



1 Act; and is in the best interests of the health, safety, and welfare of the residents of  
2 Broward County; and

3 WHEREAS, the proposed amendment constitutes a Broward County permitted  
4 small scale amendment to the Broward County Comprehensive Plan pursuant to Section  
5 163.3187(1), Florida Statutes.

6 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
7 BROWARD COUNTY, FLORIDA:

8 Section 1. The Broward County Land Use Plan is hereby amended by  
9 amendment PC 18-1 in the City of Dania Beach, set forth in Exhibit "A," attached hereto  
10 and incorporated herein.

11 Section 2. SEVERABILITY.

12 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
13 unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
14 affect the validity of the remaining portions of this Ordinance.

15 Section 3. EFFECTIVE DATE.

16 1. The effective date of the plan amendment set forth in this Ordinance shall  
17 be the latter of:

18 (a) Thirty-one (31) days after the adoption of this Ordinance;

19 (b) The date a final order is issued by the Department of Economic Opportunity  
20 or the Administration Commission finding the amendment to be in  
21 compliance;

22 (c) If the Department of Economic Opportunity or the Administration  
23 Commission finds the amendment to be in noncompliance, pursuant to  
24 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; or

(d) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the date the Declaration of Restrictive Covenants is recorded in the Public Records of Broward County.

2. This Ordinance shall become effective as provided by law.

ENACTED  
FILED WITH THE DEPARTMENT OF STATE  
EFFECTIVE

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

By /s/ Maite Azcoitia 12/19/17  
Maite Azcoitia (date)  
Deputy County Attorney

MA/gmb  
12/19/17  
PC 18-1 City of Dania Beach.SmallScaleOrd.

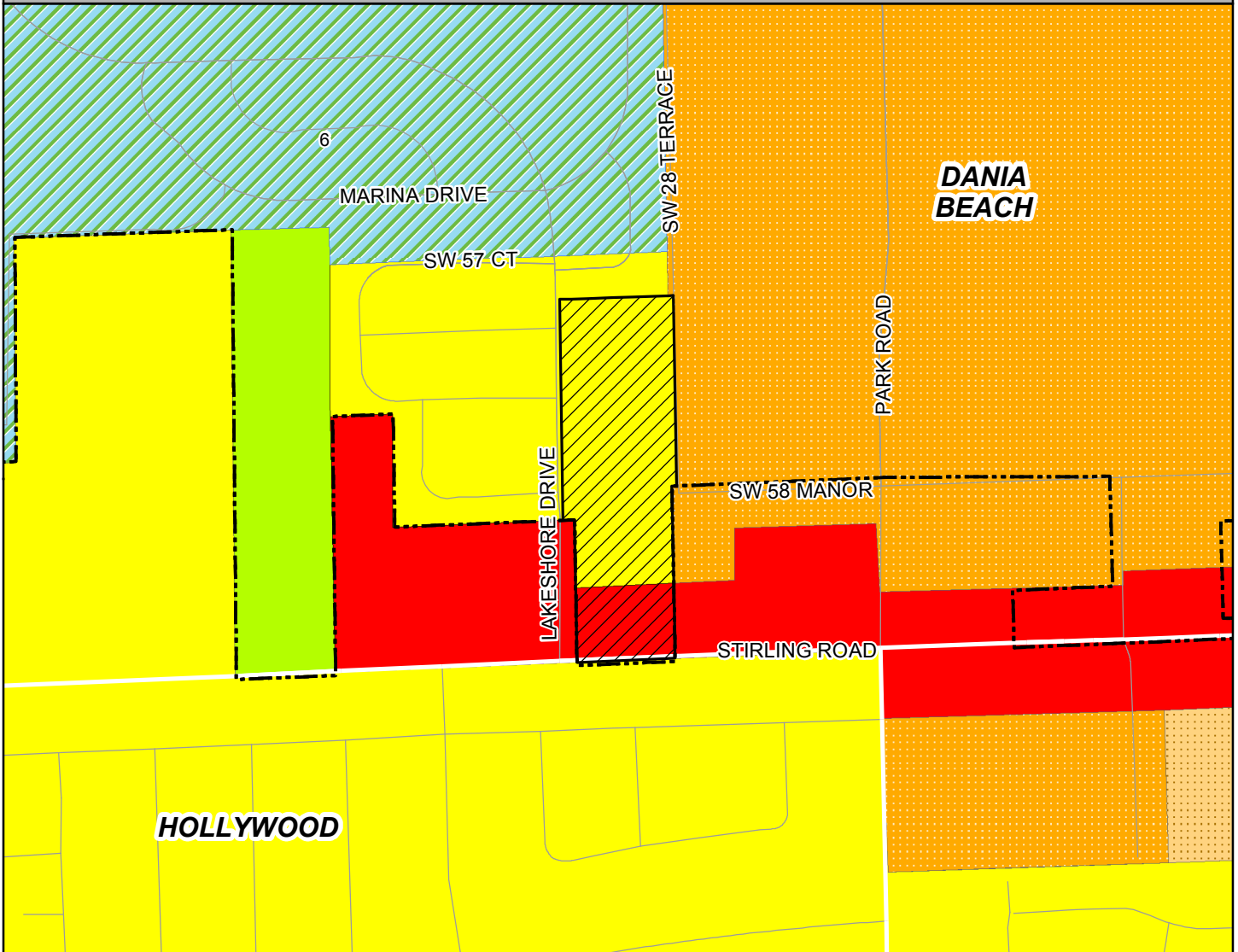
# EXHIBIT A









## BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 18-1

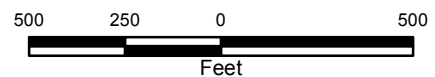
**Current Land Use:** 1.6 acres of Commerce and 6.7 acres of Low (5) Residential

**Proposed Land Use:** Irregular (23.74) Residential

**Gross Acres:** Approximately 8.3 acres



- |   |                     |   |                             |   |                       |
|---|---------------------|---|-----------------------------|---|-----------------------|
|  | Site                |  | Low-Medium (10) Residential |  | Commerce              |
|  | Municipal Boundary  |  | Medium (16) Residential     |  | Commercial Recreation |
|  | Low (5) Residential |  | Irregular Residential       |   |                       |



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 18-1**  
**(DANIA BEACH)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Recommendation October 17, 2017*

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the data and analysis submitted by the City of Dania Beach regarding affordable housing Policy 2.16.2 and subject to the applicant's voluntary contribution of \$500 per additional dwelling unit towards the City's affordable housing programs.

Further, effectiveness of the approval 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 proffered by the applicant, as an inducement for Broward County to favorably consider its application.

*II. Planning Council First Public Hearing Recommendation October 26, 2017*

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 16-0; Blackwelder, Blattner, Brunson, Castillo, DiGiorgio, Ganz, Gomez, Good, Graham, Grosso, Rosenof, Rosenzweig, Seiler, Udine, Williams and Stermer)

*III. Planning Council Staff Second Public Hearing Recommendation November 20, 2017*

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, recognizing the data and analysis submitted by the City of Dania Beach regarding affordable housing Policy 2.16.2 and subject to the applicant's voluntary contribution of \$500 per additional dwelling unit towards the City's affordable housing programs.

Further, effectiveness of the approval 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 proffered by the applicant, as an inducement for Broward County to favorably consider its application.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

III. Planning Council Staff Second Public Hearing Recommendation (continued) November 20, 2017

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 Broward County Land Use Plan 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: Broward County Land Use Plan. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

IV. Planning Council Second Public Hearing Recommendation November 30, 2017

Approval per Planning Council staff recommendation. (Vote of the board; Unanimous: 14-0; Blackwelder, Blattner, Castillo, Ganz, Gomez, Good, Graham, Grosso, Rosenzweig, Ryan, Seiler, Udine, Williams and DiGiorgio)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 18-1**

**INTRODUCTION AND APPLICANT'S RATIONALE**

- I. Municipality: Dania Beach
- II. County Commission District: District 7
- III. Site Characteristics
- A. Size: Approximately 8.3 acres
- B. Location: In Section 32, Township 50 South, Range 42 East; generally located on the north side of Stirling Road, between Lakeshore Drive and Southwest 28 Terrace.
- C. Existing Uses: Former religious institution and daycare
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designations: 6.7 acres of Low (5) Residential  
1.6 acres of Commerce
- B. Proposed Designation: Irregular (23.74) Residential
- C. Estimated Net Effect: Addition of 164 dwelling units [33 dwelling units currently permitted by the Broward County Land Use Plan]  
Reduction of 1.6 acres of commerce use
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses: *North:* Single-family residential (mobile homes)  
*East:* Multi-family residential and fire station  
*South:* Single-family residential  
*West:* Retail and single-family residential (mobile homes)
- B. Planned Uses: *North:* Low (5) Residential  
*East:* Low-Medium (10) Residential and Commerce  
*South:* Low (5) Residential  
*West:* Commerce and Low (5) Residential

**INTRODUCTION AND APPLICANT'S RATIONALE (continued)**

VI. Applicant/Petitioner

- A. *Applicant:* Stellar Homes Group
- B. *Agent:* Greenspoon Marder, P.A.
- C. *Property Owner:* Stirling Alya, LLC

VII. Recommendation of  
Local Governing Body:

The City of Dania Beach recommends approval. The City anticipates adopting the corresponding local amendment in January of 2018.