation – including field investigations and engaging staff, regulatory agencies, and the public in questionnaires and surveys.
- Stormwater modeling – conduct water quality and sea level rise analysis.
- Seawall analysis.
- Capital Planning – prepare conceptual designs and cost estimates for recommended stormwater improvements and review existing stormwater fees and alternative funding options.
- The future Conditions Stormwater Modeling will include the research from the Southeast Florida Regional Climate Change Compact and the Broward County future groundwater requirements (2017).
- The project includes a Policy Review and Recommendations for amendments of the City Policies and Codes related to stormwater, resiliency, and sea level rise impacts.

3. City of Dania Beach, Floodplain Management Initiatives

The City of Dania Beach has recently improved its CRS rating from Class 9 to Class 6 and has established a variety of floodplain management initiatives. The city coordinates these initiatives and participates in an annual assessment of these activities for re-certification. These can be categorized under the following general activities:

- Public Information Activities
- Mapping and Regulations
- Flood Damage Reduction Activities
- Warning and Response

Under **Public Information Activities**, the City maintains and makes available Elevation Certificates, offers map information services, and provides flood hazard information through printed and electronic media. This includes offering flood protection advice and promoting flood insurance.

Under **Mapping and Regulations**, the City preserves Open Space, enforces higher regulatory standards, maintains flood data and manages stormwater issues.

Under **Flood Damage Reduction Activities**, the City participates in floodplain management planning, invests in flood protection projects and maintains its drainage system.

Under **Warning and Response**, the City works together with Broward County to provide emergency management before, during and after potential and actual flood events.

4. Sustainable Code

- The City has several provisions in the Land Development Code focused on Climate Change and Sustainability which related to the following:
 - Seawall regulations related to sea level rise, adopted by the City Commission on October 26, 2021, via O-2021-027.
 - Ordinance allowing rooftop gardens to be calculated as pervious area, adopted by the City Commission on January 13, 2015, via O-2015-002.
 - Photovoltaic regulations allowing the use of solar panels, adopted by the City Commission on August 14, 2012, via O-2012-014.
 - Sustainable Building Practiced incentive, adopted by the City Commission on September 14-2012, via O-2010-02.
- The City is in the process of creating a City-Wide Green Building Program, whereby all new City Facilities greater than 50,000 square feet will be required to reach a prescribed threshold of green building standards or be certified as a green building by an outside certifying agency. This program includes development incentives for new structures that achieve certification as a green building. The City has hired a green industry firm to prepare these regulations which have been presented to the City Commission and are anticipated to be brought through the public hearing process for adoption in early 2023.

5. Neighborhood Drainage Projects for Construction in FY2023

- SW 43rd Terrace Drainage Project (\$2.2M) – A stormwater management project to address flooding along SW 43 Terrace, from SW 54 Street to SW 48th Court. This project is funded by Broward County Surtax funds.
- SW 54th Court Drainage Project (\$1.2M) – A stormwater management project to address flooding on SW 54th Court, from S.R. 7 east to SW 40th Avenue. Funded in part with Resilient Florida funds.
- SW 37th Terrace Drainage Project (\$1.2M) – A stormwater management project to address flooding on SW 37th Terrace, from Stirling Road north to end. Funded in part with Resilient Florida funds.
- SW 52nd Street Drainage Project (\$1M) - A stormwater management project to address flooding on SW 52nd Street, from SW 40th Avenue, west to SW 43rd Terrace. Submitted for Resilient Florida funding.
- SW 34th Avenue Drainage Project (\$1M) - A stormwater management project to address flooding on SW 34th Avenue from Griffin Road north to end. Submitted for Resilient Florida funding.

6. Resilient Florida Program Planning Grant

- City has undertaken a study administered by SFRPC and funded by State DEP grant to conduct a City-Wide Vulnerability Assessment (per 380.093, F.S.) including Perils of Flood. The project includes the following elements:

- Background data collection and analyses. Identify any gaps for additional data collection.
- Develop community Steering Committee.
- Identify critical assets and generate a comprehensive inventory to utilize with the modeling process.
- Identify areas at risk to sea level rise.
- Produce a complete Vulnerability Assessment Report.

7. Framework for a Climate Change Preparedness Program

Prepared by Public Utility Management & Planning Services, Inc. in 2010 to provide the following:

- Evaluation of the City's vulnerability to the impacts of climate change, especially as is related to long-term sea level rise.
- The timelines for anticipated impacts.
- Summary of the City's current condition and potential future risks, to be used in discussion with staff to identify opportunities for increasing the City's climate resiliency.
- Development of a matrix of potential policy initiatives that should be evaluated further and potentially developed.
- A toolbox of infrastructure needs that should be evaluated further.

8. FDOT

- City has initiated discussions with FDOT District IV regarding the FDOT State-wise policy regarding Resiliency of State Transportation Infrastructure. A virtual meeting was held on September 30, 2022, with City Engineers, several members of FDOT as well as Broward County MPO.
- On going meetings have been scheduled to occur monthly. The City of Hollywood Engineer has also been invited, as much of the effected roadway is located within the municipal boundary of the City of Hollywood.

9. City of Dania Beach Ocean Park Maser Plan (2014)

The Master Plan is a resiliency plan to address sea level rise by improving the beach's dune system by raising the height, providing for walkovers, landscaping, and widening the dune landward. In addition, the parking area will be reduced and raised.

We trust the outline of above materials is responsive to your department's review of the City's RAC LUPA. Should you require additional information, please do not hesitate to contact me at (954) 924-6805 x3645.

Sincerely,



Eleanor Norena, CFM
Community Development Director

ATTACHMENT 16



RESILIENT ENVIRONMENT DEPARTMENT

115 S. Andrews Avenue, Room 329 • Fort Lauderdale, Florida 33301 • 954-357-6612 • FAX 954-357-8655

To: Ms. Barbara Blake-Boy, Executive Director, Broward County Planning Council

From: Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Director,
Resilient Environment Department

J.S.

Date: 11/03/2022

Re: Dania Beach Regional Activity Center (PCT 22-7)

The Broward County Resilient Environment Department / Resilience Unit (Department) provided recent comment regarding land use plan amendment (LUPA) application Dania Beach Regional Activity Center (RAC) (PCT 22-7) on July 12, 2022. The Department comments noted that the site contains, falls within, and/or overlaps with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, the Department indicated that Comprehensive Plan Policies CC1.7, CC2.1, CC2.9, CC2.10, CC2.12, CC2.14, CC2.15, CC3.6, CM2.6; Broward County Land Use Plan Strategy CCR-2 and Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5, 2.21.6, 2.21.7 apply to the review of this project. In consideration of these policies, it is necessary to demonstrate that the project will not increase areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities. The Department noted that per these policies, Broward County strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. Further, Broward County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

Subsequently, the Applicant requested a virtual meeting (held on Teams on 8/12/2022) to discuss the comments and both sides provided additional information and engaged in the discussion. On 10/12/2022, the Applicant provided written additional information to address the Department's original comments (dated 7/12/22) and discussion held on 8/12/2022.

In the memorandum, the Applicant thoroughly reviewed projects and plans as related to the Priority Planning Areas, climate change, sea level rise, and resiliency planning in the Dania Beach RAC and City-wide. This provided insight into the existing and future planning process and the consideration given to the LUPA and future development, with reference to stormwater master planning, floodplain management initiatives, vulnerability assessments, sustainability efforts, drainage projects, and pending grant requests for resilience projects.

While the referenced projects are notable, it is not clear the extent to which these projects are aligned future environmental conditions. While reference is made to resilient Florida funding, it is not clear which climate-based scenarios the City of Dania Beach (City) intends to utilize to finalize its planning and design, or the extent to which the City is prepared to seek consistency with county-wide resilience planning efforts targeting the 2070 planning horizon.

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Jared E. Moskowitz • Nan H. Rich • Tim Ryan • Michael Udine
www.broward.org

Given the proposed increase of 4,000 residential units, it is imperative that development facilitated by the land use amendment in areas at substantial risk to flooding due to rising groundwater table, sea level rise, high tides, and high frequency storm surge, account for these flood risk factors, as well as rainfall intensification, and that these activities reflect a consistent, and comprehensive approach to the resilience of new development and those it serves.

Request and Recommendation:

As such, the County's Resilient Environment Department / Resilience Unit seeks a legally enforceable mechanism with the Applicant confirming adherence to and inclusion of future conditions planning standards consistent with the 2019 Unified Sea Level Rise Projection for Southeast Florida (and subsequent updates), NOAA Intermediate High scenario (adopted March 2020), and conditions predicted for the 2070-time horizon, as modeled, adopted, or under development. This commitment will include future conditions groundwater elevations (published by the USGS for 3.3 feet Sea Level Rise), the Broward County future conditions map series, and findings and recommendations of the County-wide Risk Assessment and Resilience Plan (under development). This commitment would supplant the City's use of any existing surface water licenses and would require the City to ensure that subsequently permitted/approved development and redevelopment (both major and minor) within the RAC be supported by surface water management systems meeting these standards.

Absent this confirmation and commitment, the Department objects to the proposed LUPA as it would allow for the development of an additional 4,000 residential units in an area of recognized existing and future conditions flood risk without assurance of proper flood mitigation, placing both people and assets at risk.

Summary:

The Resilient Environment Department / Resilience Unit requests that the Applicant agrees to a legally enforceable mechanism providing a binding commitment to the above stated request to ensure the design, integration, and construction of surface water management infrastructure needed to serve major and minor development and redevelopment within the RAC, addressing future conditions standards and compound flood conditions predicted in the 2070 planning horizon as a contingency of the LUPA.

ATTACHMENT 17



May 3, 2023



Via Email: jjurado@broward.org
and U.S. Mail

Jennifer Jurado, Ph.D., Deputy Director
Broward County Resilient Environment Department
1 N. University Drive, #203
Plantation, FL 33324

Re: Dania Beach RAC (PCT 22-7) - PPA

Dear Dr. Jurado:

As you are aware, on July 12, 2022, the City of Dania Beach (City) submitted a Text Amendment Application for Amendment to the City of Dania Beach and Broward County Land Use Plans to amend the mix of uses within the Regional Activity Center (RAC). The City subsequently received specific questions and recommendations from the County's Resilient Environment Department (RED) dated 11/3/22 because portions of the RAC were located within the Broward County designated Priority Planning Areas (PPAs) for Sea Level Rise.

Broward County's comments on the land use plan amendment (LUPA) initiated a process within the City to enact policy changes that would improve the City's overall resilience in coordination and collaboration with the County. In response to your department's comments, the City has developed a list of actions to address these concerns contained within a Resolution more fully described below.

On March 20, 2023, the City met with you and your team, including Barbara Blake-Boy, to discuss the content and draft of a proposed resolution. The County provided comments and general support for the draft resolution and provided initial comments in response. In the two weeks subsequent to that meeting, the City requested and received final comments from the County on the Resolution. The City also determined that one key provision of the Resolution related to the consideration of future groundwater conditions within the City's adopted stormwater criteria should be adopted by Ordinance into the Code.

Resolution No. 2023-039 was approved by the City of Dania Beach City Commission unanimously 5 to 0 at its April 25, 2023, meeting. Attached for your reference is a copy of Resolution No. 2023-039 as well as the staff report supporting the resolution.

The Resolution:

- Recognizes the 2019 Unified Sea Level Rise Projections and recognizes Section 380.093 F.S. that requires the use of 2040 and 2070 and NOAA Intermediate Low and Intermediate High for state-funded vulnerability assessments. The City has a grant to perform a vulnerability assessment and that effort is ongoing.
- Recognizes the County's Priority Planning Areas.
- Agrees to include the above projections in the ongoing City's Stormwater Master Plan.
- Acknowledges upcoming work in the City's Comprehensive Plan Evaluation and Appraisal Report process to address Section 163.3178, F.S. related to the "Peril of Flood" Amendments.
- Adopts a city-wide "interim design standard" for new construction projects in accordance with existing stormwater regulations incorporating future groundwater conditions into the pre-development vs. post-development.
- Requires upon completion of the Stormwater Master Plan, a final updated standard is to be recommended and brought to the Commission.

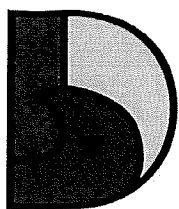
Also, at the April 25, 2023, meeting, the Commission unanimously approved the implementing Ordinance for the stormwater requirements on first reading. A copy of the proposed ordinance is also attached for your reference.

We hope this will address your department's comments regarding the City's modifications to the RAC LUPA. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Eleanor Norena, CFM
Community Development Director



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: April 25, 2023

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, ICMA-CM, City Manager

VIA: Candido Sosa-Cruz, ICMA-CM, Deputy City Manager Sosa-Cruz
Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director

Candido
[Signature]
Digitally signed by
Candido Sosa-Cruz
Date: 2023.03.30 13:55:47
+04'00'

SUBJECT: **OT-029-23:** The applicant, the City of Dania Beach, is requesting a resolution incorporating Sea Level Rise Considerations into future development and to adopt interim design standards for the City's Stormwater Management Plan

Request

Community Development Department is requesting a resolution of support from the City Commission regarding incorporation of sea level rise considerations into future development and adopting interim design standards for the City's Stormwater Management Plan.

Background

Over the past few months, the city has been working with Broward County to respond to comments regarding the City's Future Land Use Amendment requesting dwelling unit replenishment within the City's Regional Activity Center.

On March 20, 2023, the Community Development Department and several City consultants met with Dr. Jurado, Chief Resilience Officer and Deputy Director of the Broward County Resilient Environment Department to confirm the City's plan of action for enforcing applicants to properly mitigate for existing and future flood risk.

The attached resolution was reviewed and discussed with the Broward County Resilient Environment Department at Broward County and acknowledges the work that predated the City's efforts, including:

- Southeast Florida Regional Climate Change Compact in the development of the updated Unified Sea Level Rise projections through 2070.
- Florida Statutes, Section 380.093 entitled "Always Ready" which includes sea level rise projections for the NOAA Intermediate low and Intermediate High projections for 2040 and 2070 to be used in vulnerability assessments.
- Broward County's updated Priority Planning Areas Map Series that identifies areas connected to tidal water bodies and at increased risk of inundation under 3.3 foot sea level rise scenario (also NOAA Intermediate High), projected to occur as soon as 2070 (based on the 2019 Compact Unified Sea Level Rise Projections, 40" from Mean Higher High Water equivalent to an elevation of 3.86' NAVD 88) and numerous other policies and standards related to the review of projects relative to sea level rise.

The resolution also recognizes the current and ongoing actions by the city, including:

- Initiated the development of a Stormwater Master Plan anticipated to be completed by 2024.
- Initiated the Evaluation and Appraisal Report (EAR) for its existing Comprehensive Plan and amendments to include adding “Peril of Flood” and revising the “Coastal Management Element”, anticipated to be completed in 2024.
- Initiated the development of a Vulnerability Assessment as part of the Watershed Planning Grant recently awarded to the City, funded by the Florida Department of Environmental Protection, to be completed in 2024.

While the City continues to work on the implementation of the Stormwater Master Plan, Vulnerability Assessment study, and the Comprehensive Plan amendments, we are proposing to adopt an interim planning and design standard for future flooding conditions consistent with the 2019 Unified Sea Level Rise Projection for Southeast Florida, and the Broward County Priority Planning Areas Map Series for the NOAA Intermediate High projection to be enforced throughout City.

Dr. Jurado has confirmed that this resolution will provide a legal enforceable mechanism they will support the resiliency efforts of both the City and County. Adoption of this resolution will allow the city to move forward with the Future Land Use amendment and will be scheduled for a public hearing at the Broward County Planning Council on May 25, 2023.

A separate ordinance with the proposed interim language will be presented separately.

Recommendation

Staff recommends the City Commission approve the proposed resolution.

RESOLUTION NO. 2023-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, INCORPORATING SEA LEVEL RISE CONSIDERATIONS INTO PROJECT DESIGN FOR ALL NEW CONSTRUCTION IN THE ENTIRE CITY; ADOPTING INTERIM DESIGN STANDARDS FOR THE ENTIRE CITY, INCLUDING BUT NOT LIMITED TO THE COUNTY PRIORITY PLANNING AREAS; AND ESTABLISHING OTHER TECHNICAL AND POLICY CITY-WIDE MILESTONES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2019, the Southeast Florida Regional Climate Change Compact (“the Compact”) developed the Updated Unified Regional Sea Level Rise Projection for the region for the 2000-2120 timeframe using the Intergovernmental Panel on Climate Change (IPCC) Median and National Oceanic and Atmospheric Administration (“NOAA”) Intermediate High sea level rise projection, with the NOAA Intermediate High projection recommended to be generally applied to most projects within a mid-term planning horizon, up to 2070; and

WHEREAS, in 2021, the Florida Legislature enacted Florida Statutes Section 380.093, which is known as the “Always Ready” legislation, that includes sea level rise projections for the NOAA Intermediate Low and Intermediate High projections for 2040 and 2070, projections which are to be used in State-funded vulnerability assessments; and

WHEREAS, in 2021, Broward County adopted an update to its Priority Planning Areas Map Series that identifies areas hydrologically connected to tidally-influenced water bodies that are subject to increased risk of inundation under a 3.3-foot sea level rise scenario (the “NOAA Intermediate High” projection), projected to occur as soon as 2070 (based on the 2019 Compact Unified Sea Level Rise Projections, 40” from Mean Higher High Water equivalent to an elevation of 3.86’ North American Vertical Datum of 1988 (NAVD 88)) and numerous other policies and standards related to the review of projects relative to sea level rise; and

WHEREAS, the City of Dania Beach has initiated the development of a Stormwater Master Plan anticipated to be completed in 2024, which will take into consideration the above projections; and

WHEREAS, the City of Dania Beach has initiated an Evaluation and Appraisal Report (“EAR”) for its existing Comprehensive Plan anticipated to be completed in 2024, and the City has identified compliance with Section 163.3178(2)(f), Florida Statutes as an issue to be addressed within the EAR, which proposed amendments are known as “Peril of Flood” Amendments for the Coastal Management Element; and

WHEREAS, the City of Dania Beach has initiated the development of a Vulnerability Assessment to be completed in 2024, funded by a Resilient Florida grant from the Florida Department of Environmental Protection (“FDEP”); and

WHEREAS, the City of Dania Beach currently recognizes that through the development of: (1) technical information about the City’s stormwater system in the Stormwater Master Plan; (2) its proposed Vulnerability Assessment, meeting the requirements of section 380.093, Florida Statutes, which statute is entitled “Resilient Florida Grant Program; comprehensive statewide flood vulnerability and sea level rise data set and assessment; Statewide Flooding and Sea Level Rise Resilience Plan; regional resilience entities”; and, (3) its policy Amendments to ensure compliance with the State of Florida’s “Peril of Flood” Amendments, these efforts all contemplate the anticipated changes in future conditions related to sea level rise, and require the inclusion, specifically, of the NOAA Intermediate High sea level rise projection in all construction project designs in the entire City, and will require new policy and ordinance development to take these changes into consideration; and

WHEREAS, in the interim, while the City is studying and updating its Stormwater Master Plan, creating its Vulnerability Assessment and preparing the Peril of Flood Amendments, until such time as that technical and policy work is complete, the City of Dania Beach seeks to adopt an *interim* city-wide construction, planning and design standard for stormwater management including future conditions consistent with: 1) the 2019 Unified Sea Level Rise Projection for the region; and, 2) Subsection 380.093(3)(d)3.b., Florida Statutes for the NOAA Intermediate High sea level rise projection (40” or 3.86’ NAVD 88); and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and they are made a specific part of this Resolution.

Section 2. That the City shall adopt the following city-wide “*interim* design standard” for all new construction projects. This city-wide *interim* design standard shall be in addition to the existing Stormwater Management Plan requirements in Article V Stormwater Regulations, Sec. 27-227 of the City’s current Code. The City’s currently adopted level of service for drainage is: “to retain the first inch of rainfall on-site; post-development runoff shall not exceed predevelopment runoff rate for a 25-year storm event, up to and including an event with a 24-hour

duration.” The City also requires a stormwater management plan that conforms to “General Requirements”. The City shall include the following standards to the General Requirements of a stormwater management plan to be known as the “*interim* design standard”:

- (a) Groundwater and surface water stages antecedent to a design event shall be the higher of the average wet season water levels or the applicable control elevations. Broward County Plate WM 2.1 – Future Conditions¹ shall be incorporated into determining the average wet season ground water levels² for use in calculating a design event and shall be incorporated into calculations for the post-development condition and stormwater management requirements for the project.
- (b) All other required Federal, State and County regulatory approvals shall be obtained by permit applicants.

This city-wide *interim* design standard shall be applicable to all construction projects initiated after the adoption of the *interim* design standards, that affects all construction projects that add impervious area or modify pervious area, whether or not City Commission approval is required (public infrastructure and other development) and initiated after the passage of this Resolution, until such time as the updated Stormwater Regulations are developed after the completion of the City’s Stormwater Master Plan is adopted by the City.

Section 3. That consistent with the foregoing, the City:

- a. Commits to develop updated Stormwater Regulations (including, but not limited to, final design standards and levels of service) within one (1) year of completion of the Stormwater Master Plan that incorporate future conditions related to sea level rise, based upon the 2070 NOAA Intermediate High sea level rise projection.
- b. Anticipates adopting its EAR-based Peril of Flood Amendments for the Coastal Management Element of the Comprehensive Plan by 2024, which Plan Amendment shall incorporate the NOAA Intermediate High sea level projection, which may also include amendments to related policies in other Elements of the City’s Comprehensive Plan.

¹ Broward County: Future Conditions Average Wet Season Groundwater Elevation Map: https://www.broward.org/waterresources/Documents/PlateWM2_1_FutureConditions.pdf (5/5/2017).

² Broward County Code of Ordinances, Article V, Sec. 27-200(b)(5)a.3.b)., Antecedent conditions.

c. Will consider the outcomes and recommendations of the already initiated Vulnerability Assessment, which is anticipated to be completed by 2024, and which assessment shall include additional policy adoption and incorporation of standards into the City's proposed Stormwater Regulations and other policies, which amendments are anticipated to be adopted within six (6) months of completion of the City's Vulnerability Assessment.

d. Will review and consider the recommendations of the County-wide Risk Assessment and Resilience Plan (Plan), currently under development, for additional policy adoption, as may be applicable to the City, within one (1) year of County's completion of its Plan, and final adoption or other related action by the Broward County Board of County Commissioners.


Section 4. If the City has not developed updated Stormwater Regulations based upon the Stormwater Master Plan, the City shall consider the status of the Stormwater Master Plan and the *interim* design standard by December 31st, 2024, and determine if updates to the *interim* design standard are necessary. At that time, the City shall consider if any of the technical bases for the *interim* design standard have changed warranting its modification, including but not limited to the Compact or the State's sea level rise projections, the Broward County Future Conditions Average Wet Season Groundwater Elevation Map Series, the Broward County Priority Planning Areas, or new applicable data is developed relevant to the *interim* design standard, and shall address those technical bases by updating the *interim* design standard, as necessary. If the City determines an update to the *interim* design standard is needed based upon that review, the update shall be implemented on or before June 1, 2025. This review shall take place annually, on or before December 31st each year, until such time as the City develops and adopts final Stormwater Regulations, based upon the findings from the City's proposed Stormwater Master.

Section 5. The City shall initiate the adoption of the *interim* design standard via Ordinance by April 25, 2023.

Section 6. That this Resolution shall be in full force and take effect immediately upon its passage and adoption.

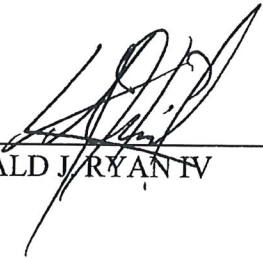
PASSED AND ADOPTED on April 25, 2023.

ATTEST:



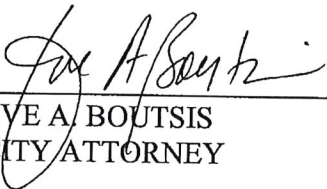
ELORA RIERA, MMC
CITY CLERK





ARCHIBALD J. RYAN IV
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:



EVE A. BOUTSIS
CITY ATTORNEY

ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO UPDATING CERTAIN PROVISIONS OF CHAPTER 27, ENTITLED "WATER AND SEWERS;" AT ARTICLE V, ENTITLED "STORMWATER REGULATIONS," AT SECTION 27-227, ENTITLED "STORMWATER MANAGEMENT PLAN REQUIREMENTS;" TO PROVIDE FOR CITY-WIDE INTERIM DESIGN STANDARDS FOR ALL CONSTRUCTION APPROVED AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2019, the Southeast Florida Regional Climate Change Compact ("the Compact") developed the Updated Unified Regional Sea Level Rise Projections for the region for the 2000-2120 timeframe using the Intergovernmental Panel on Climate Change (IPCC) Median and National Oceanic and Atmospheric Administration ("NOAA") Intermediate High sea level rise projection, with this standard recommended to be generally applied to most projects within a mid-term planning horizon, up to 2070; and

WHEREAS, in 2021, the Florida Legislature enacted Florida Statutes Section 380.093, which is known as the "Always Ready" legislation, that includes sea level rise projections for the NOAA Intermediate Low and Intermediate High projections for 2040 and 2070, which projections are to be used in vulnerability assessments; and

WHEREAS, in 2021, Broward County adopted an update to its Priority Planning Areas Map Series that identifies areas hydrologically connected to tidally-influenced water bodies, and those areas that are at increased risk of inundation under a 3.3 foot sea level rise scenario (the "NOAA Intermediate High" projection), projected to occur as soon as 2070 (based on the 2019 Compact Unified Sea Level Rise Projections, 40" from Mean Higher High Water equivalent to an elevation of 3.86' North American Vertical Datum of 1988 (NAVD 88)) and numerous other policies and standards related to the review of projects relative to sea level rise; and

WHEREAS, the City of Dania Beach has initiated the development of a Stormwater Master Plan anticipated to be completed in 2024, which plan would take into consideration the above standards and projections: and

WHEREAS, the City of Dania Beach has initiated an Evaluation and Appraisal Report (“EAR”) for its existing Comprehensive Plan anticipated to be completed in 2024, and the City has identified compliance with Section 163.3178(2)(f), Florida Statutes as an issue to be addressed within the EAR, which proposed Amendments are known as “Peril of Flood” Amendments for the Coastal Management Element; and

WHEREAS, the City of Dania Beach has initiated the development of a Vulnerability Assessment to be completed in 2024, funded by a Resilient Florida grant from the Florida Department of Environmental Protection (“FDEP”); and

WHEREAS, the City of Dania Beach currently recognizes that through the development of (1) technical information about the City’s stormwater system in the Stormwater Master Plan, (2) its proposed Vulnerability Assessment, meeting the requirements of section 380.093, Florida Statutes, and (3) its policy Amendments to ensure compliance with the for the State of Florida’s “Peril of Flood” Amendments, would all contemplate the anticipated changes in future conditions related to sea level rise, and would require the inclusion, specifically, of the NOAA Intermediate High sea level rise projection in all construction project designs in the entire City, and will require new policy and ordinance development to take these changes into consideration; and

WHEREAS, in the interim, while the City is studying and updating its Stormwater Master Plan, creating its Vulnerability Assessment and preparing the Peril of Flood Amendments, until such time as that technical and policy work is complete, the City of Dania Beach seeks to adopt an *interim* city-wide construction, planning and design standard for stormwater management including future conditions consistent with 1) the 2019 Unified Sea Level Rise Projection for the region; and 2) Subsection 380.093(3)(d)3.b., Florida for the NOAA Intermediate High sea level rise projection (40” or 3.86’ NAVD 88); and

WHEREAS, Chapter 27 of the City’s Code of Ordinances, entitled the “Water and Sewer” is being modified to include the proposed interim design standards relating to stormwater management plans and sea level rise; and

WHEREAS, the City Commission wishes to amend existing sections of the Code of Ordinances to ensure further clarity to the City’s Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the City of Dania Beach's Code of Ordinances, at Chapter 27, entitled "Water and Sewers;" at Article V, entitled "Stormwater Regulations," at Section 27-227, entitled "Stormwater Management Plan Requirements;" is amended to read as follows:

CHAPTER 27

WATER AND SEWERS

ARTICLE V. - STORMWATER REGULATIONS

* * *

Section 27-227. Stormwater Management Plan Requirements/Interim Design Standards.

A stormwater management plan shall be submitted to the city for all projects that add impervious area or modify pervious area whether or not city commission approval is required. The adopted level of service for drainage is to retain the first inch of rainfall on-site; post-development runoff shall not exceed predevelopment runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.

The city-wide interim design standards, that add impervious are affects all construction projects that add impervious area or modify pervious area, whether or not City Commission approval is required (public infrastructure or private development) shall apply to all construction projects initiated after May 10, 2023. The City is in the process of (1) researching and adopting a Stormwater Master Plan, which will ultimately require additional updates to the City's Stormwater Regulations; (2) conducting an EAR update to the Comprehensive Plan, which shall implement changes to the Flood portion of the Coastal Management Element, to include the NOAA Intermediate Hight sea level projection standards; and (3) the City is in the process of conducting its Vulnerability Assessment, consistent with the requirements of section 380.093, Florida Statutes, entitled "Resilient Florida Grant Program; comprehensive statewide flood vulnerability and sea level rise data set and assessment; Statewide Flooding and Sea Level Rise Resilience Plan; regional resilience entities." Upon completion of the above studies and updates, the City's Stormwater Plan shall be updated as well. In the interim, effective May 10th, 2023, the City's stormwater requirements are updated to require compliance with additional standards as contained below.

All stormwater management plans submitted pursuant to this article shall conform to the following standards:

(1) *General Requirements.* The following general requirements shall be adhered to when developing a stormwater management plan:

a. All stormwater drains, inlets and infiltration structures that have connection to a waterway, shall be designed to include a storm drain stencil message, which reads, "NO DUMPING! DRAINS TO WATERWAY". The stencil message shall be five (5) inches by twenty-nine (29) inches, with a white background and blue letters and made of thermoplastic. All stencils should reflect Flint Trading, Inc., reference item number 89182093HS and if an alternate manufacturer is used, a sample stencil shall be provided to the Building Department for approval prior to installation.

b. Performance standards. Stormwater management plans shall be included in all projects requiring city commission approval. Each plan shall demonstrate that the proposed development activity has been planned, designed and will be constructed and maintained to meet each of the ~~following performance~~ standards of this section 27-227.:

c. Erosion and sedimentation facilities/devices are required for all development and redevelopment projects within the city. Erosion and sedimentation facilities shall receive regular maintenance to ensure that they continue to function properly. Minimum erosion control standards are identified in the section below, "illicit discharge detection and elimination".

d. Groundwater and surface water stages antecedent to a design event shall be the higher of the average wet season water levels or the applicable control elevations. Broward County Plate WM 2.1 – Future Conditions¹ shall be incorporated into determining the average wet season ground water levels² for use in calculating a design event and shall be incorporated into calculations for the post-development condition and stormwater management requirements for the project. [Effective May 10, 2023].

e. All other required Federal, State and County regulatory approvals shall be obtained by permit applicants. [Effective May 10, 2023].

* * *

Section 2. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 4. That this Ordinance shall be effective immediately at adoption on second reading on May 10, 2023.

¹ Broward County: Future Conditions Average Wet Season Groundwater Elevation Map: https://www.broward.org/waterresources/Documents/PlateWM2_1_FutureConditions.pdf (5/5/2017).

² Broward County Code of Ordinances, Article V, Sec. 27-200(b)(5)a.3.b.), Antecedent conditions.

Section 5. That this Ordinance shall be codified after adoption.

PASSED on first reading on April 25, 2023.

PASSED AND ADOPTED on second reading on May 10, 2023.

ATTEST:

ELORA RIERA, MMC
CITY CLERK

ARCHIBALD J. RYAN IV
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

EVE A. BOUTSIS
CITY ATTORNEY

ATTACHMENT 18.A.



March 17, 2023

Via Email: bblakeboy@broward.org
and U.S. Mail

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 S. Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: PCT 22-7 Dania Beach Activity Center

Dear Barbara,

The City of Dania Beach will coordinate with the Broward County Aviation Department regarding residential dwelling units in the areas of the Activity Center that fall within the Airport's 60 DNL and above noise contours as shown on the most recent FAA long range noise contours for the Airport.

Should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Eleanor Norena, CFM

Eleanor Norena, CFM
Community Development Director

ATTACHMENT 18.B.

CFN # 109570290, OR BK 47359 Page 1062, Page 1 of 23, Recorded 09/08/2010 at 09:36 AM, Broward County Commission, Deputy Clerk 1016

Return recorded document to:

Director, Environmental Protection &
Growth Management Department
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

Document Prepared by:

Christine C. Lee, Senior Assistant County Attorney
Office of Broward County Attorney
c/o Aviation Department
100 Aviation Boulevard
Fort Lauderdale, Florida 33315

NOTICE: DEVELOPERS, PURCHASERS, GRANTEES, HEIRS, SUCCESSORS AND ASSIGNS OF ANY INTEREST IN THE PROPERTY SET FORTH ON EXHIBIT "D" ARE HEREBY PUT ON NOTICE OF THE OBLIGATIONS SET FORTH WITHIN THIS AGREEMENT WHICH SHALL RUN WITH THE PROPERTY UNTIL FULLY PERFORMED.

**AGREEMENT RESTRICTING NEW RESIDENTIAL DWELLING UNITS
WITHIN 60+ DNL NOISE CONTOURS
AND NON-AIRPORT COMPATIBLE LAND USES**

This is an Agreement, made and entered into by and between: **BROWARD COUNTY**, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

CITY OF DANIA BEACH, a municipal corporation of the state of Florida hereinafter referred to as "CITY."

RECITALS

WHEREAS, CITY initiated a proposed Land Use Plan Amendment (PC 09-5) ("Amendment PC 09-5") establishing a Regional Activity Center ("RAC") land use designation, to promote economic vitality and community redevelopment within the CITY, a legal description is attached hereto as Exhibit "D"; and

WHEREAS, the CITY is proposing the inclusion of approximately 7,818 residential dwelling units within the RAC; and

WHEREAS, CITY is in the process of approving a redevelopment plan for vacant, residentially zoned Property, containing approximately 42+/- acres which are currently vested for a maximum of 402 dwelling units, more particularly described in Exhibit "A", Exhibit "B" and Exhibit "C" attached hereto ("Property"); and

Approved BCC

8/10/10 # 53

Submitted By

Ken Ingram

RETURN TO DOCUMENT CONTROL

(23)

WHEREAS, the CITY seeks to maintain the existing residential development rights on the vacant, residentially zoned "Property" described in Exhibit "A", Exhibit "B" and Exhibit "C"; and

WHEREAS, COUNTY is the owner and operator of the Fort Lauderdale-Hollywood International Airport ("Airport"); and

WHEREAS, CITY agrees to prohibit new residential dwelling units in the areas of the RAC that fall within the Airport's 60 DNL and above noise contours as shown on the most recent FAA accepted long range noise exposure contours for the Airport ("60+ DNL Area"), except as provided for by Sections 2.03 and 2.05, and to prohibit non-airport compatible uses within the RAC as identified in Chapter 333, Florida Statutes, and also Table 1, 14 CFR Part 150, Appendix B, as amended from time to time; and

WHEREAS, CITY has voluntarily agreed to enter into this Agreement as a condition of approval of Amendment PC 09-5 to enable legal enforcement of the commitments made by the CITY to the COUNTY herein; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, and covenants hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COUNTY and CITY agree as follows:

1. RECITALS

1.01 The above recitals are true and correct and incorporated herein by reference.

1.02 For the purposes of this Agreement, "current Noise Exposure Map for the Airport" shall mean and refer to the then most recent FAA accepted long range noise exposure contours for the Airport.

2. LAND USE REQUIREMENTS

2.01 Except as provided for in Section 2.03, CITY agrees that it will not accept an application for a building permit for any new residential dwelling unit within that portion of the RAC located within the 60+ DNL Area and it will not permit any non-airport compatible land uses within the RAC, as identified in Chapter 333, Florida Statutes, and also Table 1, 14 CFR Part 150, Appendix B, as amended from time to time.

2.02 CITY shall provide written notice to the COUNTY's Director of the Environmental Protection and Growth Management Department, or designee, upon site plan or plat approval of any residential project authorized pursuant to Amendment PC 09-5. Such notification shall include project location and number and type of units at the time of site plan or plat approval and shall be confirmed by the CITY at the time of building permit.

2.03 Any other requirements of this Agreement notwithstanding, the following conditions will be exempt from the requirements of Section 2.01:

- (a) Any residential project which is the subject of an approved, unexpired plat, site plan or building permit where said approval was issued prior to December 8, 2009, or any property which was residentially zoned as of December 8, 2009, provided the number of residential dwelling units shall not be increased above the number that was approved prior to December 8, 2009.
- (b) Replacement of residential dwelling units that existed on a parcel prior to December 8, 2009, provided there shall be no increase in the number of residential dwelling units above the number that existed on the parcel on December 8, 2009.
- (c) Issuance of building permits for new residential dwelling units constructed within the parcels depicted on the attached Exhibit "A", Exhibit "B" and Exhibit "C" provided there shall be no increase in the amount of residential density above the amount of residential density that was permitted on any said parcel prior to December 8, 2009.

2.04 CITY agrees that any application for a residential building permit for any new residential dwelling unit authorized under Sections 2.03 and 2.05 and within that portion of the RAC located within the 60+ DNL Area shall be subject to the requirement that the developer provide appropriate noise mitigation measures for such residential dwelling unit in order to achieve outdoor-to-indoor Noise Level Reduction (NLR) of at least twenty-five decibels (25 dB) to thirty decibels (30 dB).

2.05 CITY agrees that any application for a residential building permit for any new residential dwelling unit on property which was not located within that portion of the RAC located within the 60+ DNL Area under the current Noise Exposure Map for the Airport as of the execution of this Agreement, but which falls within the 60+ DNL Area under any subsequent change to the current Noise Exposure Map for the Airport, shall be subject to the requirement that the developer record a separate document in the Broward County public records against all the property in the subject development to provide notification of potential aircraft overflight and noise impacts on the property pursuant to Subsection 5-182 (n), Broward County Code of Ordinances.

2.06 Prior to issuance of a building permit for the construction or erection of any structure to be located in the RAC, CITY shall verify that CITY and the developer are complying with the provisions of this Section 2.

3. DEFAULT BY CITY

3.01 CITY, its successors and assigns, agrees that no building permit or certificate of occupancy shall be obtained from the CITY for any new residential dwelling

unit within that portion of the RAC located within the 60+ DNL Area, except as specifically provided for in Sections 2.03 and 2.05, or for any non-airport compatible land use within the RAC, as identified in Chapter 333, Florida Statutes, and also Table 1, 14 CFR Part 150, Appendix B, as amended from time to time. Failure to comply with these requirements shall constitute a default of this Agreement.

3.02 Nothing herein shall waive or affect the right of COUNTY to otherwise require the CITY to comply with the conditions of Amendment PC 09-5 and this Agreement by any remedy provided by law or equity. In the event of a breach of this Agreement, or if enforcement of this Agreement is required, the parties agree that COUNTY shall not be obligated to pay for any noise mitigation measures or for any other measures, or take any action whatsoever, with respect to any residential projects or other projects within the RAC that are not in compliance with this Agreement.

3.03 A failure by CITY to perform hereunder shall be considered a material breach of this Agreement and COUNTY shall be entitled to seek such legal remedies against CITY as may be available to COUNTY.

4. GOVERNMENTAL IMMUNITY

4.01 CITY is a municipality as defined in Chapter 768.28, Florida Statutes, and agrees to be responsible for acts and omissions of its agents or employees when required by law. Nothing herein is intended to serve as a waiver of sovereign immunity by CITY to the extent sovereign immunity may be applicable. Nothing herein shall be construed as consent by CITY to be sued by third parties in any matter arising out of this Agreement or any other contract.

4.02 COUNTY is a political subdivision of the state as defined in Chapter 768.28, Florida Statutes, and agrees to be responsible for acts and omissions of its agents or employees when required by law. Nothing herein is intended to serve as a waiver of sovereign immunity by COUNTY to the extent sovereign immunity may be applicable. Nothing herein shall be construed as consent by COUNTY to be sued by third parties in any matter arising out of this Agreement or any other contract.

5. CONTRACT INDEMNIFICATION BY CITY

As consideration for the COUNTY entering into this Agreement with CITY and adopting the Land Use Plan Amendment identified in this Agreement, CITY shall, to the full extent permitted by law, at all times indemnify, hold harmless and, at the County Attorney's option, defend or pay for an attorney selected by the County Attorney to defend COUNTY, its officers, agents, servants, and employees from and against any and all causes of action, demands, claims, losses, liabilities and expenditures of any kind, including attorney fees, court costs, and expenses, related in any respect to the subject matter of this Agreement, the RAC or any development within the RAC, including without limitation, any and all claims, losses, liabilities,

expenditures, demands or causes of action of any nature whatsoever resulting from injuries or damages sustained by any person or property, or resulting from any inverse condemnation action or other takings related claims. In the event any lawsuit or other proceeding is brought against COUNTY by reason of any such claim, cause of action or demand, CITY shall, upon written notice from COUNTY, resist and defend such lawsuit or proceeding by counsel satisfactory to COUNTY or, at COUNTY's option, pay for an attorney selected by County Attorney to defend COUNTY. The provisions and obligations of this section shall survive the expiration or earlier termination of this Agreement.

6. INSURANCE

CITY is an entity subject to Section 768.28, Florida Statutes, and CITY shall furnish COUNTY with written verification of liability protection in accordance with state law prior to final execution of this Agreement.

7. NOTICES

Whenever either party desires to give notice to the other, such notice must be in writing, sent by certified United States Mail, postage prepaid, return receipt requested, or by hand-delivery with a request for a written receipt of acknowledgment of delivery, addressed to the party for whom it is intended at the place last specified. The place for giving notice shall remain as set forth herein until changed in writing in the manner provided in this section. For the present, the parties designate the following:

FOR BROWARD COUNTY:

County Administrator
Government Center, Suite 409
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

WITH COPY TO:

Director
Environmental Protection and Growth Management Department
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

FOR CITY:

City Manager
City of Dania Beach
100 West Dania Beach Boulevard
City of Dania Beach, Florida 33004

8. THIRD PARTY BENEFICIARIES

Neither CITY nor COUNTY intends to directly or substantially benefit a third party by this Agreement. The parties expressly acknowledge that it is not their intent to create any rights in or obligations to any third person or entity by this Agreement; therefore, the parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement.

9. WAIVER OF BREACH

COUNTY's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement unless it is in writing, signed by COUNTY, and such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver, shall not be deemed a waiver of any subsequent breach, and shall not be construed to be a modification of any of the terms of this Agreement.

10. SEVERANCE

In the event that a provision of this Agreement is found by a court of competent jurisdiction to be invalid, illegal or unenforceable, the remaining provisions shall continue to be effective.

11. JOINT PREPARATION AND INTERPRETATION

The parties acknowledge that they have sought and received whatever competent advice and counsel necessary for them to form a full and complete understanding of all rights and obligations herein and that the preparation of this Agreement has been their joint effort. The language agreed to herein expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than any other.

12. CONSTRUCTION OF AGREEMENT; COOPERATION

The parties agree that they will cooperate, act in good faith, and make best efforts to accomplish any and all of the terms, conditions, and provisions of this Agreement, and shall take all appropriate and necessary actions and execute such additional documents as are necessary to effectuate this Agreement.

13. PRIORITY OF PROVISIONS

If there is a conflict or inconsistency between any term, statement, requirement, or provision of any exhibit attached hereto, any document or events referred to herein, or any document incorporated into this Agreement by reference and a term, statement, requirement, or provision of this Agreement, the term, statement, requirement, or provision contained in Articles 1 through 20 of this Agreement shall prevail and be given effect.

14. JURISDICTION, VENUE, WAIVER OF JURY TRIAL

This Agreement shall be interpreted and construed in accordance with and governed by the laws of the state of Florida. The parties agree and accept that jurisdiction of any controversies or legal problems arising out of this Agreement, and any action involving the enforcement or interpretation of any rights hereunder, shall be in the state courts of the Seventeenth Judicial Circuit in Broward County, Florida, and venue for litigation arising out of this Agreement shall be in such state courts, forsaking any other jurisdiction which either party may claim by virtue of its residency or other jurisdictional device. By entering into this Agreement, CITY and COUNTY hereby expressly waive any rights either party may have to a trial by jury of any civil litigation related to this Agreement.

15. AMENDMENTS

No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by COUNTY and CITY, or others delegated authority to, or otherwise authorized to, execute same on their behalf.

16. PRIOR AGREEMENTS

This document represents the final and complete understanding of the parties and incorporates or supersedes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein. The parties agree that there is no commitment, agreement, or understanding concerning the subject matter of this Agreement that is not contained in this written document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representation or agreement, whether oral or written.

17. REMEDIES

In the event of breach or default of any term, condition, covenant, or obligation of this Agreement by either party, the other party may exercise any right available to it at law or equity, including without limitation, actions for specific performance and injunctive relief, and all such remedies shall be cumulative.

18. INCORPORATION BY REFERENCE

The truth and accuracy of each "Whereas" clause set forth above is acknowledged by the parties. The attached Exhibit "A", Exhibit "B", and Exhibit "C" are incorporated into and made a part of this Agreement.

19. RECORDING OF AGREEMENT

The CITY agrees to record this Agreement in the Official Records of Broward County, Florida, at its expense.

20. MULTIPLE ORIGINALS


Multiple copies of this Agreement may be executed by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]


IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY through its Board of County Commissioners, signing by and through its Mayor or Vice Mayor, authorized to execute same on the 10th day of August, 2010, and CITY, signing by and through its Mayor or Vice Mayor, duly authorized to execute same on the 2 day of Sept, 2010.

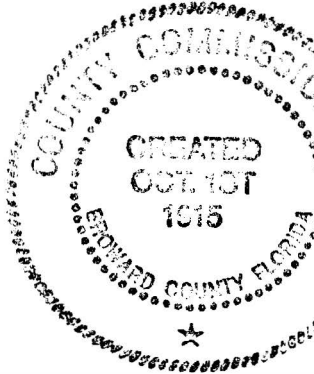
COUNTY

ATTEST:

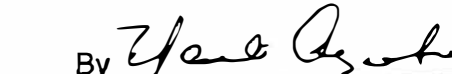

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward County,
Florida

BROWARD COUNTY, by and through its
Board of County Commissioners

By  Mayor
2 day of Sept, 2010.



Approved as to form
Jeffrey J. Newton, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301
Telephone: 954-357-7600
Telecopier: 954-357-7641

67 By 
Christine C. Lee,
Senior Assistant County Attorney

File 09-071.63
May 11, 2010

**AGREEMENT BETWEEN CITY OF DANIA AND COUNTY RESTRICTING NEW
RESIDENTIAL DWELLING UNITS WITHIN 60+ DNL NOISE CONTOURS AND NON-
AIRPORT COMPATIBLE LAND USES**

CITY

ATTEST:

CITY OF DANIA BEACH

Miriam Kassis
DEPUTY City Clerk

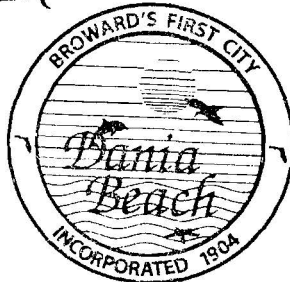
By *[Signature]* Mayor

24 day of AUGUST, 2010.

[Signature]
CITY MANAGER

Approved as to Form:

By *[Signature]*
Thomas J. Ansbro, City Attorney



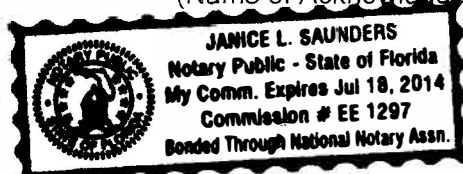
ACKNOWLEDGEMENT FOR CITY

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 25 day of August, 2010, by C.K. McElroy as Mayor/Vice Mayor of the City of Dania Beach, a Florida municipal corporation, on behalf of the municipal corporation, who is personally known to me.

My Commission Expires: 7/18/2014 Janice Saunders.
(Signature of Notary taking acknowledgement)
NOTARY PUBLIC, STATE OF FLORIDA

Commission Number: #EE 1297.
Janice Saunders
(Name of Acknowledger typed/printed/stamped)

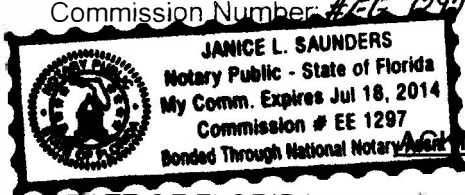


STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 25 day of August, 2010, by Miriam Nasser, as City Clerk of the City of Dania Beach, a Florida municipal corporation, on behalf of the municipal corporation, who is personally known to me.

My Commission Expires: 7/18/2014 Janice Saunders.
(Signature of Notary taking acknowledgement)
NOTARY PUBLIC, STATE OF FLORIDA

Commission Number: #EE 1297
Janice Saunders.
(Name of Acknowledger typed, printed or stamped)



ACKNOWLEDGEMENT FOR COUNTY

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ as Mayor/Vice Mayor of the Broward County Board of County Commissioners, a political subdivision of the State of Florida, on behalf of Broward County, who is personally known to me.

My Commission Expires: _____
(Signature of Notary taking acknowledgement)
NOTARY PUBLIC, STATE OF FLORIDA

Commission Number: _____

(Name of Acknowledger typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTIONS AND SKETCH
(Exempt area pursuant to Subsection 2.03(c))

EXHIBIT "A"
Page 1 of 2

LEGAL DESCRIPTION

Lots 1,2, and 3 "The Pavilion", According to the Plat thereof, as recorded in Plat Book 77, at Page 20, of the Public Records of Broward County, Florida.

Together with:

The East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, of the SW $\frac{1}{4}$, Section 35, Township 50 South, Range 42 East, Broward County, Florida, and the west 30 feet of Parcel A, "Roddy Dania Plat No. 1", according to the plat thereof, as recorded in Plat Book 102, at page 26 of the Public records of Broward County, Florida.

Rezoned to RM-2 by City of Dania Beach Ordinance 2004-015 on April 13, 2004

EXHIBIT "A"
Page 2 of 2

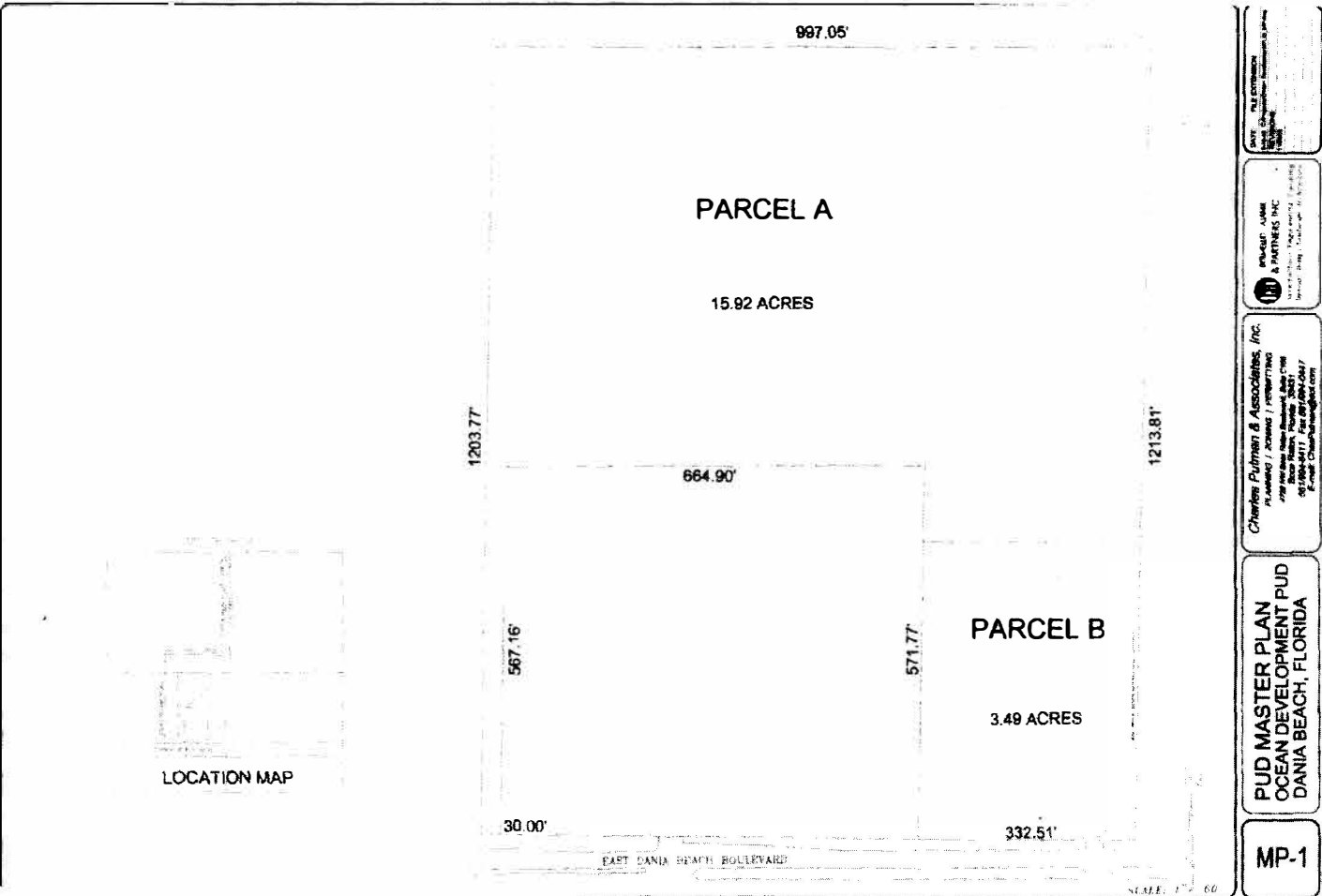


EXHIBIT "B"

LEGAL DESCRIPTION AND SKETCH
(Exempt area pursuant to Subsection 2.03(c))

EXHIBIT "B"
Page 1 of 3

LEGAL DESCRIPTION

Parcel B, "Dania Jai-Alai Plat", According to the Plat thereof, as recorded in Plat Book 177, at Page 170, of the Public Records of Broward County, Florida.

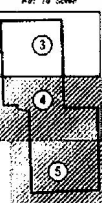
PLAT BOOK 177, PAGE 17A

LEGEND: SHEET 3 OF 5

CFN #107753711
Page 3 of 5

SHEET KEY

THIS SHEET



NOTES:

1. BENCHMARK OF DESIGN:
Broward County Benchmark #1270, ("X" cut in center of West building at 1000 East Dania Beach Boulevard, approximately 1 mile west of Federal Highway).
Elevation = 6.970' (Referenced to M.C.V.D. of 1928).
2. The bearings shown herein are based on the centerline of Northeast 3rd Avenue. Solid line bears N01°45'47"W.
3. NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will be no circumvented be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions not recorded on this plat, that may be found in the public records of Broward County.
4. If a building permit for a principal building (excluding dry storage, sales and construction offices) and first inspection approval are not issued by November 15, 2010, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, demonstrating compliance with this requirement within the above referenced time frame.
5. This plat is restricted to 328,000 square feet of Gaming Facility which includes 100,000 square feet of Casino, a 1000 Seat Fronton and 187,000 square feet of Ancillary Commercial use on Parcel A, 54 Single Family Detached Units on Parcel B, and 1,158 Acres of Active Park on Parcel C.
Any structure within this plat must comply with Section IV D.1.L, Development Review Requirements, of the Broward County Land Use Plan, regarding the use of the property.
This note is required by Chapter 8, Article 10, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner, including an owner or owner of property within this plat who took title to the property with reference to this plat.
6. The following note is required by the Broward County Surveyor pursuant to Chapter 177.091, Subsection 28, Florida Statutes. Platted Utility Easements are also easements for the construction, installation, maintenance, and operation of cable television services provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This note does not apply to private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such easements, in location, maintenance, and operation shall comply with the National Electric Safety Code as adopted by the Florida Public Service Commission.

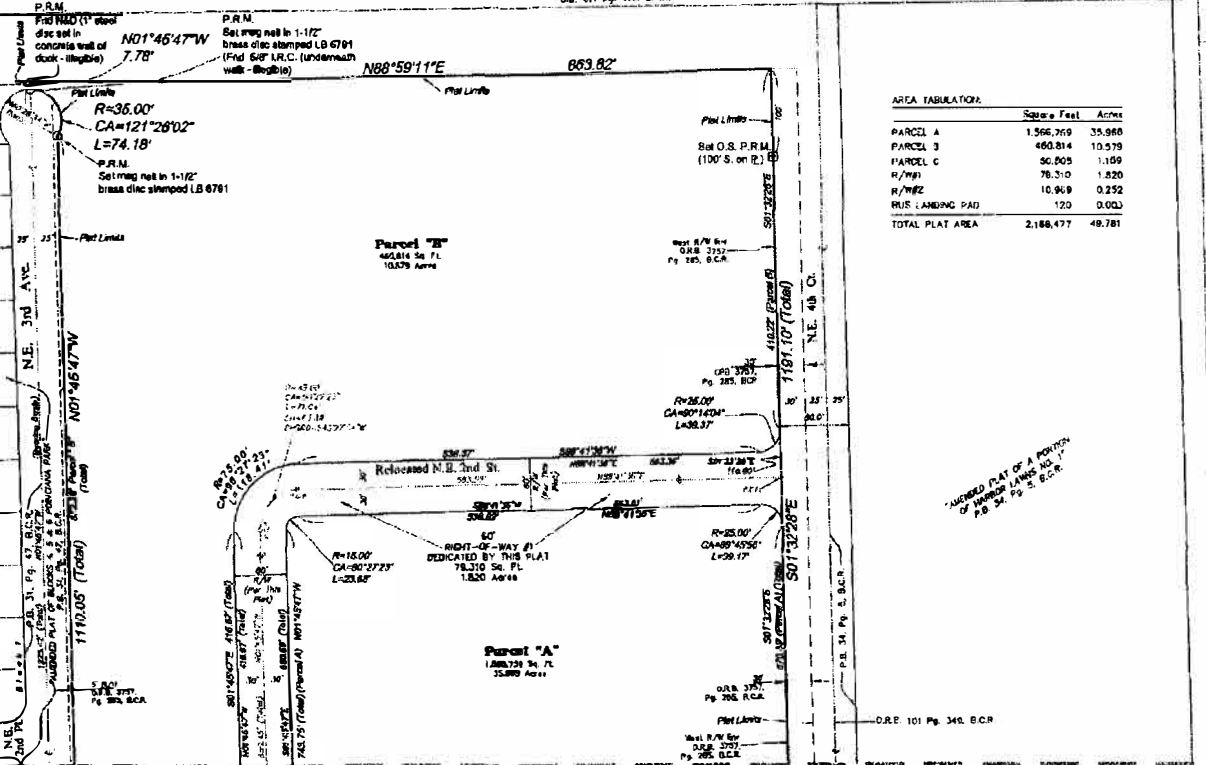
DANIA JAI-ALAI PLAT

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 42 EAST; TOGETHER WITH A REPLAT OF PORTIONS OF BLOCK 4, HARBOR LAWS NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 43, TOGETHER WITH A REPLAT OF PORTIONS OF BLOCKS 1, 2, 3, 4, 5, 6 AND 7, AND ADJOINING VACATED ROADWAYS AS SHOWN ON "AMENDED PLAT OF HARBOR LAWS NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 48, AND TOGETHER WITH A REPLAT OF ALL OF "CAYDEN'S CORNER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 38 AND 37. ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH PORTIONS OF NORTHEAST 2ND STREET AND NORTHEAST 3TH AVENUE, ALL LYING IN SECTION 34, TOWNSHIP 38 SOUTH, RANGE 42 EAST, CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA.

DANIA CUTOFF CANAL
D.B. 411 Pg. 417, 6.C.R.



This Instrument Prepared By
Gregory J. Clemente, P.E.M.
Cable, Gregory & Associates, Inc.
Engineers, Surveyors, Planners
1800 River Drive, Suite 600
77, Lauderdale, Florida, 33306
Phone: 954.521.7700 Fax: 954.521.8809
Certificate of Authorization No. 12, 878
May, 2007



AREA TABULATION	Square Feet	Acres
PARCEL A	1,596,369	35.986
PARCEL B	480,814	10.979
PARCEL C	56,905	1.299
R/W/MS	76,310	1.720
R/W/MS	10,969	0.252
RUS LANDING PAD	120	0.002
TOTAL PLAT AREA	2,186,477	49.781

LEGEND:

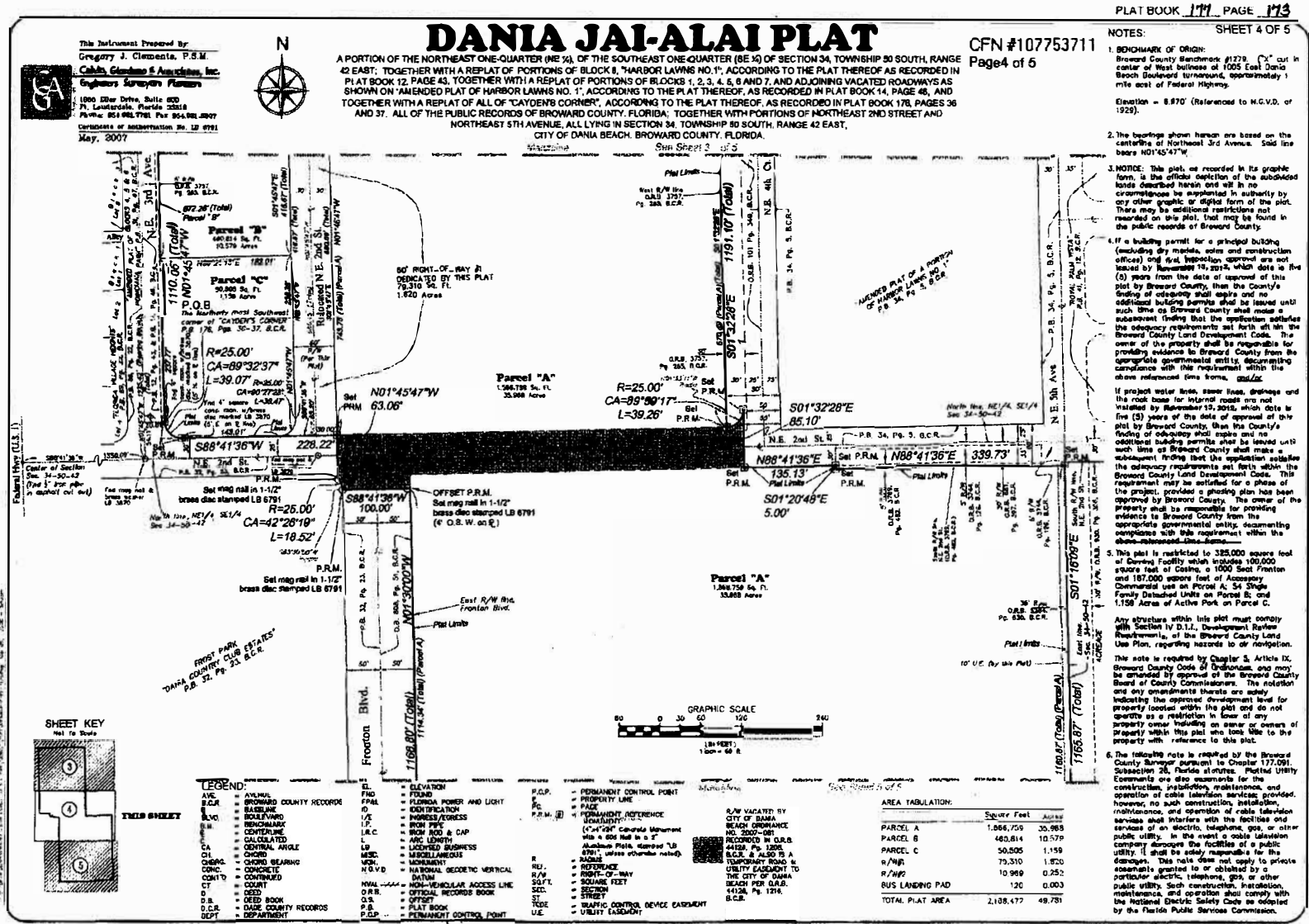
- | | | | | | |
|------|------------------------|----------|-----------------------|----------|----------------------------------|
| AVE. | AVENUE | DEPT. | DEPARTMENT | P.C.P. | PERMANENT CONTROL POINT |
| B.C. | BROWARD COUNTY RECORDS | E. | EASMENT | P. | PROPERTY LINE |
| B.V. | BASELINE | F.P. | FENCE | P.M. | PERMANENT REFERENCE MONUMENT |
| B.W. | BUILDING | F.P.A.L. | FENCE POWER AND LIGHT | P.M. (S) | PERMANENT REFERENCE MONUMENT (S) |
| B.M. | BENCHMARK | I.C. | IRON ROD | R. | RECURSIVE |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | R/W | RIGHT-OF-WAY |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | S.F. | SQUARE FEET |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | S.E.C. | SECTION |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | S.T. | STREET |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | T.C.D. | TRAFFIC CONTROL DEVICE |
| B.C. | BROWARD COUNTY RECORDS | I.C.C. | IRON ROD & CAP | U.E. | UTILITY EASEMENT |



EXHIBIT "B"
Page 2 of 3

028-MP-07

EXHIBIT "B"
Page 3 of 3



18

EXHIBIT "C"

LEGAL DESCRIPTION AND SKETCH
(Exempt area pursuant to Subsection 2.03(c))

EXHIBIT "D"

LEGAL DESCRIPTION AND SKETCH OF RAC

EXHIBIT "D"

Page 1 of 2

DESCRIPTION OF THE SIZE AND BOUNDARIES OF THE AMENDMENT:

The total land area of the amendment is 1,349.1 acres. The boundaries of the amendment site are congruous with the expanded boundaries of the City of Dania Beach Community Redevelopment Area (CRA) as proposed for adoption.

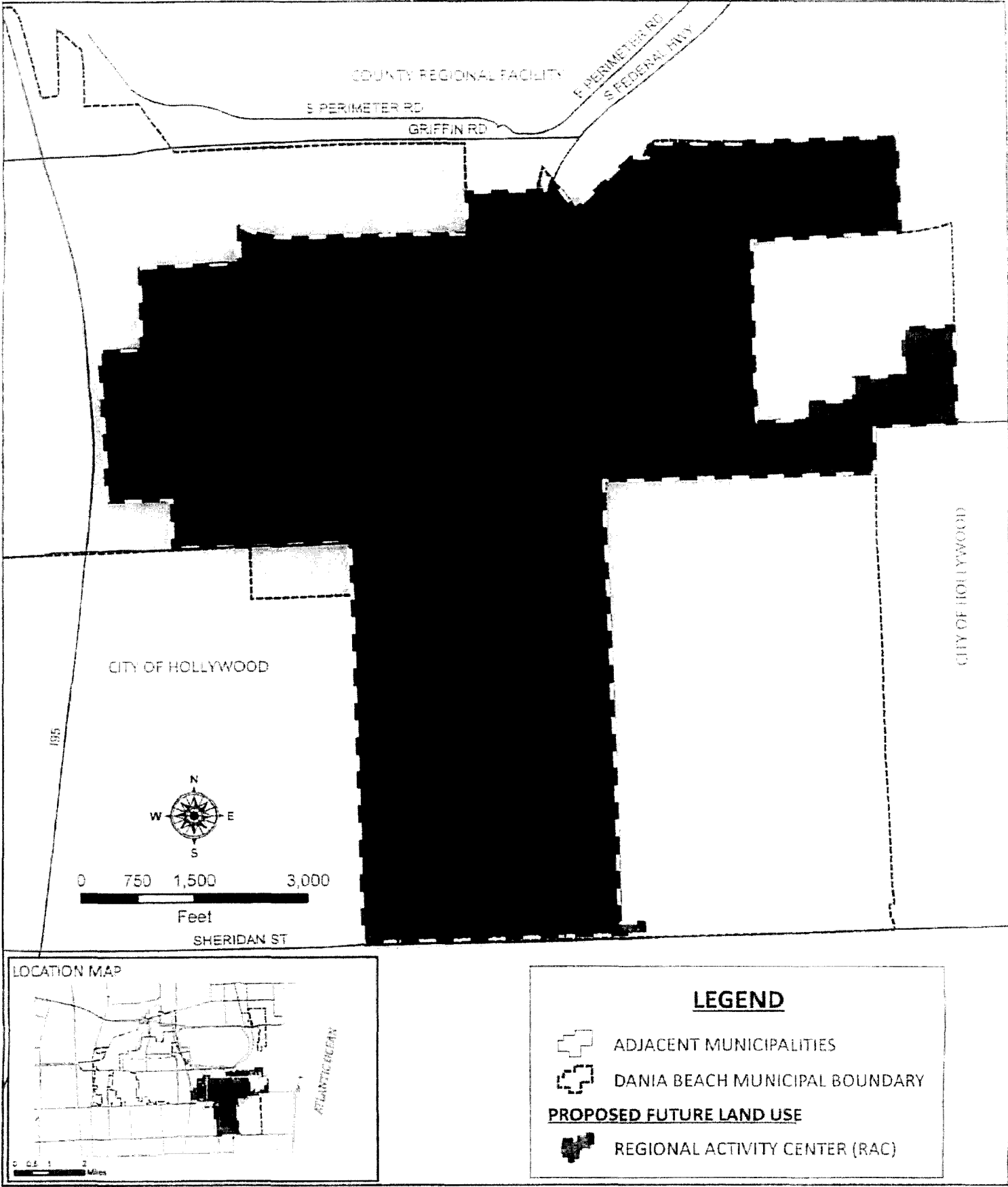
LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE AMENDED:

Commencing at the intersection of Sheridan Street and North 22nd Avenue, the Community Redevelopment Area boundary extends east along Sheridan Street to SE 3rd Avenue, then north to SE 15th Street, then west to SE 2nd Avenue, then north along SE 2nd Avenue to SE 1st Street, then east along SE 1st Street to the city limits of Dania Beach, then north to Dania Beach Boulevard, then east along Dania Beach Boulevard to the city limits of Dania Beach, then north approximately 1,300 feet, then west approximately 680 feet, then south approximately 630 feet, then west to Gulfstream Road, then south approximately 315 feet, then west approximately 640 feet, then south to Dania Beach Boulevard, then west along Dania Beach Boulevard to NE 5th Avenue, then north along NE 5th Avenue to the Dania Beach cut-off canal, then east along the canal approximately 2,000 feet, then north approximately 1,285 feet to the city limits of Dania Beach, then west along the city limits of Dania Beach until reaching the single family homes located on NW 6th Avenue, then south along the east property line of the aforementioned homes to the Dania Beach cut-off canal, then west along the canal to North Bryan Road, then south approximately 510 feet, then west approximately 1,325 feet, then south approximately 1,100 feet, then west to I-95, then south along I-95 and continuing south along the I-95 ramp approximately 2,030 feet, then east 875 feet, then south to Stirling Road, then east along Stirling Road to North 22nd Avenue, then south along NE 22nd Avenue to the point of commencement. Said area containing 1,349.1 acres more or less.

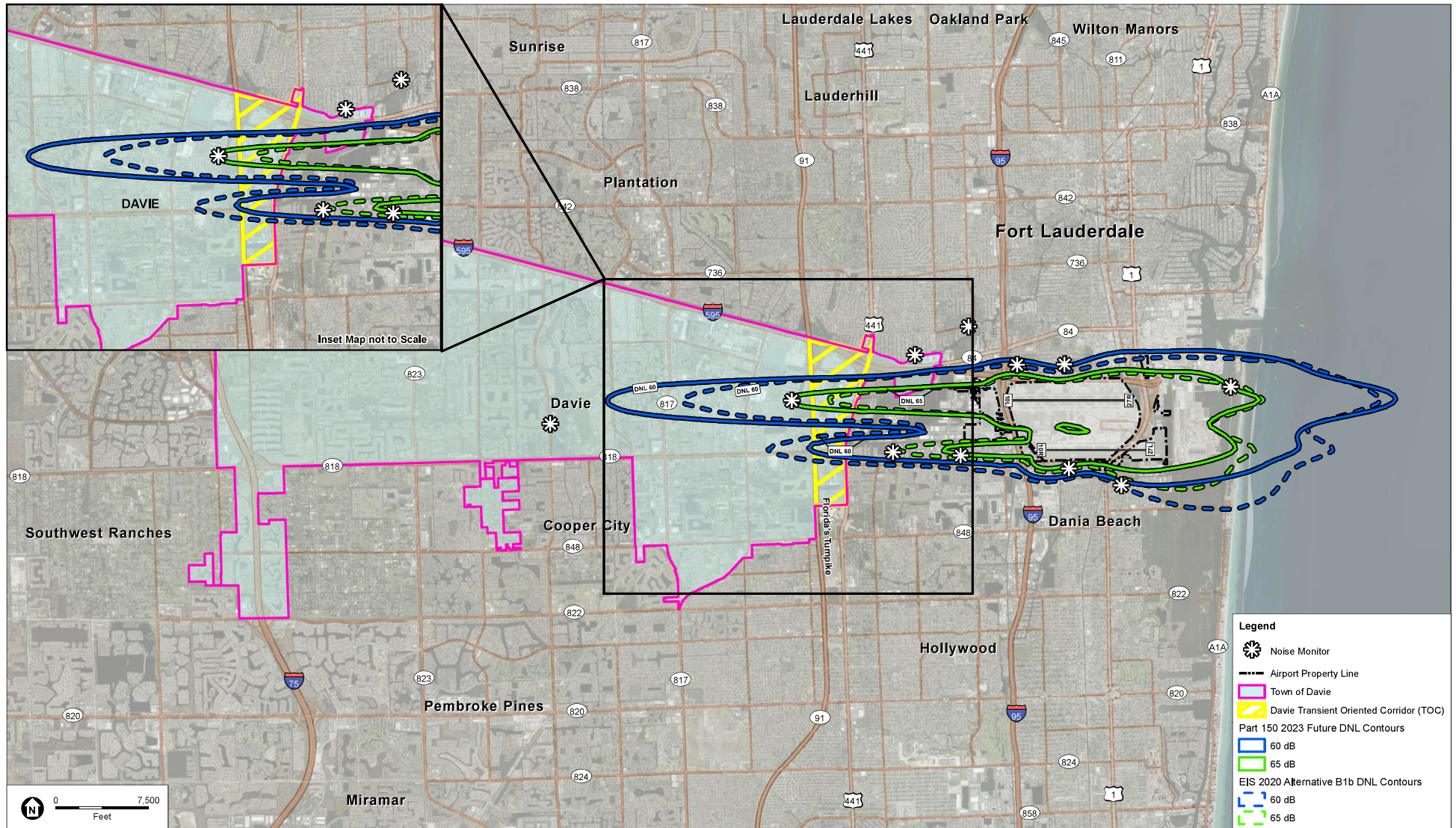
CITY OF DANIA BEACH LAND USE PLAN AMENDMENT APPLICATION

PROPOSED FUTURE LAND USE, LOCATION, AND BOUNDARY MAP

EXHIBIT "D"
Page 2 of 2



ATTACHMENT 18.C.



SOURCE: Esri, AEDT 2d; FLL 9R-27L EIS, 2008; Adapted by ESA, 2018, Fort Lauderdale-Hollywood International Airport 14 CFR Part 150 Study .

Figure 1
Part 150 2023 versus EIS 2020 Alternative B1b DNL 60 and 65 Noise Contours
Fort Lauderdale-Hollywood International Airport

ATTACHMENT 19



PARKS AND RECREATION DIVISION • Administrative Offices
950 N.W. 38th St. • Oakland Park, FL 33309-5982 • 954.357.8100 • TTY 954.537.2844 • FAX 954.357.5991

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Park and Recreation Agencies (CAPRA)*

MEMORANDUM

July 5, 2022

To: Barbara Blake Boy, Executive Director
Broward County Planning Council



Thru: Dan West, Director
Parks and Recreation Division

West, Dan

Digitally signed by West, Dan
Date: 2022.07.06
13:45:33 -04'00'

From: Linda Briggs Thompson, Environmental Program Manager *LBT*
Parks and Recreation Division

Re: **Land Use Plan Amendment Comments**
Proposed Amendment PCT 22-7, Dania Beach Regional Activity Center (Dania Beach)

Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan for Dania Beach Regional Activity Center (Dania Beach). Our comment is as follows:

PCT 22-7 No objections to the Land Use Plan Amendment. However, regional park impact fees will be required for the additional 4,000 dwelling units planned for this project.

If you or your staff has any questions about our comments, please call me at 954-357-8120.

ATTACHMENT 20



Public Works Department

WATER MANAGEMENT DIVISION

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



DATE: June 29, 2022

TO: Leny Rosa Huaman, Program/Project Coordinator
Broward County Planning Council

FROM: Susan Juncosa
Broward County Water Management Division

SUBJECT: PC 22-7 City of Dania Beach Regional Activity Center
Land Use Amendment

Dear Ms. Huaman:

The information in the above-captioned Land Use Plan Amendment (LUPA) application is essentially correct.

Our office has no objection to this Land Use Plan Amendment.

Sincerely,

A handwritten signature in blue ink that reads "Susan Juncosa".

Susan Juncosa
Natural Resource Specialist
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0778
E-mail: sjuncosa@Broward.org

ATTACHMENT 21

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 22-7

Dania Beach Activity Center

Acreage: Approximately 1,344.0 acres

General Location: Generally located east of Interstate 95, between Griffin Road and Sheridan Street.

Density and Intensity of Land Uses:*

Residential Land Uses: 11,818 ~~7,818~~ dwelling units**

Hotel: 640 rooms

Commercial Land Uses: 264.0 ~~294.0~~ acres plus an additional 500,000 square feet

Industrial Land Uses: 247.5 acres

Employment Center Land Uses: 74.5 acres

Parks and Recreation Land Uses: 40.5 acres minimum

Community Facilities Land Uses: 36.2 acres maximum

Transportation Land Uses: 6.5 acres

Conservation Land Uses: 2.6 acres minimum

Utilities Land Uses: 2.5 acres maximum

Remarks:

Chapter 163 Community Redevelopment Area, provides access to Fort Lauderdale-Hollywood International Airport and Port Everglades, and is located around the proposed FEC commuter rail alignment.

*Acreage for non-residential land uses will be assigned on a gross acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc. Within mixed use projects, acreage shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross acreage of the development parcel will be assigned to A).

**Consisting of 3,683 multi-family units, 2,665 ~~2,348~~ single-family units, 286 duplexes, 2,047 townhomes ~~townhouse units~~, 972 garden apartments ~~units~~ and 2,165 high or mid-rise units¹. Dwelling units from any given category (ex. single-family, townhouse, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation using the County's adopted student generation rates.

At least 600 (15%) of the additional 4,000 dwelling units permitted by PCT 22-7 will be affordable at the "moderate-income" (up to 120% of the median income) level or below for a minimum period of 30 years.

Prior to the site plan approval of unit 2,001 of the 4,000 additional dwelling units, the City shall demonstrate that at least 300 of the permitted or built units are deed restricted as affordable (up to 120% of area median income adjusted for family size) for a period of at least 30 years. If the City is unable to demonstrate that at least 300 of the permitted or built dwelling units meet that criteria, no additional market rate units shall be permitted or built until such time that the City provides an implementation action plan or program that is reviewed by the Planning Council and approved by the County Commission. Per Broward County Land Use Plan Policy 2.4.12, a written record reflecting the current status of allocated or assigned dwelling units shall be transmitted to the Planning Council twice per year, during the months of January and July, and shall include the referenced affordable units, including the location and annual confirmation of income certification.

No more than 5,367 ~~3,867~~ dwelling units shall be located east of U.S. 1 ~~in Traffic Evacuation Zone 16, as per the Broward County Hurricane Evacuation Study, 2001.~~

No building permits issued for new residential development within the Airport's current 60+ DNL noise contour, as amended and as clarified by the County Commission that areas within the 60+ DNL where residential was previously permitted by land use and/or zoning of residential may continue to allow residential development.

~~Prior to the issuance of any building permit of development, the City will consult with the appropriate water supplier to ensure that adequate water supplies to serve the new development will be available no later than the anticipated date of the certificate of occupancy. Any determination that adequate water supplies will be available will require the demonstration that a consumptive use permit has been issued to the City with sufficient allocation available to serve the new development, given all other existing commitments for that allocation. The "sufficient allocation" in the Consumptive Use Permit (CUP) shall be defined consistent with the permit's limiting conditions as they exist at the time of building permit issuance. Permitted projects may be issued a Certificate of Occupancy only upon demonstration by the City that adequate water supply exists within the City's current legal allocation.~~

~~*-Note: High-rise units are defined as four (4) stories or more, consistent with the effective Broward County Land Development Code definition at the time of adoption of Broward County Land Use Plan amendment PC 03-6.~~

Note: Underlined words are proposed additions by the City of Dania Beach. ~~Struck-through~~ words are proposed deletions by the City of Dania Beach. Double underlined words are proposed additions by Planning Council staff. ~~Double struck-through~~ words are proposed deletions by Planning Council staff.

ATTACHMENT 22



Resilient Environment Department
115 S. Andrews Avenue, Room 329 • Fort Lauderdale, Florida 33301 • 954-357-6612 • FAX 954-357-8655

To: Broward Planning Council

From: Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Department Director, Resilient Environment Department

Date: May 10, 2023

Re: Dania Beach RAC (PC 22-7)



On July 12, 2022, the Resilience Unit of the Resilient Environment Department provided initial comment on the land use plan amendment (LUPA) application submitted by the City of Dania Beach – Dania Beach RAC (PC 22-7).

On October 12, 2022, the City provided additional written information in further response to the Resilient Unit's comments.

On November 3, 2022, the Resilience Unit responded noting that despite the addition information, the City had yet to provide adequate demonstration that effective mechanisms were in place to ensure the resilience of the new development proposed with the LUPA. The agency requested that the City agree to a legally enforceable mechanism providing a binding commitment to ensure the design, integration, and construction of surface water management infrastructure needed to serve major and minor development and redevelopment within the RAC, addressing future conditions standards and compound flood conditions predicted in the 2070 planning horizon as a contingency of the LUPA.

On March 20, 2023, County staff with the Resilience Unit met with City staff to discuss the City's proposed approach to address the resilience demonstrations requested by the County. This meeting proved productive as City staff proposed incorporation of regional sea level rise projections and County resilience standards within the City's current and forthcoming planning efforts, with consideration for the need for future updates in response future guidance via municipal resolution, coupled with establishment of an interim design standard that would be advanced with concurrent amendment to the City's stormwater ordinance. County staff had the opportunity to provide review and comment on the draft resolution and to provide later concurrence with the final draft.

On May 3, 2023, the Resilience Unit was formally notified of City Commission action that occurred on April 25, 2023, resulting in unanimous approval for the proposed resolution (Resolution 2023-039) and concomitant approval of the City's stormwater ordinance with immediate implementation of

the city-wide “interim design standard” to ensure all new development meets pre- and post-stormwater conditions based on established future groundwater conditions.

With these municipal actions, the Resilience Unit is satisfied that the applicant has adequately addressed the County’s climate policies supporting resilient redevelopment of the site, and recommends approval of PC 22-7.



AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport

320 Terminal Drive, Suite 200 • Fort Lauderdale, Florida 33315 • 954-359-6100

May 10, 2023



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

Re: Broward County Land Use Text Amendment Application PCT 22-7 - Dania Beach Activity Center

Dear Ms. Blake:

This letter is in response to Broward County Land Use Text Amendment Application PCT 22-7 - Dania Beach Activity Center, requesting comments for the Text Amendment to the BrowardNext – Broward County Land Use Plan (BCLUP) submitted by the City of Dania Beach (Amendment).

BCAD has concerns with the Amendment, specifically new residential dwellings located within the DNL 60 contour. BCAD continues to discourage development within the DNL 60 contour in the City of Dania Beach to ensure consistency with the inter-related noise reduction efforts and land-use compatibility surrounding the Fort Lauderdale-Hollywood International Airport (FLL).

Proper coordination between the Broward County Aviation Department (BCAD) and the City of Dania Beach should take place prior to the approval of the Amendment and that the BCLUP continue to consider long-term noise exposure conditions and the use of the DNL 60 contour for compatible land use planning purposes.

Sincerely,

William Castillo

Digitally signed by William
Castillo
Date: 2023.05.11 10:39:49
-04'00'

William Castillo
Evaluation and Planning Administrator
Broward County Aviation Department

CC: Mark Gale, CEO/ Director of Aviation, BCAD
Michael Pacitto, Chief Development Officer, BCAD
Alexander Williams, Senior Assistant County Attorney, BCAD
Yessenia Alfonso, Assistant County Attorney, BCAD
Winston Cannicle, Environmental Program Manager, BCAD
Jennifer Lu-Chong, AICP, Senior Planner, BCAD

ATTACHMENT 24



May 12, 2023



Via Email: Bblakeboy@broward.org

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 S. Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: PCT 22-7 Dania Beach Activity Center

Dear Barbara,

As you know, the City of Dania Beach submitted a Text Amendment to its Regional Activity Center (RAC) which was originally established in 2009 (PC 09-5). The City issued a letter dated March 17, 2023 committed to continued coordination with BCAD regarding dwelling units within the RAC that fall within the airport's 2023 DNL 60+ noise contour map.

We are in receipt of BCAD's letter dated May 10, 2023 regarding new residential units within the DNL 60+ contour and coordination between the City and BCAD.

The City will continue to coordinate with BCAD. In addition, a voluntary restriction for the DNL 60+ was established through the attached recorded agreement with PC 09-5 when the RAC was originally designated. The agreement restricts new residential units within the 60+ DNL contour. This stipulation will also apply to the units established as part of the subject amendment (PCT 22-7).

We trust the City's commitment to continued coordination with BCAD and the existing agreement regarding new residential units within the 60+ DNL satisfies BCAD's comments.

Should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Eleanor Norena, CFM".

Eleanor Norena, CFM
Community Development Director

ATTACHMENT 25

From: michael@mlwinc.net
To: [Planning Council](#)
Subject: Planning PCT 22-7
Date: Friday, May 12, 2023 1:56:29 PM

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I have been a resident of Dania Beach for the last 15 years. The growth in this small city has been very noticeable. Between the new Dania Pointe development, hotels all along US 1, and the large residential condominiums on East Dania Beach Blvd., I believe there should be a slow down or a moratorium on continued development. Traffic on all Dania Streets has increased dramatically in the last few years and a request go 4,000 new residential units and 500,000 sq. feet of commercial development will only adversely affect traffic and the quality of life .
As a resident , I urge the council to vote no to this proposed amendment(ZPCT-22-7)
Thank you
Michael J. Montesi

Sent from my iPhone

ATTACHMENT 26



June 21, 2023

Via Email: Bblakeboy@broward.org

Barbara Blake-Boy, Executive Director
Broward County Planning Council
115 S. Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: PCT 22-7 Dania Beach Activity Center

Dear Barbara:

The above referenced application was heard by the Broward County Planning Council at its May 25, 2023 meeting. The amendment proposes an addition of 4,000 dwelling units and a reduction of 30 acres of commercial use to the existing Activity Center, with no net changes to the remaining development thresholds. The Council recommended approval of the amendment.

A member of the public spoke at the meeting and requested the city consider ensuring units are available for duplexes. As such, the city proposes the text be revised to include duplexes, along with the 317 single family homes category, as depicted in Exhibit A attached.

We trust the above and attached addresses duplexes within the RAC and subject text amendment.

Should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Eleanor Norena, CFM
Community Development Director

TEXT AMENDMENT (CITY)

Dania Beach Regional Activity Center

Dania Beach Regional Activity Center land use designation – density and intensity specifications.

Land Uses: Maximum Intensity (unless otherwise indicated)

Residential*:	2,348 single family homes 286 duplexes 2,047 townhomes 972 garden apartments 2,165 mid- <u>or high</u> -rise apartments <u>317 single family homes/duplexes</u> <u>3,683 multi family units</u>
Commercial:	<u>2964.0</u> acres plus an additional 500,000 s.f. of commercial floor area approved with the former LAC.
Industrial:	247.5 acres
Employment Center:	74.5 acres
Transportation:	6.5 acres
Hotel:	640 rooms
Community Facilities:	36.2 acres (or as needed)
Parks & Recreation:	40.5 acres (minimum)
Conservation:	2.6 acres (minimum)
Utilities:	2.5 acres (or as needed)

*Dwelling units for any given category (ex: single-family, townhouse, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation rates.

Prior to the site plan approval of unit 2,001 of the 4,000 additional dwelling units, the City shall demonstrate that at least 300 of the permitted or built units are deed restricted as affordable (up to 120% of area median income adjusted for family size) for a period of at least 30 years. If the City is unable to demonstrate that at least 300 of the permitted or built dwelling units meet that criteria, no additional market rate units shall be permitted or built until such time that the City provides an implementation action plan or program that is reviewed by the Planning Council and approved by the County Commission. Per Broward County Land Use Plan Policy 2.4.12, a written record reflecting the current status of allocated or assigned dwelling units shall be transmitted to the Planning Council twice per year, during the months of January and July, and shall include the referenced affordable units, including the location and annual confirmation of income certification.

Objective XXVII - Encourage compact development reflecting characteristics which include a mixture of community-serving uses such as commercial, office, employment, civic, and institutional, recreation and open space, and residential, characterized by an efficient infrastructure, close-knit neighborhoods and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Regional Activity Center land use category.

Encourage attractive and functional mixed living, employment, shopping, education and recreational activities in the City of Dania Beach Community Redevelopment Area (CRA) by establishing within the Dania Beach Land Use Plan a Regional Activity Center.

Policy 27.1 The development of the Regional Activity Center shall be guided by the Community Redevelopment Agency's Redevelopment Master Plan and consistent with all elements of this plan.

Policy 27.2 The Dania Beach Regional Activity Center shall support the location of uses and internal circulation such that pedestrian mobility is a priority. All land uses in the Dania Beach Regional Activity Center shall be directly accessed via pedestrian ways, and accessible to existing or future alternate public transportation modes, including bicycle and transit.

Policy 27.3 Non-motorized transportation as well as mass transit shall be encouraged to serve the Dania Beach Regional Activity Center to reduce reliance upon automobile travel.

Policy 27.4 Park land and/or open space that is accessible to the public shall be included as a functional component within the Dania Beach Regional Activity Center.

Policy 27.5 To facilitate public transit access, integrated transportation systems shall be encouraged to serve the Dania Beach Regional Activity Center.

Policy 27.6 Quality, Affordable Housing opportunities shall be included as a functional component within the Dania Beach Regional Activity Center.

Policy 27.7 To enhance pedestrian movement and safety, the separation of pedestrian and vehicular traffic shall be encouraged within the Dania Beach Regional Activity Center.

Policy 27.8 Encourage affordable housing opportunities within the Dania Beach Regional Activity Center through various mechanisms such as the utilization of "affordable housing units." The direction of public housing program funds into the Regional Activity Center, reduced lot size for dwelling units, construction of zero lot line and cluster housing, vertical integration of residential units with non-residential uses, the allowance of accessory dwelling units, or through other mechanisms proven effective in increasing the affordable housing stock.

Policy 27.9 The Regional Activity Center shall be governed by land development regulations that provide for an interconnected street network, a safe and attractive pedestrian environment, multi-modal transit connections, and transit-supportive densities and intensities along transit corridors.

Policy 27.10 The city shall adopt local design guidelines that require transit shelters in the Regional Activity Center to provide safe and comfortable service and to encourage transit usage.

Policy 27.11 The City shall adopt design standards within the land development regulations ensuring compatibility between existing and planned land uses within and adjacent to the Regional Activity Center.

Policy 27.12 To enhance pedestrian/non-motorized activities and transportation connectivity, the Regional Activity Center shall integrate open space that is accessible to the public in the form of wide, continuous sidewalks with shade and pedestrian amenities, mid-block pedestrian crossings, and public plazas.

Policy 27.13 Pursuant to an interlocal agreement between the City and Broward County, the City is responsible for monitoring development activity and enforcing the permitted land use densities and intensities.

Policy 27.14 The City shall not allocate additional residential units within the area of the Regional Activity Center that has a Day-Night Average Sound Level (DNL) of 60~~5~~ decibels or greater.

Policy 27.15 In order to ensure that all properties can be developed within the overall density and intensity limitations of the Regional Activity Center, the City shall establish and implement a development tracking system.

Policy 27.16 The maximum intensity standards for nonresidential development in the Regional Activity Center are as follows:

1. All properties located within one-quarter mile of both the FEC Rail Corridor (proposed for commuter rail) and US-1 are permitted a maximum Floor-to-Area Ratio (FAR) of 8.0.
2. All properties not located pursuant to 1., above, but located within 750 feet of the US-1 or East Dania Beach Boulevard transit corridors are permitted a maximum FAR of 5.0.
3. All other locations are permitted a maximum FAR of 0.75.
4. Twenty (20) acres of Employment Center use shall be limited to a FAR of 0.29 regardless of location, pursuant to DCA Amendment No. 10-1 AR.
5. Thirty (30) acres of Commercial shall be limited to a FAR of 0.52 regardless of location, pursuant to DCA Amendment No. 10- 1AR.

Policy 27.17 Acreage for non-residential land uses will be assigned on a gross acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc. Within mixed use projects, acreage shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross acreage of the development parcel will be assigned to A).

Policy 27.18 Floor to Area Ratios shall be calculated using the total gross acreage (on - site and off -site) used to comply with any combination of parking, drainage, or open space requirements for a development project.

Policy 27.19 The residential density ~~within Traffic Evacuation Zone 16 (east of US-1) east of US1~~ shall not exceed a maximum of 1,500 dwellings units above the residential density previously allowed within Traffic Evacuation Zone 16 before the adoption of the RAC land use category. ~~The boundaries of Traffic Evacuation Zone 16 are shown in Broward County's Hurricane Evacuation Study, 2001.~~

Policy 27.20 In the event of discovery of any archaeological artifacts during the construction of the RAC, construction shall stop within a thirty-foot radius of the find and immediate notification shall be provided to the Broward County Historical Commission: the Division of Historical Resources, Florida Department of State; and the City/Town. Construction may resume within the affected area after the City/town, and the Broward County Historical Commission, pursuant to 92-38 of the Broward County Code of Ordinances; and the Division of Historical Resources, pursuant to Rule 9J-2.043, FAC, have determined the appropriate mitigation, if any are warranted, and such measures have been implemented by Developer.

~~Policy 27.21 Prior to issuance of any building permit of development, the City will consult with the appropriate water supplier to ensure that adequate water supplies to serve the new development will be available no later than the anticipated date of the certificate of occupancy. Any determination that adequate water supplies will be available will require the demonstration that a consumptive use permit has been issued to the City with sufficient allocation available to serve the new development, given all other existing commitments for that allocation. The "sufficient allocation" in the CUP shall be defined consistent with the permit's limiting conditions as they exist at the time of building permit issuance. Permitted projects may be issued a Certificate of Occupancy only upon demonstration by the City that adequate water supply exists within the City's current legal allocation.~~

ATTACHMENT 27

From: [Hymowitz, Larry](#)
To: [DCPexternalagencycomments](#); [clajoie@daniabeachfl.gov](#); [Blake Boy, Barbara](#)
Cc: [lkerr808@bellsouth.net](#); [Von Stetina, Deanne](#); [Jurado, Jennifer](#); [Mount, Gregory](#); [Isabel Cosio Carballo](#); [Levi Stewart-Figueroa](#); [Carver, Jennifer](#); [Naselius, Ben](#); [Frye, Tony](#); [Poole, James](#); [Martinez, Cesar](#); [Fasiska, Christine](#); [Walia, Kent](#); [Bush, Lois](#); [Stroh, Justin](#); [Sesodia, Josie](#); [David J. Pullin \(david.pullin@deo.myflorida.com\)](#); [Matt.Preston@Commerce.fl.gov](#)
Subject: Dania Beach 23-1ESR and Broward County 23-2ESR - FDOT District Four Review
Date: Thursday, October 12, 2023 4:03:40 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Dania Blvd Resilience Report.pdf](#)
[Dania Beach Map Views.docx](#)

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Pursuant to Section 163.3184(3), Florida Statutes (F.S.), in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the proposed City of Dania Beach comprehensive plan amendment 23-1ESR and Broward County Land Use Plan amendment 23-2ESR, both relating to modifying the City's Activity Center to reduce the maximum commercial land use and increase residential in the amount of 4,000 units.

FDOT is providing the following technical assistance comments consistent with Section 163.3168(3), Florida Statutes. These technical assistance comments will not form the basis of a challenge. These comments are intended to strengthen the local government's and County's comprehensive plans in order to foster a vibrant, healthy community and are designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

Technical Assistance Comment #1

A portion of the subject Regional Activity Center is situated in an area that is projected to be vulnerable to inundation from sea level rise, subject to increased flooding from rainfall events, and experience rising groundwater level. The amendment requests come with an interim design standard addressing future conditions and at a time when the City is (1) working on a Stormwater Master Plan (to be followed by updated stormwater regulations) and a vulnerability assessment funded under and subject to requirements of the Resilient Florida Program, (2) awaiting release at the state level of a comprehensive flood vulnerability and sea level rise assessment, and (3) conducting an evaluation and appraisal of its comprehensive plan to be followed by "Peril of Flood" and other amendments to its comprehensive plan.

These amendments also come at a time when Broward County is working on a countywide risk assessment and resilience plan and the Broward Metropolitan Planning Organization (MPO) is revisiting resilience as part of the update underway of its Metropolitan Transportation Plan (MTP) to 2050. Following adoption of its 2045 MTP, the Broward MPO developed a Resiliency Framework to identify program-ready projects which currently is being tested on two of the eight roadway segments (Hollywood Boulevard and US 1 in Fort Lauderdale) identified for studies to identify

resilience improvements in the 2045 MTP.

Among the tools developed for and used by FDOT relating to vulnerability of transportation infrastructure are the UF GeoPlan Center Sea Level Scenario Sketch Planning Tool (<https://sls.geoplan.ufl.edu/>) and an Area of Interest (AOI) Tool recently added to the FDOT Efficient Transportation Decision Making Process/Environmental Screening Tool. The AOI Tool produces a resilience report covering sea level rise, high tide flooding, storm surge, and FEMA flood hazard zones. A resilience report for East Dania Beach Boulevard is attached. Map views are also attached that were generated using the Sea Level Scenario Sketch Planning Tool.

With various efforts yet to be completed, the timing of the proposed allocation of additional residential units leaves uncertainty over the degree to which development of those units in vulnerable areas of the City, and transportation infrastructure needed to serve them, can and will be resilient over time to impacts from sea level rise, flooding, and rising groundwater. Another consideration for the City and County is the value of retaining opportunities for adaptive planning/utilization of an adaptive policy pathway approach. Adaptive planning provides for taking short term actions without precluding long term options while monitoring for adaptation triggers such as sea level rise.

Recommendations for Technical Assistance Comment #1

1. The City and County could postpone placement of additional residential units in the area in the Regional Activity Center vulnerable to inundation from sea level rise and other hazards until such time that the City can assure that adaptation strategies, plans, policies, and infrastructure needed for resilience have been identified and can reasonably be funded and provided in a timely fashion.
2. An idea the City and County could consider is a phased allocation of residential units, prioritizing allocation of residential units in less vulnerable infill and revitalization areas of the Regional Activity Center until such time that adaptation strategies, plans, policies, and infrastructure are solidified based on completion of the City's ongoing resilience work and related efforts (referenced above).

Technical Assistance Comment #2

Given that adaptation strategies have yet to be determined and integrated into City infrastructure/utility planning, it is not clear how adaptation strategies will be funded, including for the State Highway System, to ensure resilience of future development. Adaptation strategies will likely be needed as indicated by FDOT Vulnerability Assessments using the UF GeoPlan Center Florida Sea Level Scenario Sketch Planning Tool NOAA 2070 Intermediate High Scenario. The Vulnerability Assessment indicates that approximately 61% of the Dania Beach Boulevard corridor between US 1 and the Intracoastal Waterway will be subject to some level of permanent inundation. Permanent inundation could lead to disruption in transportation network connectivity resulting in increased travel times, increased coastal evacuation times, increased emergency response times, and limitations on areawide mobility. There appear to be no funded adaptation

projects for Dania Beach Boulevard in the Broward Metropolitan Planning Organization (MPO) 2045 Metropolitan Transportation Plan (MTP).

Recommendations for Technical Assistance Comment #2

1. The City should coordinate with FDOT and the Broward MPO, in addition to Broward County, on the planning and programming of needed adaptations for infrastructure. This includes City engagement in the update underway of the Broward MPO's MTP to 2050.
2. The City should ensure clear connections between its stormwater management planning and planning for local and state transportation infrastructure. Also, the City should coordinate with FDOT on the preparation of its Citywide Stormwater Master Plan and updated stormwater regulations to the extent that there may be impacts to state rights of way. A contact for this is James Poole, FDOT District Four Drainage Engineer (954-777-4204, james.poole@dot.state.fl.us).

The Department requests an electronic copy of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Please feel free to contact Lois Bush at 954-777-4654 or myself if there are any questions.

Thank you.



Larry Hymowitz

Planning Specialist, Policy and Mobility Planning Section
Planning & Environmental Management - FDOT District Four
p: (954) 777-4663 f: (954) 677-7892
a: 3400 W. Commercial Boulevard, Ft. Lauderdale, FL 33309
e: larry.hymowitz@dot.state.fl.us w: www.dot.state.fl.us



Together our actions have the power to save lives!



Resilience Report

Project and Feature Information

Project Description

- **Project Name:** Dania Beach Blvd
- **Description:** Comparison for D4 Cambridge resiliency assessment
- **Date Created:** 6/1/2023
- **Project Number:** #31256

AOI Alternative Information

- **Alternative Name:** Feature 1
- **Alternative Number:** #1
- **Acres:** 34

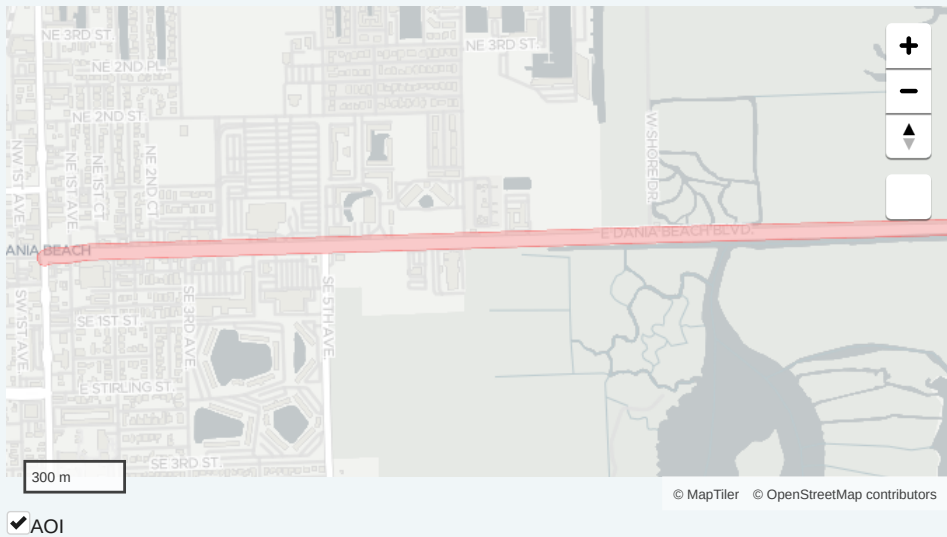
Region and Location Information

- Broward County
- District 4
- South Florida Water Management District
- Broward MPO

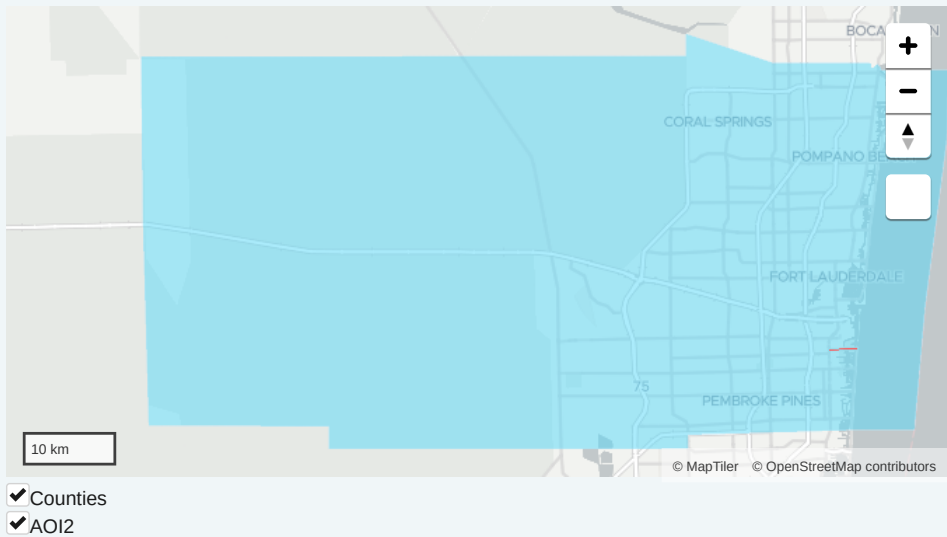
Location Maps

[VIEW RESILIENCE REPORT MAP LAYERS VIA EST MAP VIEWER](#) (Requires EST Login)

AOI



Context



Coastal Region Information

Coastal Building Zone (CBZ)

- Acres of feature in Coastal Building Zone: 3.81
- This project may require a Sea-Level Impact Projection (SLIP) Study. [Please see SLIP Study Requirements.](#)

Coastal Construction Control Line (CCCL)

- Feature does not intersect with CCCL.

Sea Level Rise - Tide Station Information

Tide Station Information for SLR Values below

- Tide Station Name: Virginia Key, Biscayne Bay
- Tide Station ID: 8723214
- Distance to Station: 22.12 Miles

Tide Station Datums (Referenced to NAVD88)

- Current MSL: -0.89 ft
- Current MHHW: 0.23 ft

Sea Level Rise Scenarios

NOAA 2022 SLR Scenarios - Feet (NAVD88) by Decade

These values are sourced from the [2022 Sea Level Rise Technical Report](#). This report is a synthesis of the latest sea level science, compiled by multiple federal agencies, and is used as a key input for the 5th National Climate Assessment (currently in progress). The 2022 SLR Technical Report is an update of the 2017 SLR Report, but both sets of scenarios are being used in Florida and hence are shown below.

Values below use baseline year of 1992, the midpoint of the current National Tidal Datum Epoch (1983-2001), which aligns with current tidal and land based datums. Values displayed below are the 50th percentile values provided by NOAA.

Columns...

NOAA 2022 SLR Scenario	Tide Station Name	Tide Station ID	2040	2050	2060	2070	2080	2090	2100
Low	Virginia Key, Biscayne Bay	8723214	-0.10	0.10	0.20	0.30	0.50	0.60	0.70
Int-Low	Virginia Key, Biscayne Bay	8723214	-0.10	0.20	0.40	0.60	0.80	1.10	1.30
Intermediate	Virginia Key, Biscayne Bay	8723214	0.00	0.30	0.60	1.00	1.50	2.10	2.90
Int-High	Virginia Key, Biscayne Bay	8723214	0.10	0.50	1.00	1.80	2.60	3.50	4.50
High	Virginia Key, Biscayne Bay	8723214	0.20	0.70	1.50	2.50	3.60	4.90	6.20

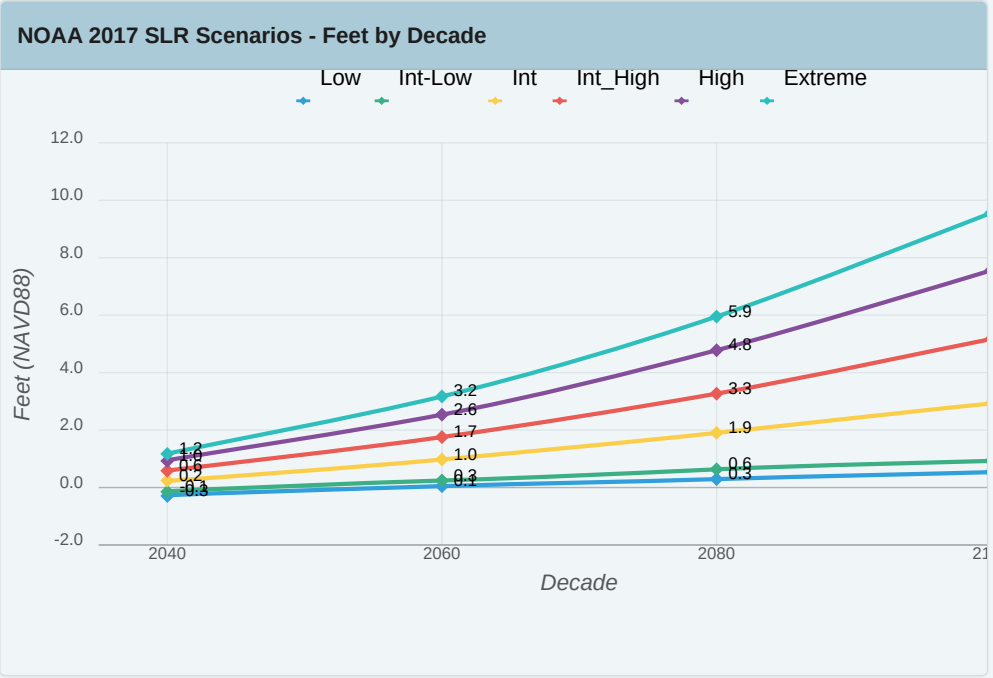
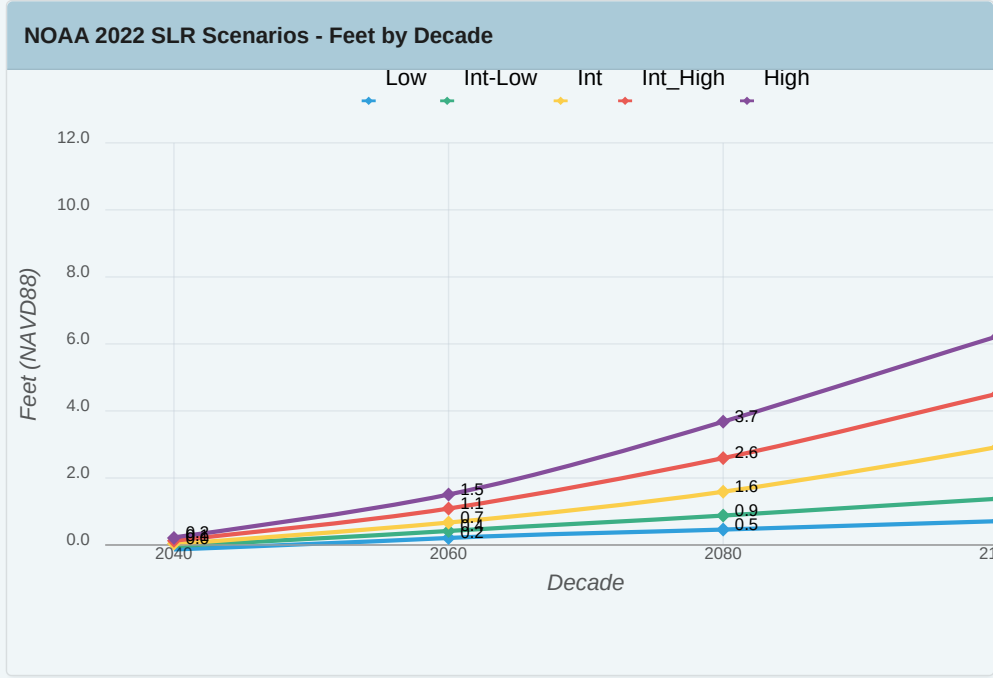
NOAA 2017 SLR Scenarios - Feet (NAVD88) by Decade

These values are sourced from the [2017 Sea Level Rise Technical Report](#). This report was a synthesis of the latest sea level science circa 2017, compiled by multiple federal agencies, and was used as a key input to the 4th National Climate Assessment. The 2022 SLR Technical Report is an update to this report, however the 2017 scenarios are provided here as they are still in use by stakeholders in Florida.

Values below use baseline year of 1992, the midpoint of the current National Tidal Datum Epoch (1983-2001), which aligns with current tidal and land based datums.

Columns...

NOAA 2017 SLR Scenario	Tide Station Name	Tide Station ID	2040	2050	2060	2070	2080	2090	2100
Low	Virginia Key, Biscayne Bay	8723214	-0.30	-0.10	0.10	0.20	0.30	0.40	0.50
Int-Low	Virginia Key, Biscayne Bay	8723214	-0.10	0.10	0.30	0.40	0.60	0.80	1.00
Intermediate	Virginia Key, Biscayne Bay	8723214	0.20	0.60	1.00	1.40	1.90	2.40	3.00
Int-High	Virginia Key, Biscayne Bay	8723214	0.60	1.10	1.70	2.50	3.30	4.20	5.20
High	Virginia Key, Biscayne Bay	8723214	1.00	1.70	2.60	3.60	4.80	6.10	7.50
Extreme	Virginia Key, Biscayne Bay	8723214	1.20	2.10	3.20	4.50	5.90	7.60	9.50



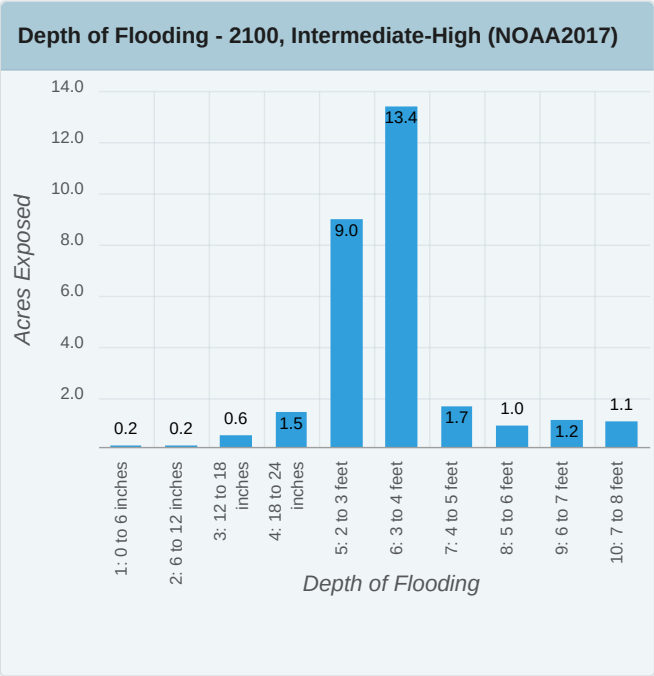
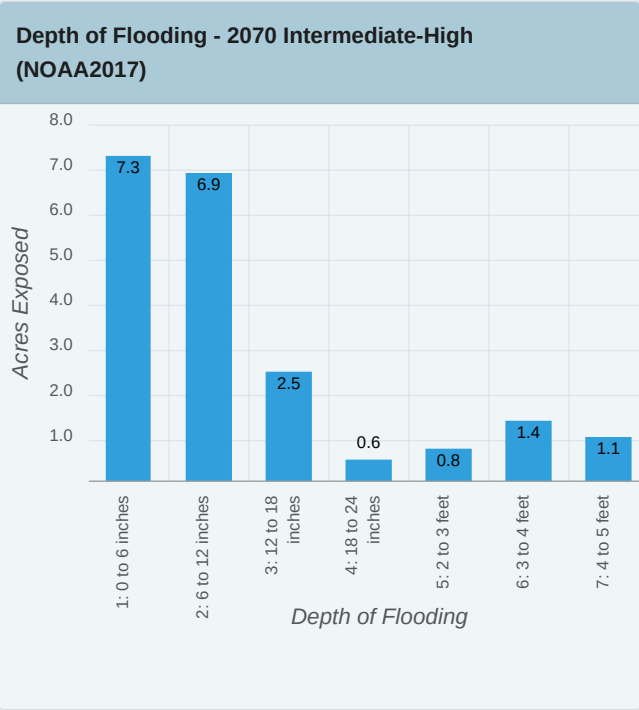
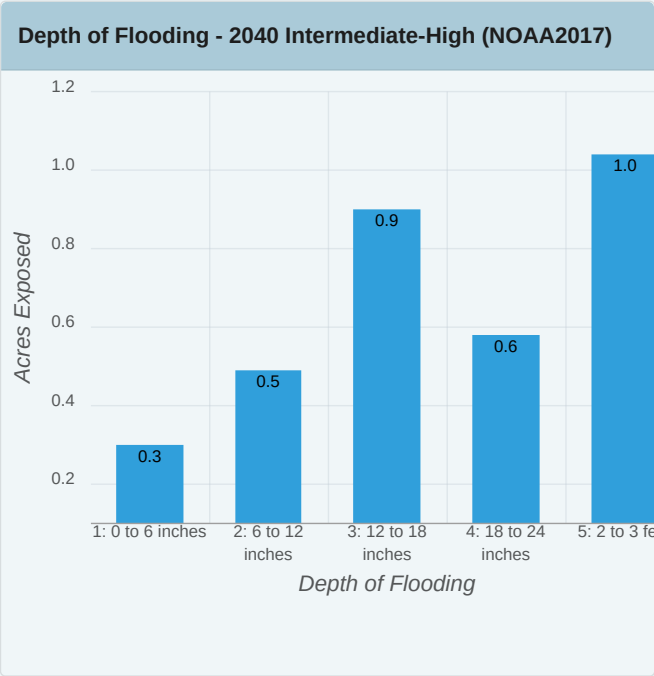
Sea Level Rise Exposure Analysis (NOAA 2017 only)

Summary of AOI Exposure to NOAA 2017 SLR Scenarios

This section includes a SLR exposure analysis of the AOI. Areas exposed would be permanently inundated (flooded) under these future scenarios.

Inundation layers used in this analysis are from the [Sea Level Scenario Sketch Planning Tool](#).

NOAA 2017 Scenario	2040 Acres Exposed	2040 Percent	2070 Acres Exposed	2070 Percent	2100 Acres Exposed	2100 Percent
NOAA2017 Intermediate-Low	2.62	7.71%	3.00	8.82%	3.37	9.91%
NOAA2017 Intermediate	2.79	8.21%	4.19	12.33%	26.15	76.91%
NOAA2017 Intermediate-High	3.05	8.97%	20.87	61.39%	29.86	87.83%



Current High Tide Flooding (HTF)

Summary of AOI Exposure to Current High Tide Flooding

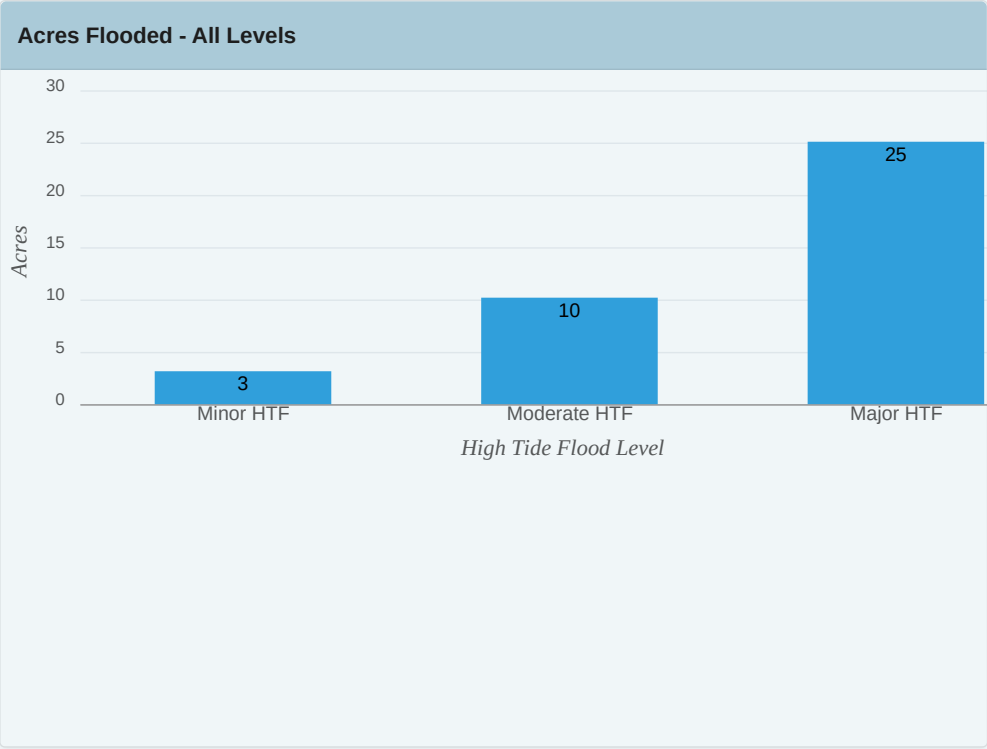
High Tide Flooding (HTF) Level	Acres Flooded	Percent Flooded
Minor HTF	3.21	9.45%
Moderate HTF	10.24	30.12%
Major HTF	25.15	73.96%

High Tide Flood Days per Year

Year	Minor HTF Days	Moderate HTF Days	Major HTF Days
2021	0	0	0

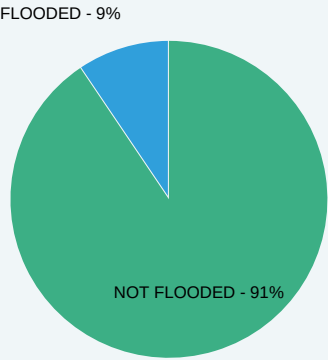
High Tide Flooding (HTF) is recurrent, temporary flooding that occurs during high tides. It is also known as nuisance, sunny day, and king tide flooding.

[Read more about High Tide Flooding and this data source.](#)

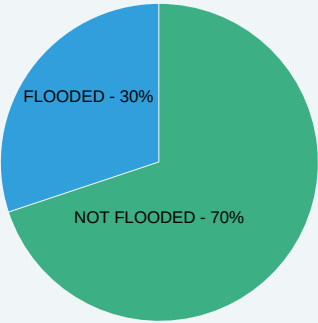


Percent of Area Impacted by Current High Tide Flooding

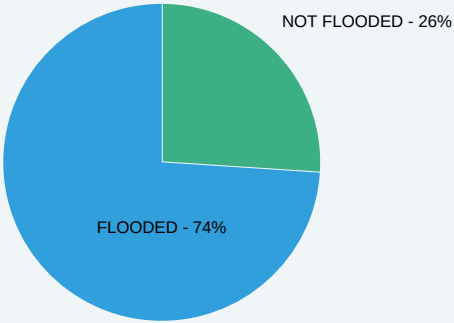
Minor HTF- Percent of Area Flooded



Moderate HTF- Percent of Area Flooded



Major HTF- Percent of Area Flooded

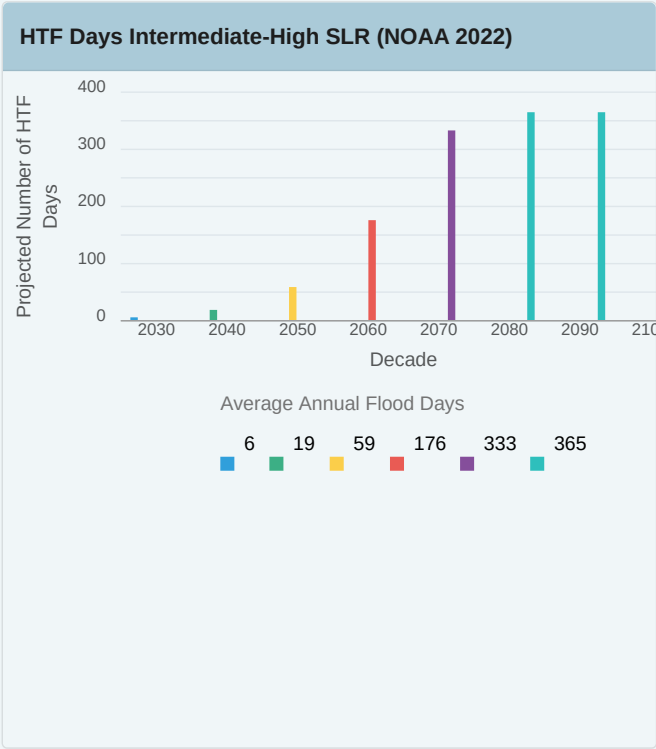
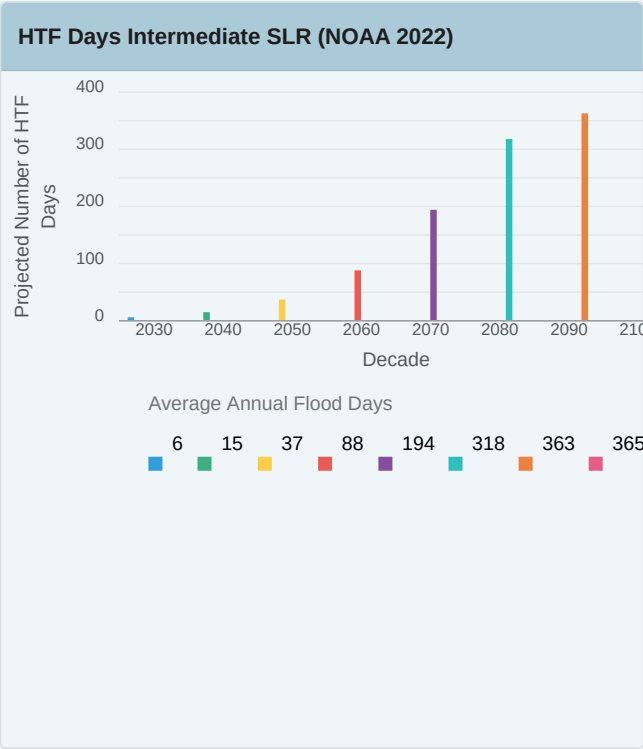
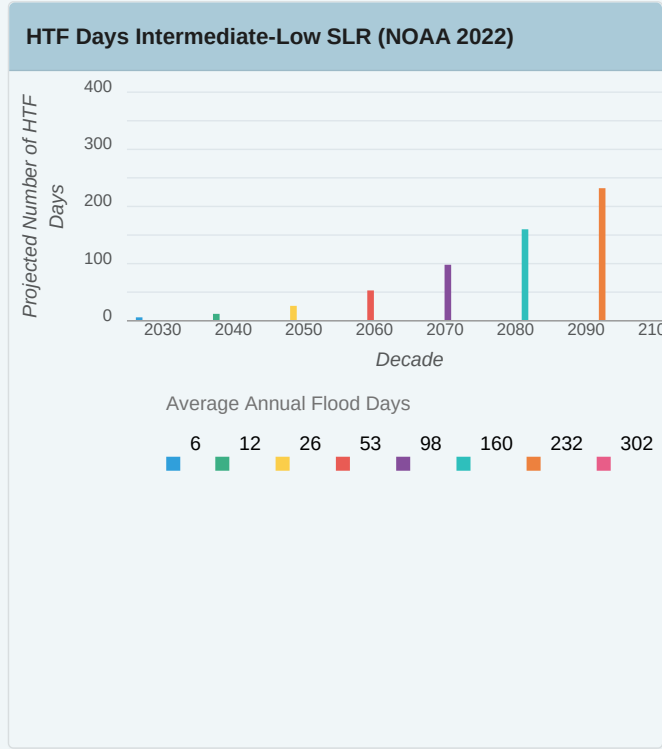


Projected Annual Days of Minor High Tide Flooding by Decade and NOAA 2022 SLR Scenario

As sea levels continue to rise, the frequency of HTF events will increase. The table below shows the average annual days of HTF expected by decade and by NOAA 2022 SLR Scenario.

Columns...

Decade	Low SLR	Int-Low SLR	Intermediate SLR	Int-High SLR	High SLR
2030	5	6	6	6	7
2040	9	12	15	19	24
2050	18	26	37	59	93
2060	30	53	88	176	272
2070	45	98	194	333	363
2080	66	160	318	365	365
2090	92	232	363	365	365
2100	125	302	365	365	365



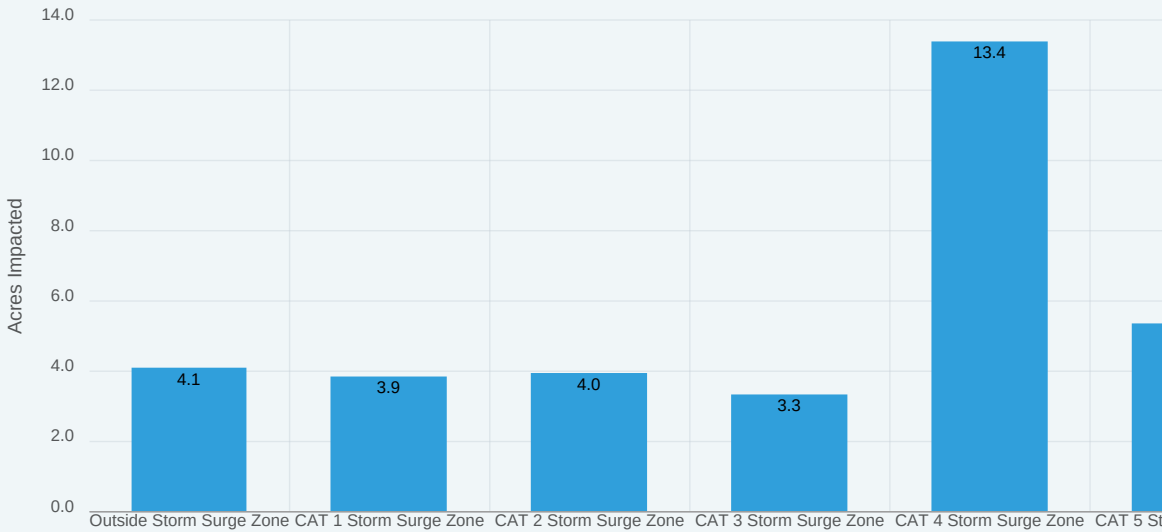
Storm Surge Zones

Summary of AOI Exposure to Hurricane Storm Surge Categories

Description	Acres	Percent
Outside Storm Surge Zone	4.1	12.06%
CAT 1 Storm Surge Zone	3.85	11.34%
CAT 2 Storm Surge Zone	3.95	11.63%
CAT 3 Storm Surge Zone	3.34	9.81%
CAT 4 Storm Surge Zone	13.39	39.39%
CAT 5 Storm Surge Zone	5.36	15.77%

Data source: Florida Division of Emergency Management and Florida's Regional Planning Councils. Zones were derived from National Hurricane Center SLOSH model runs on NOAA SLOSH basins in Florida.

For this analysis, impacts are only calculated for each category. However, impacts should include each lower category of storm surge. For example, a Category 2 storm surge would include the impacts for both Categories 1 and 2.



FEMA Flood Hazard Zones

1% & 0.2% Annual Chance Flood Exposure

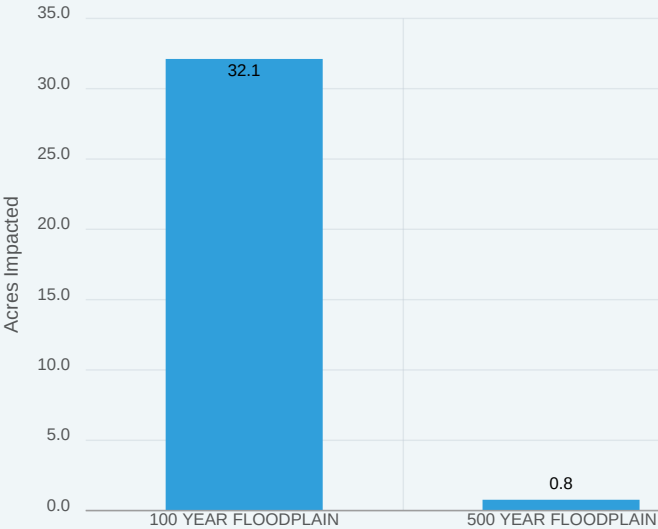
Description	Acres	Percent
100 YEAR FLOODPLAIN	32.12	94.34%
500 YEAR FLOODPLAIN	0.77	2.25%
OUTSIDE FLOODPLAIN	1.16	3.41%

A Special Flood Hazard Area (SFHA) is defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood.

Moderate flood hazard areas are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.

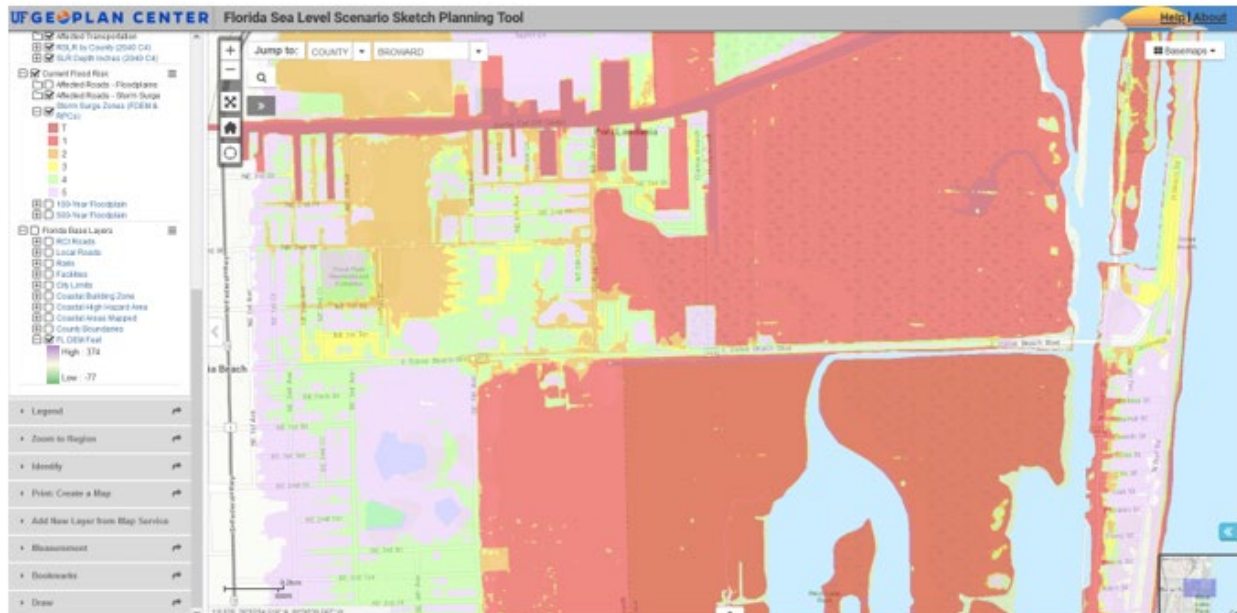
FEMA 1% SFHA Categories

Description	Acres	Percent
AE	32.1	94.34%



Map Views from the Sea Level Scenario Sketch Planning Tool

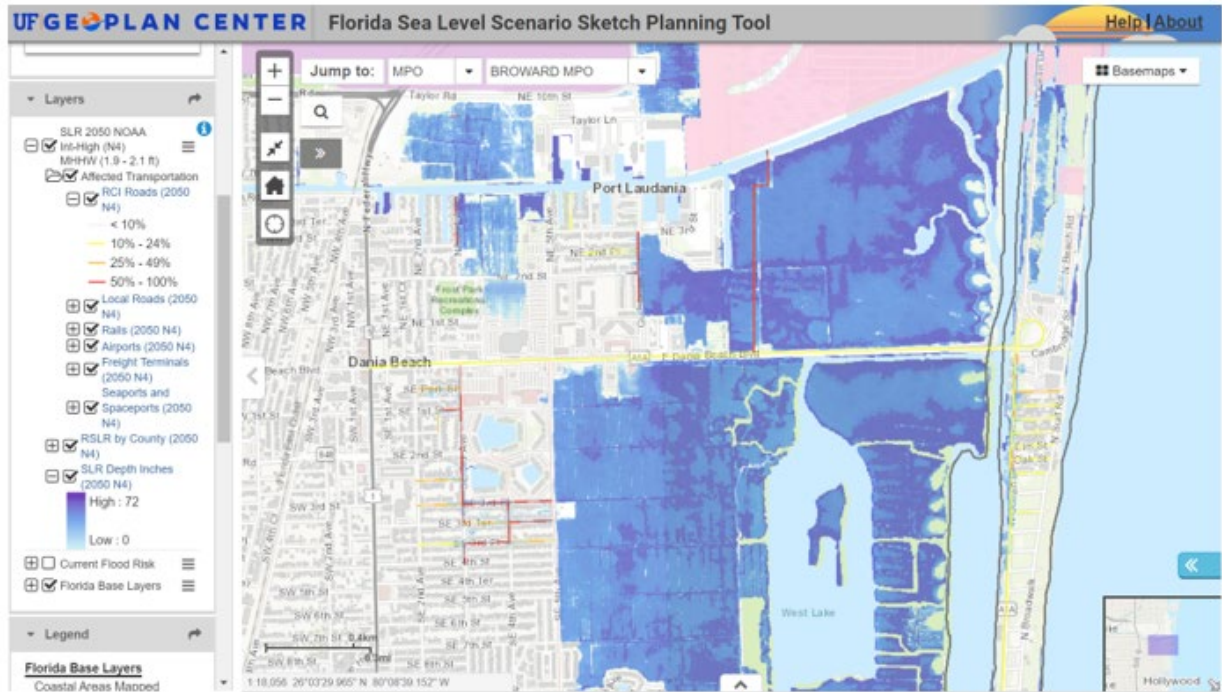
Sea Level Scenario Sketch Planning Tool - Storm Surge Inundation



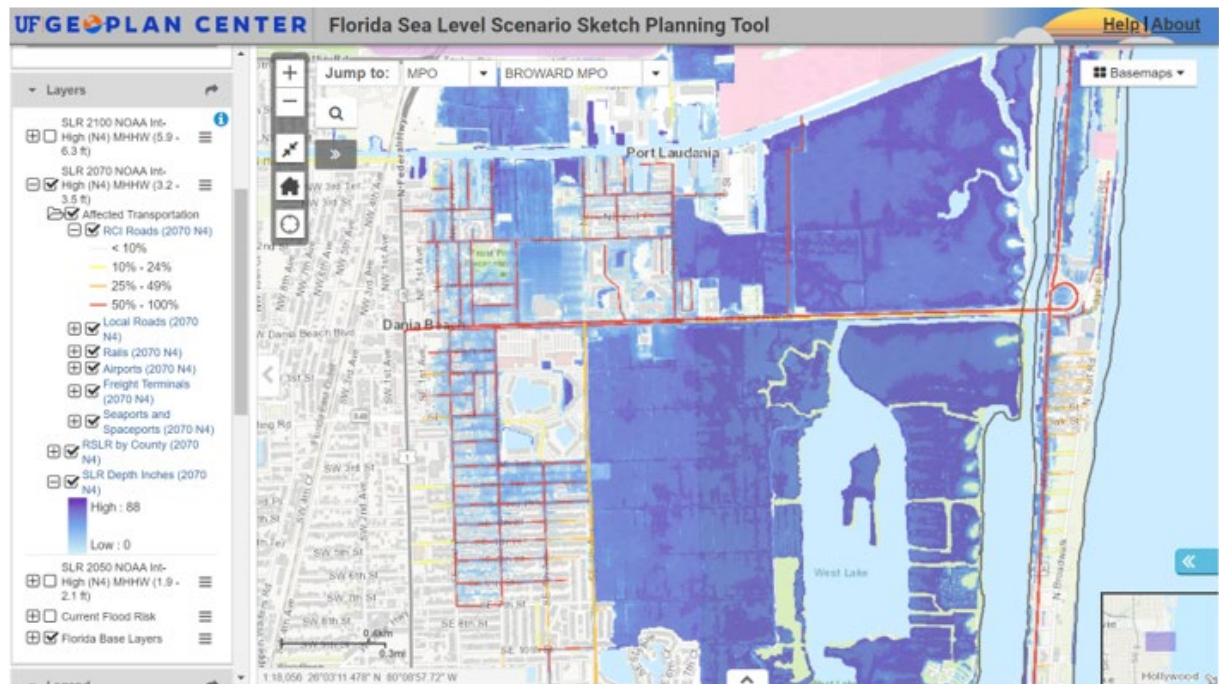
Sea Level Scenario Sketch Planning Tool – Current Flood Zones



Sea Level Scenario Sketch Planning Tool –2050 NOAA Intermediate High Sea Level Rise



Sea Level Scenario Sketch Planning Tool –2070 NOAA Intermediate High Sea Level Rise





November 3, 2023

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

Re: Dania Beach RAC - FDOT Technical Assistance Comments 23-1ESR and 23-2ESR

Dear Ms. Blake Boy,

Enclosed please find our response to Technical Assistance Comments made by the Florida Department of Transportation (FDOT) District IV regarding the above-referenced land use plan amendment. We will continue our coordination efforts to schedule a meeting with FSOT staff to discuss the City's Commitment to its on-going resiliency efforts.

If you should have any questions or require additional information, please do not hesitate to contact me at enorena@daniabeachfl.gov or at (954) 924-6805, extension 3645.

Sincerely,

Eleanor Norena, CFM

Eleanor Norena, CFM
Community Development Director

The City of Dania Beach's Response

The City of Dania Beach appreciates the above technical assistance comments provided by FDOT. As noted, the City of Dania Beach has established an interim stormwater design standard addressing future conditions to ensure all new development meets pre- and post-stormwater conditions. The City is also working on a Stormwater Master Plan, a vulnerability assessment, and incorporating "Peril of Flood" amendments within its Comprehensive Plan. The City is committed to developing updated stormwater regulations that incorporate sea level rise conditions based upon the NOAA 2070 projections, which is the same standard used by the Sea Level Rise Sketch Planning Tool developed for and used by FDOT.

As part of the local LUPA process, Broward County's Resilient Environment Department made comments of a similar nature as FDOT, including discouraging amendments which place additional residential and non-residential development at risk of flooding from sea level rise. The City worked diligently with its consultants and Broward County in a manner that ultimately resulted in the City's adoption of Resolution 2023-039 outlining how the City would address the County's comments, and which was determined by the County to address their concerns. As such, the City believes those actions also address the technical assistance comments provided by FDOT.

The City has worked, and continues to work, diligently to ensure future development within the City mitigates existing and future flood risk by enacting and enforcing policies to ensure redevelopment is resilient. The coordination, analysis, measures, and requirements noted above will help the City fulfill this commitment. Resilient redevelopment can occur alongside infrastructure improvements and the City can work with developers to ensure improvements are part of the redevelopment process, particularly as the City develops long-term comprehensive approaches to flooding and sea level rise.

FDOT has jurisdiction over state roads within the City of Dania Beach, including East Dania Beach Boulevard which is situated in a portion of the RAC vulnerable to sea level rise, as previously identified, and we trust will address sea level rise conditions as it relates to state roadways. The segment of Dania Beach Boulevard/SR A1A from the intracoastal west to Federal Highway/US1 is currently designated as a "low tier" roadway under the Resilience Action Plan published by the Florida Department of Transportation in accordance with Section 339.157, Florida Statutes.

The City of Dania Beach is eager to coordinate with FDOT and the Broward MPO and will continue to engage as needed with all applicable agencies. The City has been coordinating with Broward County and the MPO to ensure Dania Beach Boulevard upgrades are a priority. The City is in the early stages of the Stormwater Master Plan and will reach out to FDOT's contact should there be relevant impacts to state rights-of-way identified during the continued preparation of the Stormwater Master Plan.

ATTACHMENT 29

Correspondence from Interested Parties Received between 8:00 a.m., January 29, 2024 and 8:00 a.m., February 6, 2024

- **Exhibit A - Email correspondence from Michel Levy dated January 27, 2024, received January 29, 2024 - Opposed**
- **Exhibit B - Email correspondence from Olivia Marcin dated February 2, 2024, received February 2, 2024 - Opposed**
- **Exhibit C - Email correspondence from Beverly Skinner dated February 6, 2024, received February 6, 2024 - Opposed**

EXHIBIT A

From: [michel levy](#)
To: [Planning Council](#)
Cc: [Tony Stoltz](#)
Subject: PLAN AMENDMENT PCT 22-7 DANIA BEACH
Date: Saturday, January 27, 2024 12:14:54 PM

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To whom it may concern,

My name is Michel Levy property owner and resident of 330-332 SW 15TH ST DANIA BEACH FL 33004, concerning PLAN AMENDMENT PCT 22-7 DANIA BEACH, I am strongly opposing to these plans and will not submit to selling or trading or any kind of agreement to release my property in the address above to the county of Broward for the planification of this project.

thank you,

--

Michel Levy
305-986-1159

EXHIBIT B

From: [Olivia Marcin](#)
To: [Planning Council](#)
Subject: Concerns Regarding Plan Amendment PCT 22-7 for Addition of 4,000 Dwelling Units
Date: Friday, February 2, 2024 2:50:23 PM

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Dear City Officials ,

I hope this letter finds you well. I am writing to express my concerns regarding the proposed Plan Amendment PCT 22-7, which outlines the addition of 4,000 dwelling units to the city of Dania Beach. While I understand the need for growth and development, I believe it is crucial to consider the potential implications and ensure that the best interests of the current and future residents are taken into account.

One major concern is the potential strain on existing infrastructure. As the city grows, we must address the capacity of our roads, schools, and utilities to accommodate the increased population. I would appreciate more information on the city's plans for necessary improvements and how these enhancements will be funded.

Furthermore, the addition of 4,000 dwelling units raises concerns about traffic congestion. I am worried about the impact on local roads, commute times, and overall traffic flow. Has the city conducted a thorough analysis of the potential traffic implications, and what measures are being considered to mitigate congestion?

Environmental impact is another significant consideration. The growth proposed in Plan Amendment PCT 22-7 could lead to increased pollution, habitat disruption, and strain on local ecosystems. I would like to understand what environmental impact assessments have been conducted and what steps are being taken to minimize the ecological footprint.

The quality of life for current residents is paramount. The potential increase in noise levels, crowding, and changes to the community's character must be carefully considered. How does the city plan to address and mitigate these impacts to ensure a high quality of life for all residents?

Additionally, public services such as emergency services, waste management, and schools must be equipped to handle the increased population. Can you provide details on how the city plans to expand these services accordingly?

I am also interested in understanding the level of community engagement in the decision-making process. Transparency and opportunities for public input are crucial to ensuring that the community's voice is heard and valued.

Lastly, I would like information on how the proposed amendment aligns with the city's long-term sustainability and planning goals. I am concerned about the potential for urban sprawl and its impact on the city's overall well-being.

Thank you for taking the time to consider these concerns. I am eager to hear more about the city's plans and strategies to address the issues raised. I believe that with careful planning and community involvement, we can achieve a balanced and sustainable development that benefits all residents.

Sincerely,

Olivia Marcin
241 SW 7th St.
Dania Beach

EXHIBIT C

From: [Bev Skinner](#)
To: [Planning Council](#)
Subject: Plan Amendment PCT 22-7 (Dania Beach)
Date: Tuesday, February 6, 2024 7:54:11 AM

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I strongly object to adding more condominiums to our community. You have not yet improved nor expanded the infrastructure to accommodate the condos the have recently been completed. Streets, highway, beach parking are all impacted by the influx of new residents. I don't know if you've improved waste management and sewers. Grocery stores are mobbed, traffic is horrible and it's already hard to park at the beach, our jewel.
Don't do it, please.

Thank you,
Beverly Skinner
22 Eleuthera Drive
Dania

ITEM 2

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN TEXT
PROPOSED AMENDMENT PCT 23-3

“Policy 2.16.5 – Community Uses”

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation ***June 13, 2023***

It is recommended that the proposed amendment to the BrowardNext - Broward County Land Use Plan be approved. **See Attachment 1.**

Planning Council staff recommends a second Planning Council public hearing.

II. Planning Council Recommendation ***June 22, 2023***

Deferred to the August 24, 2023, Planning Council meeting. (Vote of the board; 9 to 3; Yes: Brunson, Gomez, Hardin, Levy, Railey, Rich, Ryan, Zeman and Castillo. No: DiGiorgio, Greenberg and Horland.)

III. Planning Council Transmittal Recommendation ***August 24, 2023***

Approval per Planning Council staff transmittal recommendation, including requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 14-0: Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Horland, Levy, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

IV. County Commission Transmittal Recommendation ***October 10, 2023***

Approval per Planning Council transmittal recommendation.

V. Summary of State of Florida Review Agency Comments ***November 9, 2023***

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

VI. Planning Council Final Recommendation ***November 30, 2023***

Approval per Planning Council staff transmittal recommendation. (Vote of the board; Unanimous; 15-0: Abramson, Brunson, Castillo, Gomez, Greenberg, Hardin, Harrison, Levy, Newbold, Railey, Rich, Rosenof, Ryan, Zeman and DiGiorgio)

RECOMMENDATIONS/ACTIONS (continued)

DATE

VII. County Commission Final Action

February 6, 2024

Approved per Planning Council final recommendation. **See Attachment 1.**

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 23-3

BACKGROUND INFORMATION/OUTREACH

On June 23, 2022, the Broward County Planning Council initiated text amendments to the BrowardNext - Broward County Land Use Plan (BCLUP) to update and incentivize affordable housing opportunities. The Planning Council authorized the Council staff to expedite any of these amendments as appropriate as the incentives are not requirements and local governments may be more restrictive than the BCLUP.

Proposed amendment PCT 22-5 initially permitted dwelling units restricted to “moderate-income” (up to 120% area median income), “low-income” (up to 80% area median income) or “very-low-income” (up to 50% area median income) dwelling units that are ancillary to the primary community facilities type uses on lands designated Community. While the Planning Council recommended approval of the proposed amendment, the Broward County Board of County Commissioners requested that the proposal be returned to the Planning Council for further review, specifically related to permitting a use within a land use plan that may not trigger the requirement of a public hearing. **See Attachment 2.**

The updated amendment has been renumbered to differentiate it from the initial PCT 22-5 amendment and maintains the concept of permitting affordable housing opportunities on lands designated Community on the BCLUP. The updated amendment has been refined and reformulated as an incentive-based policy to mimic Policies 2.16.3 (bonus density) and 2.16.4 (residential by right on lands designated Commerce and Activity Center). **The proposed amendment refocuses on parcels owned by municipal governments within its jurisdiction or Broward County or the School Board of Broward County and includes the requirement for a local governing body to hold a public hearing at a publicly noticed meeting. See Attachment 1.**

Planning Council staff disseminated an email requesting comments to all local government managers and planners. Comments were submitted by the Broward Municipal Services District, the City of Fort Lauderdale and the City of Hollywood. **See Attachments 3, 4 and 5.** The comments and questions are addressed in **Attachment 6.** Comments will continue to be accepted throughout the review of the proposed amendment.

Update: August 15, 2023: Comments were submitted by the **Broward County Public Schools** staff. **See Attachment 7.** Planning Council staff notes that the proposed amendment is only applicable to parcels that are designated Community use on the BCLUP and owned by municipal governments within its jurisdiction or Broward County or the School Board of Broward County; the proposed amendment is not applicable to lands designated Activity Center.

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 23-3

PLANNING ANALYSIS AND SUMMARY

BrowardNext - Broward County Land Use Plan (BCLUP) Community Permitted Uses allow for a wide range of regional and local community facilities and utilities uses to meet the current and future needs of Broward County and its local governments. Local governments may continue to separate the Community Facility and Utility uses to implement their plans.

The BCLUP Community Permitted Uses currently allows residential only for Special Residential Facilities and the proposed amendment creates an incentive Policy to allow for affordable dwelling units on municipal (within jurisdiction), County or School Board owned lands designated Community on the BCLUP. A review of all parcels designated Community on the BCLUP indicates that hundreds of parcels meet the referenced ownership criteria **west of US 1/Federal Highway**.

Update: August 24, 2023: Attachment 8 provides an illustrative map that depicts parcels designated Community use on the BrowardNext – Broward County Land Use Plan that meet the ownership criteria; however, the criteria outlined in the Policy will ultimately determine whether a parcel qualifies.

While many of these parcels may not be vacant or available due to current development, the incentive Policy is anticipated to provide increased affordable housing opportunities **up to** 50 dwelling units per acre on surplus or underutilized municipal (within jurisdiction), County or School Board owned lands. In addition, the proposed Policy criteria requires that at least 25% of the dwelling units be deed restricted to moderate-income, low-income or very-low-income for a minimum period of 30 years and that local governments make a finding of compatibility at a publicly noticed meeting. **See Attachment 1.**

The proposed Policy is self-executing and does not require the allocation of flexibility or redevelopment units to achieve the residential use. It is noted that proposed residential uses that do not meet the minimum affordability requirement **and** do not meet the remainder of the criteria would require an amendment to the BCLUP and corresponding local land use plan.

If adopted and successfully implemented, this Policy could be amended in the future to create an opportunity for additional segments of property ownership, such as hospitals, other government or quasi-government entities or religious institutions.

As previously mentioned, comments and questions were submitted by the **Broward Municipal Services District, City of Fort Lauderdale** and **City of Hollywood**. **See Attachments 3, 4 and 5.** The comments and questions are addressed in **Attachment 6.**

PLANNING ANALYSIS AND SUMMARY *(continued)*

Update: August 15, 2023: Comments were submitted by the **Broward County Public Schools** staff. **See Attachment 7.** Planning Council staff notes that the proposed amendment is only applicable to parcels that are designated Community use on the BCLUP and owned by municipal governments within its jurisdiction or Broward County or the School Board of Broward County; the proposed amendment is not applicable to lands designated Activity Center.

Conclusion

Planning Council staff recommends approval of the proposed amendment. **See Attachment 1.**

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 23-3

ATTACHMENTS

1. Proposed Broward County Land Use Plan Amendment PCT 23-3
2. Correspondence from the Honorable Steve Geller, Commissioner, Broward County Board of County Commissioners, to Broward County Planning Council members, received December 20, 2022 (including former Policy PCT 22-5)
3. Email correspondence from Darby Delsalle, AICP, Assistant Director, Broward County Urban Planning Division, dated May 24, 2023
4. Email correspondence from Ella Parker, AICP, Urban Design & Planning Manager, City of Fort Lauderdale, dated June 2, 2023
5. Email correspondence from Mawusi Watson, Planning Administrator, City of Hollywood, dated June 7, 2023
6. Planning Council Staff Response Document

Update: August 15, 2023:

7. Email correspondence from Mohammed Rasheduzzaman, B. Arch., MURP, AICP, Planner – GMM, Facility Planning and Real Estate Department, Broward County Public Schools, dated June 13, 2023

Update: August 24, 2023:

8. Illustrative Map Depicting Municipal, County or School Board owned Parcels Designated Community Land Use

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN Proposed Text Amendment PCT 23-3

BrowardNext → 2017 BROWARD COUNTY LAND USE PLAN

SECTION 2: POLICIES

...

AFFORDABLE HOUSING

Policy 2.16.5 is an incentive-based Policy change, evolving from the Broward County Commission discussion regarding the proposed expansion of the "Community" permitted uses (f/k/a PCT 22-5). All changes are indicated in ~~strike-through~~/underline format.

POLICY 2.16.5 Within parcels located west of and including US 1 and designated "Community" on the Broward County Land Use Plan, dwelling units may be permitted subject to the following:

- (1) The parcel is and will remain publicly owned by a municipality and within its jurisdiction or is and will remain publicly owned by the Broward County Board of County Commissioners or School Board of Broward County;
- (2) At least 25% of the dwelling units are deed restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism;
- (3) Maximum density does not exceed 50 dwelling units per acre;
- (4) The applicable local government must make a finding that sufficient public facilities and services are in place, or will be in place with completion of project construction, to accommodate the proposed development;
- (5) The governing body of the local government shall make a finding of compatibility with existing and future land uses and its local land development regulations at a publicly noticed meeting consistent with its notification requirements;
- (6) Local governments may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map; and
- (7) Local governments may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

ATTACHMENT 2



COMMISSIONER STEVE GELLER

115 S Andrews Avenue, Room 414 • Fort Lauderdale, Florida 33301 • 954-357-7005

Dear Board Members of the Planning Council,

I hope this communication finds you well. I am writing to submit to you my opinion regarding the proposed resolution to transmit a proposed amendment to the Broward County Land Use Plan text (PCT 22-5) which is the proposed expansion of the Community Permitted Uses section to permit affordable residential units at either the moderate, low or very-low income levels that are ancillary to the primary community facilities use. (Item 62 on the County Commission Meeting Agenda from 09/20/22).

I almost always vote the way the local government has voted, because I support letting local government make their own land use decisions. I may on occasion either defer to the local County Commissioner, or make my own judgment on issues that are countywide in effect, such as issues that affect the airport, seaport, County emergency management, etc.

The original wording of this language, as passed by the Planning Council, was as follows:

Dwelling units which are ancillary to and owned/leased by an on-site or off-site primary community facility use at a maximum of 50 dwelling units per acre subject to being restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism. Units of local government shall address compatibility with existing and future land uses through its local land development regulations.

I had several problems with this language. Please note that the language above does not require that the community facility be located adjacent to, or anywhere near the property which would be made a permitted use for high density affordable housing. It also isn't explicit that all of the units be affordable. Therefore, I made the amendments below, which were preliminarily adopted by the County Commission. However, even with these amendments, the Commission still withheld approval because of the concern about adding multifamily high density in single family residential areas, so therefore the amendments which were preliminarily adopted were rendered a nullity.

My proposed amendments were as follows:

Developments in which all the Dwelling units ~~which~~ are ancillary to and owned/leased by an on-site or ~~off-site adjacent~~ primary community facility use at a maximum of 50 dwelling units per acre subject to being restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism. Units of

local government shall address compatibility with existing and future land uses through its local land development regulations.

It is critically important to note that this proposed language would be amending what is a **“Permitted Use”**, which would not normally require a zoning hearing.

My main issue with the proposed amendment was the lack of a public hearing and vote by the municipality on each change. “Units of local government shall address compatibility with existing and future land uses through its local land development regulations” only requires a public hearing when the local land development regulation is adopted. It is easy for any City to adopt a regulation that supports affordable housing without carefully analyzing how this would apply in each circumstance. If there is a church, or a social service agency in a single-family area, and they own land adjacent to their one or two story building, the above language would or could (depending on the exact language adopted once by a municipality) make it a “Permitted Use” to add multi-story high-density housing in an otherwise single-family area without any public hearing or approvals from the municipality. I don’t support this change.

The Land Use changes which I have proposed, and which the Planning Council has supported, permit many additional units, and mandate either affordable housing or substantial contributions to the Affordable Housing Trust Fund, but direct these to areas fronting on arterial roadways or in Activity Centers, where high density is expected. My proposals have protected the neighborhoods from high density development, which this proposal does not.

I don’t want to substitute my judgment for municipal governments. Even though I may believe that it is a mistake for a city to add high density multi-family developments in the middle of a single-family neighborhood, if a City Commission chooses to do this, after a public hearing, that’s largely up to them. That is why I’ve stated that I would support this language if it was a conditional use, a special exception, or something that required a public hearing and a vote by the City Commission. I don’t support it in its current version as a Permitted Use.

I believe that Municipalities should be required to have a public hearing and a vote on each project that would add high density housing in a residential neighborhood.

If you have any questions, please do not hesitate to contact me.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Geller", with a stylized, flowing script.

Commissioner Steve Geller

**Additional Agenda Material submitted at the Request of Commissioner Steve Geller for the
September 20, 2022, Broward County Commission Public Hearing**

Item Number 43:

Proposed additions indicated by **double underlining/bolding** and deletions indicated by ~~strikethrough/bolding~~.

9. **Developments in which all the Dwelling units which** are ancillary to and owned/leased by an on-site or ~~off-site adjacent~~ primary community facility use at a maximum of 50 dwelling units per acre subject to being restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism. Units of local government shall address compatibility with existing and future land uses through its local land development regulations.

ATTACHMENT 3

From: [Delsalle, Darby](#)
To: [Blake Boy, Barbara](#)
Cc: [Sesodia, Josie](#)
Subject: RE: Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use
Date: Wednesday, May 24, 2023 9:57:46 AM
Attachments: [2.16.5 Policy.docx](#)
[image002.png](#)

Good morning Barbara,

Please see attached. Call me if you have any questions.

Darby

DARBY P. DELSALLE, AICP, Assistant Director

Resilient Environment Department

URBAN PLANNING DIVISION

1 University Drive, Box 102 | Plantation, FL 33324

954.357.9792



POLICY 2.16.5 Within parcels located west of and including US 1 and designated “Community” on the Broward County Land Use Plan, dwelling units may be permitted subject to the following:

- (1) The parcel is and will remain publicly owned by a municipality and within its jurisdiction or, is and will remain publicly owned by a unit of local government (i.e. the Broward County Board of County Commissioners or the School Board of Broward County).
- 2) At least 25% of the dwelling units are deed restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism.
- 3) Maximum density does not exceed 50 dwelling units per acre.
- 4) The local government finds ~~shall make a finding that~~ sufficient public facilities and services are available to serve the proposed development.
- 5) The governing body of the local government ~~shall~~ makes a finding of compatibility with existing and future land uses and its local land development regulations at a publicly noticed meeting consistent with its notification requirements.
- 6) Local governments may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map.
- 7) Local governments may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

ATTACHMENT 4

From: [Ella Parker](#)
To: [Blake Boy, Barbara](#)
Cc: [Christopher Cooper](#); [Alfred Battle](#)
Subject: RE: Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use
Date: Friday, June 2, 2023 11:54:43 AM

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Hello Barbara,

Happy Friday! In addition to below, Lorraine also had the following additional comment:

Similar to the recently adopted language in Policy 2.16.14, consider language requiring incorporation of non-residential uses when providing residential uses on parcels with the Community land use located on qualified roads. This addition supports creating mixed-use, transit-oriented corridors and placing residential uses closer to services including those offered in the Community land use. The following language is suggested:

Within a development containing residential units, the following shall apply:

(a) Non-residential use may either be vertically or horizontally integrated providing the following:

1. At least fifty percent (50%) of the ground floor of any portion of a building or development, excluding ingress and egress, facing a qualified road shall provide non-residential uses;
2. On parcels greater than five (5) acres located on a qualified road, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for non-residential uses not ancillary to the residential units.

Thank you,

Ella Parker, AICP | Urban Design & Planning Manager
City of Fort Lauderdale | Urban Design & Planning Division

700 NW 19th Avenue | Fort Lauderdale FL 33311
P: (954) 828-3729 E: eparker@fortlauderdale.gov



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From: Blake Boy, Barbara <BBLAKEBOY@broward.org>
Sent: Thursday, May 25, 2023 12:38 PM
To: Ella Parker <EParker@fortlauderdale.gov>
Cc: Christopher Cooper <CCooper@fortlauderdale.gov>; Alfred Battle <ABattle@fortlauderdale.gov>

Subject: [EXTERNAL:CAUTION!]- RE: Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use

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Hi Ella—

I have reattached the proposal for your convenience. Please see the responses (bold) to your questions below.

- How many units need to be set aside? **Per proposed Policy 2.16.5 2.), at least 25% of the dwelling units must be deed restricted to moderate, low or very-low for a period of at least 30 years.**
- Is there an income distribution requirement and/or requirement for affordability across unit types? **See above.**
- Is there a consideration for a payment in lieu of affordable housing fee? **No.**
- Is there an annual reporting requirement? **No but we would not be opposed to that.**

Hope that is helpful.

Barbara

Barbara Blake Boy, Executive Director
115 South Andrews Avenue, Room 307
Fort Lauderdale, Florida 33301
954.357.6982 (direct) www.broward.org/planningcouncil

I am in the office every Monday through Thursday from 7:00 a.m. to 5:00 p.m

From: Ella Parker <EParker@fortlauderdale.gov>

Sent: Thursday, May 25, 2023 12:16 PM

To: Blake Boy, Barbara <BBLAKEBOY@broward.org>

Cc: Christopher Cooper <Ccooper@fortlauderdale.gov>; Alfred Battle <ABattle@fortlauderdale.gov>

Subject: RE: Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use

Hello Barbara,

Thank you. In passing this communication around to our staff, we just have the following questions:

- How many units need to be set aside?
- Is there an income distribution requirement and/or requirement for affordability across unit types?
- Is there a consideration for a payment in lieu of affordable housing fee?
- Is there an annual reporting requirement?

Thank you!

Ella Parker, AICP | Urban Design & Planning Manager
City of Fort Lauderdale | Urban Design & Planning Division

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ATTACHMENT 5

From: [Mawusi Watson](#)
To: [Blake Boy, Barbara](#); [Von Stetina, Deanne](#)
Cc: [Andria Wingett](#); [Anand Balram](#); [Laura Gomez](#)
Subject: RE: [EXT]Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use
Date: Wednesday, June 7, 2023 12:37:45 PM
Attachments: [Broward Next Community Facility Use Affordable Housing Program.docx](#)

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Hi Barbara and Deanne,

I hope this message finds you well. Attached are the city's comments to the proposed text change.

Additionally, we have the following questions:

1. We would like to preserve our flexibility units and not have to apply them to these types of projects. How does the county envision flex units and this program working together? Or are they looked at by the Council as two separate policies?
2. How will the Council monitor the creation of affordable housing beyond the filing of restrictive covenants? Will some type of reporting mechanism be established? Or are the covenants the only requirement at this point?
3. How will the Council ensure that the units remain affordable once deed restricted?
4. Will the city be responsible for monitoring the compliance of this program? If so, what is your vision for the program?

Lastly, we understand the aim of expanding housing opportunities throughout Broward County; however, we like to also ensure that this additional use does not impact important community facility uses (e.g., educational or hospital).

Thank you for your time and attention to this message.

Be well.

Joyfully Sent,
Mawusi

Mawusi Watson
Planning Administrator
City of Hollywood
The Division of Planning and Urban Design
P.O. Box 229045
Hollywood, FL 33022-9045
Office: 954-921-3471 ext 6620
E-mail: MWATSON@hollywoodfl.org

Policy 2.16.5 is an incentive-based Policy change, evolving from the Broward County Commission discussion regarding the proposed expansion of the “Community” permitted uses (f/k/a PC 22-5). All changes are indicated in ~~strike-through~~/underline format.

SECTION 2: POLICIES

...

AFFORDABLE HOUSING

POLICY 2.16.5 Within parcels located west of and including US 1 and designated “Community” on the Broward County Land Use Plan, dwelling units may be permitted subject to the following:

(1) The parcel is and will remain publicly owned by a municipality and within its jurisdiction or is and will remain publicly owned by a unit of local government (i.e. Broward County, School Board).

The City is requesting that language be added that speaks to P3 developments. Language can say something to the effect that it will include parcels that are P3 developments where publicly land is conveyed for the purposes of housing.

2) At least 25% of the dwelling units are deed restricted to moderate-income, low-income or very-low-income dwelling units for a minimum period of 30 years, via a legally enforceable mechanism.

3) Maximum density does not exceed 50 dwelling units per acre.

4) The local government shall make a finding that sufficient public facilities and services are available to serve the proposed development.

5) The governing body of the local government shall make a finding of compatibility with the existing and future land uses, as well as its local land development regulations at a publicly noticed meeting consistent with its notification requirements.

6) Local governments may utilize the additional permitted residential density provisions described in this Policy, at their option, regardless of whether such provisions or conflicting provisions are incorporated within their certified local land use plan elements and utilization of these provisions does not require an amendment to the Broward County Land Use Plan map or local land use plan map.

7) Local governments may be more restrictive and are not required to adopt, utilize or implement the above referenced Policy.

8) Properties located East of US 1 and designated “Community” on the Broward County Land Use Plan may permit dwelling units, as approved by the Planning Council on a case-by-case basis.

ATTACHMENT 6

Planning Council Staff Response Document Comments and Questions

Verbal Comment (Broward County Office of the County Attorney staff): Please add semicolons to join the list of criteria as requirements.

Planning Council Staff Response: Clarification reflected in Attachment 1.

Comment (BMSD, Attachment 3): Clarify ownership nomenclature referenced in 2.16.5(1).

Planning Council Staff Response: Clarification reflected in Attachment 1.

Comment (BMSD, Attachment 3): Modify 2.16.5(4) and (5) regarding findings for sufficient facilities and services and compatibility.

Planning Council Staff Response: Planning Council reviewed 2.16.5(4) and (5) to ensure consistency within the BrowardNext – Broward County Land Use Plan (BCLUP). See Attachment 1.

Comment (Fort Lauderdale, Attachment 4): Similar to the recently adopted language in Policy 2.16.4, consider language requiring incorporation of non-residential uses when providing residential uses on parcels with the Community land use located on qualified roads. This addition supports creating mixed-use, transit-oriented corridors and placing residential uses closer to services including those offered in the Community land use. The following language is suggested:

Within a development containing residential units, the following shall apply:

(a) Non-residential use may either be vertically or horizontally integrated providing the following:

1. At least fifty percent (50%) of the ground floor of any portion of a building or development, excluding ingress and egress, facing a qualified road shall provide non-residential uses;
2. On parcels greater than five (5) acres located on a qualified road, a minimum of ten percent (10%) of the gross floor area, excluding parking garages, must be reserved or utilized for non-residential uses not ancillary to the residential units.

Planning Council Staff Response: Planning Council staff is of the view that this suggestion could be contradictory to the proposed incentive for parcels designated Community on the BCLUP. Proposed Policy 2.16.5 limits the maximum density on the parcels designated Community on the BCLUP to a range of up to 50 dwelling units per acre, while BCLUP Policy 2.16.4 has no density limitations along State Roads or County Arterials. Prior to a second Planning Council public hearing, Planning Council staff will examine the plausibility of allowing local governments to permit a retail or office component for parcels designated Community along State Roads or County Arterials with a locally approved density of at least 25 dwelling units per acre up to a maximum of 50 dwelling units per acre.

Question (Fort Lauderdale, Attachment 4): How many units need to be set aside?

Planning Council Staff Response: Per proposed Policy 2.16.5(2), at least 25% of the dwelling units must be deed restricted to moderate, low or very-low for a period of at least 30 years.

Question (Fort Lauderdale, Attachment 4.): Is there an income distribution requirement and/or requirement for affordability across unit types?

Planning Council Staff Response: While there is no income distribution requirement proposed across the unit types, local governments may be more restrictive as long as no affordable dwelling units exceed the moderate affordable housing threshold of 120%.

Question (Fort Lauderdale, Attachment 4): Is there a consideration for a payment in lieu of affordable housing fee?

Planning Council Staff Response: No. Planning Council staff does not support an in lieu of affordable housing fee for this incentive as the intent is to promote partnerships and housing opportunities.

Question (Fort Lauderdale, Attachment 4): Is there an annual reporting requirement?

Planning Council Staff Response: The City will be responsible for ensuring that there is a deed restriction for at least 30 years and should require that the legally enforceable mechanism includes a clause for annual reporting and income verification by the leasing company or similar if the dwelling unit is a for sale product.

Comment (Hollywood, Attachment 5): The City is requesting that language be added that speaks to P3 developments. Language can say something to the effect that it will include parcels that are P3 developments where publicly land is conveyed for the purposes of housing.

Planning Council Staff Response: Planning Council staff notes that the proposed language in Policy 2.16.5(1) does not preclude P3 developments. However, the proposed language does preclude the conveyance of land to a private entity.

Comment (Hollywood, Attachment 5): Edit 2.16.5(5).

Planning Council Staff Response: Planning Council reviewed 2.16.5(5) to ensure consistency within the BrowardNext – Broward County Land Use Plan (BCLUP). See Attachment 1.

Comment (Hollywood, Attachment 5): Add criteria to include properties located east of US 1, as approved by the Planning Council on a case by case basis.

Planning Council Staff Response: Planning Council staff does not currently support the suggestion.

Question (Hollywood, Attachment 5): We would like to preserve our flexibility units and not have to apply them to these types of projects. How does the county envision flex units and this program working together? Or are they looked at by the Council as two separate policies?

Planning Council Staff Response: The proposed incentive-based Policy does not require the allocation of flexibility or redevelopment units. The dwelling units would be permitted by right if all criteria are met.

Question (Hollywood, Attachment 5): How will the Council monitor the creation of affordable housing beyond the filing of restrictive covenants? Will some type of reporting mechanism be established? Or are the covenants the only requirement at this point?

Planning Council Staff Response: The City will be responsible for ensuring that there is a deed restriction for at least 30 years and should require that the legally enforceable mechanism includes a clause for annual reporting and income verification by the leasing company or similar if the dwelling unit is a for sale product.

Question (Hollywood, Attachment 5): How will the Council ensure that the units remain affordable once deed restricted?

Planning Council Staff Response: The City will be responsible for ensuring that there is a deed restriction for at least 30 years and should require that the legally enforceable mechanism includes a clause for annual reporting and income verification by the leasing company or similar if a for sale product.

Question (Hollywood, Attachment 5): Will the city be responsible for monitoring the compliance of this program? If so, what is your vision for the program?

Planning Council Staff Response: The City will be responsible for ensuring that there is a deed restriction for at least 30 years and should require that the legally enforceable mechanism includes a clause for annual reporting and income verification by the leasing company or similar if a for sale product.

ATTACHMENT 7

From: [Mohammed Rasheduzzaman](#)
To: [Blake Boy, Barbara](#)
Cc: [Christopher O. Akagbosu](#); [Glennika D. Gordon](#); [Tammy Leshawn Sartin](#)
Subject: RE: Updated Proposed BrowardNext - Broward County Land Use Plan (BCLUP) Text Amendment - Affordable Housing in Community Use
Date: Tuesday, June 13, 2023 12:40:09 PM
Attachments: [image005.png](#)
[image002.png](#)

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Hi Barbara,

Please find comments from Broward County Public Schools (BCPS) staff below related to the subject proposed text amendment. Please contact our office if you have any questions or concerns.

Broward County Public School (BCPS) Staff Comments

It should be noted that BCPS does not object to residential units that would be enabled by PCT 23-3, since the allocation of such units by any municipality for development, will eventually be subject to public school concurrency review. However, if such residential units are incorporated into the boundaries of an existing Regional Activity Center (RAC) or Local Activity Center (LAC) or similar type designations with a currently effective Tri-party Educational Mitigation Agreement between the School Board, Broward County, and a subject municipality, BCPS position on such incorporation would be as follows:

1. BCPS will consider such residential units/types as additional units.
2. The Tri-Party Agreement shall be amended to reflect the total number of units and type in the RAC or LAC or similar type designations, and specifically delineate how the anticipated student impact of the additional units/type will be mitigated.

It's worth noting that at present, there are nine (9) Tri-Party Mitigation Agreements between the School Board, Broward County, and municipalities. These agreements include Coconut Creek, Dania Beach, Fort Lauderdale, Lauderdale Lakes, Lauderhill, Oakland Park, Plantation, Miramar, and Pembroke Pines.

Thank you for your continued cooperation!

Mohammed Rasheduzzaman, B. Arch., MURP, AICP

Planner - GMM

Facility Planning and Real Estate Department

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Educating Today's Students to
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The School Board of Broward County, Florida expressly prohibits bullying, including cyberbullying, by or towards any student or employee. See Policy 5.9: Anti-Bullying for additional information.

ATTACHMENT 8

AMENDMENT PCT 23-3 - PROPOSED POLICY 2.16.5

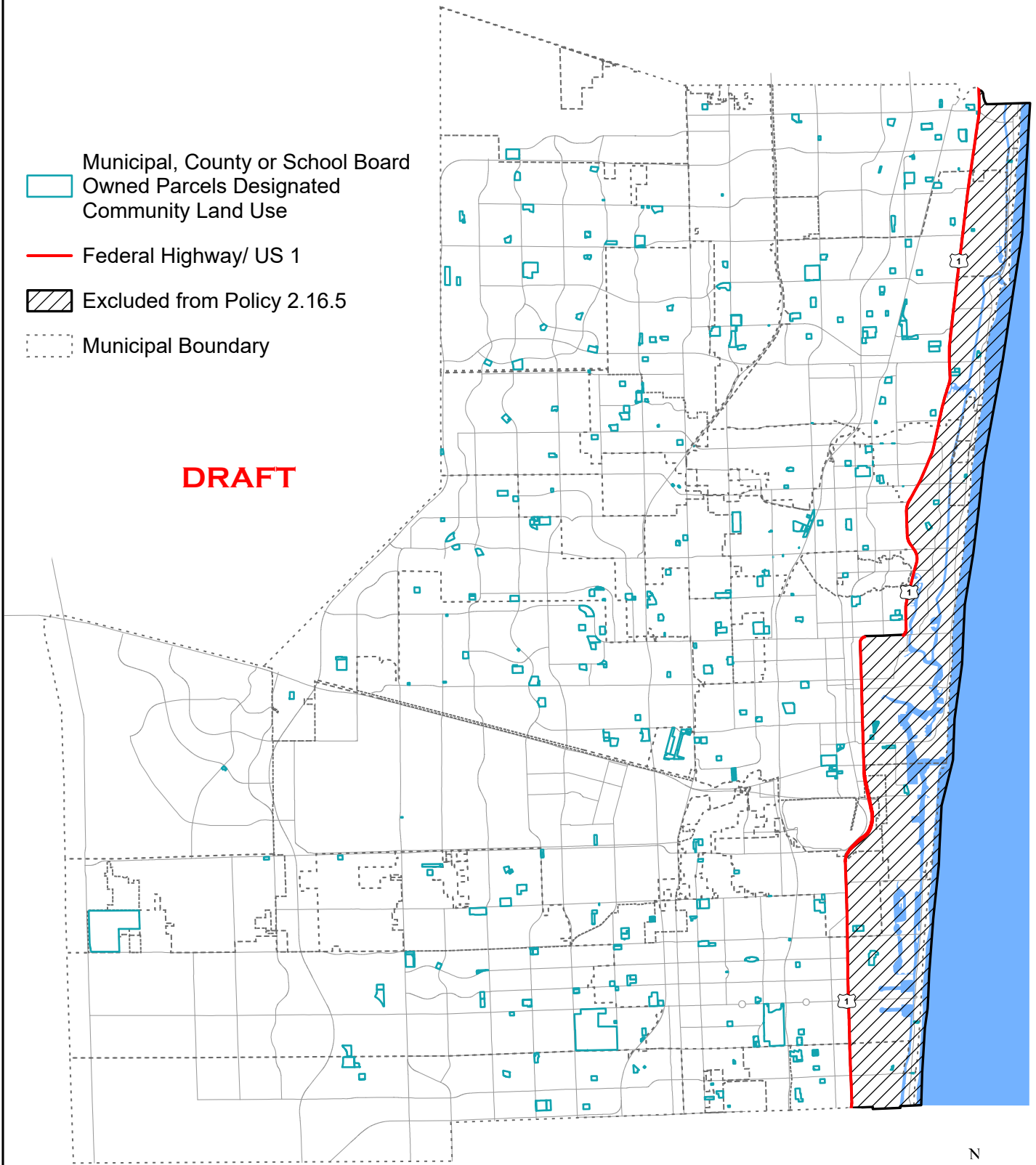
Municipal, County or School Board
Owned Parcels Designated
Community Land Use

Federal Highway/ US 1

Excluded from Policy 2.16.5

Municipal Boundary

DRAFT



Note: This map is for illustrative purposes only. Qualification is determined by the criteria outlined in BrowardNext - Broward County Land Use Plan Policy 2.16.5.

N
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August 2023