

# EXHIBIT 1

## PROPOSED

### ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE ENVIRONMENTALLY  
3 SENSITIVE LANDS MAP OF THE NATURAL RESOURCE MAP SERIES OF THE  
4 COMPREHENSIVE PLAN WITHIN THE CITY OF DANIA BEACH; AND PROVIDING  
5 FOR SEVERABILITY AND AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)  
7

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

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

12 WHEREAS, Broward County now wishes to propose an amendment to the  
13 Environmentally Sensitive Lands Map of the Natural Resource Map Series within the City  
14 of Dania Beach;

15 WHEREAS, the Planning Council, as the local planning agency for the Broward  
16 County Land Use Plan, held its hearing on May 22, 2025, with due public notice;

17 WHEREAS, the Board of County Commissioners held its transmittal public hearing  
18 on August 21, 2025, having complied with the notice requirements specified in  
19 Section 163.3184(11), Florida Statutes;

20 WHEREAS, the Board of County Commissioners held an adoption public hearing  
21 on March 3, 2026, at 10:00 a.m. [also complying with the notice requirements specified

22 in Section 163.3184(11), Florida Statutes] at which public comment was accepted and  
23 comments of the Department of Commerce, South Florida Regional Planning Council,  
24 South Florida Water Management District, Department of Environmental Protection,  
25 Department of State, Department of Transportation, Fish and Wildlife Conservation  
26 Commission, Department of Agriculture and Consumer Services, and Department of  
27 Education, as applicable, were considered; and

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

33 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
34 BROWARD COUNTY, FLORIDA

35 Section 1. The Broward County Comprehensive Plan is hereby amended by  
36 Amendment PCNRM 24-3, which is an amendment to the Environmentally Sensitive  
37 Lands Map of the Natural Resource Map Series, as set forth in Exhibit A, attached hereto  
38 and incorporated herein.

39 Section 2. Severability.

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

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

46 Section 3. Effective Date.

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

49 (1) Thirty-one (31) days after the Department of Commerce notifies Broward  
50 County that the plan amendment package is complete;

51 (2) If the plan amendment is timely challenged, the date a final order is issued  
52 by the Administration Commission or the Department of Commerce finding  
53 the amendment to be in compliance;

54 (3) If the Department of Commerce or the Administration Commission finds the  
55 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),  
56 Florida Statutes, the date the Board of County Commissioners nonetheless

57 elects to make the plan amendment effective notwithstanding potential  
58 statutory sanctions;  
59 (4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the  
60 date the Declaration of Restrictive Covenants is recorded in the Official  
61 Records of Broward County; or  
62 (5) If recertification of the municipal land use plan amendment is required, the  
63 date the municipal amendment is recertified.  
64 (b) This Ordinance is effective as of the date provided by law.

ENACTED

**PROPOSED**

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Maite Azcoitia 01/14/2026  
Maite Azcoitia (date)  
Deputy County Attorney

MA/gmb  
01/14/2026  
PCNRM 24-3 Environmentally Sensitive Lands Map – City of Dania Beach.Ordinance  
#80041

# EXHIBIT A

**SECTION I**  
**AMENDMENT REPORT**  
**BROWARD COUNTY LAND USE PLAN**  
**PROPOSED AMENDMENT PCNRM 24-3**

**NATURAL RESOURCE MAP SERIES -**  
**ENVIRONMENTALLY SENSITIVE LANDS MAP**  
**REMOVAL OF PORTION OF SITE 97 – CITY OF DANIA BEACH**

**RECOMMENDATIONS/ACTIONS**

**DATE**

*I. Planning Council Staff Transmittal Recommendation May 13, 2025*

Due to concerns regarding sea level rise, stormwater management and the protection of natural resources, including wetlands and mangroves, consistent with several Broward County Land Use Plan Policies, Planning Council staff is unable to support the proposed amendment to remove approximately 3.5 acres of the overall 21.0-acre ESL Site 97 / Map Label 136 from the Natural Resource Map Series Environmentally Sensitive Lands Map.

Planning Council staff notes that the applicant may request the Planning Council support the amendment. It is suggested that any alternate Planning Council recommendation retain the 1.29-acre conservation easement on the Environmentally Sensitive Lands (ESL) Map.

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
- (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.

**RECOMMENDATIONS/ACTIONS (continued)**

**DATE**

- I. Planning Council Staff Transmittal Recommendation (continued) May 13, 2025

**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.**

- II. Planning Council Transmittal Recommendation May 22, 2025

Planning Council recommended approval of the proposed amendment to remove approximately 3.5 acres of the existing 21.0-acre Site 97 / Map Label 136 from the Environmentally Sensitive Lands Map, subject to the on-site 1.29-acre conservation easement, including not requiring a second public hearing. (Vote of the board; Unanimous: 11-0: Abramson, Castillo, Geller, Gomez, Greenberg, Hardin, Horland, Newbold, Ryan, Zeman and DiGiorgio)

- III. County Commission Transmittal Recommendation August 21, 2025

Approval per Planning Council transmittal recommendation.

- IV. Summary of State of Florida Review Agency Comments September 25, 2025

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



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

V. Applicant/Petitioner

- A. *Applicant:* Port 1850, LLC
- B. *Agent:* Edwin J. Stacker, Esq., Shutts & Bowen, LLP
- C. *Property Owner:* Port 1850, LLC

VI. Recommendation of Local  
Governing Body:

The City of Dania Beach has no objection to the proposed amendment.

# AMENDMENT PCNRM 24-3



## Broward County Land Use Plan: Environmentally Sensitive Lands

PCNRM 10-1 Amended Map to Include Wedge.  
Please contact the Planning Council at  
954.357.8051, if you need additional information.

PALM BEACH COUNTY

### Legend

- Designated lands
- Protected lands
- Section Township Range
- Municipal Boundaries

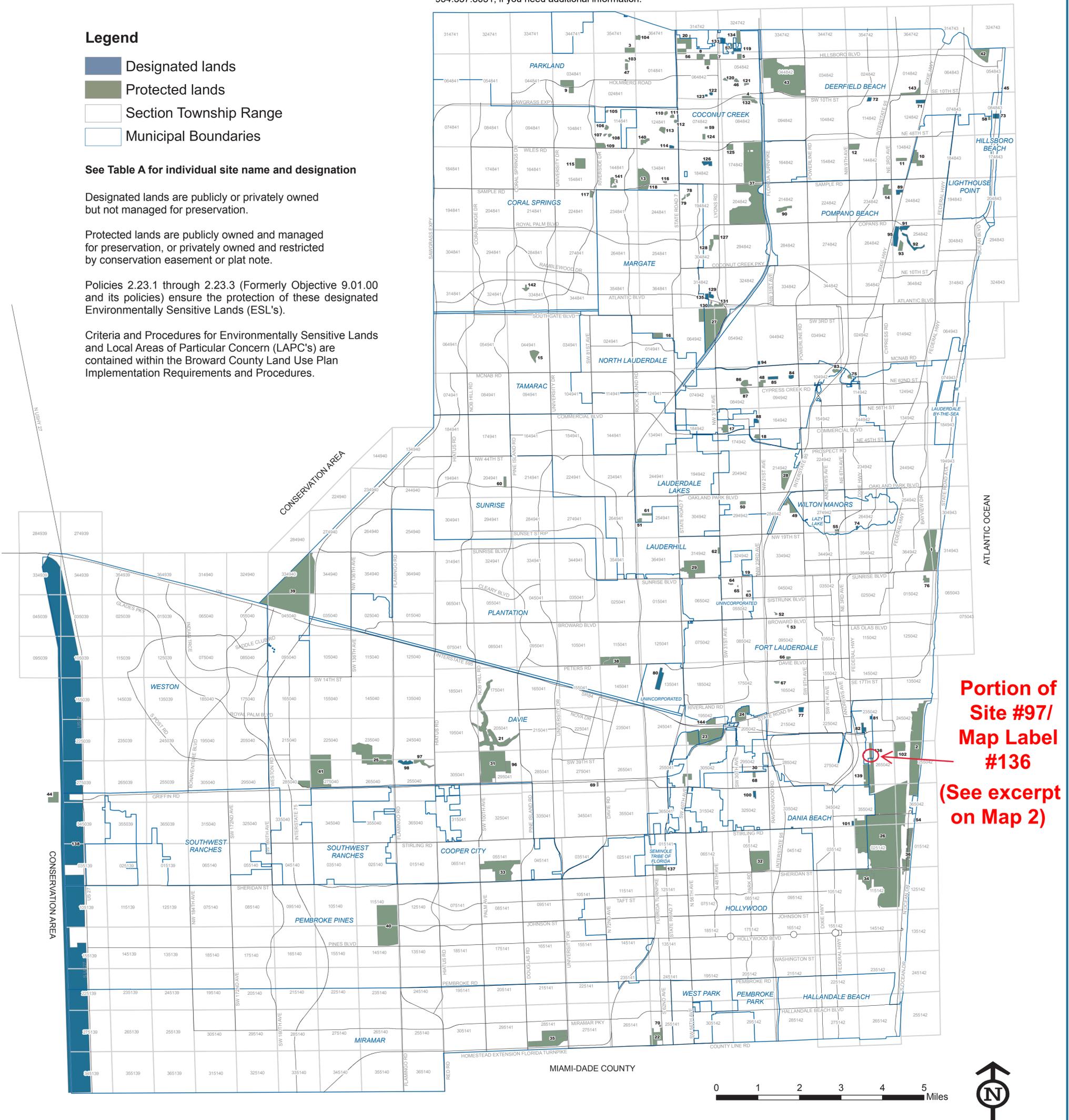
See Table A for individual site name and designation

Designated lands are publicly or privately owned but not managed for preservation.

Protected lands are publicly owned and managed for preservation, or privately owned and restricted by conservation easement or plat note.

Policies 2.23.1 through 2.23.3 (Formerly Objective 9.01.00 and its policies) ensure the protection of these designated Environmentally Sensitive Lands (ESL's).

Criteria and Procedures for Environmentally Sensitive Lands and Local Areas of Particular Concern (LAPC's) are contained within the Broward County Land Use Plan Implementation Requirements and Procedures.



Portion of  
Site #97/  
Map Label  
#136  
(See excerpt  
on Map 2)

### III.B. Natural Resource Map Series: Environmentally Sensitive Lands

Source:  
Broward County Natural Resources Planning and Management Division  
Prepared By  
Land Preservation Program  
954-519-0305  
Adopted: January 28, 2020

This map is for conceptual purposes only and should not be used for legal boundary determinations. Please contact the Broward County Planning Council office regarding questions pertaining to parcel boundaries or limits.

**MAP 1**  
**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN**  
**AERIAL PHOTOGRAPH OF ENVIRONMENTALLY SENSITIVE LANDS EXCERPT**  
**AMENDMENT PCNRM 24-3**



**MAP 2**  
**BROWARDNEXT - BROWARD COUNTY LAND USE PLAN**  
**AERIAL PHOTOGRAPH OF REMAINING SITE 97 AND PROPOSED CONSERVATION EASEMENT**  
**AMENDMENT PCNRM 24-3**



## **EXHIBIT B**

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