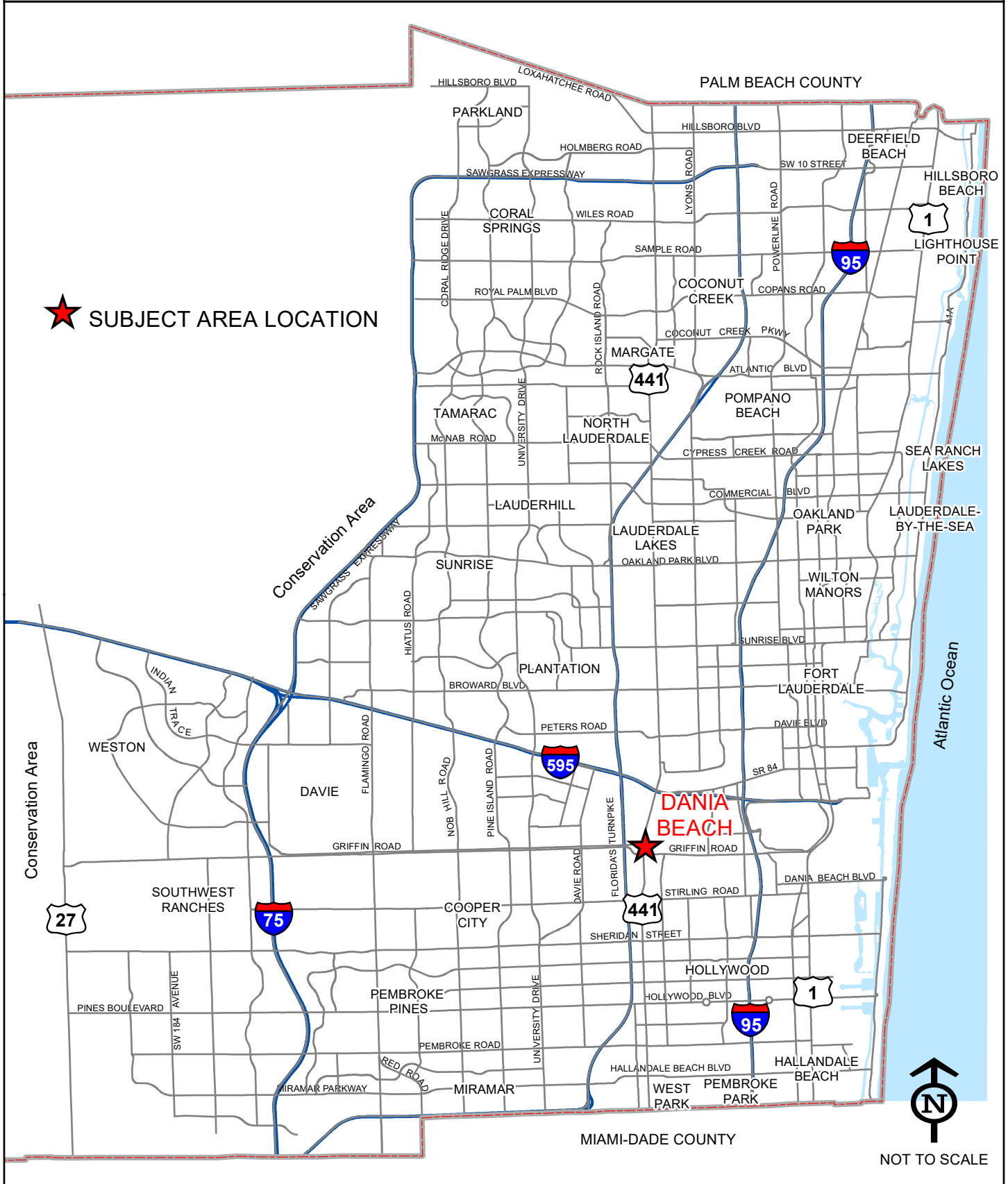


# EXHIBIT 2

## BROWARDNEXT - BROWARD COUNTY LAND USE PLAN GENERALIZED LOCATION MAP AMENDMENT PC 21-4



★ SUBJECT AREA LOCATION



NOT TO SCALE

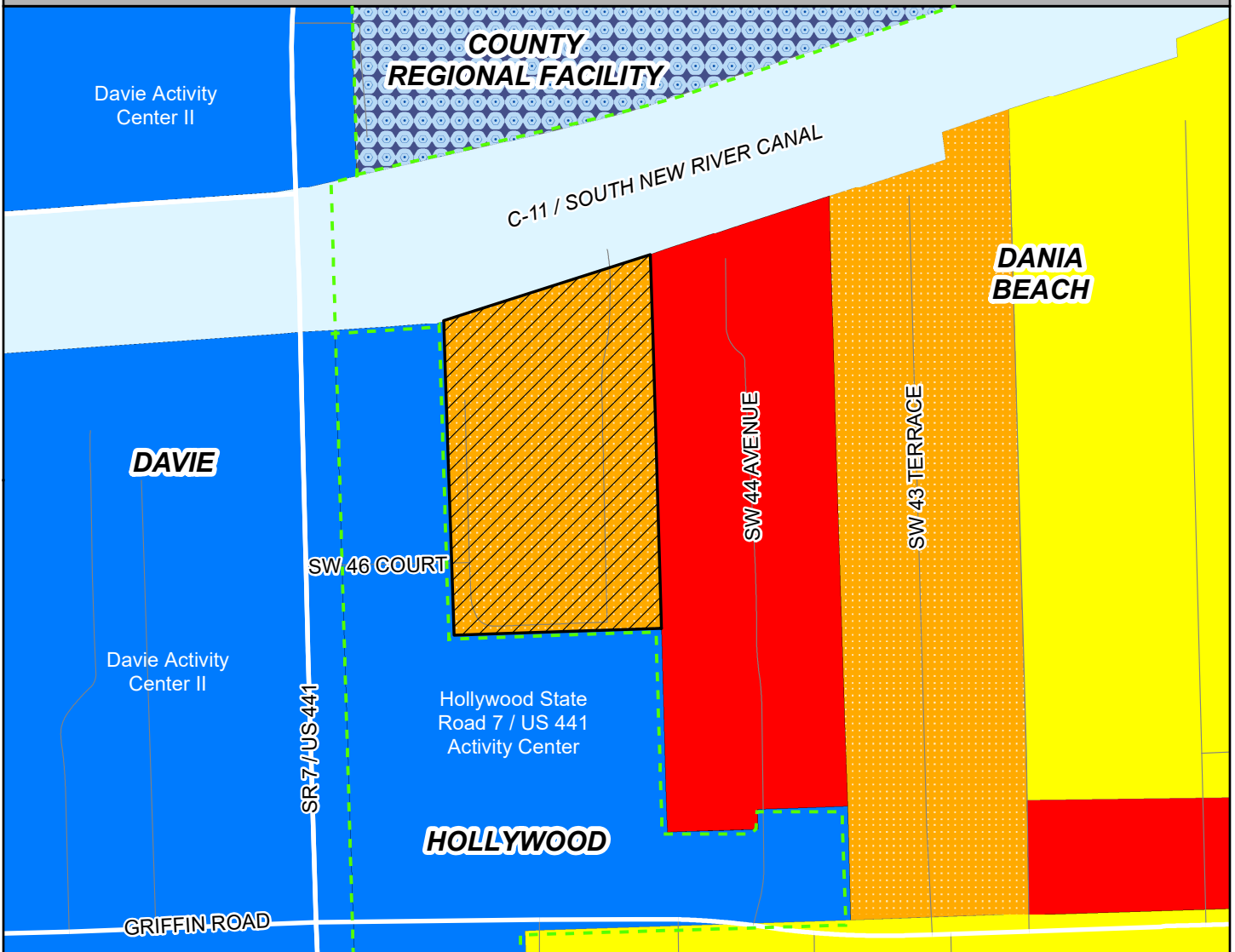
**MAP 1**  
**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN**  
**AERIAL PHOTOGRAPH**  
**AMENDMENT PC 21-4**











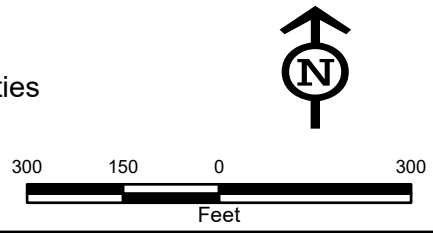
**MAP 2**  
**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN**  
**CURRENT FUTURE LAND USE DESIGNATIONS**  
**AMENDMENT PC 21-4**

**Current Land Use:** Low-Medium (10) Residential

**Gross Acres:** Approximately 5.5 acres



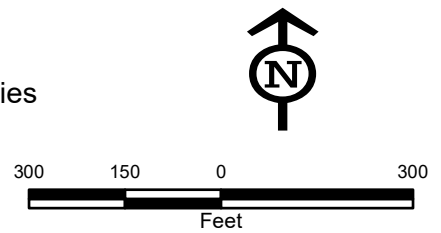
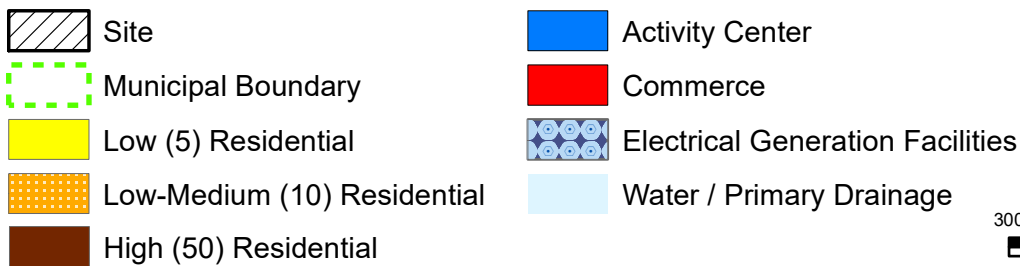
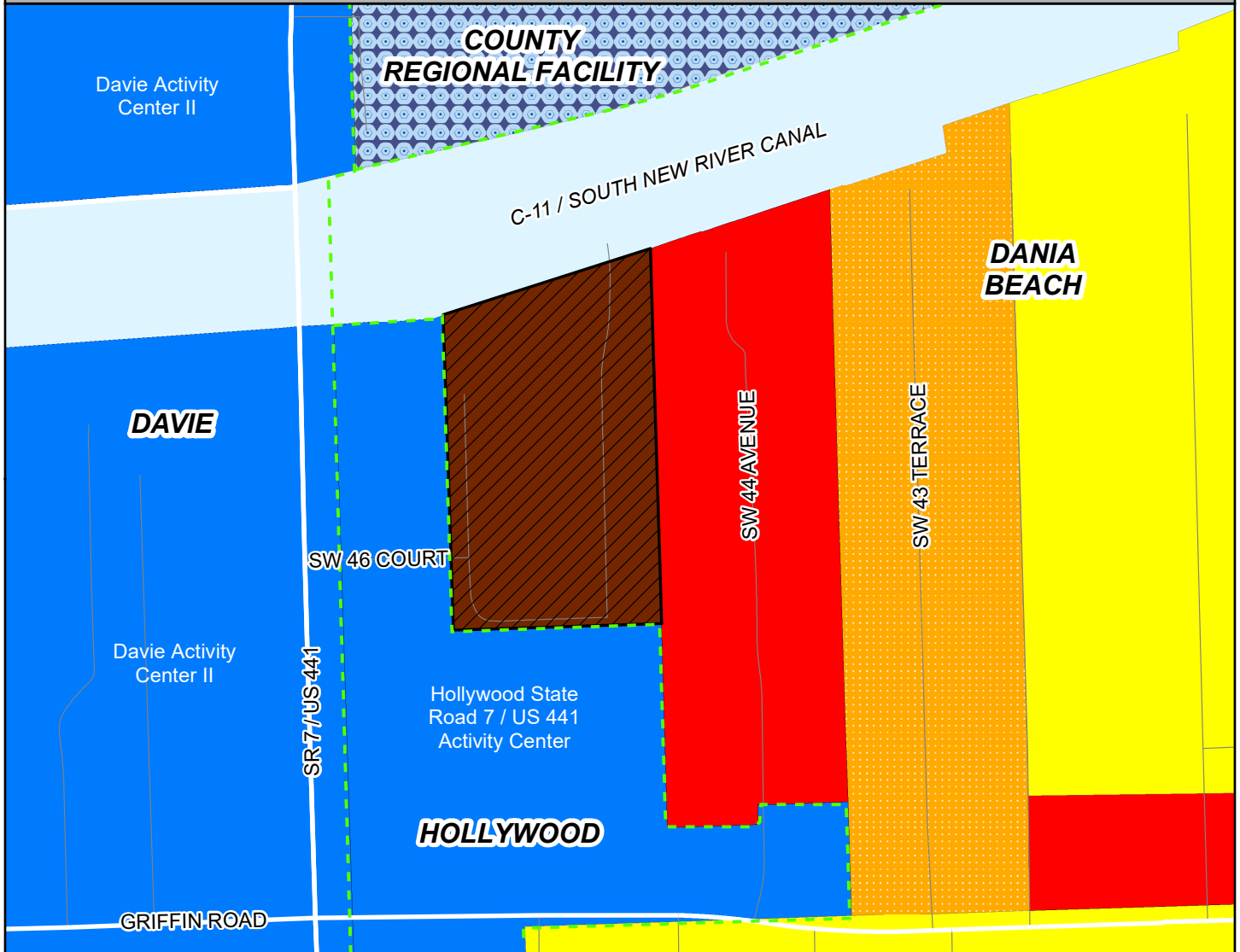
- |                                                                                                                 |                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
|  Site                        |  Activity Center                  |
|  Municipal Boundary          |  Commerce                         |
|  Low (5) Residential         |  Electrical Generation Facilities |
|  Low-Medium (10) Residential |  Water / Primary Drainage         |



**MAP 3**  
**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN**  
**PROPOSED FUTURE LAND USE DESIGNATIONS**  
**AMENDMENT PC 21-4**

**Proposed Land Use:** High (50) Residential

**Gross Acres:** Approximately 5.5 acres



**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PC 21-4**  
**(DANIA BEACH)**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Recommendation January 19, 2021*

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan (BCLUP), recognizing the applicant's voluntary commitment to restrict 15 percent of the proposed dwelling units as moderate-income affordable housing units for a minimum of 30 years. See Attachment 9. Therefore, it is recommended that the proposed amendment be approved.

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 applicant's confirmation and acknowledgement that any County jurisdictional mangroves cannot be impacted without additional licensing and mitigation, as well as the information that has been submitted regarding the improvement of the site related to stormwater and drainage, is recognized. See Attachments 7 and 8.

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
- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or

*(Planning Council staff recommendation continued on next page)*

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

**I. Planning Council Staff Recommendation (continued)**

**January 19, 2021**

- (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 Public Hearing Recommendation**

**January 28, 2021**

Approval per Planning Council staff recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 15-0: Blackwelder, Breslau, Brunson, Castillo, Fernandez, Gomez, Graham, Grosso, Hardin, Maxey, Railey, Rich, Rosenof, Williams and DiGiorgio)

**SECTION II**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**INTRODUCTION AND APPLICANT’S RATIONALE**

- I. Municipality: Dania Beach
- II. County Commission District: District 7
- III. Site Characteristics
  - A. Size: Approximately 5.5 acres
  - B. Location: In Section 25, Township 50 South, Range 41 East; generally located east of State Road 7/U.S. 441, between the C-11/South New River Canal and Griffin Road.
  - C. Existing Use: Single-family residential (mobile homes)
- IV. Broward County Land Use Plan (BCLUP) Designations
  - A. Current Designation: Low-Medium (10) Residential
  - B. Proposed Designation: High (50) Residential
  - C. Estimated Net Effect: Addition of 220 dwelling units  
[55 dwelling units currently permitted by the Broward County Land Use Plan – 275 total dwelling units]
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
  - A. Existing Uses:
    - North:* Marina
    - East:* Mixed-use, vacant, light manufacturing and warehouse
    - South:* Vacant and retail (Hollywood)
    - West:* Parking lot and mixed-use (Hollywood)
  - B. Planned Uses:
    - North:* Water/Primary Drainage (C-11/South New River Canal)
    - East:* Commerce
    - South:* Activity Center (Hollywood)
    - West:* Activity Center (Hollywood)

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

VI. Applicant/Petitioner

- A. *Applicant:* CCI Properties 1, LLC
- B. *Agent:* Debbie Orshefsky, Esq., Holland & Knight
- C. *Property Owner:* CCI Properties 1, LLC

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 applicant is requesting to change the future land use designation from Low-Medium Residential (10 du/ac) to High Residential (50 du/ac). The existing use of the Property is for mobile homes. The narrow waterway which bisects the amendment area is being permitted to be filled and returned to upland use.

The proposed residential use is actually part of a unified plan of development with the 5+/- acres lying directly west of the amendment area located in the City of Hollywood ("Harbor Landings") and designated Transit Oriented Corridor (TOC) on the applicable land use plans. Harbor Landings is an integrated mixed-use project with 230 hotel keys, 8,500 square feet of commercial/retail and 275 multi-family units. The hotel keys and commercial/retail uses are located within the City of Hollywood directly fronting and with access to State Road 7/U.S. 441. By designing the Dania Beach residential portion of Harbor Landings and the Hollywood hotel and commercial uses as a unified development plan, the development will provide a strong street presence, enhanced pedestrian connectivity, transient mooring for vessels along the Dania Cut and new neighborhood serving commercial/retail tenants. The residential component in Dania Beach will provide new and affordable living spaces for a growing market to ensure residents of both Dania Beach and Hollywood can live in close proximity to major employment centers.

The proposed Residential Land Use is consistent with the Broward County Land Use Plan, including Strategy TR-1 (prioritizing new development and redevelopment including reference to the major transit corridors), Strategy MM-2 (recognizing the linkages between transportation and housing), and Strategy AH-4 (affordable housing). The Property is ideally located for a mixed-use project of this type as it supports, provides, and integrates a range of residential uses (housing options) and non-residential uses (including employment-based uses) within a defined setting that will enhance the opportunities to utilize and achieve the aforementioned strategies.



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

*VIII. Applicant's Rationale (continued)*

The Property is situated in an area of the City of Dania Beach and the County that is intended to support additional development due to the Property's proximity to major transportation corridors, public infrastructure, and employment centers. In addition, the increase in development can be supported by the area's existing public infrastructure including water, wastewater, transportation, parks and recreation facilities, stormwater, etc."

**SECTION III**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**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, and park and open space acreage will be available to serve the proposed land use. See Attachment 1.

Regarding the long-range planning horizon for potable water supply, it is noted that although the amendment site is located in the City of Dania Beach, Broward County is the potable water service provider for the amendment site. Broward County adopted its Water Supply Facilities Work Plan on April 21, 2020.

*II. Transportation & Mobility*

The proposed amendment is projected to increase traffic on the regional transportation network by approximately 74 p.m. peak hour trips at the long-range planning horizon. However, the increase of p.m. peak hour trips to the roadway network results in no segment being significantly impacted greater than three (3) percent or degrading a level of service from acceptable to unacceptable; therefore, per Policy 2.14.9, no significant or adverse impacts to the regional transportation network are projected. See Attachment 2.

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

- **Griffin Road**, between Florida's Turnpike and Interstate 95, is currently operating at and projected to continue operating at level of service (LOS) "C," with or without the subject amendment.
- **State Road 7/U.S. 441**, between Griffin Road and State Road 84, is currently operating at LOS "C," and projected to operate at LOS "F," with or without the subject amendment.

The Broward County Transit Division (BCT) report states that current and planned fixed-route county transit service, as well as community shuttle service, is provided to the proposed amendment site. In addition, the BCT report identifies planned Penny Surtax transit improvements to the county routes serving the amendment area, along with a new local bus service along Griffin Road. 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 3.

## **REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)**

### **II. Transportation & Mobility (continued)**

The Broward County Planning and Development Management Division (PDMD) report notes that State Road 7/U.S. 441 is the primary corridor that provides connectivity to the proposed amendment site. The PDMD report recommends that the applicant consider working with transportation partner agencies to increase the widths of adjacent sidewalks and provide buffered bicycle facilities to reduce the level of traffic stress and that future development be designed to include safe and convenient connections between the development and the surrounding transportation network. The PDMD staff also recommends that amenities such as pedestrian-scale lighting, shade trees, bicycle racks, lockers and bicycle repair stations be considered, as well as the provision of electric vehicle charging stations. See Attachment 4. The applicant has stated that the project will be designed to encourage pedestrian activity by incorporating a mix of uses, and provide accessibility to the surrounding transportation network and transit. In addition, the applicant stated that bicycle facilities and designated space for ride share services will also be incorporated into the development. See Attachment 7.

### **III. Public Schools**

The School Board of Broward County staff report states that the proposed amendment would generate 14 additional students into Broward County Public Schools, consisting of 6 elementary school students, 3 middle school students and 5 high school students. The report further states that Collins Elementary, Attucks Middle and Hollywood Hills High schools are all under-enrolled in the 2019-2020 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 2021-2022 school year. In addition, the School Board report indicates that there is one (1) charter school located within a two-mile radius of the proposed amendment site. See Attachment 5.

The School Board report indicates that there are no planned improvements which increase the capacities of the affected elementary, middle and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. See Attachment 5.

Based on the School District's Seven Long Range Planning Areas, the proposed amendment is located within School District Planning Area "G," 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 5.

**SECTION IV**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**REVIEW OF NATURAL RESOURCES**

*I. Designated Protected/Regulated Areas*

The Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, Urban Wilderness Inventory sites, or Protected Natural Lands within its boundaries. See Attachment 6.

*II. Wetlands*

The EPGMD report indicates that the proposed amendment site may contain County jurisdictional mangroves within its boundaries. An Environmental Resource License application (DF20-1085) has been submitted and is under review. The EPGMD report identifies that surface disturbing activities, excavation or filling of any surface waters, or the construction or repair of in-water structures, such as seawalls, docks and wet slips may require an Environmental Resource License and a modification to the existing Marine Facility Operating License. See Attachment 6. The applicant acknowledges that an Environmental Resource License application was submitted, and that approval is required prior to any site work. In addition, the applicant acknowledges that any changes to the number of wet slips will require an Environmental Resource License and modification to the Marine Facility Operating License. See Attachment 7.

*III. Sea Level Rise*

Although, the EPGMD report states that the amendment site contains, falls within and/or overlaps with an area designated on the Priority Planning Areas (PPA) for Sea Level Rise Map and thus is subject to Broward County Land Use Plan (BCLUP) Policies 2.21.1, 2.21.5 and 2.24.2, Planning Council staff notes that the amendment area is on the pending PPA map and not on the effective 2015 PPA map. See Attachments 6 and 8. The applicant has provided additional information detailing site design elements related to tidal flood barriers, flood protection and on-site water management that have been incorporated in the development plan to address said BCLUP policies. The applicant has indicated that the site perimeter will be elevated to, or above, +5 feet NAVD and that all buildings will meet the City's code requirement for finished floor elevations that meet or exceed the base flood elevation (6 feet NAVD for the site). In addition, the applicant has acknowledged the requirement to comply with Broward Ordinance 2017-16 based on the Future Conditions Average Wet Season Groundwater Elevation and the Future Conditions 100 Year Flood Map when submitting its surface water license application and drainage plan.

## **REVIEW OF NATURAL RESOURCES (continued)**

### **III. Sea Level Rise (continued)**

Further, the applicant has committed to improving the South Florida Water Management District right-of-way with rip-rap, managing all stormwater and drainage on-site with no discharge into surface waters, ensuring that on-site water usage will be from municipal sources and that groundwater wells will not be utilized for irrigation or other water sources. See Attachments 7 and 8. The Broward County Environmental Planning and Community Resilience Division has reviewed the information submitted by the applicant, and has stated that it supports the proposed amendment, noting that since the applicant is proposing to fill the existing canal within the site, this would reduce or eliminate the on-site areas denoted on the pending PPA map. See Attachment 8.

### **IV. Other Natural Resources**

The EPGMD report 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. The EPGMD 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. It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 6. The applicant acknowledges that all invasive exotic vegetation is to be removed during the development process, and that a management plan may be necessary to control reinvasion of same, nor will landscape material include any plants considered to be invasive. See Attachment 7.

### **V. Historical/Cultural Resources**

The Broward County Planning and Development Management Division (PDMD) report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 4.

**SECTION V**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**OTHER PLANNING CONSIDERATIONS/INFORMATION**

*I. Affordable Housing*

The proposed land use plan amendment is subject to BrowardNext - Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 220 additional residential units to be permitted by the BCLUP. The Broward County Planning and Development Management Division (PDMD) report states that the City's Comprehensive Plan, including its adopted housing goals, objectives and policies, which prioritize increasing the supply of affordable housing, along with the applicant's voluntary commitment to designate 15 percent (i.e. 41 dwelling units) of the proposed dwelling units as moderate-income affordable housing units for at least 30 years demonstrates compliance with BCLUP Policy 2.16.2. The PDMD staff also requests that a legally enforceable document be provided to formalize the applicant's voluntary commitment regarding affordable housing. See Attachment 4. The applicant submitted a draft Declaration of Restrictive Covenants outlining the voluntary commitment to restrict 15 percent of the proposed dwelling units as moderate-income affordable housing units for a minimum of 30 years. See Attachment 9.

The PDMD report notes that the application did not include an affordable housing study or analysis. PDMD staff's review of information from the *Broward County Affordable Housing Needs Assessment* (2018), which utilized 2017 American Community Survey (ACS) data, indicates a citywide surplus of low- and moderate-income affordable units, for both renters and owners. However, there is a combined deficit of 1,996 very-low income units (-215 rental and -1,781 owner units). See Attachment 4.

*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, recognizing the applicant's voluntary commitment to restrict 15 percent of the proposed dwelling units as moderate-income affordable housing units for a minimum of 30 years. See Attachment 9.

*III. Other Pertinent Information*

This is a small scale amendment pursuant to Chapter 163.3187, Florida Statutes. Therefore, the amendment review process includes up to two (2) Planning Council public hearings and only one (1) subsequent County Commission adoption hearing. The small scale amendment is not subject to Florida Department of Economic Opportunity (DEO) review; therefore, no report will be issued by the DEO, or other State review agencies.

**OTHER PLANNING CONSIDERATIONS/INFORMATION (continued)**

**III. Other Pertinent Information (continued)**

The proposed amendment is located adjacent to the City of Hollywood. Planning Council staff solicited comments from the City of Hollywood and did not receive any comments on the proposed amendment as of this writing. Planning Council staff notes that this amendment site is part of a unified development plan including the approximately 5 acres located directly west of the amendment site and within Hollywood's Transit Oriented Corridor. The entire unified development is a mixed-use project that includes hotel and commercial uses on the Hollywood portion and 275 multi-family dwelling units on the Dania Beach portion. The applicant has submitted renderings and depictions of the proposed unified development. See Attachment 12.

The proposed amendment site is south of the C-11/South New River Canal, which is part of Broward County's primary drainage system, and of which, the South Florida Water Management District (SFWMD) is the maintaining agency. Planning Council staff solicited comments from the SFWMD, which stated that they have no comment.

The applicant mailed correspondence regarding the proposed development plan to property owners and residents along Southwest 43 Terrace and met with the President of the Griffin Civic Association and received no objections regarding the proposal.

Regarding notification of the public, the Broward County Planning Council staff sent approximately 15 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

**SECTION VI**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**PLANNING ANALYSIS**

The proposed BrowardNext – Broward County Land Use Plan (BCLUP) amendment from Low-Medium (10) Residential to High (50) Residential would result in an addition of 220 dwelling units. The amendment site is bordered on the west and south by mixed-use, parking lot, retail and vacant uses designated as Activity Center as well as mixed-use, vacant, light manufacturing and warehouse uses designated Commerce to the east and a marina to the north. In addition, the proposed amendment site is located adjacent to two primary transportation corridors, State Road 7/U.S. 441 and Griffin Road. It is also noted that the proposed multi-family development will continue to be supported by the existing retail use to the south and integrated with the proposed commercial and hotel uses on the approximately 5 acres located directly west of the amendment site and within Hollywood’s Transit Oriented Corridor.

Planning Council staff’s analysis finds that adequate **potable water plant capacity and supply, sanitary sewer, drainage, solid waste capacity and park acreage** will be available to serve the proposed land use. In addition, staff’s analysis finds that the proposed amendment is not projected to significantly or adversely impact the operating conditions of the **regional transportation network**. See Attachment 2. Further, no adverse impacts to **historical or cultural resources** were identified.

Regarding impacts to **public schools**, the School Board of Broward County staff report states that the proposed amendment would generate 14 additional students into Broward County Public Schools, consisting of 6 elementary school students, 3 middle school students and 5 high school students. Based on the School District’s Seven Long Range Planning Areas, the amendment is located within School District Planning Area “G,” which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, 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 5.

Concerning impacts to **natural resources**, the Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site may contain County jurisdictional mangroves within its boundaries, and that an Environmental Resource License application has been submitted and is under review. Further, surface disturbing activities, excavation or filling of any surface waters, or the construction or repair of in-water structures may require an Environmental Resource License and a modification to the existing Marine Facility Operating License. See Attachment 6. The applicant acknowledges that an Environmental Resource License application was submitted, and that approval is required prior to any site work. In addition, the applicant acknowledges that any changes to the number of wet slips will require an Environmental Resource License and modification to the Marine Facility Operating License. See Attachment 7.



**PLANNING ANALYSIS (continued)**

Further, the applicant has confirmed that all invasive exotic vegetation will be removed during the development process, and that landscape material will not include any plants considered to be invasive. See Attachment 7.

Although the EPGMD report states that the amendment site contains, falls within and/or overlaps with an area designated on the Priority Planning Areas (PPA) for Sea Level Rise Map and thus is subject to Broward County Land Use Plan (BCLUP) Policies 2.21.1, 2.21.5 and 2.24.2, Planning Council staff notes that the amendment area is on the pending PPA map and not on the effective 2015 PPA map. See Attachments 6 and 8. The applicant has provided additional information detailing site design elements related to tidal flood barriers, flood protection and on-site water management that have been incorporated in the development plan to address said BCLUP policies. See Attachments 7 and 8. The Broward County Environmental Planning and Community Resilience Division has reviewed the additional information submitted by the applicant, and has stated that it supports the proposed amendment, noting that since the applicant is proposing to fill the existing canal within the site, this would reduce or eliminate the on-site areas denoted as priority planning areas for sea level rise. See Attachment 8.

Regarding **affordable housing**, the proposed land use plan amendment is subject to BCLUP Policy 2.16.2, as it proposes 220 additional residential units to be permitted by the BCLUP. The Broward County Planning and Development Management Division report states that the City's Comprehensive Plan, including its adopted housing goals, objectives and policies, which prioritize increasing the supply of affordable housing, along with the applicant's voluntary commitment to designate 15 percent (i.e. 41 dwelling units) of the proposed dwelling units as moderate-income affordable housing units for at least 30 years demonstrates compliance with BCLUP Policy 2.16.2. See Attachments 4 and 9.

In conclusion, Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan (BCLUP), recognizing the applicant's voluntary commitment to restrict 15 percent of the proposed dwelling units as moderate-income affordable housing units for a minimum of 30 years. See Attachment 9. Therefore, it is recommended that the proposed amendment be approved.

**SECTION VII**  
**AMENDMENT REPORT**  
**PROPOSED AMENDMENT PC 21-4**

**ATTACHMENTS**

1. Broward County Planning Council Supplemental Report of November 2020
2. Broward County Planning Council Traffic Analysis of September 23, 2020
3. Broward County Transit Division Report of November 10, 2020
4. Broward County Planning and Development Management Division Report of October 28, 2020
5. School Board of Broward County Consistency Review Report of July 8, 2020
6. Broward County Environmental Protection and Growth Management Department Report of October 23, 2020
7. Correspondence from Andrew Bardar, President, CCI Properties 1, LLC, to Barbara Blake Boy, Executive Director, Broward County Planning Council, dated December 9, 2020
8. Correspondence from Samantha Danchuk, Ph.D, Assistant Director, Environmental Planning and Community Resilience Division, to the Broward Planning Council, dated January 4, 2021
9. Draft Declaration of Restrictive Covenants Regarding Affordable Housing
10. Broward County Water Management Division Report of September 29, 2020
11. Broward County Parks and Recreation Division Report of October 26, 2020
12. Renderings of Proposed Development Submitted by the Applicant, received December 22, 2020

# ATTACHMENT 1

## BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

### BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PC 21-4

Prepared: November 2020

#### ***POTABLE WATER***

The proposed amendment site will be served by the Hollywood Water Treatment Plant, which has a current capacity of 59.5 million gallons per day (mgd). The current and committed demand on the treatment plant is 25.04 mgd, with 34.46 mgd available. The City of Hollywood wellfields serving the amendment site have a permitted withdrawal of 39.38 mgd, with 14.34 mgd available for water withdrawal, which expires on April 10, 2028. Planning Council staff utilized a level of service of 300 gallons per day (gpd) per dwelling unit for residential uses. The amendment will result in a net increase in demand of 0.07 mgd. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site.

#### ***SANITARY SEWER***

The proposed amendment site 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 48.63 mgd, with 6.87 mgd available. Planning Council staff utilized a level of service of 300 gpd per dwelling unit for residential uses. The amendment will result in a net increase in demand of 0.07 mgd. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

#### ***SOLID WASTE***

The proposed amendment site will be served by Waste Management for solid waste disposal service. Waste Management collects and transports the City's solid waste to the Monarch Hill landfill, which has a capacity of 10,000 tons per day (tpd) and a demand of 4,110 tpd, with 5,890 tpd available. Planning Council staff utilized a level of service of 8.9 pounds per day per dwelling unit for residential uses. The proposed amendment will result in a net increase in demand of 1,958 pounds per day or 0.98 tpd. Sufficient solid waste capacity will be available to serve the proposed amendment site.

#### ***DRAINAGE***

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

#### ***PARKS AND OPEN SPACE***

The City of Dania Beach has 149.93 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 1.5 acres on the projected demand for local parks. The City of Dania Beach continues to meet the community parks acreage requirement of the Broward County Land Use Plan of 3 acres per one thousand persons population.

# ATTACHMENT 2

## TRAFFIC ANALYSIS PC 21-4

Prepared: September 23, 2020

### **INTRODUCTORY INFORMATION**

Jurisdiction: City of Dania Beach

Size: Approximately 5.5 acres

### **TRIPS ANALYSIS**

#### **Potential Trips - Current Land Use Designation**

Current Designation: Low-Medium (10) Residential

Potential Development: 55 dwelling units

Trip Generation Rate: "ITE Equation (220) Multifamily Housing (Low-Rise)"\*

Total P.M. Peak Hour Trips: 38 peak hour trips

#### **Potential Trips - Proposed Land Use Designation**

Proposed Designation: High (50) Residential

Potential Development: 275 dwelling units

Trip Generation Rate: "ITE Equation (222) Multifamily Housing (High-Rise)"

Total P.M. Peak Hour Trips: 112 peak hour trips

**Net P.M. Peak Hour Trips** + 74 peak hour trips

### **PLANNING COMMENTS**

The proposed amendment is projected to increase traffic on the regional transportation network by approximately 74 p.m. peak hour trips at the long-range planning horizon. However, the increase of p.m. peak hour trips to the roadway network results in no segment being significantly impacted greater than three (3) percent or degrading a level of service from acceptable to unacceptable; therefore, per Policy 2.14.9, no significant or adverse impacts to the regional transportation network are projected.

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

# ATTACHMENT 3



Transportation Department

**TRANSIT DIVISION- Service and Strategic Planning**

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



## VIA EMAIL

November 10, 2020

Christina Evans  
Planner  
Broward County Planning Council  
115 South Andrews Ave, Room 307  
Fort Lauderdale, FL 33301

RE: Land Use Plan Amendment PC 21-4

Dear Ms. Evans:

Broward County Transit (BCT) has reviewed your correspondence dated September 24, 2020, regarding the proposed Land Use Plan Amendment (LUPA) PC 21-4 located in the City of Dania Beach for current and planned transit service. The current transit service provided within a quarter mile of the amendment site is limited to BCT fixed routes 15, 18, 441 and the City of Dania Beach Community Shuttle West route. Please refer to the following table for detailed information.

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
15	Weekday	5:50a – 10:09a PEAK 2:50p – 7:09p PEAK	65 minutes
18	Weekday Saturday Sunday	4:30a – 12:40x 5:10a – 12:40x 6:00a – 11:40p	20 minutes 15 minutes 20 minutes
441	Weekday	5:40a – 10:16a PEAK 4:05p – 8:46p PEAK	23 minutes
Dania Beach Community Shuttle West Route (BCT 741)	Weekday	9:00a – 5:47p	75 minutes

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



Transportation Department

**TRANSIT DIVISION- Service and Strategic Planning**

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

As part of the 30-year, one-cent surtax for transportation, BCT will be implementing a number of fixed route bus improvements, including shorter headways and increased span of service on weekdays with implementation of weekend service, for BCT Route 15 and new local bus service along Griffin Road are specified in the Broward County Transit Development Plan (TDP) and/or Broward MPO 2040 Long Range Transportation Plan (LRTP). Planned improvements also include a bus rapid transit route on SR 7/441, which will replace the 441 Breeze, with revised headways for Route 18.

Please be advised of the following BCT bus stops that are adjacent to or within the amendment site:

- 1299
- 1376
- 1377
- 4718
- 4719
- 4720
- 5538
- 5377

BCT has no objections to this LUPA but recommends that any proposed 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 bus stops.

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

Sincerely,

A handwritten signature in cursive script that reads "Tara T. Crawford".

Tara T. Crawford, AICP  
Senior Planner  
Service and Strategic Planning

# ATTACHMENT 4



Environmental Protection and Growth Management Department  
**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**  
115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

**DATE:** October 28, 2020

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

**FROM:** Josie P. Sesodia, AICP, Director  
Planning and Development Management Division

**SUBJECT:** Broward County Land Use Plan  
*Review of Proposed Amendment – Dania Beach PC 21-4*

JOSIE  
SESODIA  
Digitally signed by JOSIE  
SESODIA  
Date: 2020.10.28  
10:00:12 -04'00'

The Broward County Planning and Development Management Division (PDMD) staff has reviewed proposed amendment PC 21-4. The subject site is located in Dania Beach involving approximately 5.5 acres. The amendment proposes:

*Current Designations:* Low-Medium (10) Residential

*Proposed Designation:* High (50) Residential

*Estimated Net Effect:* Addition of 220 dwelling units  
55 dwelling units currently permitted by the Broward County Land Use Plan  
275 total dwelling units

### Item 7 – Analysis of Natural and Historic Resources

- A. Based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), the County’s archaeological consultant determined that the proposed project will have no adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
1. The subject property is adjacent to the South New River Canal (BD04153), a Resource Group categorized as Eligible for the National Register of Historic Places by the State Historic Preservation Office. It is not anticipated that changing the land use designation and addition of dwelling units on this property will alter this resource.
  2. The subject property is located within Dania Beach outside jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). The property owner / agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Attn: Director  
Community Development Division  
City of Dania Beach  
100 W. Dania Beach Boulevard  
Dania Beach, Florida 33004  
Tel.: (954) 924-6805

3. In the event that unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner  
5301 S.W. 31st Avenue  
Fort Lauderdale, Florida 33312  
Telephone: (954) 357-5200  
Fax: (954) 327-6580  
Email: [Med\\_Exam\\_Trauma@broward.org](mailto:Med_Exam_Trauma@broward.org)  
Website: <http://www.broward.org/MedicalExaminer>

#### Item 8 - Affordable Housing

The Planning and Development Management Division (PDMD) staff has reviewed this application and has determined that it meets the requirements of BCLUP Policy 2.16.2 and Article 5. However, this determination is based on the recordation of a legally enforceable document, regarding the voluntary commitment to designate 15% of the proposed dwelling units as moderate-income affordable housing units, and further restricting them as affordable units for 30 years.

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 55 residential units are currently permitted under the existing Land Use Plan and this request represents an increase of 220 dwelling units for a total of 275 dwelling units. **Therefore, Policy 2.16.2 applies to this project.**

According to the application, this site is currently developed as a mobile home park, and the proposed multifamily units are part of a unified plan of development with the adjacent City of Hollywood, integrating it with 230 hotel rooms and 8,500 square feet of commercial use. The residential component in Dania Beach "will provide new and affordable living spaces for a growing market to ensure residents of both Dania Beach and Hollywood can live in close proximity to major employment centers."

The application also indicates that a minimum of 15% of the 275 proposed dwelling units – a total of 41 units – are required to be designated as affordable units. The applicant states that the proposed residential land use is consistent with the Broward County Land Use Plan ("BCLUP"), including Strategy TR-1 (prioritizing new development and redevelopment including reference to the major transit corridors); Strategy MM-2 (recognizing the linkages between transportation and housing); and Strategy AH-4 (affordable housing).



This application did not include an affordable housing study or analysis. A review of information from the *Broward County Affordable Housing Needs Assessment (2018)*, which utilized 2017 ACS data, indicates a citywide surplus of low- and moderate-income affordable units, for both renters and owners. However, there is a combined deficit of 1,996 very-low income units (-215 rental and -1,781 owner units).

Staff also reviewed the Housing Element of the City of Dania Beach's most recent comprehensive plan, which indicates that the City is committed to reducing the demand for affordable housing through programs designed to raise the income levels of low income wage earners. There are a variety of programs sponsored by public and private entities in Broward County that are available to the residents of the City of Dania Beach. The City has created the "Institute for Community Empowerment" that will target job training and social services for its residents. The plan's Goals, Objectives and Policies aim to reduce the deficit in the supply of affordable housing units through initiatives such as streamlining the permitting process for all housing in the City, especially affordable housing, and implementing a Housing Development program. They also participate in federal funding programs such as SHIP to rehabilitate existing housing units.

In consideration of information submitted by the applicant and review of the City's Housing Element, PDMD staff finds that this application is generally consistent with BCLUP Policy 2.16.2. and Administrative Rules Document, Article 5, as the City's Comprehensive Plan has adopted housing goals, objectives and policies which prioritize increasing the supply of affordable housing. Staff also received written correspondence from the agent (Exhibit E), dated October 8, 2020, verifying the applicant's affordable housing commitment as follows: "...the multifamily use includes a minimum of fifteen percent (15%) of affordable housing units, income restricted for a minimum of thirty years (30) for individuals with a household income not exceeding one hundred-twenty percent (120%) of the Broward County Area Median Income."

Should the amendment be considered for approval, PDMD staff recommends that, prior to issuance of a building permit for this site, a legally enforceable document acceptable to the County Attorney's Office be executed and recorded. Such document should contain language regarding the developer's voluntary commitment to set aside fifteen percent (or 41) of the total proposed units as moderate income housing for a period of 30 years.

Item 11 – Redevelopment Analysis

The amendment site is not located within a Community Redevelopment Area.

Item 12 – Intergovernmental Coordination

The proposed amendment site is adjacent to the City of Hollywood on the west and south. The proposed amendment site is approximately 275 feet south of the South Broward Resource Recovery Facility, a waste-to-energy facility owned by Broward County and operated by Wheelabrator South Broward.

Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. The amendment site (PC 21-4) is served by Broward County Transit (BCT) Routes 15, 18, 441 Breeze, and Community Shuttle. The 2019-2029 Vision Plan component of the BCT Transit Development Plan envisions significant investment in transit services adjacent to the amendment site.

US 441 is the primary trafficway providing connectivity to the amendment site. Broward County recommends that the applicant consider working with transportation partner agencies to increase the widths of adjacent sidewalks and provide buffered bicycle facilities to reduce the level of traffic stress. Redevelopment within the site should be designed to include safe and convenient connections to the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, consider including amenities, such as pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations within and around the proposed redevelopment. For the convenience of residents and visitors who wish to reduce their carbon footprint, consider providing electric vehicle charging stations.

- cc: Leonard Vialpando, Director, Environmental Protection and Growth Management Department  
Ralph Stone, Director, Housing Finance and Community Redevelopment Division  
Darby Delsalle, AICP, Assistant Director, Planning and Development Management Division  
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division  
Nicholas Sofoul, AICP, Planning Section Supervisor, Planning and Development Management Division  
Susanne Carrano, Senior Planner, Planning and Development Management Division  
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division  
Richard Ferrer, Historic Preservation Officer, Planning and Development Management Division

JS/hec

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



**LAND USE**  
**SBBC-2884-2020**  
**County No: TBD**  
**Harbor Landings**

**July 8, 2020 1:29:53**



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](http://www.browardschools.com)

## SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION												
<b>Date:</b> July 8, 2020 1:29:53	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><b>Units Permitted</b></td> <td style="width: 10%; text-align: center;">55</td> <td style="width: 30%;"><b>Units Proposed</b></td> <td style="width: 10%; text-align: center;">275</td> </tr> <tr> <td colspan="4"><b>NET CHANGE (UNITS):</b></td> </tr> <tr> <td style="text-align: right;">220</td> <td colspan="3"></td> </tr> </table>	<b>Units Permitted</b>	55	<b>Units Proposed</b>	275	<b>NET CHANGE (UNITS):</b>				220				<b>Existing Land Use:</b> DB: Low-Medium 10
<b>Units Permitted</b>	55	<b>Units Proposed</b>	275											
<b>NET CHANGE (UNITS):</b>														
220														
<b>Name:</b> Harbor Landings		<b>Proposed Land Use:</b> DB: Low-Medium 10												
<b>SBBC Project Number:</b> SBBC-2884-2020		<b>Current Zoning:</b> DB: RMH - HW: TOC												
<b>County Project Number:</b> TBD		<b>Proposed Zoning:</b> DB: PRD1 - HW: Same												
<b>Municipality Project Number:</b> TBD		<b>Section:</b> 25												
<b>Owner/Developer:</b> Corporate Coaches, Inc. and CCI Properties 1, LLC		<b>Township:</b> 50												
<b>Jurisdiction:</b> Dania Beach, Hollywood		<b>Range:</b> 41												

### 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
Collins Elementary	371	408	346	-62	-2	84.8%
Attucks Middle	1,227	1,350	823	-527	-24	61.0%
Hollywood Hills High	2,667	2,667	1,967	-699	-30	73.8%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Capacity Adjusted Benchmark	Projected Enrollment				
				20/21	21/22	22/23	23/24	24/25
Collins Elementary	346	-62	84.8%	321	323	330	338	345
Attucks Middle	823	-527	61.0%	832	854	878	887	904
Hollywood Hills High	1,968	-699	73.8%	1,935	1,923	1,912	1,900	1,889

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	24/25	25/26	26/27	27/28	28/29
Area G - Elementary	17,938	13,977	-3,961	15,194	15,349	15,505	15,660	15,816
Area G - Middle	6,942	5,110	-1,832	5,544	5,544	5,543	5,543	5,542
Area G - High	9,107	7,554	-1,553	8,052	8,092	8,133	8,173	8,214

## CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2019-20 Contract Permanent Capacity	2019-20 Benchmark** Enrollment	Over/(Under)	Projected Enrollment		
				20/21	21/22	22/23
Somerset Academy Davie K_5	800	152	-648	152	152	152

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

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

School(s)	Description of Capacity Additions
Collins 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.
Hollywood Hills 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 G	
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 8.16-acre site is generally located east of State Road 7 between Griffin Road and Orange Drive in the Cities of Dania Beach and Hollywood. The current land use designations for the site are Low (10) Medium Residential (5.55 acres Dania Beach portion) and TOC (2.61 acres Hollywood portion). The applicant proposes to change the land use designation to High (50) Residential for Dania Beach portion to allow 275 (all 2 or more bedroom) mid-rise units on Dania Beach portion, which are anticipated to generate 14 additional students (6 elementary, 3 middle, and 5 high) into Broward County Public Schools.

This 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 (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2019-20 school year are Collins Elementary, Attucks Middle, and Hollywood Hills High. 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 2019-20 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2019-20 – 2021-22), all the schools are expected to operate below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities through the 2021-22 school year. It should be noted that the school capacity or Florida Inventory of School Houses (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 2019-20 – 2023-24. In addition, 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 school located within a two-mile radius of the subject site in the 2019-20 school year is depicted herein.

Capital Improvements scheduled in the long-range section of the currently Adopted DEFP Fiscal Years 2019-20 – 2023-24 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 "G" and the elementary, middle, and high schools currently serving Planning Area "G" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "G" 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.

The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**  
PROJECT NUMBER: SBBC-2884-2020

July 8, 2020

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Date

Reviewed By:



Digitally signed by Mohammed Rasheduzzaman  
DN: cn=Mohammed Rasheduzzaman, o=Broward  
County Public Schools, ou=FP&RE, email=mohammed.  
rasheduzzaman@browardschools.com, c=US  
Date: 2020.07.08 14:59:19 -04'00'

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Signature

Mohammed Rasheduzzaman, AICP

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Name

Planner

---

Title





EP&GMD COMMENTS  
PC 21-4  
Page 1

**ENVIRONMENTAL PROTECTION &  
GROWTH MANAGEMENT DEPARTMENT  
REVIEW AND COMMENTS ON  
PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT**

**For:** Broward County Planning Council

**Applicant:** CCI Properties 1, LLC

**Amendment No.:** PC 21-4

**Jurisdiction:** Dania Beach      **Size:** Approximately 5.5 acres

**Existing Use:** Mobile home/park

**Current Land Use Designation:** Low-Medium (10) Residential

**Proposed Land Use Designation:** High (50) Residential

**Location:** In Section 25, Township 50 South, Range 41 East; generally located east of State Road 7/US 441, between the C-11 Canal and Griffin Road

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

**ANALYSIS AND FINDINGS:**

**ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION**

**Wetlands** - [CP Policies 7.5.9, 7.5.11, 13.8.1, 13.8.2, 13.8.3, 13.8.5, 13.8.6, 13.9.3, 13.9.4, 13.9.6, 13.10.1, 13.10.3, 13.10.4; BCLUP Policies 2.22.1, 2.22.2]

The Water and Environmental Licensing Section of the Environmental Engineering and 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 mangroves.

The proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Chapter 27, Article XI of the Natural Resource Protection Code and may require an Environmental Resource License.

## EP&GMD COMMENTS

PC 21-4

Page 2

The Water and Environmental Licensing Section of the Environmental Engineering and 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 Engineering and Permitting Division at 954-519-1483 or [AWRLicense@broward.org](mailto:AWRLicense@broward.org) for specific code requirements.

An application for an Environmental Resource License (DF20-1085) is currently under review for this project. Issues noted above will be addressed during the review and license issuance.

**Upland Resources (including Tree Preservation and Greenways)** - [CP Policies 13.6.11, 13.6.13, 13.6.14; BCLUP Policies 2.20.17]

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.

**Air Quality** - [CP Policy 13.1.15, BCLUP Policy 2.25.1]

The preliminary traffic analysis indicates that the proposed amendment would result in an **increase by 74 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected level of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a **moderate impact** on air quality. Based on the Broward County Roadway Capacity and Level of Service Analysis 2017 and 2040, the current level of service rating on all roadways is currently degraded and the long-term traffic impact on the level of service rating will continue to decline in 20 years. The Air Quality Program recommends pro-active long-term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, and the use of pedestrian friendly designs which will include native tree shaded areas

There is **one (1)** air permitted facility located within half a mile of the proposed amendment site; with one air quality complaint and one odor complaint in 2004. After inspection, there were no observed violations. *(MO 10/7/2020)*

**Contaminated Sites** - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies]

The list of known contaminated sites (from EPGMD's GIS Database of Contaminated Locations in Broward County) has been reviewed. One (1) listed contaminated site was found within one-quarter mile of the proposed amendment location. If there are any proposed dewatering locations, the applicant must submit a pre-approval from Broward County's Environmental Engineering and Permitting Division. In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EEPD'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](mailto:EAR@broward.org). See attached map and database for further information as it relates to the land use amendment site. *(MO 10/7/2020)*

**Solid Waste** - [CP Policies 6.1.2, 6.1.3, 6.2.6, 6.2.7, 13.2.7; BCLUP Policies 2.26.1, 2.26.2, 2.26.3, 2.11.5, 3.4.2, 3.4.3, 2.11.8]

There are **no active or inactive** solid waste facilities located within one mile of the site. *(MO 10/6/2020)*

**ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION**

**Wellfield Protection** - [CP Policies 4.2.10, 4.4.13, 6.2.6, 6.2.7, 7.5.2, 7.5.3, 7.5.4, 13.2.2, 13.3.3, WM3.6, WM3.18; BCLUP Policies 2.26.1, 2.26.2, 2.26.3, 2.11.5]

The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations. *(VM 10/20/2020)*

**SARA TITLE III (Community Right to Know)** - [CP Policy 13.2.7, WM3.18;]; BCLUP Policies 6.2.6]

The list of known SARA Title III Facilities in Broward County has been reviewed. There is one (1) SARA Title III Facility on, adjacent to, or within ¼ mile of the proposed amendment site. This facility is: 1) Wheelabrator South Broward, Inc. – 4400 S State Road 7, Fort Lauderdale, FL 33314. *(VM 10/20/2020)*

**Hazardous Material Facilities** - [CP Policies 13.2.1, 13.2.6, 13.2.7, WM3.18; BCLUP Policies 6.2.6]

The list of known hazardous material facilities and storage tank facilities (from ECPD's GIS Database of hazardous material facilities in Broward County) has been reviewed. There are fourteen (14) known hazardous material/storage tank facilities on, adjacent to, or within ¼ mile of the

EP&GMD COMMENTS

PC 21-4

Page 4

amendment site. Of the fourteen (14) facilities, seven (7) are hazardous material facilities, five (5) are storage tank facilities, and two (2) are facilities that have both hazardous materials and storage tanks. (VM 10/20/2020)

**ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:**

**Specially Designated Areas** - [ CP policies 13.6.1, 13.6.4, 13.6.6, 13.6.7, 13.6.9, 13.6.10, 13.7.2, 13.7.5; BCLUP Policies 2.23.1, 2.23.2, 2.23.3, 3.3.9, 3.3.10]

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.

**Protected Natural Lands** – The project site is not included, nor is it adjacent to any 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 Policies 7.5.10, 13.2.3, 13.5.3, 13.7.6, 13.7.8 CM1.1, CM1.2, CM1.3, C9.1, C9.2, C9.6,C9.7, C9.8. C9.9, C9.9, C9.10, C9.11, C9.12, C10.1; BCLUP Policies 2.11.6, 2.27.1, 2.27.2, 2.27.3, 2.11.7, 3.3.12, 2.27.4, 2.24.2, 3.3.4,3.3.12, 3.3.13] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

**Priority Planning Areas for Sea Level Rise** – [CP Policies 19.2.2, 19.3.7, 19.3.12, 19.3.13; BCLUP Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5]

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.

## EP&GMD COMMENTS

PC 21-4

Page 5

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 2.21.1, 2.24.2 and 2.21.5 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 4.4.8, 13.3.5, 13.3.7, 19.4.11; BCLUP 2.20.14] –

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>

**Surface Water Management** - [CP Policies 7.4.2, 7.4.3, 7.5.2, 7.5.9, 13.2.4, 13.3.12; BCLUP Policies 2.24.1, 2.24.2, 2.21.5]

The proposed amendment site is located within the jurisdiction of the South Florida Water Management District (SFWMD) and Broward County. Development within the site will be required to meet the drainage standards of Broward County and the South Florida Water Management District. Successful compliance with the criteria established should result in reducing the potential danger from flooding and maintaining the quality of surface waters. A surface water management permit may be needed prior to any construction on the site.

Tracts within the proposed amendment site are located within the Federal Emergency Management Agency (FEMA) ) flood insurance zone AH with a NAVD88 elevation of 5 feet, flood insurance rate zones that corresponds to areas of shallow flooding with average depths between 1 and 3 feet, flood insurance zone AE with a NAVD88 elevation of 5 feet, flood insurance rate zone that corresponds with flood depths greater than 3 feet, and flood zone X-Below 500 Year flood plain, flood insurance rate zones that are outside the flood plain or the average flood depths of less than 1 foot.

**Water Recharge** - [CP Policies 7.4.3, 7.5.2, 7.5.3, 7.5.4, 7.5.7, 7.5.9, 7.5.11, 7.5.12, 13.3.12, 13.3.13; BCLUP Policies 2.26.1]

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

Please see attached Water Recharge Questionnaire.

**BROWARD COUNTY PLANNING COUNCIL**

**WETLAND RESOURCE QUESTIONNAIRE  
as completed by the  
ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT**

***I. Introductory Information***

- A. Amendment No.:*** PC 21-4
- B. Municipality:*** Dania Beach
- C. Project Name:*** Harbor Landings/CCI Properties 1, LLC

***II. Site Characteristics***

- A. Size:*** Approximately 5.5 acres
- B. Location:*** In Section 25, Township 50 South, Range 41 East; generally located east of State Road 7/US 441, between the C-11 Canal and Griffin Road
- C. Existing Use:*** Mobile home/park

***III. Broward County Land Use Plan Designation***

- A. Current Designation:*** Low-Medium (10) Residential
- B. Proposed Designation:*** High (50) Residential

***IV. Wetland Review***

***A. Are wetlands present on subject property?***

The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs indicate that this property may contain County jurisdictional mangroves / wetlands.

The proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Chapter 27, Article XI of the Natural Resource Protection Code and may require an Environmental Resource License.

Wetland Resource Questionnaire  
PC 21-4

- 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
- D. Is the property under review for an Environmental Resource License?* Yes. DF20-1085
- 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?* An application for an Environmental Resource License (DF20-1085) is currently under review for this project.

*V. Comments:*

The site is currently licensed under Marine Facility Operating License MFOL08-0079 for a maximum of 40 wet slips. If this number changes during site planning, an Environmental Resource License **and** modification of the Marine Facility Operating License is required.

An application for an Environmental Resource License (DF20-1085) is currently under review for this project. Issues noted above will be addressed during the review and license issuance.

Completed by: Linda Sunderland, NRS  
Natural Resources Manager

**BROWARD COUNTY PLANNING COUNCIL**  
**WATER RECHARGE QUESTIONNAIRE**

as completed by

**ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT**

***I. Introductory Information***

- A. Amendment No.:*** PC 21-4
- B. Municipality:*** Dania Beach
- C. Applicant:*** CCI Properties 1, LLC

***II. Site Characteristics***

- A. Size:*** Approximately 5.5 acres
- B. Location:*** In Section 25, Township 50 South, Range 41 East; generally located east of State Road 7, US 441, between the C-11 Canal and Griffin Road
- C. Existing Use:*** Mobile home/park

***III. Broward County Land Use Plan Designation***

***Current Land Use Designation:*** Low-Medium (10) Residential

***Proposed Land Use Designation:*** High (50) Residential

***IV. Water Recharge Review***

- A. Describe the general impacts of the current land use designation on water recharge:***

The current land use designation is Low-Medium (10) Residential. A typical value for an impervious area produced by this type of development is approximately 65%.



***B. Describe the general impacts of the proposed land use designation on water recharge:***

The proposed land use designation is High (50) Residential.

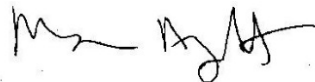
A typical value for an impervious area produced by this type of development is approximately 85 percent.

***V. Impact of Change in Land Use Designation***

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in a net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be minor.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

***VI. Comments***



By: \_\_\_\_\_

Date 10/22/20

Maena Angelotti

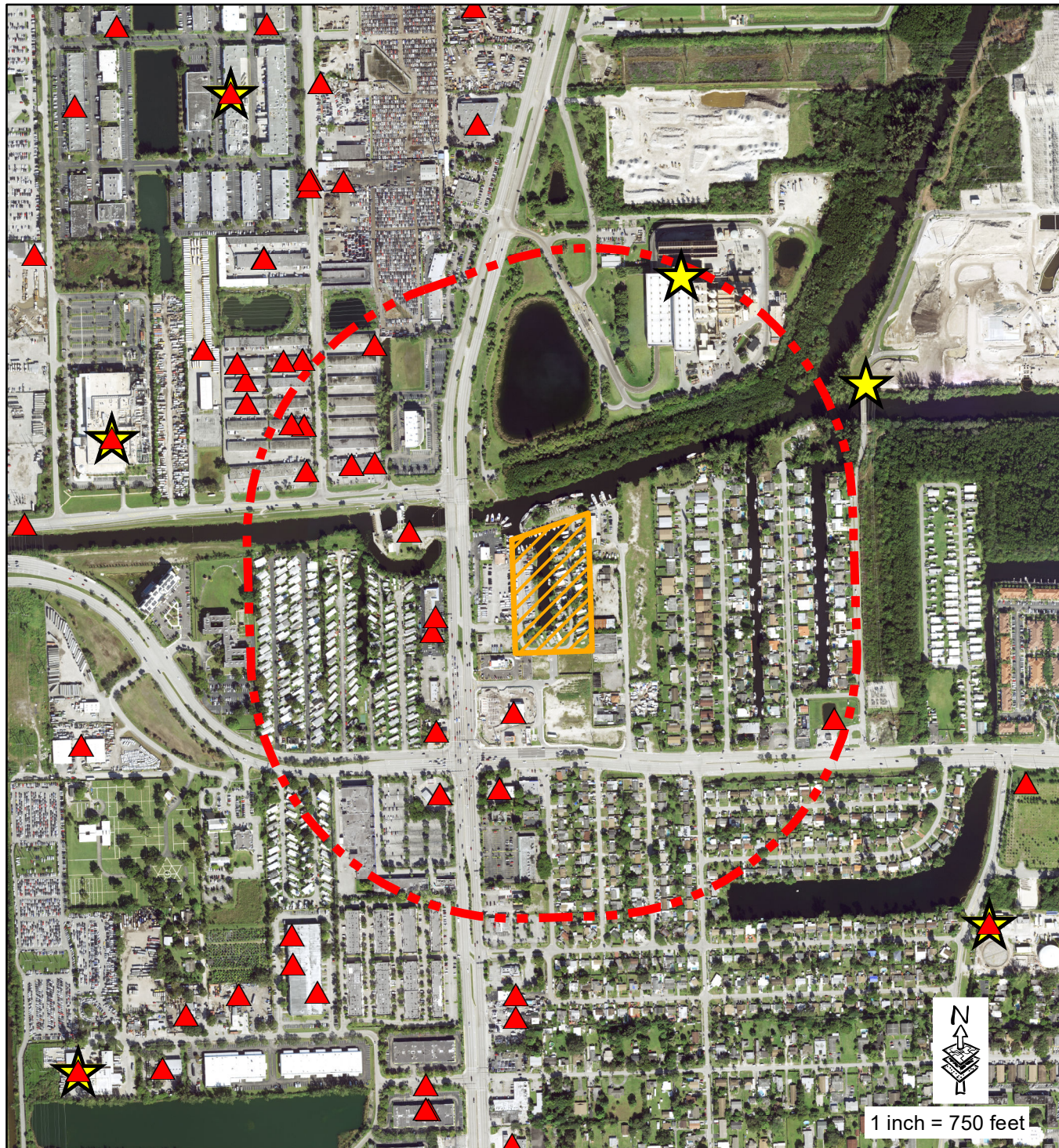
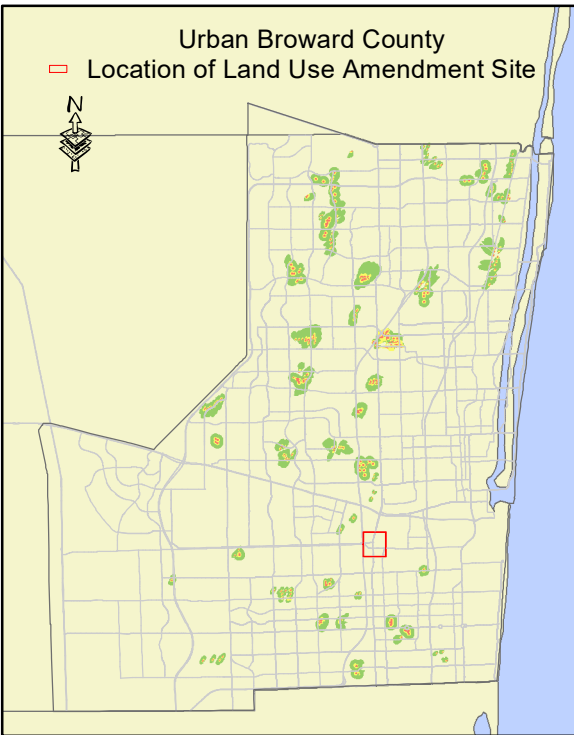
Environmental Planning and Community Resilience Division

**Contaminated Sites**

<b>Site Number</b>	<b>Facility Name</b>	<b>Street Address</b>	<b>City</b>	<b>Zip Code</b>	<b>Pollutant</b>	<b>Facility Type</b>	<b>DEP Facility Number</b>	<b>Active</b>
OT-3533	RYBAR'S DRY CLEANERS & TA	4961 S SR7	Davie	33314	Chlorinated	Dry Cleaner	69501267	Y

Hazardous Materials Facilities within, adjacent to, or in close proximity (.25 miles) of Land Use Amendment			
Name of Facility	Address	Type of Facility based on SIC	Type of License
7-Eleven Store #25603	4800 S STATE ROAD 7, Davie, FL 33314	5541 - Gasoline Service Stations	Storage Tank
AMS Jet Transmission	4601 S STATE ROAD 7, Davie, FL 33314	7537 - Automotive Transmission Repair Shops	Hazardous Materials
Avalon Yacht Refinishers	4701 SW 45TH ST, #14,2&4, Davie, FL 33314	3732 - Boat Building and Repairing	Hazardous Materials
Davie Petro Holdings, LLC	4801 S STATE ROAD 7, Davie, FL 33314	5541 - Gasoline Service Stations	Storage Tank
First Impression Enterprises, Inc.	4655 ORANGE DR, Davie, FL 33314	7336 - Commercial Art and Graphic Design	Hazardous Materials
Hi Tech Lube	4681 S STATE ROAD 7, Davie, FL 33314	7549 - Automotive Services, Except Repair and Carwashes	Hazardous Materials and Storage Tank
Marathon Service Station	4155 GRIFFIN RD, Dania Beach, FL 33314	5541 - Gasoline Service Stations	Storage Tank
Mobil - Aircom Management, Inc. (Service Station)	4791 S STATE ROAD 7, Davie, FL 33314	5541 - Gasoline Service Stations	Storage Tank
New Cingular Wireless DEX	4643 SW 45TH ST, Davie, FL 33314	4812 - Radiotelephone Communications	Hazardous Materials
Pro-Teck Collision & Frame	4701 SW 45TH ST, #6/22, Davie, FL 33314	7532 - Top, Body, and Uphostery Repair Shops and Paint Shops	Hazardous Materials
SFWMD - Pump Station S-13	4650 ORANGE DR, Davie, FL 33314	9511 - Air and Water Resource and Solid Waste Management	Hazardous Materials and Storage Tank
Simple Auto Repair	4701 SW 45TH ST, #BG6, 9, Davie, FL 33314	7538 - General Automotive Repair Shops	Hazardous Materials
Sprint MI03XC043A-Castle Tower	4701 SW 45TH ST, Davie, FL 33314	4812 - Radiotelephone Communications	Hazardous Materials
Wawa #5314	4700 S SR7, Hollywood, FL 33314	5541 - Gasoline Service Stations	Storage Tank

# Land Use Amendment Site: LUA PC 21-4



## Land Use Amendment Map Legend

- ★ Sara Title III 302 Facility
- ▲ Hazardous Materials Facility
- - - 0.25 Mile Buffer
- ▨ Proposed Amendment Site
- Wellfield Zone 1
- Wellfield Zone 2
- Wellfield Zone 3

Miles 0      0.125      0.25

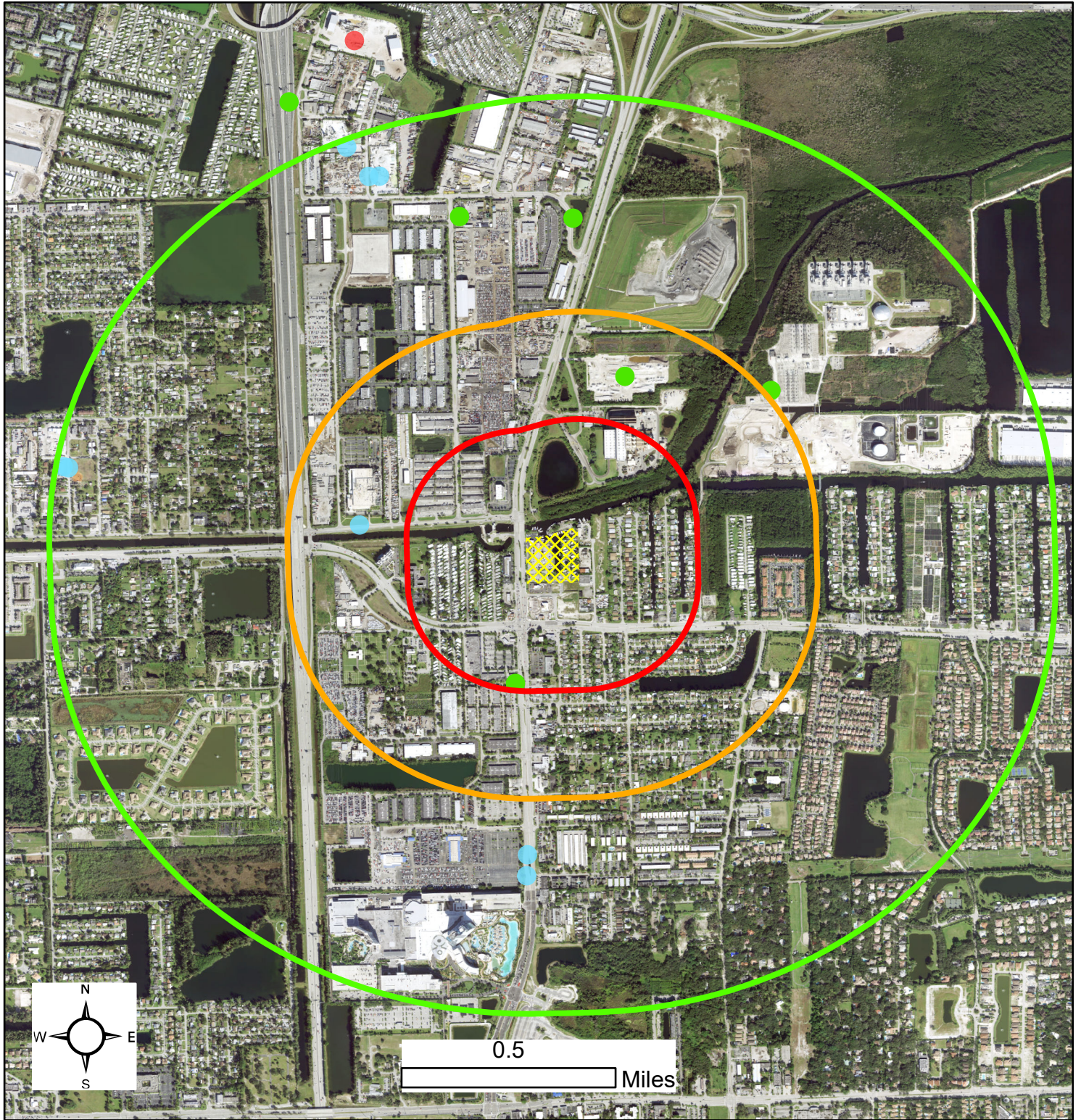
Environmental and Consumer Protection Division review of Land Use Amendments for presence of hazardous materials and community right to know sites within urban Broward County. Review includes also the location of Wellfield Protection Zones. The display is generated for location purposes only. Marker (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.

Prepared by: VMEBANE - October 2020

Environmental and Consumer Protection Division

1 inch = 750 feet



## Legend

-  Proposed Site
-  Contaminated Sites
-  Quarter Mile
-  Solid Waste Facilities
-  Half Mile
-  Air State Permitted Facilities
-  One Mile

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

Prepared by: MOSPINA 10/6/2020  
Environmental Engineering and Permitting

# ATTACHMENT 7



December 9, 2020

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

**RE: Response to Comments – Comprehensive Plan Amendment Submittal – City of Dania Beach Land Use Plan Amendment – Harbor Landings (PC 21-4)**

Dear Barbara Blake Boy:

We are in receipt of your letter dated November 18, 2020, which includes comments received by the Planning Council by other review agencies in reference to above referenced Land Use Plan Amendment submittal. This letter includes responses, where appropriate, to the comments provided by these agencies. The following pages include the comments received followed by our responses in **bold**:

**Broward County Environmental Protection and Growth Management Department Comments – dated October 23, 2020**

Comment: The comments from this Division noted that the property may contain jurisdictional mangroves; excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Chapter 27, Article XI of the Natural Resource Protection Code and may require an Environmental Resource License; 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 reinvasion of same; landscape material should not include any plants considered to be invasive of South Florida's native plant communities; 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.

An application for an Environmental Resource License (DF20-1085) is currently under review for this project and that the issues noted above will be addressed during the review and license issuance.

**Response:** Acknowledged.

Comment: 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 2.21.1, 2.24.2 and 2.21.5 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.

**Response:** The applicant will not use groundwater wells for irrigation. Drainage plans will be submitted to Broward County Surface Water permitting. SFWMD right-of-way will be improved with rip-rap (to SFWMD standards) providing enhanced storm hardening and increased water flowage during stormwater events. Specific responses related to Policies 2.21.1, 2.24.2, and 2.21.5 are included below.

POLICY 2.21.1 - Broward County shall evaluate plan amendments within Priority Planning Areas for Sea Level Rise and strongly discourage those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. In review of such amendments, the County shall consider: a. Sea level rise/flood protection mitigation strategies and requirements included within local comprehensive plans and/or development regulations; or b. Flood protection improvements committed to by amendment applicants, which would mitigate or enhance flood protection and adaptation from rising sea levels.

**Response:** FEMA+1 standard will be provided per the City of Dania Beach building code requirements to achieve the required flood protection improvements to mitigate the impacts of rising sea levels.

POLICY 2.24.2 - New development adjacent to or in the vicinity of surface waters shall be designed so as to minimize the direct discharge of stormwater runoff into such bodies of water.

**Response:** No discharge into the surface water is proposed. All drainage will be handled on-site and permitted through Broward County.

POLICY 2.21.5 - Broward County shall, prior to approving land use plan amendments in the areas prone to flooding and/or the impacts of sea level rise, as identified on the Flood Plains, Flood Prone Areas, and Coastal High Hazard Areas Map and the Priority Planning Areas for Sea Level Rise Map, respectively, determine that the subsequent development will be served by adequate storm water management and drainage facilities, not adversely affect groundwater quality or environmentally sensitive lands and not increase saltwater intrusion or area-wide flooding.

**Response:** All on-site water usage will be from municipal sources. Groundwater wells are not proposed. All stormwater and drainage will be handled on-site. No run-off into offsite surface waters are proposed.

Comment: The site is currently licensed under Marine Facility Operating License MFOL08-0079 for a maximum of 40 wet slips. If this number changes during site planning, an Environmental Resource License and modification of the Marine Facility Operating License is required. An application for an Environmental Resource License (DF20-1085) is currently under review for this project. Issues noted above will be addressed during the review and license issuance.

**Response:** Acknowledged.

#### **Broward County Parks and Recreation Division Comments – dated October 26, 2020**

Comment: No objections to the Land Use Plan Amendment. However, regional park impact fees will be required for the additional 220 dwelling units planned for this project.

**Response:** We acknowledge that regional park impact fees will be required for the additional dwelling units added as part of the project.

#### **Broward County Planning and Development Management Division Comments – dated October 28, 2020**

Comment: Based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), the County's archaeological consultant determined that the proposed project will have no adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.

**Response:** Acknowledged.

Comment: The subject property is adjacent to the South New River Canal (BD04153), a Resource Group categorized as Eligible for the National Register of Historic Places by the State Historic Preservation Office. It is not anticipated that changing the land use designation and addition of dwelling units on this property will alter this resource.

**Response:** Acknowledged.

Comment: The subject property is located within Dania Beach outside jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). The property owner / agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

**Response:** Acknowledged. The City will be contacted regarding any historic preservation issues during building permitting.

Comment: In the event that unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

**Response:** Acknowledged.

Comment: The Planning and Development Management Division (PDMD) staff has reviewed this application and has determined that it meets the requirements of BCLUP Policy 2.16.2 and Article 5. However, this determination is based on the recordation of a legally enforceable document, regarding the voluntary commitment to designate 15% of the proposed dwelling units as moderate-income affordable housing units, and further restricting them as affordable units for 30 years.

Should the amendment be considered for approval, PDMD staff recommends that, prior to issuance of a building permit for this site, a legally enforceable document acceptable to the County Attorney's Office be executed and recorded. Such document should contain language regarding the developer's voluntary commitment to set aside fifteen percent (or 41) of the total proposed units as moderate income housing for a period of 30 years.

**Response:** Acknowledged. The applicant will comply with the PDMD recommendation and a draft of the Declaration of Restrictive Covenant voluntarily designating 15% of the proposed dwelling units as affordable housing units for 30 years is included with this response. The declaration will be executed and recorded prior to issuance of a building permit for the site.

Comment: Broward County recommends that the applicant consider working with transportation partner agencies to increase the widths of adjacent sidewalks and provide buffered bicycle facilities to reduce the level of traffic stress. Redevelopment within the site should be designed to include safe and convenient connections to the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, consider including amenities, such as pedestrian-scale lighting, shade trees, bicycle racks/lockers, and bicycle repair stations within and around the proposed redevelopment. For the convenience of residents and visitors who wish to reduce their carbon footprint, consider providing electric vehicle charging stations.

**Response:** Acknowledged. The project will be designed to encourage pedestrian activity by incorporating a mix of uses, and provide accessibility to the surrounding transportation network and transit. Bicycle facilities and designated spaces for ride share services will also be incorporated.

### **Broward County Transit Division Comments – dated November 10, 2020**

Comments: BCT can accommodate additional transit demand, as described in the Mass Transit Analysis, with planned fixed route bus service to the amendment site. BCT has no objections to this LUPA but recommends that any proposed 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 bus stops.



**Response:** Acknowledged. The project will be designed to enhance multimodal connectivity and provide safe access for pedestrians/bicycles to existing and planned transit routes.

### **Broward County Water Management Division Comments – dated September 29, 2020**

A response to these comments was provided in the previous letter submitted by the applicant to the Planning Council on October 16, 2020, and has been summarized again below:

Comments: A letter from Susan Juncosa, Natural Resource Specialist, Broward County Water Management Division, states that the office has no objections to the Harbor Landings land use plan amendment. However, the letter provided recommended changes to the responses to 5.D.2, 5.D.4, and 5.D.6 under the Drainage Analysis section of the submittal.

**Response:** The revised responses to 5.D.2, 5.D.4, and 5.D.6 as recommended by the Broward County Water Management Division are listed below:

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

**Response:** South Florida Water Management District and the City of Dania Beach are responsible for the primary and secondary drainage systems, respectively.

Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

**Response:** Applications for a Surface Water License and Environmental Resource Permit will be submitted to Broward County Environmental Protection and Growth Management Division during the course of the site permitting.

Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.

**Response:** There is no local drainage district. The City of Dania Beach is responsible for local secondary drainage.

### **School Board of Broward County Comments – dated July 8, 2020**

We acknowledge receipt of the School Consistency Review Report dated July 8, 2020. This documentation was also provided as part of the initial application submittal.

### **South Florida Water Management District Comments – dated November 17, 2020**

Comment: SFWMD noted that the updated potable water demand calculations submitted on October 23, 2020 are consistent with the adopted Level of Service Standards as included in Policies 1.2 and 1.4 of the Potable Water Sub-Element of the City's adopted Comprehensive Plan.

**Response:** Acknowledged.

Comment: SFWMD notes that the City of Dania Beach has not updated its Water Supply Facilities Work Plan since 2010 as required by state statute.

**Response:** Broward County is the provider of water for this application area. We understand the City of Dania Beach has been advised of the requirement to address this issue as to its service areas.

### **Broward County Planning Council Draft Traffic Analysis – dated September 23, 2020**

Comment: The proposed amendment is projected to increase traffic on the regional transportation network by approximately 74 p.m. peak hour trips at the long-range planning horizon. However, the distribution of the p.m. peak hour trips to the network results in no segment being significantly impacted greater than three (3) percent or degrading a level of service from acceptable to unacceptable; therefore, per Policy 2.14.9, no significant or adverse impacts to the regional transportation network are projected.

**Response:** Acknowledged.

If you have any additional questions, please reach out to Eric Metz ([emetz@metzreg.com](mailto:emetz@metzreg.com), 213-814-8829) or Mike Vaudo ([Mike.Vaudo@kimley-horn.com](mailto:Mike.Vaudo@kimley-horn.com), 407-427-1693).

Respectfully submitted,


Andrew Bardar, President  
CCI Properties 1, LLC  
4500 South State Road 7  
Fort Lauderdale, FL 33314

## ATTACHMENT 8



**ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT**  
**ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION**  
115 S. Andrews Avenue, Room 329H • Fort Lauderdale, Florida 33301 • 954-519-1270 • FAX 954-519-1496

**To:** Broward Planning Council

**From:** Dr. Samantha Danchuk, Assistant Director   
Environmental Planning and Community Resilience Division

**Date:** 1/4/2021

**Re:** Harbor Landings, Dania Beach LUPA PC 21-4

---

The Broward County Environmental Planning and Community Resilience Division (EPCRD) provided recent comment regarding land use plan amendment (LUPA) application Harbor Landings PC 21-4 (Dania Beach), on October 23, 2020. The EPCRD 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, EPCRD indicated that Policies 2.21.1, 2.24.2 and 2.21.5 apply to the review of this project. In which case, the Division requested information to demonstrate compliance with these policies and explain how resilience planning considerations specific to site development, inclusive of future conditions planning related to tidal flood barriers, flood protection and on-site water management were to be addressed by the applicant.

Subsequently, the Applicant provided responses to the above listed policies in a letter dated December 9, 2020. On December 30, 2020, staff received additional correspondence, submitted by CCI Properties 1, LLC, the property owner, providing further detail regarding site development plans (attached exhibit).

Additional commitments from adjacent property owners or municipalities in support of resilience infrastructure investments and improvements were not provided and were not deemed necessary for the given site proposal. The City of Dania Beach does not own roads or connected or adjacent infrastructure in the vicinity of the project. The City of Hollywood has partial interest in the frontage but has not participated in the land use plan application process. The adjacent roads are owned by the Florida Department of Transportation and are not subject to local policy. The water supply infrastructure is maintained by Broward WWS.

Specific commitments detailed in the correspondence are as follows:

Regarding Policy 2.21.1:

- The applicant has committed that the site perimeter will be elevated to or above +5 feet NAVD. This elevation meets the tidal flood barrier requirement for flood protection along the canal. Since the existing canal within the site will also be filled, the areas denoted as priority planning areas for sea level rise onsite will be reduced or eliminated.
- The applicant has committed that all buildings onsite will meet the City of Dania Beach's code requirement of finished floor elevations that meet or exceed the base flood elevation plus one foot (6 feet NAVD for the site). The applicant has acknowledged compliance with the Broward County Future Conditions 100 Year Flood Map is also required as part of County code.

Regarding Policy 2.21.5:

- The applicant has acknowledged the requirement to comply with Broward Ordinance 2017 Broward Ordinance 2017-16 based on the Broward County Future Conditions Average Wet Season Groundwater Elevation and the Broward County Future Conditions 100 Year Flood Map when submitting their surface water license application and drainage plans for permitting to Broward County. The applicant confirmed no existing or historic permits will be used for future site development.
- The applicant has committed to not using groundwater wells for irrigation. All on-site water usage will be from municipal sources.
- The applicant committed to improving the South Florida Water Management District (SFWMD) right-of-way with rip-rap (to SFWMD standards) providing enhanced storm hardening and increased water flow within the controlled flood plain during stormwater events.

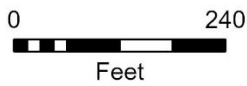
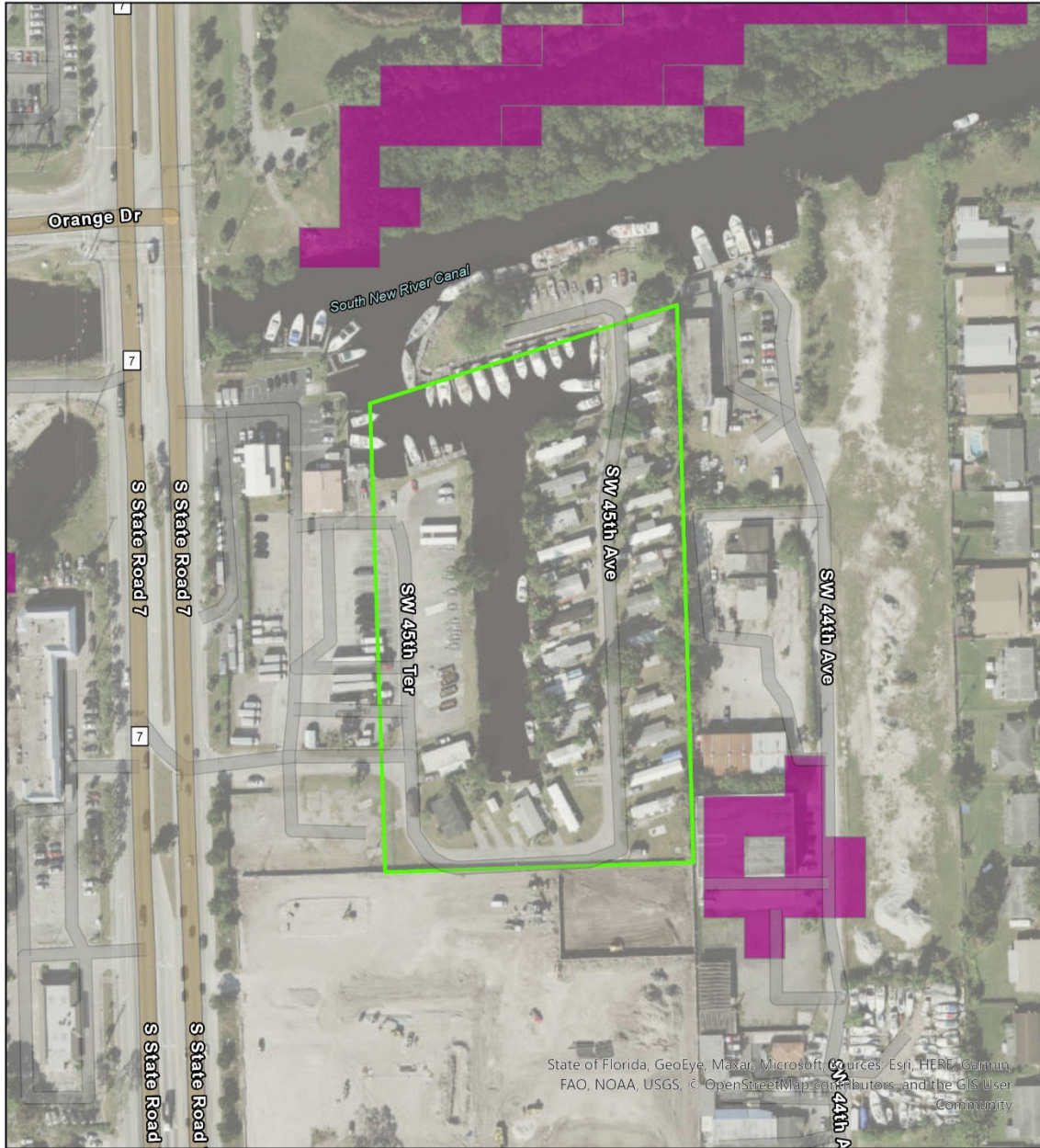
With these commitments, the Division considers the previously identified land use policies pertaining to resilience within Planning Priority Areas to have been adequately addressed by the applicant and the Division thus provides support for the proposed land use plan amendment (LUPA), Harbor Landings PC 21-4.

**Attachments:** LUPA PC 21-4 on PPA Maps with 2060 and 2070 Sea Level Rise Projections

**CC:** Dr. Jennifer Jurado, Chief Resilience Officer and Deputy Department Director,  
Environmental Protection and Growth Management Department

Sara L. Forelle, AICP, Interim Natural Resources Section Manager, Environmental Planning and  
Community Resilience Division

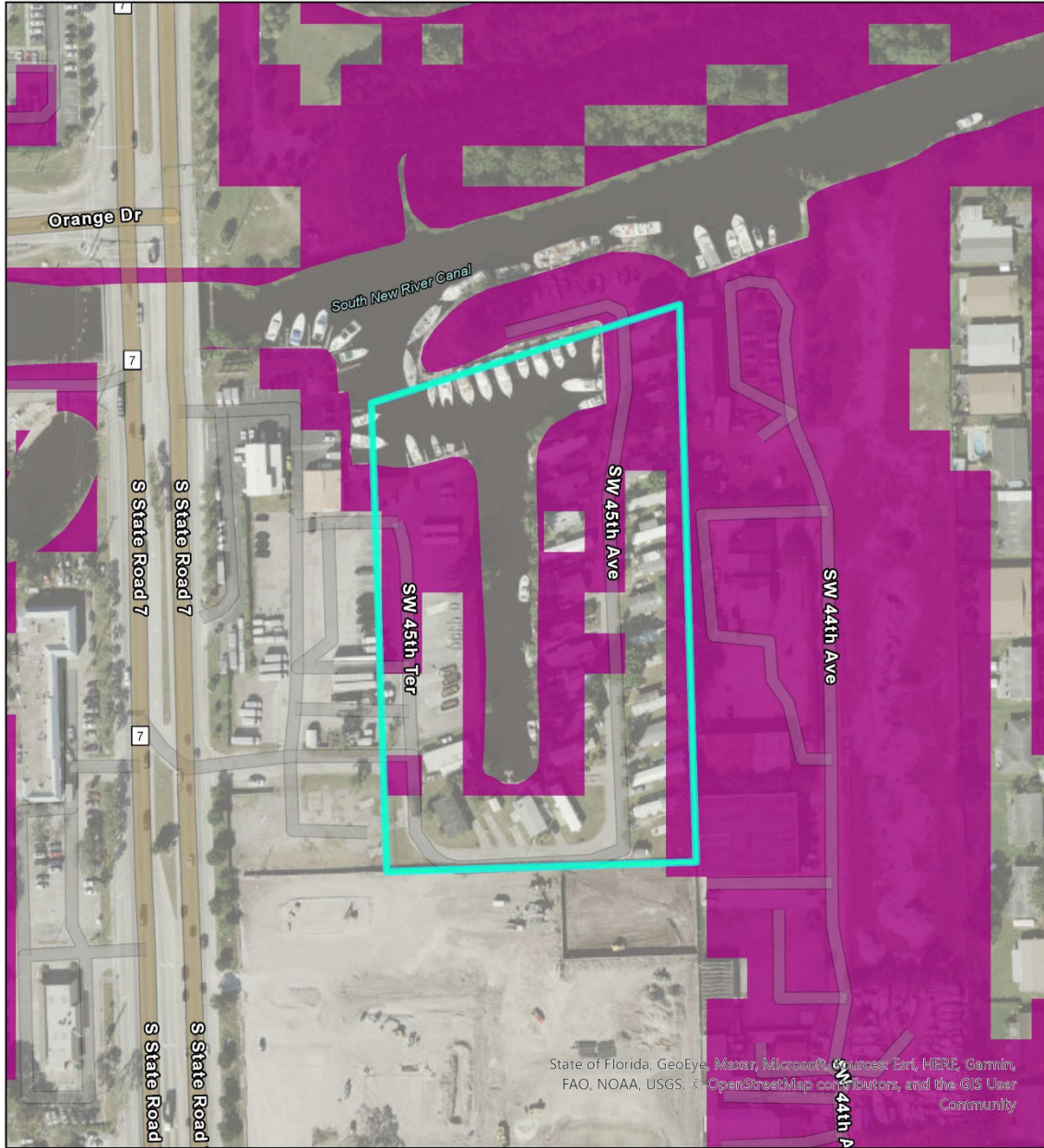
**Broward County Land Use Plan  
Proposed Amendment  
PC 21-4**



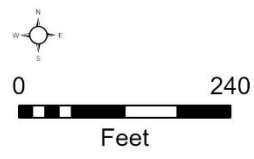
- Proposed Land Use Plan Amendment
- Priority Planning Areas for Sea Level Rise near tidal water bodies at an increased risk of inundation under a 2 foot sea level rise scenario projected to occur by 2060

12/28/2020

Broward County Land Use Plan  
 Proposed Amendment  
 PC 21-4



State of Florida, GeoEye, Maxar, Microsoft, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



- 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

12/28/2020

December 30, 2020

Samantha Danchuk, Assistant Director  
Broward County  
EPGMD – Resilience Division  
115 S Andrews Ave, Room 329-H  
Fort Lauderdale, Florida 33301

**RE: Harbor Landings – LUPA – Response to Comments**

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Dear Ms. Danchuk – per your conversation with Eric Metz and comments received on December 30, 2020, please see below responses:

1. The City of Dania Beach does not own roads or connected or adjacent infrastructure in the vicinity of the project. The City of Hollywood has partial interest in the frontage but has not participated in the land use plan application process. The adjacent roads are owned by the Florida Department of Transportation and are not subject to local policy. The water supply infrastructure is maintained by Broward WWS.

**RESPONSE:** confirmed.

2. The canal in the center of the property will be filled to an elevation above 4 feet NAVD, eliminating tidal flood risk along existing shorelines. The South Fork New River shorelines will conform to the design criteria set forth by the owner, the South Florida Water Management District.
  - Please describe the adaptation plan for northern property boundary to prevent tidal flooding onsite or state a commitment to adapt, consistent with Land Use Policy 2.21.7 requiring barriers of 5 feet NAVD by 2050.

**RESPONSE:** the site perimeter will be elevated to or above +5 NAVD to create on-site water storage capacity. Final elevations will be permitted through Broward County's surface water license.

3. All buildings onsite will meet the City's code requirement of base flood elevation plus one foot (6 feet NAVD for this site).

**RESPONSE:** confirmed.

4. Surface water management design will comply with Broward Ordinance 2017-16, surface water management and finished flood elevations based on the Broward County Future Conditions Average Wet Season Groundwater Elevation and the Broward County Future Conditions 100 Year Flood Map when submitted for permitting and licensing. Active wells or cisterns will be designed with consideration of the 20% increase for future conditions rainfall for a 25-year, 3 day storm event.

**RESPONSE:** acknowledged. Applicant intend to submit Broward County surface water license in January 2021.

5. There are no existing permits that will be used for future site development.

**RESPONSE:** confirmed. The project has submitted for a Broward County environmental resource license, will be submitting for surface water license, and the City of Dania Beach's building department will require concurrency certificates in advance of issuing a building permit.

If there are any additional questions on our application, please direct them to Eric Metz (emetz@metzreg.com; 213-814-8829).

Respectfully,

DocuSigned by:

*Andrew Bardar*

E77EADF61BB94EB...

CCI Properties 1, LLC

Andrew Bardar, President

4500 South State Road 7

Fort Lauderdale, FL 33314

954-583-7082



**ATTACHMENT 9**



Return to: (enclose self-addressed stamped envelope)

**Name:** \_\_\_\_\_

**Address:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This Instrument Prepared by:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**DECLARATION OF RESTRICTIVE COVENANTS**

**THIS DECLARATION OF RESTRICTIVE COVENANTS** ("Declaration") made this of \_\_\_\_ of \_\_\_\_\_, 2020, by \_\_\_\_\_, a \_\_\_\_\_, having an address of \_\_\_\_\_ ("Declarant"), shall be for the benefit of BROWARD COUNTY, a political subdivision of the State of Florida, with a post office address at 115 South Andrews Avenue, Fort Lauderdale, FL 33301 ("County"), its successors and assigns, and the City of Dania Beach, with a post office address at 100 W. Dania Beach Boulevard, Dania Beach, FL 33004 ("City")

**WITNESSETH:**

WHEREAS, Declarant is the fee simple owner of approximately \_\_\_\_ gross acres of land, generally located \_\_\_\_\_, Broward County, Florida, and more particularly described in **Exhibit "A"** attached hereto (the "Property"); and

WHEREAS, Declarant, has submitted an application to the City (Application No. \_\_\_\_\_) and to the County (Broward County Planning Council Application No. \_\_\_\_\_) for a land use plan amendment, to change the existing land use designation for the Property from \_\_\_\_\_ to \_\_\_\_\_ (\_\_\_\_\_), in conjunction with the redevelopment of the Property ("Project"); and

WHEREAS, the City and the County have approved the Land Use Plan Amendment which will allow residential uses on the Property; and

WHEREAS, Declarant voluntarily agrees to make certain designations for affordable housing for the period of time provided herein.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, Declarant hereby declares that the Property shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with such Property and any part thereof and which shall be binding upon all parties having any right, title or interest in such Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitations set forth above are true and correct and are incorporated into this Declaration by this reference.

2. Property Development. Declarant hereby declares the following:

(a) Fifteen (15) percent of the residential units to be constructed on the Property (as set forth on the final site plan approved by the City) shall be affordable as defined in the Broward County Comprehensive Plan and as further restricted by this Declaration ("Affordable Housing Units"). If fifteen (15) percent of the actual residential units to be constructed on the Property does not yield a whole number of Affordable Housing Units, the partial number of Affordable Housing Units yielded shall be rounded up to the next whole number; and

(b) Upon issuance of each final certificate of occupancy for any structure containing residential units, Declarant shall record a Notice of Designation of Affordable Housing Unit (an "Affordable Housing Notice") corresponding to such Affordable Housing Units located within the building covered by such certificate of occupancy, the form of which Affordable Housing Notice is set forth on **Exhibit "B"** attached hereto and incorporated herein; provided, however, with respect to Affordable Housing Units offered for rent, Declarant shall retain the right to modify which units within any structure shall be an Affordable Housing Unit so long as at all times following issuance of a final certificate of occupancy for any structure containing residential units there is a minimum of fifteen (15) percent of Affordable Housing Units designated and a revised Affordable Housing Notice is recorded identifying all then designated Affordable Housing Units.

3. Affordable Housing Units Offered For Sale. Declarant hereby declares all Affordable Housing Units offered for sale shall be purchased in accordance with the following:

(a) All Affordable Housing Units constructed on the Property shall be used solely as each owner's principal residence and shall be used solely for residential purposes. No Affordable Housing Unit may be used for any non-residential purpose, other than home offices when permitted by applicable zoning regulations; and

(b) All Affordable Housing Units shall be purchased solely by persons who meet the following criteria at the time of purchase of an Affordable Housing Unit. "Purchased" shall be defined to mean by sale, inheritance, court order, or other legal method of transfer or acquisition.

- 1) One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of the median annual adjusted gross income for Broward County, adjusted for family size. Said limits to be published annually by Broward County or other appropriate governmental entity designated by Broward County. For the purposes of this provision, the term "adjusted gross income" shall mean all wages, assets, regular cash or noncash contributions or gifts from persons outside the household and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under section 62 of the Internal Revenue Code. For the purposes of this provision, the term "adjusted for family size" means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four people, or higher for households with more than four people, based upon a formula as established by the United states Department of Housing and Urban Development; and
- 2) The purchaser of the Affordable Housing Unit shall have monthly mortgage payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income; and
- 3) Excluding government subsidies, the down payment, if any, for the purchase of the Property must not exceed twenty (20) percent of the purchase price; and
- 4) During the term of this Declaration, as defined herein, every deed of sale or equivalent document transferring title to the Affordable Housing Unit, shall include a restriction stating as follows:

"This property is to be sold and occupied as an 'Affordable Housing Unit,' in accordance with the Declaration of

Restrictive Covenants recorded in the Official Records of Broward County at O.R. Book\_, Page\_\_."

- 5) Prior to any transfer of title or closing on a purchase of an Affordable Housing Unit, each purchaser shall request written certification that the criteria in (b) 1), 2), and 3) above have been satisfied from the City of Dania Beach or from an agent designated by the City for the purpose of providing such certifications. Purchaser shall not be required to comply with this provision if the City does not approve or deny the request within thirty (30) days of purchaser's request.

4. Affordable Housing Units Offered For Rent. Declarant hereby declares all Affordable Housing Units offered for rent shall be rented in accordance with the following:

- (a) All Affordable Housing Units constructed on the Property shall be used solely as each renter's principal residence and shall be used solely for residential purposes. No Affordable Housing Unit may be used for any non-residential purpose, other than home offices when permitted by applicable zoning regulations; and
- (b) All Affordable Housing Units shall be rented solely by persons who meet the following criteria at the time of lease:
  - 1) One or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of the median annual adjusted gross income for Broward County, adjusted for family size. Said limits to be published annually by Broward County or other appropriate governmental entity designated by Broward County. For the purposes of this provision, the term "adjusted gross income" shall mean all wages, assets, regular cash or noncash contributions or gifts from persons outside the household and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under section 62 of the Internal Revenue Code. For the purposes of this provision, the term "adjusted for family size" means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four people, or higher for households with more than four people, based upon a formula as established by the United

states Department of Housing and Urban Development; and

2) The renter of an Affordable Housing Unit shall have monthly rental payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income.

(c) On an annual basis, beginning no later than 12 months after the Effective Date of this Declaration, the owner of an Affordable Housing Unit offered for rent shall request written certification that the criteria in 4(b) has been satisfied from the City of Dania Beach or from an agent designated by the City for the purpose of providing such certifications. Said owner of an Affordable Housing Unit offered for rent shall not be required to comply with this provision if the City does not approve or deny the request within thirty (30) days of said owner's request.

5. Recordation and Effective Date.

(a) This Declaration shall not become effective (the "Effective Date") until the latter of (i) Final Approval and (ii) recordation amongst the Public Records of Broward County, Florida; however, as to each Affordable Housing Unit, the Effective Date of this Declaration shall be the date of recording of the Affordable Housing Notice corresponding to such Affordable Housing Unit.

(b) Once recorded, this Declaration shall run with the Property for the sole benefit of County and City and does not operate as a restriction in favor of any Property owner, and shall bind all successors and assigns to the title of the Property. As used herein, "Final Approval" shall mean final approval and adoption of the County Application, and the expiration of any appeal periods applicable thereto without an appeal having been taken or, if taken, when finally dismissed with no further appeal permitted.

(c) From and after such time as any Affordable Housing Unit is conveyed by Declarant to a third party purchaser, Declarant shall have no further obligations under this Declaration with respect to that particular Affordable Housing Unit and such third party purchaser shall be obligated to comply with all of the provisions of this Declaration with respect to said Affordable Housing Unit.

6. Term, Release and Termination. The restrictions, covenants, rights and privileges granted, made and conveyed herein ("Affordable Housing Restrictions") shall be valid for a period of thirty (30) years from the Effective Date

("Term"), and thereafter, the Affordable Housing Restrictions shall be of no further force and effect and shall automatically terminate without the consent of the County and City or the necessity to record any instrument in the Public Records of Broward County, Florida; provided, however, that the restrictions upon individual Affordable Housing Units shall terminate on the date set forth in the Affordable Housing Notice for each Unit.

7. Amendments. This Declaration shall not be modified or amended as to any portion of the Property except by written instrument, executed by the then owner or owners of the portion of the Property affected by such modification, amendment, or release and approved in writing by the County and City. Any modification or amendment of this Declaration shall be recorded in the Public Records of Broward County, Florida.

8. Remedies for Violation. In the event the Declarant, its successors or assigns, violate any of the covenants and restrictions contained herein, Declarant hereby acknowledges and agrees that the County and/or City (upon a written request from the County and/or City, as applicable) may withhold further permits and approvals with respect to the Property. The County and the City are the beneficiaries of these covenants and restrictions, and as such, the County and the City may enforce these covenants and restrictions by action at law or in equity, including without limitation; a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of these covenants and restrictions.

9. Waiver. Any failure of the County or City to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter. This document shall be construed in accordance with the laws of Florida and venue shall be Broward County, Florida.

10. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part thereof invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain **in** full force and effect.

11. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Declaration are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Declaration.

12. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

IN WITNESS WHEREOF, Declarant has executed this Declaration of Restrictive Covenants on the day first above written.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

STATE OF FLORIDA            )  
                                          ) ss:  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification.

[NOTARIAL SEAL]

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
Commission #: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**

*[Legal Description of Property]*



**EXHIBIT "B"**

Return recorded copy to:

Document prepared by:

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Notice of Designation of Affordable Housing Unit

By recordation of this Notice, \_\_\_\_\_ hereby designates for the Restriction Period, as hereinafter defined, the following unit as an "Affordable Housing Unit," as defined by that certain Declaration of Restrictive Covenants recorded in Official Records Book \_\_, Page \_\_ of the public records of Broward County, Florida, which requires that Affordable Housing Units be rented or sold only to persons who meet the following criteria at the time of lease or sale: (a) one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 120 percent of the median annual adjusted gross income from Broward County, adjusted for family size; and (b) the renter or purchaser of the Affordable Housing Unit shall have monthly rental or mortgage payments (including taxes and insurance) that do not exceed thirty (30) percent of their monthly adjusted gross income; and (c) if the Affordable Housing Unit is sold, excluding government subsidies, the down payment, if any, for the purchase of the Property must not exceed twenty (20) percent of the purchase price.

Unit Address: \_\_\_\_\_.  
and/or Unit Number: \_\_\_\_\_.

The restriction period of the foregoing designation is thirty (30) years from the recordation of this Notice against the applicable Affordable Housing Unit ("Restriction Period").

WITNESSES:

	By: _____

STATE OF FLORIDA                    )  
                                                  ) ss:  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_ day of \_\_\_\_\_, \_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification.

[NOTARIAL SEAL]

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of Florida  
Commission #: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

ATTACHMENT 10



Public Works Department – Water and Wastewater Services  
**WATER MANAGEMENT DIVISION**

2555 West Copans Road • Pompano Beach Florida 33069 • PHONE: 954-831-0751 • FAX: 954 831-3285

DATE: September 29, 2020

TO: Christina Evans, Planner  
Broward County Planning Council

FROM: Susan Juncosa  
Broward County Water Management Division

SUBJECT: PC 21-4 Harbor Landings Use Plan Amendment  
Section D: Drainage Analysis

Dear Ms. Evans:

The information in the above-captioned land use plan amendment (LUPA) is essentially correct. Our office has no objection to this LUPA.

However, the application could be clarified with the following changes:

- D2. South Florida Water Management District and the City of Dania Beach are responsible for the primary and secondary drainage systems, respectively.
- D4. Applications for a Surface Water License and Environmental Resource Permit will be submitted to Broward County Environmental Protection and Growth Management Division during the course of the site permitting.
- D6. There is no local drainage district. The City of Dania Beach is responsible for local secondary drainage.

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](mailto:sjuncosa@Broward.org)



PARKS AND RECREATION DIVISION • Administrative Offices  
950 N.W. 38<sup>th</sup> 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**

October 26, 2020

To: Dawn B. Teetsel, Director of Planning  
Broward County Planning Council

Thru: <sup>DW</sup> Dan West, Director  
Parks and Recreation Division

From: Linda Briggs Thompson, Environmental Program Manager <sup>LAT</sup>  
Parks and Recreation Division

Re: **Land Use Plan Amendment Comments**  
**Proposed Amendment PC 21-4 Harbor Landings (Dania Beach)**

Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan for Harbor Landings (Dania Beach). Our comment is as follows:

**PC 21-4** No objections to the Land Use Plan Amendment. However, regional park impact fees will be required for the additional 220 dwelling units planned for this project.

If you or your staff has any questions about our comments, please call me at 954-357-8120.





**Dania Beach**

**Project Approvals**

- Text Amendment (PRD-1)
- Rezoning (PRD-1)
- LUPA (50 du/ac)
- Plat
- Site Plan

**Hollywood**



North Elevation



View Southwest