

**ORDINANCE NO. 2010-007**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE DANIA BEACH COMPREHENSIVE PLAN TO AMEND THE REGIONAL ACTIVITY CENTER ("RAC") LAND USE CLASSIFICATION AS DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS ORDINANCE, BY INCREASING ACREAGE FOR COMMERCIAL AND EMPLOYMENT CENTER USES; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Dania Beach ("City") desires to amend its Comprehensive Plan's Future Land Use Element by amending the land use classification "Regional Activity Center" ("RAC"); and

**WHEREAS**, the City's Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on March 17, 2010, and determined that the proposed amendment to the Future Land Use Element (the "Amendment") is consistent with the goals and objectives of the City's Comprehensive Plan and, therefore, recommended approval of the Amendment; and

**WHEREAS**, the City Commission held a duly noticed public hearing on April 27, 2010, regarding the Amendment and determined that the Amendment is in the best interests of the City's public health, safety and welfare and should be adopted for transmittal to the Florida Department of Community Affairs for its review pursuant to Chapter 163, Florida Statutes; and

**WHEREAS**, on \_\_\_\_\_, 2010, the City Commission held its second public hearing on the adoption of the Amendment, for final adoption in accordance with the requirements of Chapter 163, Florida Statutes;

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

**Section 1.** That the Future Land Use Element of the City's Comprehensive Plan is amended according to Exhibit "A", a copy of which is attached and made a part of this Ordinance, amending the land use classification of "Regional Activity Center" ("RAC") and supporting objectives and policies.

**Section 2.** That the City Commission authorizes the City Manager to transmit the Amendment to the Florida Department of Community Affairs and other state agencies pursuant to the requirements of Chapter 163.3184, Florida Statutes.

**Section 3.** That the City Commission authorizes the City Manager to transmit an application to the Broward County Planning Council to request amendment of the Broward County Land Use Plan text, amending the RAC in Dania Beach, and to request recertification of the City's Future Land Use Element.

**Section 4.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

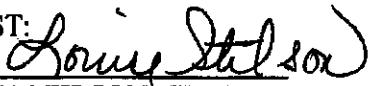
**Section 5.** That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

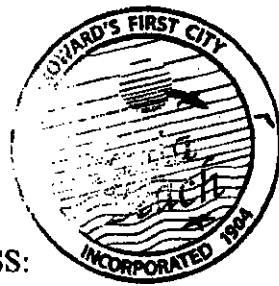
**Section 6.** That the effective date of this Amendment shall be after the second reading and adoption of the amendment by the City Commission and, subsequently, the date a final order is issued by the Florida Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes.

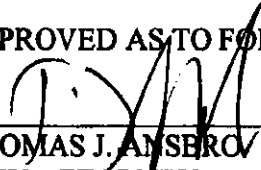
**PASSED AND ADOPTED** on first reading on April 27, 2010.

**PASSED AND ADOPTED** on second and final reading on \_\_\_\_\_, 2010.

  
C. K. McELYEA  
MAYOR-COMMISSIONER

ATTEST:   
LOUISE STILSON, CMC  
CITY CLERK



APPROVED AS TO FORM AND CORRECTNESS:  
  
THOMAS J. ANSEROV  
CITY ATTORNEY

**PROPOSED TEXT AMENDMENT TO THE BROWARD COUNTY  
LAND USE PLAN**

**Regional Activity Center**

\* \* \*

**Dania Beach Regional Activity Center**

**Dania Beach Regional Activity Center land use  
designation - density and intensity  
specifications**

<b>Land Uses:</b>	<b>Maximum Intensity (unless otherwise indicated)</b>
Residential*:	2,348 single family homes 286 duplexes 2,047 townhomes 972 garden apartments 2,165 mid rise apartments
<u>Commercial</u>	<del>264.6</del> <u>294</u> acres, plus 500,000 s.f. of commercial floor area approved with the former LAC.
Industrial	247.5 acres
Employment Center	<del>54.6</del> <u>74.5</u> acres
Transportation	6.5 acres
Hotel	640 rooms
Community Facilities	36.2 acres (or as needed)
Parks & Recreation Conservation	40.5 acres (minimum) 2.6 acres (minimum)
Utilities	2.5 acres (or as needed)

\*Dwelling units from any given category (ex: single-family, townhouse, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation using the county's adopted student generation rates.

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