



City of Dania Beach Community Development Memorandum

DATE: 5/13/2025

TO: Mayor and Commissioners

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

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

SUBJECT: TX-048-24: The applicant, Greenspoon Marder, LLP, is requesting to create a new zoning district within the City's Code of Ordinances, Land Development Code (LDC), establishing Gateway Mixed-Use II zoning district (First Reading).

Request:

Amend the City's Land Development Code to establish a new zoning district entitled Gateway Mixed-Use II.

Background:

On March 12, 2024, the City Commission eliminated the use of incentives in the City's form-based zoning districts in order to reduce the size and intensity of new development coming to the City. This change was the result of concerns raised by residents regarding building height, density and impacts affecting the community as a result of the developer's use of incentives which intensify development project. These impacts include the introduction of a new urban, built environment as a result of increased building height, integration of more intense development adjacent to existing neighborhoods, and increased traffic congestion on local roads.

The elimination of incentives resulted in reducing the allowable building height from fourteen (14) stories (with incentives) to seven (7) stories and reducing the allowed density from one hundred (100) dwelling units per acre (with incentives) to fifty (50) dwelling units per acre in the Gateway Mixed-Use zoning district.

Request

The applicant is requested to create a new zoning district entitled Gateway Mixed-Use II which will allow eight (8) stories in height and 85 dwelling units per acre. As part of this Amendment, the proposed will require any new development in this newly created zoning district to provide all of the following:

- Sustainable Building Practices
- Provide Public Parks
- Payment in lieu of Public Parking

The current height and density allowed in the Gateway Mixed-Use zoning district is identified in the table below, along with the height and density proposed for the newly created Gateway Mixed-Use II zoning district.

REGULATION	GTWY-MU District (existing)	GTWY-MU II District (proposed)
DENSITY	50 du/ac	85 du/ac
HEIGHT	7-stories	8-stories

COMPREHENSIVE PLAN

This new zoning district is identified to only be implemented on properties currently located within the existing Gateway Mixed-Use district which is located in the Regional Activity Center. The applicant indicated that their Text Amendment application “ensures a harmonious integration of new projects with the existing development patterns.”

In addition to this Text Amendment to create a new zoning district, the applicant has also submitted a Rezoning and Site Plan application for development of property consistent with the proposed regulations. These applications will be brought to a later public hearing.

If this new zoning district fails to receive approval the applicant would have to modify their proposed site plan in order to comply with the current zoning regulations as identified in the table above.

This application requires the Planning & Zoning Board to make a recommendation to the City Commission. This application will then require two (2) readings at the City Commission.

Budgetary Impact

None.

Recommendation

Planning and Zoning Board Recommendation

On March 19, 2024, the Planning and Zoning Board recommended denial of the requested text amendment by a 3-1 vote (Roberson – yes, Granett – yes, Wright – yes, and De La Salas – no).

Staff Recommendation

The Community Development Department recommends the City Commission approve the text amendment on first reading.

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, ENTITLED “LAND DEVELOPMENT CODE”; AT PART 3, ENTITLED “SPECIAL ZONING DISTRICTS”, SUBPART 1 ENTITLED “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS” TO CREATE THE BEACH GATEWAY MIXED USE II DISTRICT (GTWY-MU-II) AT SECTION 303-75, ENTITLED “GTWY-MU-II, BEACH GATEWAY MIXED-USE II DISTRICT”; ALSO TO PROVIDE FOR THE FOLLOWING REVISIONS: AMENDING ARTICLE 300 ENTITLED “HOW TO USE”, SECTION 300-70, ENTITLED “COMMONLY USED ABBREVIATIONS”; AMENDING ARTICLE 302 ENTITLED “DETAILED USE REGULATIONS”, SECTION 302-10, ENTITLED “PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES”; AT SECTION 302-40, ENTITLED “MIXING OF USES”; AMENDING ARTICLE 304 ENTITLED “BUILDING HEIGHT AND TRANSITION REGULATIONS”, AT “SECTION 304-10, ENTITLED “GENERALLY”; AMENDING ARTICLE 307 ENTITLED “LANDSCAPING REGULATIONS”, AT SECTION 307-10, ENTITLED “ON-SITE LANDSCAPING REQUIREMENTS”; AMENDING PART 1 “USE REGULATIONS”, ARTICLE 100 ENTITLED “GENERAL USE REGULATIONS APPLYING TO ALL ZONING DISTRICTS”, AT SECTION 100-60 ENTITLED “ESTABLISHMENT OF ZONING DISTRICTS”; AMENDING ARTICLE 105 ENTITLED “USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS”, AT SECTION 105-170 ENTITLED “COMMUNITY RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES”; AMENDING ARTICLE 110 ENTITLED “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS “, AT SECTION 110-20 ENTITLED “LIST OF PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES”; AMENDING AT PART 2, “SITE DEVELOPMENT REGULATIONS”, ARTICLE 200 ENTITLED “USER GUIDE FOR PART 2 OF THE CODE”, AT SECTION 200-40 ENTITLED “HOW PART 2 OF THIS CODE RELATES TO THE CRA FORM-BASED AND PMUD REGULATIONS”; AMENDING ARTICLE 265 ENTITLED “OFF-STREET PARKING REQUIREMENTS”, AT SECTION 265-91 ENTITLED “PARKING REDUCTIONS FOR TRANSPORTATION DEMAND MANAGEMENT STRATEGY IMPLEMENTATION WITHIN THE CRA FORM-BASED DISTRICTS”; AMENDING ARTICLE 275 ENTITLED “LANDSCAPING REQUIREMENTS”, AT SECTION 275-170 ENTITLED “LANDSCAPE REQUIREMENTS FOR SCREENING”; AMENDING PART 5 “SIGNAGE AND DESIGN REGULATIONS”, ARTICLE 505 ENTITLED “SIGN REGULATIONS”, AT SECTION 505-20 ENTITLED “DEFINITIONS”; AMENDING SECTION 505-90 ENTITLED “SIGNAGE REGULATIONS FOR MIXED USE CRA FORM BASED ZONING DISTRICTS”; AMENDING SECTION 505-210 ENTITLED “COMMUNITY REDEVELOPMENT AREA DESIGN INCENTIVES”; AND AMENDING PART 7, ENTITLED “ CODE ADMINISTRATION”, ARTICLE 700 ENTITLED “CODE ADMINISTRATION AND LEGAL PROVISIONS”, SECTION 725-30 ENTITLED “TERMS DEFINED”; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Dania Beach, Florida (“City”) wishes to create a new zoning district and add regulatory requirements to the City’s Land Development Code

relating to CRA Form Based Zoning District for the new Beach Gateway Mixed Use II zoning district; and

WHEREAS, the City Commission finds that the regulations hereinafter set forth are reasonably related to the health, safety, and general welfare of the citizens, property owners and invitees of the City.

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

Section 1. The preceding “WHEREAS” clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Chapter 28 entitled the “Land Development Code”; Part 3, “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 303, entitled “District Development Standards”, creating Section 303-75, entitled “GTWY-MU-II, Beach Gateway Mixed-Use II District” as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 3. SPECIAL ZONING DISTRICTS

* * *

SUBPART 1. COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

* * *

ARTICLE 303 – DISTRICT DEVELOPMENT STANDARDS

* * *

Sec. 303-75. GTWY-MU-II, Beach Gateway Mixed-Use II District.

(A) Intent and purpose. To capitalize on the proximity of conservation areas, waterways and the beach, by preserving additional land, thus enhancing the area's assets, by differentiating this district from the GTWY-MU mixed-use district, and by allowing appropriate building height to allow for reduction in footprint and developed land area. This will be accomplished by allowing relatively tall buildings built relatively close to the street, while providing greater setback and landscaping between the building and street than in the East Dania Beach Boulevard mixed-use district.

(1) Eligibility. Only parcels that are zoned Beach Gateway Mixed-Use shall be eligible for rezoning to the Beach Gateway Mixed-Use II district.

Figure 303-22-1 GTWY-MU-II district map.

****PLACEHOLDER FOR MAP ONCE A REZONING OCCURS****

(B) Density: max. 85 du/ac.

(C) Reserved.

(D) Generalized permitted uses (see article 302 for specific uses and conditions of use):

<u>Uses</u>	
<u>Residential Single-Family</u>	
<u>Residential Multifamily</u>	✓
<u>Commercial (Mixed-Use Compatible)</u>	✓
<u>General Commercial</u>	✓
<u>Restricted Commercial</u>	
<u>Entertainment</u>	✓
<u>Lodging</u>	✓
<u>Civic and institutional</u>	✓

✓ - Permitted use

(E) Pervious landscaped lot area. Twenty-five (25) percent.

(F) Sustainable building requirements. See article 305.

(G) Parking. See article 306. Structured parking is not permitted in the first layer.

(H) Landscaping. See article 307.

(I) Signage. See article 308.

(J) Additional development standards. See article 309.

(K) Architectural and design standards. See article 525.

(L) Building placement standards.

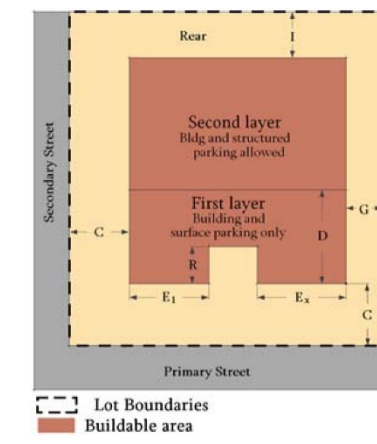
<u>Diagram Key</u>	<u>Building Placement Requirements (In Feet)</u>	<u>Street Type</u>	
		<u>Primary</u>	<u>Secondary</u>

"C"	<u>Street setback</u>	<u>Other structures</u>	<u>30' min.</u>	<u>10' min.</u>
"G"	<u>Interior side setback (minimum)</u>		<u>10' except 15' abutting residential</u>	
"I"	<u>Rear setback (minimum)</u>		<u>25'</u>	

(M) Building frontage standards.

<u>Diagram Key</u>	<u>Standard</u>	<u>All Streets</u>
"D"	<u>Depth of 1st layer</u>	<u>N/A</u>
"E ₁ + .. + E _x "	<u>% of lot width that façade must be built on BTL</u>	<u>N/A</u>
"R"	<u>Max. recess from BTL</u>	<u>N/A</u>

Figure 303-22-2

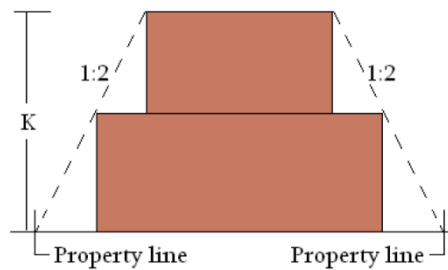


(N) Allowable building and frontage types. Building form is not regulated through building or frontage types in this district.

(O) Minimum lot width. One hundred (100) feet.

(P) Minimum lot depth. One hundred (100) feet.

Figure 303-22-3



(Q) Maximum building height. Two (2) feet for each one (1) foot of horizontal distance from street lines and property lines, not to exceed eight (8) stories. The maximum allowable height in this district is based upon proximity to adjacent residential zoning districts and district streets. Therefore, allowable height within one (1) portion of a property might be different than that permitted on another portion. Buildings must be designed accordingly. The allowable height of buildings just outside of the district boundary is shown on the height map for information purposes.

(R) Required Amenities. The following amenities are required.

- Sustainable Building Practices
- Payment in Lieu of Public Parking
- Provide Public Parks

(1) Sustainable Building Practices; voluntary green building/development program.

- (a) Overview. The CRA green building/development program is a voluntary program that developers may choose to participate in, to comply with subsection (R) Required Amenities
- (b) Green building; green building practices. Green building practices refers to building and building site design, materials and construction techniques that minimize demand for nonrenewable material and energy resources, water consumption, and minimize the generation of waste products, pollution, and stormwater runoff. Green building practices are generally consistent with the techniques used to achieve certification of construction and development through third-party green building and development certification programs including the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED), the Florida Green Building Coalition, and Florida Green Lodging.

- (c) Rating organizations. This program awards credits based on selected third-party green building/development certification programs, including, but not limited to, the Florida Green Building Coalition, Florida Green Lodging, and U.S. Green Building Council Leadership in Energy and Environmental Design (LEED).
- (d) Approval of established third-party standards. Applicants seeking to participate in the voluntary green building/development program are required to schedule a preliminary development application meeting with the community development director. At the preliminary development application meeting, the applicant shall identify the third-party green building/development standards proposed to be incorporated in the project design and implementation and provide a copy of the standards to city staff the community development director for review. If the standards of a third-party certification program other than those listed in [subsection] (b) are proposed, the city staff [and] the community development director will review the standards of the rating organization certification program intended to be used by the applicant and notify the applicant if the proposed program and standards are accepted or rejected for the voluntary green building/development program.
- (e) Review process and certification options. Applicants seeking to participate in the voluntary green building/development program must choose to:
1. Formally apply for third-party certification with a selected third-party green building/development rating organization approved by the community development director, which includes meeting all the submittal, application and fee requirements for the selected third-party certification; or
 2. As an alternative to formal application for third-party certification the applicant may participate in the city's cost-recovery green building/development review process. The community development director shall review and verify the third-party green building/development standards proposed to be incorporated in the project design and implementation. The applicant shall document compliance with all of the third-party certification criteria to the satisfaction of the community development director.
- (f) Minimum submittal requirements for applying for voluntary green building or development program. Site development plan submittal requirements to participate in the voluntary green building/development program shall include the following:
1. Documentation that the applicant has participated in the preliminary development application meeting and has received approval from the community development director to utilize the third-party green building/development standards used in the site development plan submittal.
 2. Written statement identifying the review option selected by the applicant (demonstration of formal third-party certification of the project, or community development director verification of project compliance with third-party green building/development standards through cost-recovery based review).
 3. A completed residential green development/building checklist, with a narrative explanation of how the green building measure is being incorporated.

4. The city shall require that the proposal exceed the number of points necessary under this section by a margin to be established administratively for each third-party certification program. The intent is to ensure certification as best possible in the event that a given green measure fails to qualify after construction is completed.
 5. A notarized affidavit from the project architect demonstrating that the approved green building measures have been incorporated into the project plans.
 6. Project site and engineering plans that clearly detail all green building measures.
 7. A notarized affidavit certifying that a green building expert professional certified or accredited by a third-party green building and development rating organization deemed acceptable by the community development director is a part of the development team and shall remain part of the project team throughout its duration (i.e., from the design stage through final building inspection/issuance of certificate of occupancy).
- (g) Performance bond. Participants in the voluntary green building program, prior to issuance of a Certificate of Occupancy, shall post a performance bond, letter of credit or other form of surety approved by the city attorney.
1. The amount of the required performance bond, letter of credit or other approved form of surety shall be calculated as follows for projects seeking the incentive bonus for meeting third-party certification requirements:
 - a. Four (4) percent of the total cost of construction for a development of less than one hundred thousand (100,000) square feet of building area.
 - b. Three (3) percent of the total cost of construction for a development of up to two hundred thousand (200,000) square feet of building.
 - c. Two (2) percent of the total cost of construction for any building greater than two hundred thousand (200,000) square feet.
 2. In the event the completed development does not achieve the third-party certification or the required number of points, a portion of the surety shall be forfeited in an amount equal to the percentage of the required third-party point total not earned. However, if the development does not qualify for at least ninety (90) percent of the number of points, the entire bond amount shall be forfeited.
 3. The city may call on the performance bond if:
 - a. If the community development director determines that the development does not qualify for the credits within one (1) year of the city issuance of the certificate of occupancy for the building. Funds that become available to the city from the forfeiture of all or part of the surety shall be placed in the sustainable development fund established by the city, which shall be used to fund sustainable and energy-efficient city-initiated capital projects including, but not limited to, water-efficient landscaping, open space acquisition and improvements, traffic calming, public transportation-related improvements, pollution mitigation, sustainability improvements to public

facilities, or similar improvements as deemed appropriate by the city commission.

(2) Provide Payment in Lieu of Public Parking, consistent with Section 265-92.

(3) Contribution for public parks.

(a) The public park contribution shall be calculated pursuant to section (3)(b) below, which shall be applied to the city's park fund for park land acquisition or park improvements. The full public park payment shall be paid if this amenity is selected. A development containing a minimum of twenty-five (25) dwelling units is required to provide this amenity.

(b) The public park payment shall be equal in value to fifty cents (\$0.50) per square foot of estimated residential gross floor area.

(c) For purposes of this section, residential gross floor area shall be defined as the sum of the habitable horizontal area of all residential floors of all stories of a residential building or structure under a roof, and including, interior amenity areas, clubhouses, lobby areas however excluding private garages, maintenance areas, utility areas, operational areas, storage closets, electrical and mechanical facilities, balconies, stairwells, elevators, basements and subbasements, covered parking, loading areas, and parking structures.

(d) The contributions referenced in this section are calculated in 2024 dollars and shall be adjusted by the Consumer Price Index on an annual basis.

(e) Payment of the public park fees shall be made prior to issuance of a building permit.

(S) Stormwater . For any development utilizing the GTWY-MU-II, Beach Gateway Mixed-Use II District, the following additional standards shall be applicable.

(1) Developments must retain all stormwater from a 3-year, 24-hour event.

(2) Stormwater retention/detention areas.

(a) Stormwater retention/detention areas shall be designed to maximize the perimeter dimension, where feasible.

(b) Stormwater retention/detention areas shall be planted throughout with native herbaceous facultative plants, with the following exceptions:

1. In areas that are designated and actively used for play and/or picnic areas, overflow parking, or sports shall be planted with grasses which are very drought tolerant, as well as tolerant to wet soils.

2. In areas where the minimum required stormwater retention capacity would be adversely affected.

(c) The minimum required number of native herbaceous facultative plants shall be one (1) plant per square foot of retention/detention area, including the slope. Minimum required herbaceous plant container size shall be one and one-half (1½) inches, commonly, referred to as a liner. Sprigging, seeding, plugging, hydro-mulching or sodding with native herbaceous facultative plants grown from local seed sources may

be used in lieu of liners. Herbaceous plants shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting.

- (d) Native facultative trees or shrubs may be used in lieu of native herbaceous facultative plants, provided that the minimum required stormwater retention capacity is not adversely affected.

Figure 303-22-4 GTWY-MU-II district height map.

[*REVISED MAP TBP BY CITY*]

Section 3. That Chapter 28 entitled the “Land Development Code”; at Part 1, entitled “Use Regulations,” Article 100, entitled “General Use Regulations Applying to All Zoning Districts” at Section 100-60 “Establishment of Zoning Districts” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

PART 1 - USE REGULATIONS

ARTICLE 100 – GENERAL USE REGULATIONS APPLY TO ALL ZONING DISTRICTS

* * *

Sec. 100-60. Establishment of zoning districts.

The restrictions and controls intended to regulate development in each district are uniform for each class or kind of categorical delineation or distinction. For the purposes of protecting, promoting and improving the public health, safety and the general welfare of the citizens and residents, the city is divided into the following districts:

District map designation	Full district title	Intent and purpose of district
(B) Mixed-use zoning districts		
RO	Residential Office District	Provides for small-scale professional offices on lots fronting major arterial roadways while still permitting a principal dwelling unit in the same building, and maintaining the residential character of the adjacent neighborhood. These are often single-family homes that are no longer viable due

		to road widenings and related noise. Implements the Commercial and Residential categories of the comprehensive plan. Use of the commercial or residential flexibility rules of the Broward County Land Use Plan Administrative Rules Document may be required.
NBHD-MU	Neighborhood Mixed-Use District	Provides for neighborhood-serving commercial uses, townhouses, apartments and limited assembly, repair and fabrication that are compatible with residential and commercial uses. The district is applied in a linear fashion, typically to frontage properties along certain collector streets that border or traverse neighborhoods. Front yards are minimized, with buildings close to the street, and rear yard and on-street parking facilities. Implements the Regional Activity Center category of the comprehensive plan.
SFED-MU	South Federal Highway Corridor Mixed-Use District	Encourages medium-intensity redevelopment of the corridor with a mix of retail, office, residential, and lodging uses with a design emphasis on pedestrian street life in a manner that supports public transit, while creating interest and fostering investment in the immediate neighborhood. This will be accomplished through a mix of residential and commercial uses along the corridor, built close to the street, with parking facilities behind buildings. Implements the Regional Activity Center category of the comprehensive plan.
GTWY-MU	Beach Gateway Mixed-Use District	Capitalizes on the proximity of conservation areas, waterways and the beach by preserving additional land, thus enhancing the area's assets. This will be accomplished by allowing relatively tall buildings built near the street, in order to allow for a reduction in building footprint and consolidation of the developed area, while providing a landscaped yard between the building and street to differentiate this zone from the more urban EDBB-MU zone. Implements the Regional Activity Center category of the comprehensive plan.
<u>GTWY-MU-II</u>	<u>Beach Gateway Mixed-Use II District</u>	<u>Capitalizes on the proximity of conservation areas, waterways and the beach by preserving additional land, thus enhancing the area's assets. This will be accomplished by allowing relatively tall buildings built near the street, in order to allow for a reduction in building footprint and consolidation of the developed area, while providing a landscaped yard between the building and street to differentiate this zone from the GTWY-MU zone.</u>

		<u>Implements the Regional Activity Center category of the comprehensive plan.</u>
EDBB-MU	East Dania Beach Boulevard Corridor Mixed-Use District	Encourages medium- to high-intensity redevelopment of the corridor with a mix of retail, office, residential, and lodging uses with a design emphasis on pedestrian street life in a manner that supports public transit, while creating interest and fostering investment in the immediate neighborhood. This will be accomplished through a mix of residential and commercial uses along the corridor, built close to the street, with parking facilities behind buildings. Implements the Regional Activity Center category of the comprehensive plan.
CC	City Center District	Establishes a mixed use downtown with transit-supportive density and intensity where citizens can work, live, and shop in a place that is the economic, governmental, entertainment and cultural focal point of Dania Beach. This district is designed to encourage accessible, active, pedestrian-oriented areas within walking distance of a prospective transit station on the FEC railway. Implements the Regional Activity Center category of the comprehensive plan.
PMUD	Planned Mixed-Use Development District	Encourages an integrated approach to redevelopment within the Dania Beach Regional Activity Center (RAC) encompassing a mix of uses at an intensity and density consistent with the proximity to regional roadways, the airport and seaport. This district is intended for large-scale mixed use development with direct access to an arterial roadway(s) which serves as a transit route or located within close proximity to a mobility hub.
PMUD-SL	Planned Small Lot Mixed-Use Development District	Encourages an integrated approach to redevelopment within the Dania Beach Regional Activity Center (RAC) encompassing a mix of uses at an intensity and density consistent with the proximity to regional roadways, the airport and seaport. This district is intended for small-scale mixed-use development in close proximity to other mixed-use development, mobility hubs, and arterial roadways.
(E) CRA form-based districts CC, City Center District [see (B) Mixed-use zoning districts] SFED-MU, South Federal Highway Mixed-Use District [see (B) Mixed-use zoning districts] EDBB-MU, East Dania Beach Boulevard Mixed-Use District [see (B) Mixed-use zoning districts] GTWY-MU, Beach Gateway Mixed-Use District [see (B) Mixed-use zoning districts]		

GTWY-MU-II, Beach Gateway Mixed-Use II District [see (B) Mixed-use zoning districts]
 NBHD-MU, Neighborhood Mixed-Use District [see (B) Mixed-use zoning districts]
 NBHD-RES, Neighborhood Residential District [see (A) Residential zoning districts]

Section 4. That Chapter 28 entitled the “Land Development Code”; at Part 1, entitled “Use Regulations,” Article 105, entitled “Use Regulations for Residential and Open Space Zoning Districts”, at Section 105-170 entitled “Community Residential Homes and Residential Care Facilities” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

PART 1 - USE REGULATIONS

* * *

ARTICLE 105 – USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS

* * *

Sec. 105-170 “Community Residential Homes and Residential Care Facilities”

- (A) Homes of six (6) or fewer residents that meet the definition of “community residential home, type 1” as defined in article 725 (see definition of special residential facility), shall be deemed a single-family dwelling unit and a noncommercial residential use, and shall be permitted in all districts that permit single-family or multifamily uses, provided that such homes shall not be located within a radius of one thousand (1,000) feet of another community residential home with six (6) or fewer residents.
- (B) A “community residential home, type 2”, as defined in article 725 (see definition of special residential facility), having more than six (6) residents is permitted in the CC, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, RM, RM-1, RM-2 and PRD-1 zoning districts subject to the following, and to the specific regulations of the applicable zoning district:
 - (1) Such uses shall not be located within twelve hundred (1,200) feet of another existing community residential home or within a radius of five hundred (500) feet of a single family zoning district boundary.
 - (2) Such uses shall meet the applicable licensing criteria established and determined by state agencies pursuant to F.S. Ch. 419.
- © “Residential care facilities”, as defined in article 725 (definitions), are allowed by special exception in the RM-2, PRD-1, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, CF, C-3 and C-4 zoning districts, subject to the special residential facilities provisions for density allocations under the Broward County Land Use Plan.
- (D) “Adult residential care facilities”, as defined in article 725 (definitions), with more than one hundred (100) sleeping rooms are allowed by special exception in the RM-2, PRD-

1, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, C-3, and C-4 zoning districts subject to the following requirements:

- (1) The facility must have frontage on, and direct vehicular access to, either a minor arterial containing at least one hundred ten (110) feet of right-of-way, or a principal arterial as designated on Broward County Traffic-ways Plan.
- (2) The facility shall provide the following services: At least (1) full meal per day from a central dining facility; central housekeeping services to its residents no less than weekly; a full-time registered nurse on call to the residents; planned activities, which may include, but are not limited to, social, educational and recreational activities.

* * *

Section 5. That Chapter 28 entitled the “Land Development Code”; at Part 1, entitled “Use Regulations,” Article 110, “Use Regulations for Commercial and Mixed Use Districts”, at Section 110-20, entitled “List of permitted, special exception and prohibited uses” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

PART 1 - USE REGULATIONS

* * *

ARTICLE 110 - USE REGULATIONS FOR COMMERCIAL AND MIXED USE DISTRICTS

* * *

Sec. 110-20. List of permitted, special exception and prohibited uses.

Included in the table below are permitted, special exception and prohibited uses within commercial districts, the Residential Office (RO) District, the Marine District, and generalized permitted and special exception uses within the mixed-use CRA form-based districts. Permitted and special exception uses shown in this table for the CRA form-based districts are not allowed in all areas of a district; therefore, the more detailed regulations of Article 302 must be consulted to determine whether a particular use is permitted in any given location. Article 302 shall take precedence over this table. Unless otherwise provided, this table shall not apply to uses in the Planned Mixed Use Development District (PMUD) or Planned Small Lot Mixed-Use Development District (PMUD-SL). All permitted, conditional, special exception, restricted or prohibited uses within the PMUD or PMUD-SL shall be identified and established pursuant to the approved PMUD or PMUD-SL Development Design Guidelines (DDG) consistent with the Dania Beach Regional Activity Center (RAC) and articles 340 and 350 of this chapter.

	INDUS		MIXED-USE DISTRICTS						COMMERCIAL ZONING DISTRICTS			
				CRA FORM-BASED DISTRICTS								
Legend P - Permitted P(#) - Permitted subject to numbered footnote A - Permitted accessory use only SE - Permitted special exception use only <div>NP</div> - Not permitted	Marine	RO (see sec 110-180)										
			CC	EDBB-MU	SFED-MU	GTWY-MU	GTWY-MU-II	NBHD-MU	C-1	C-2	C-3	C-4
Accessory uses to permitted and special exception uses	A	NP	A	A	A	A	<u>A</u>	A	A	A	A	A
Arcade or amusement center [subject to sections 110-60, 110-190]	NP	NP	SE	SE	SE	SE	<u>SE</u>	SE	NP	NP	NP	NP
Art galleries, museums, and libraries	SE	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Assembly and light fabrication of goods and materials	SE	NP	SE	NP	NP	NP	<u>NP</u>	SE	NP	NP	NP	SE
Assembly, repair, and fabrication of premanufactured art objects, apparel, jewelry, and home furnishings, accessory to retail use [subject to section 110-150]	NP	NP	A	A	A	NP	<u>NP</u>	A	NP	A	A	A
Athletic clubs/studio	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Auditoriums, theaters and convention halls, movie theaters	NP	NP	SE	SE	SE	SE	<u>SE</u>	NP	NP	SE	SE	SE

Automobile rental establishments, other [subject to section 110-80]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	SE
Automobile rental establishments, with parking or storage for ten (10) or fewer vehicles subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Automobile repair, minor [subject to section 110-90]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Automobile, truck, motorcycle, boat, trailer, recreation vehicle sales, display, accessory repair and service	NP	NP	SE	SE	SE	NP	<u>NP</u>	NP	NP	NP	NP	P
Auto parts, retail or wholesale	NP	NP	NP	P	P	P	<u>P</u>	P	NP	P	P	P
Bail Bond [subject to section 110-310]	NP	NP	P	P	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Banks and financial institutions	NP	NP	P	P	P	P	<u>P</u>	NP	P	P	P	P
Bakeries, delicatessens	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Bingo hall	NP	NP	SE	SE	SE	SE	<u>SE</u>	SE	NP	NP	NP	NP
Boat painting	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Boats, Indoor storage of new or used only on property abutting a navigable waterway	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Boats, Outdoor storage of new or used	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Boats marine parts store	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Boat sanitary waste pump-out facilities	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Bus depot for storage and maintenance of buses and related office facilities [subject to section 110-290]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	P

Cabinet or furniture shop [subject to section 110-250]	P	NP	NP	NP	NP	NP	<u>NP</u>	P	NP	NP	NP	NP
Catering establishments [*subject to section 302-20(22)]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP	NP	P	P
Charitable, civic, fraternal and professional organizations, excluding social service providers and agencies	NP	NP	SE	SE	SE	SE	<u>SE</u>	SE	NP	SE	SE	SE
Charity or thrift shop	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	P	P
Check cashing stores [subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
City of Dania Beach municipal use	P	NP	P	P	P	P	<u>P</u>	P	P	P	P	P
Community garden/urban farm [subject to section 105-230]	NP	NP	P	P	P	P	<u>P</u>	P	NP	NP	NP	NP
Contractor shop [subject to section 110-270]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	P	P	P	P
Contractor shop, repair or service shops (air conditioning, carpenter, plumbing, electrical, glass, marine, cloth or canvas)	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	SE
Copy shop, printing shop	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Day care centers	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Dock and docking of boats and ships (excluding dry docks), including the operations of charter boats	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Drive-through service, other [subject to sections 110-190, 110-220]	NP	NP	NP	P	P	P	<u>NP</u>	NP	P	P	SE	SE
Dry cleaning establishments, excluding self service laundries, for direct service to customers	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P

Dry lot storage and dry stack storage of boats	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP	NP
Exhibit/Event space	NP	NP	SE	NP	SE	NP	<u>NP</u>	NP	NP	NP	NP	NP	NP
Farmer's market [subject to section 105-240]	NP	NP	P	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP	NP
Fast food restaurant in an existing building [subject to section 110-190]	NP	NP	P	P	P	P	<u>P</u>	NP	P	P	P	P	P
Fast food restaurant in a new multi-tenant, or attached building (not free standing) [subject to section 110-190]	NP	NP	P	P	P	P	<u>P</u>	NP	P	P	P	P	P
Fortune tellers, palmists, clairvoyants or astrologists [subject to section 110-190 & Chapter 12.5]	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P	P
Freestanding drive-through restaurant [subject to section 110-190]	NP	NP	NP	P	P	P	<u>NP</u>	NP	NP	NP	SE	SE	SE
Funeral homes and mortuaries	NP	NP	NP	P	P	NP	<u>NP</u>	NP	NP	NP	SE	SE	SE
General service and repair shop	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P	P
Gun shops [subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE	SE
Hotel [subject to section 110-100]	NP	NP	P	P	SE	P	<u>P</u>	NP	NP	SE	SE	SE	SE
Indoor play center providing primarily physical and imaginative non-electronic recreational opportunities for primarily preschool and elementary aged children, and which may also offer accessory retail sales, food and beverage sales [*subject to section 302-20(22)]	NP	NP	NP	NP	P	NP	<u>NP</u>	P*	P	P	P	P	P

Kennel (subject to section 302-20(A)(21))	NP	NP	P	P	P	P	<u>P</u>	P	NP	NP	NP	P
Large retail establishment [subject to sections 110-120, 110-190; articles 510, 520]	NP	NP	P	P	P	P	<u>P</u>	NP	NP	SE	SE	SE
Light industrial marine uses not itemized in this section	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Liquor, package stores [subject to section 110-50]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	P	P	P
Liquor, package stores accessory to grocery retail use of at least 27,500 square feet [subject to section 110-50]	NP	NP	A	A	A	A	<u>NP</u>	NP	NP	A	A	A
Manufacturing and repair (excluding painting) of boats, associated assembly, fabrication, outfitting and maintenance, marine construction and equipment loading and handling operations	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Marine-related educational facilities	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Massage therapy services as accessory to a full service personal service establishment only [subject to section 110-280]	NP	NP	A	A	A	A	<u>A</u>	A	A	A	A	A
Medical Marijuana Retail Center [subject to section 110-190(C)]	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Merchandise rental or leasing stores	NP	NP	NP	SE	SE	SE	<u>SE</u>	SE	NP	NP	SE	SE
Microbrewery, or craft distillery with tasting room (required) [subject to section 110-50]	NP	NP	P	SE	SE	SE	<u>SE</u>	SE	NP	NP	NP	NP
Mixed residential and commercial uses	NP	NP	P	P	P	P	<u>P</u>	P	NP	NP	NP	NP

Mobile food vendor [subject to section 110-320]	NP	NP	P	P	P	P	<u>NP</u>	NP	NP	P	P	P
Mobile vendor, except as permitted in conjunction with a temporary use approved under article 675	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Motor fuel pumps, retail [subject to section 110-90]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Multifamily dwellings	NP	P	P	P	P	P	<u>P</u>	P	NP	NP	NP	NP
Office, business	NP	P	P	P	P	P	<u>P</u>	P	P	P	P	P
Office, professional	NP	P	P	P	P	P	<u>P</u>	P	P	P	P	P
Office, medical [section 110-40 and section 110-190(c) govern pain management clinics]	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P
Outdoor produce sales [subject to section 110-160]	NP	NP	A	A	A	A	<u>A</u>	A	A	A	A	A
Outdoor restaurant seating [subject to section 110-200]	NP	NP	A	A	A	A	<u>A</u>	A	NP	SE	SE	SE
Outdoor sales, leasing, rental, display, storage of fully assembled new boats, new trailers and marine vessels	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Outdoor sales, leasing, rental, display, storage of fully assembled used boats, trailers and marine vessels	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Outdoor stands, other; open counters	NP	NP	SE	SE	SE	SE	<u>NP</u>	NP	SE	SE	SE	SE
Outdoor storage of fully-assembled, operational passenger vehicles, boats and boat trailers, and recreational vehicles [subject to section 110-300]	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP

Outdoor storage of new materials and equipment [subject to section 110-210]	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP	SE
Painting of boats	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP	NP
Pawn shops [subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	SE	SE
Personal service establishments	NP	NP	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Places of worship	NP	NP	P	P	P	P	<u>NP</u>	NP	P	P>P	P		
Public or private parking facility (principal use)	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P	P
Resale boutique and consignment shop, for profit	NP	NP	NP	P	P	P	<u>P</u>	P	NP	P	P	P	P
Residential care facility [subject to section 105-170]	NP	NP	NP	SE	SE	SE	<u>SE</u>	NP	NP	NP	SE	SE	SE
Residential care facility, adult [subject to section 105-170]	NP	NP	NP	SE	SE	SE	<u>SE</u>	NP	NP	NP	SE	SE	SE
Restaurants, full service without live entertainment [subject to section 110-50]	NP	NP	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Restaurants and bars with live entertainment as an accessory use [subject to section 110-50]	NP	NP	P	P	P	P	<u>SE</u>	SE	NP	SE	SE	SE	SE
Restaurant, drive-in [subject to sections 110-190, 110-220]	NP	NP	NP	P	P	P	<u>NP</u>	NP	NP	NP	SE	SE	SE
Restaurant, takeout	NP	NP	P	P	P	P	<u>P</u>	P	P	P	P	P	P
Retail pharmacy [subject to section 110-190(C)]	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P	P
Retail stores [subject to section 110-190(C)]	NP	NP	P	P	P	P	<u>P</u>	P	NP	P	P	P	P
Roadside vendors	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP	NP
School, academic	NP	NP	NP	SE	SE	SE	<u>SE</u>	NP	SE	SE	SE	SE	SE
School, college	NP	NP	SE	SE	SE	SE	<u>SE</u>	NP	SE	SE	SE	SE	SE

School, specialty	SE	NP	P	P	P	P	<u>SE</u>	NP	SE	P	P	P
Scooter or motorized/electric car rental [subject to section 110-240]	NP	NP	P	P	P	P	<u>NP</u>	NP	NP	NP	NP	NP
Self-service or coin-operated laundry [subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	SE	NP	NP	SE	SE
Sign fabrication, sign printing [subject to section 110-250]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	NP	NP	P	P
Single-family residence	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Storage [subject to section 110-260]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	NP	NP	NP	NP
Storage and sales of lumber and building materials within a completely enclosed building	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	SE
Tattoo or body piercing parlor [subject to section 110-190]	NP	NP	SE	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Temporary uses and special events [subject to article 675]	A	NP	P	P	P	P	<u>P</u>	P	P	P	P	P
Veterinarian, animal hospital (excluding boarding)	NP	NP	P	P	P	P	<u>P</u>	P	NP	SE	P	P
Vinyl sign fabrication and sign printing shops (excluding metal fabrication sand blasting and spray painting processes) [*subject to section 302-20(22)]	NP	NP	NP	NP	SE	SE	<u>SE</u>	P*	NP	SE	SE	SE
Warehousing with up to twenty (20) percent ancillary office space [*subject to section 302-20(22)]	A	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP	NP	SE	P

Watchman or caretaker dwelling unit [subject to sections 110-30, 230-20]	A	NP	A	A	A	A	<u>A</u>	A	NP	A	A	A
Wet or dry stack marina and related facilities [subject to section 110-170]	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	SE	SE
Wholesale: combined office-distribution/showroom-warehouse facilities with up to twenty percent (20%) ancillary office space	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	NP	NP	NP
Wholesale: combined office-showroom-warehouse facility with up to twenty percent (20%) ancillary office space [*subject to section 302-20(22)]	P	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP	NP	NP	P
Winery with tasting room (required) [subject to section 110-50]	NP	NP	P	SE	SE	SE	<u>SE</u>	SE	NP	NP	NP	NP

Section 6. That Chapter 28 entitled the “Land Development Code”; at Part 2, entitled “Site Development Regulations;” Article 200, entitled “User Guide for Part 2 of the Code” at Section 200-40, entitled “How part 2 of this code relates to the CRA form-based and PMUD regulations” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

PART 2 - SITE DEVELOPMENT REGULATIONS

ARTICLE 200 - USER GUIDE FOR PART 2 OF THE CODE

* * *

Sec. 200-40. How part 2 of this code relates to the CRA form-based and PMUD regulations.

- (A) The site development regulations for the CRA form-based districts (CC, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, NBHD-MU, NBHD-RES) are not contained in the article 205 schedule of site development regulations. Instead, they are located in part 3 of this code. However, the detailed site development regulations of the remainder of part 2 apply to the CRA form-based districts unless otherwise noted. In the event of a

conflict between part 2 and part 3, the standards of part 3 shall take precedence for areas zoned in one of the CRA form-based districts.

- (B) Unless otherwise provided, site development regulations for the Planned Mixed Use Development District (PMUD) are specified within article 340 of this chapter and within the approved Development Design Guidelines (DDG). Similarly, site development regulation for the Planned Small Lot Mixed-Use Development District (PMUD-SL) are specific within article 350 of this chapter and within the approved Development Design Guidelines (DDG). However, the sections of part 2 that specifically govern airport safety, wildlife and environmentally sensitive lands shall apply to the PMUD and PMUD-SL Districts.

Section 7. That Chapter 28 entitled the “Land Development Code”; at Part 2, entitled “Site Development Regulations,” Article 265, entitled “Off Street Parking Requirement” at Section 265-91, entitled “Parking reductions for transportation demand management strategy implementation within the CRA form-based districts” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 2 - SITE DEVELOPMENT REGULATIONS

* * *

ARTICLE 265 - OFF STREET PARKING REQUIREMENT

* * *

Sec. 265-91. Parking reductions for transportation demand management strategy implementation within the CRA form-based districts (CC, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, NBHD-MU, NBHD-RES).

- (A) All new development or redevelopment within the CRA form-based districts (CC, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, NBHD-MU, NBHD-RES) may apply for parking reduction through the implementation of transportation demand management (TDM) strategies. Parking reductions for each TDM strategy implementation may earn three (3) percent reduction. Total reduction shall not be more than ten (10) percent of the total required parking for all uses within the development. This reduction may be used in conjunction with other parking reduction provisions such as shared parking and affordable housing incentives.

Section 8. That Chapter 28 entitled the “Land Development Code”; at Part 2, entitled “Site Development Regulations,” Article 275, entitled “Landscaping Requirements” at Section 275-170 “Landscape requirements for screening” is hereby amended to read as follows:

CHAPTER 28
LAND DEVELOPMENT CODE

* * *

PART 2 - SITE DEVELOPMENT REGULATIONS

* * *

ARTICLE 275 – LANDSCAPING REQUIREMENTS

* * *

Sec. 275-170. Landscape requirements for screening.

- (A) *Structures.* Each structure shall be treated with landscaping to enhance the appearance of the structure and to screen unattractive or unsightly appearance as applicable, with a minimum of twenty (20) percent of the front of the structure being planted with shrubs at a minimum of two (2) feet in height. This requirement shall not apply to street-facing façades within the CC, SFED-MU, EDBB-MU, ~~or~~ GTWY-MU, or GTWY-MU-II districts.

Section 9. That Chapter 28 entitled the “Land Development Code”; at Part 3, entitled “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 300, entitled “How to use”, at Section 300-70, entitled “Commonly used abbreviations” is hereby amended to read as follows:

CHAPTER 28
LAND DEVELOPMENT CODE

* * *

PART 3 - SPECIAL ZONING DISTRICTS

* * *

SUBPART 1 - COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

ARTICLE 300 -HOW TO USE

* * *

Sec. 300-70. Commonly used abbreviations.

Abbreviation	Full Name
BTL	Build-to-line
du/ac	Dwelling units per acre

'	Feet
ft.	Feet
max.	Maximum
min.	Minimum
ROW	Street line (ultimate edge of right-of-way)
sf	Square feet
EDBB, WDBB	East Dania Beach Boulevard, West Dania Beach Boulevard
S. Fed. Hwy	South Federal Highway
CC	City Center District
EDBB-MU	East Dania Beach Boulevard Mixed-Use District
GTWY-MU	Beach Gateway Mixed-Use District
<u>GTWY-MU-II</u>	<u>Beach Gateway Mixed-Use II District</u>
SFED-MU	South Federal Highway Mixed-Use District
NBHD-MU	Neighborhood Mixed-Use District
NBHD-RES	Neighborhood Residential District

Section 10. That Chapter 28 entitled the “Land Development Code”; at Part 3, entitled “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 302, entitled “Detailed Use Regulations”, at Section 302-10, entitled “Permitted, special exception and prohibited uses” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 3 - SPECIAL ZONING DISTRICTS

* * *

SUBPART 1- COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

* * *

ARTICLE 302 - DETAILED USE REGULATIONS

* * *

Sec. 302-10. Permitted, special exception and prohibited uses.

Legend: P = Permitted SE = Special Exception use (#) = Permitted subject to the restriction in section 302-20 having the same number that is within the parentheses		Districts					
	City Center	EDBB-MU	SFED-MU	GTWY-MU	<u>GTWY-MU-II</u>	NBHD-MU	NBHD-RES

NP	- Not permitted		Principal Street Frontage							
	Abbreviations: EDBB = East Dania Beach Boulevard SFED = South Federal Highway		EDBB	Other streets	S. Fed. Hwy Sheridan St.	Other Streets				
	MIXED USE [subject to section 302-40]									
	Mixed residential and commercial use	P	P	P	P	P	P	<u>P</u>	P	NP
	OPEN SPACE [subject to article 312]									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Parks	P	P	P	P	P	P	<u>P</u>	P	P
	Plazas	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Pocket parks	P	P	P	P	P	P	<u>P</u>	P	NP
	Tot lots	P	P	P	P	P	P	<u>P</u>	P	P
	Urban agricultural gardens	SE	NP	SE	NP	SE	NP	<u>NP</u>	NP	SE
	RESIDENTIAL									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Apartments, ground story	(2)	NP	(2)	(2)	(2)	(2)	<u>(2)</u>	(2)	(2)
	Apartments, upper story	P	P	P	P	P	P	<u>P</u>	P	(2)
	Community residential home - type 1; up to 6 residents (see section 725-30 for definition) (subject to section 105-170)	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	P
	Community residential home - type 2; 7—14 residents (see section 725-30 for definition) (subject to section 105-170)	(3)	NP	(3)	(3)	(3)	(3)	<u>(3)</u>	NP	NP
	Home-based assembly [subject to section 105-100]	P	P	P	P	P	P	<u>P</u>	P	P
	Home occupations [subject to section 105-80]	P	P	P	P	P	P	<u>P</u>	P	P

	Multiple-family residential	(2)	NP	(2)	(2)	(2)	(2)	<u>(2)</u>	(2)	(2)
	Single-family detached residential	NP (12)	NP (12)	NP (12)	NP (12)	NP (12)	NP (12)	<u>NP (12)</u>	NP (12)	P
	Two-family (duplex) residential	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	(1)
	MIXED-USE COMMERCIAL (uses that are compatible with residential uses on adjoining stories)									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Art galleries, bookstore	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Bank and financial institutions	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Bakeries, delicatessens, coffee shops	P	P	P	P	P	P	<u>P</u>	P	NP
	Convenience food store	(8)	(8)	NP	(8)	(8, 20)	(8)	<u>(8)</u>	(8)	NP
	Copy, printing shop	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Day care center (pre-K)	P	P	P	P	P	P	<u>P</u>	P	NP
	Drive-through service [subject to section 110-190]	NP	(4)	SE	(4)	NP	P	<u>NP</u>	NP	NP
	Dry cleaning establishments, excluding self-service laundries, for direct service to customers	P	P	NP	P	NP	P	<u>P</u>	P	NP
	General office use, including business, sales, professional, real estate, insurance, travel agent, information technology	P	P	P	P	P	P	<u>P</u>	P	NP
	General repair shop	P	P	SE	P	(20)	P	<u>P</u>	P	NP
	Large retail establishment	P	P	NP	P	NP	P	<u>P</u>	NP	NP
	Medical offices, excluding pain management clinics	P	P	P	P	P	P	<u>P</u>	P	NP
	Personal service establishments	P	P	P	P	P	P	<u>P</u>	P	NP

	Pet shops (excluding cats, dogs, birds) and pet supplies	P	P	NP	NP	NP	P	<u>P</u>	P	NP
	Restaurant, free standing drive-through [subject to section 110-190]	NP	P	NP	P	NP	P	<u>NP</u>	NP	NP
	Restaurant, fast food in an existing building [subject to section 110-190]	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Restaurant, fast food in a new multi-tenant or attached building (not free standing) [subject to section 110-190]	P	P	NP	P	NP	P	<u>P</u>	P	NP
	Restaurant; outdoor dining accessory to a restaurant, bar, ice cream shop, bakery, delicatessen or coffee shop	(5)	(5)	NP	(5)	(5, 20)	(5)	(<u>5</u>)	(5)	NP
	Retail sales	(7)	(7)	(7)	(7)	(20)	(7)	(<u>7</u>)	(7)	NP
	Retail sales of baked goods, confectionaries, delicatessen	P	P	P	P	(20)	P	<u>P</u>	P	NP
	Self-service or coin operated laundry [subject to section 110-190]	NP	NP	NP	NP	NP	NP	<u>NP</u>	SE	NP
	Studios for individual instruction or tenant workspace for art, music, drama, martial arts	P	P	P	P	P	P	<u>P</u>	P	NP
	<u>LODGING</u>									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Boarding house	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	Hotel, extended-stay hotel, condominium-hotel, or time-share containing at least 75 rooms or keys	P (9)	P (9)	NP	SE (9)	(20)	P	<u>P</u>	NP	NP
	Motels	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	<u>CIVIC AND INSTITUTIONAL</u>									
	Academic schools	NP	NP	SE	SE	SE	SE	<u>SE</u>	NP	NP

	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Auditoriums and convention halls	(6)	(6)	NP	(6)	SE (6)	(6)	(6)	NP	NP
	Charitable clubs, lodges, civic or fraternal organizations, excluding social service providers	SE (6)	SE (6)	SE (6)	SE (6)	SE (6)	SE (6)	<u>SE</u> (6)	NP	NP
	City of Dania Beach municipal uses (police, fire, administration, parks, public parking, etc.), private open space	P	P	P	P	P	P	<u>P</u>	P	P
	Colleges, specialty schools, excluding student housing	P	P	SE	P	SE	P	<u>SE</u>	NP	NP
	Community garden/urban farm [subject to section 105-230]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	P
	Marine schools, including on-campus student housing	SE	SE	NP	SE	SE	SE	<u>SE</u>	NP	NP
	Museums, libraries	P	P	P	P	P	P	<u>P</u>	P	NP
	Place of worship	(6)	(6)	(6)	(6)	(6)	(6)	(6)	NP	NP
	Recreation center, athletic facility with spectator seating	(6)	(6)	(6)	(6)	(6)	(6)	(6)	NP	NP
	Residential care facility (subject to section 105-170)	NP	NP	SE	NP	SE	SE	<u>SE</u>	NP	NP
	Residential care facility, adult (subject to section 105-170)	NP	NP	SE	NP	SE	SE	<u>SE</u>	NP	NP
	GENERAL COMMERCIAL (uses that may not be compatible directly under a residential story)									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Athletic and health clubs, fitness studios	P	P	P	P	(20)	P	<u>P</u>	P	NP
	Auto parts sales, retail only (no bays)	NP	P	NP	P	NP	P	<u>P</u>	P	NP

	Catering establishment [*subject to section 302-20(22)]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP
	Community garden/urban farm [subject to section 105-230]	P	P	P	P	P	P	<u>P</u>	P	P
	Exhibit/Event space	SE	NP	NP	SE	NP	NP	<u>NP</u>	NP	NP
	Farmer's market [subject to section 105-240]	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	P
	Group instruction in art, music, drama, martial arts, aerobics, crafts	P	P	P	P	P	P	<u>P</u>	P	NP
	Indoor play center providing primarily physical and imaginative non-electronic recreational opportunities for primarily preschool and elementary aged children, and which may also offer accessory retail sales, food and beverage sales [*subject to section 302-20(22)]	NP	NP	NP	P	NP	NP	<u>NP</u>	P*	NP
	Massage therapy services as accessory to a full service personal service establishment only [subject to section 110-280]	A	A	A	A	A	A	<u>A</u>	A	NP
	Merchandise rental or leasing stores	NP	SE	NP	SE	NP	SE	<u>SE</u>	SE	NP
	Microbrewery or winery, with tasting room (required) [subject to section 110-50]	P	SE	SE	SE	SE	SE	<u>SE</u>	SE	NP
	Office, other	P	P	P	P	P	P	<u>P</u>	P	NP
	Outdoor produce sales (fresh fruit, vegetable, plant and flower retail sales), accessory to a retail use that primarily sells uncooked	(10)	(10)	NP	(10)	(20)	(10)	<u>(10)</u>	(10)	NP

	food, or beverages or both. [subject to section 110-190]									
	TRANSPORTATION-RELATED									
	Private or public parking structure as a principal use	P	SE	SE	SE	SE	SE	<u>SE</u>	NP	NP
	Private or public surface parking lot as a principal use	P	P	P	P	P	P	<u>P</u>	P	NP
	Transit station	P	NP	NP	NP	NP	NP	<u>NP</u>	P	NP
	ENTERTAINMENT									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Arcade or amusement center	SE	SE	NP	SE	NP	SE	<u>SE</u>	SE	NP
	Bar [subject to section 110-50]	P	P	NP	P	NP	P	<u>P</u>	SE	NP
	Bingo hall	SE (6)	SE (6)	NP	NP	P (20) (6)	SE (6)	<u>SE</u> (6)	NP	NP
	Live entertainment accessory to a full-service restaurant, coffee house or similar establishment	P	P	NP	P	(20)	P	<u>P</u>	SE	NP
	Nightclub [Alcoholic beverage establishments are subject to section 110-50]	SE	SE	NP	SE	NP	SE	<u>SE</u>	SE	NP
	Movie theater	SE (6)	SE (6)	NP	SE (6)	NP	SE (6)	<u>SE</u> (6)	NP	NP
	Pari-mutuel facility	NP	P (11)	NP	NP	NP	NP	<u>NP</u>	NP	NP
	RESTRICTED COMMERCIAL									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Auction house for fine arts and antiques	P	P	NP	P	NP	P	<u>P</u>	NP	NP
	Automobile sales showroom, marine equipment sales showroom	SE	SE	NP	SE	NP	NP	<u>NP</u>	NP	NP

Bail Bonds [subject to section 110-310]	P	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Bail bondsman	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Car wash (principal use)	NP	NP	NP	SE	NP	NP	<u>NP</u>	NP	NP
Charity or thrift shop	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Check-cashing stores, pawn shops, gun shops, flea markets	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Drug or alcohol rehabilitation facility, treatment center, or clinic (inpatient or outpatient)	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Fortune tellers, palmists, clairvoyants or astrologists [subject to section 110-190 & Chapter 12.5]	P	P	NP	P	NP	P	<u>P</u>	P	NP
Funeral homes, mortuaries	NP	NP	P	P	P	NP	<u>NP</u>	NP	NP
Liquor stores, package stores [subject to section 110-50]	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Liquor, package stores accessory to grocery retail use of at least 27,500 square feet [subject to section 110-50]	A	A	NP	A	NP	A	<u>A</u>	NP	NP
Mobile vendor	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mobile food vendor [subject to section 110-320]	P	P	P	P	P	P	<u>P</u>	NP	NP
Outdoor display of new materials and equipment	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Penal, correctional, reentry facility, or halfway house for adult or juvenile offenders	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Pet shops and pet supplies, including dogs, cats or birds	(21)	(21)	(21)	(21)	(21)	(21)	<u>(21)</u>	(21)	NP

	Resale boutique and consignment shop for profit	NP	P	P	P	P (20)	P	<u>P</u>	P	NP
	Retail motor fuel pumps, car washes, accessory to any other use	(13)	NP	NP	(13)	NP	NP	<u>NP</u>	NP	NP
	Sales, storage, or display of lumber or building materials	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	Social service providers and agencies	SE	NP	NP	SE	NP	NP	<u>NP</u>	NP	NP
	Tattoo, body art, or body piercing [subject to section 110-190]	SE	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	Temporary employment agency, day labor office	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	Temporary parking lots [subject to conditions of use listed in section 302-20(17)]	(17)	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
	Temporary uses [subject to article 675]	P	P	P	P	P	P	<u>P</u>	P	NP
	Veterinary clinic, indoor-only kennel	(21)	(21)	(21)	(21)	(21)	(21)	<u>(21)</u>	(21)	NP
	INDUSTRIAL, OTHER									
	Accessory uses	P	P	P	P	P	P	<u>P</u>	P	P
	Assembly and light fabrication of goods and materials	SE	NP	NP	NP	NP	NP	<u>NP</u>	SE	NP
	Assembly, repair, and fabrication of pre-manufactured art objects, apparel, jewelry, and home furnishings accessory to a principal retail use	(15)	(15)	NP	(15)	NP	NP	<u>NP</u>	(15)	NP
	Cabinet or furniture shop [subject to section 110-250]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	NP
	Contractor shop [subject to section 110-270]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	NP

Food processing or warehouse facility	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Outdoor storage	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Sign fabrication and sign printing shops [subject to section 110-250]	NP	NP	NP	SE (16)	NP	SE (16)	<u>SE (16)</u>	P	NP
Storage [subject to section 110-260]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P	NP
Vehicle (including RVs and watercraft) assembly, repair, paint and body shops, auto glass shops; storage, warehousing, sales, display, leasing, and rental	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Vinyl sign fabrication and sign printing shops (excluding metal fabrication sand blasting and spray painting processes) [*subject to section 302-20(22)]	NP	NP	NP	SE	NP	SE	<u>SE</u>	P*	NP
Warehouse (including self-storage warehouse), industrial, or manufacturing use	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Warehousing with up to twenty (20) percent ancillary office space [*subject to section 302-20(22)]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP
Welding, sheet metal, tool and die, furniture or cabinet manufacturing	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Wholesale: combined office-showroom-warehouse facility with up to twenty percent (20%) ancillary office space [*subject to section 302-20(22)]	NP	NP	NP	NP	NP	NP	<u>NP</u>	P*	NP
Wholesale sales	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP

Section 11. That Chapter 28 entitled the “Land Development Code”; at Part 3, entitled “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 302, entitled “Detailed Use Regulations”, at 302-40, entitled “Mixing of uses” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 3 - SPECIAL ZONING DISTRICTS

* * *

SUBPART 1- COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

* * *

ARTICLE 302 - DETAILED USE REGULATIONS

* * *

Sec. 302-40. Mixing of uses.

(A) Mixing of uses within a lot is permitted in all mixed-use districts (CC, SFED-MU, EDBB-MU, GTWY-MU, GTWY-MU-II, NBHD-MU) subject to this section. This section identifies the use groups that can be incorporated into the same building or lot with residential use in all mixed-use districts. Note that nonresidential and institutional uses cannot be located above a residential use. Permitted and special exception uses are classified into eight (8) use categories, listed below in loose order of highest to lowest compatibility with residential uses:

- (1) Residential;
- (2) Lodging;
- (3) Mixed-use commercial (given its name because it is appropriate for mixing with residential);
- (4) Civic, institutional;
- (5) General commercial;
- (6) Entertainment;
- (7) Transportation;
- (8) Industrial.

Section 12. That Chapter 28 entitled the “Land Development Code”; at Part 3, entitled “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 304, entitled “Building Height and Transition Regulations” at Section 304-10 , entitled “Generally” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 3 - SPECIAL ZONING DISTRICTS

SUBPART 1 - COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

* * *

ARTICLE 304 - BUILDING HEIGHT AND TRANSITION REGULATIONS

Sec. 304-10. Generally.

- (C) *Transitional height zones.* The maps showing maximum permitted height throughout each zoning district include transitional height zones in those portions of mixed-use districts where the allowable height varies with distance from single-family residential neighborhoods and the Florida East Coast Railroad (FEC) right-of-way. Transitional height zones are established to transition building height adjacent to neighborhood residential district boundaries and the FEC railroad right-of-way. Height within a transitional height zone is based upon a formula of allowable height per distance from the adjacent neighborhood or FEC right-of-way. feature. The transitional height zone is also applied to each development site within the GTWY-MU District and GTWY-MU-II District because allowable building height varies based upon the distance of a building, or portion of a building, from property lines.

Section 13. That Chapter 28 entitled the “Land Development Code”; at Part 3, entitled “Special Zoning Districts,” Subpart 1, entitled “Community Redevelopment Area (CRA) Form-Based Zoning Districts”, Article 307, entitled “Landscaping Regulations”, at Section 307-10, entitled “On-Site landscaping requirements” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 3 - SPECIAL ZONING DISTRICTS

SUBPART 1 - COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS

* * *

ARTICLE 307 - LANDSCAPING REGULATIONS

Sec. 307-10. On-site landscaping requirements.

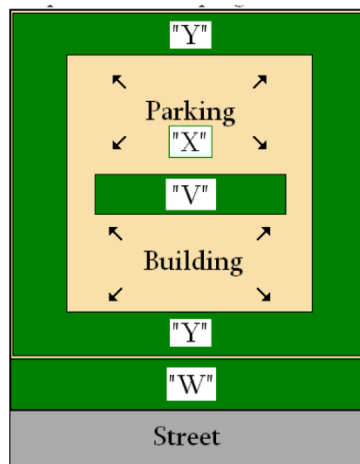
Article 275, "Landscaping requirements" establishes the site landscaping requirements for the CRA form-based districts.

Diagram Key	Section Reference	Landscaping Location	Applicable Districts
"V"	275-100(E)	Between building and VUA	All districts
"W"	307-20	Streetscaping	All districts
"X"	275-100	Interior VUA	CC, SFED-MU, EDBB-MU, NBHD-MU, GTWY-MU, <u>GTWY-MU-II</u>
			NBHD-RES: apartment buildings and rowhouses
"Y"	275-90	VUA perimeter	NBHD-RES, GTWY-MU, <u>GTWY-MU-II</u>
	275-110	Rear lot line	NBHD-MU
		Rear, interior side lot line	CC, SFED-MU, EDBB-MU, NBHD-MU adjacent to residential zoning
	275-120	Non-VUA perimeter	GTWY-MU, <u>GTWY-MU-II</u> : nonresidential and mixed-use development

	275-130	Non-VUA perimeter	GTWY-MU, <u>GTWY-MU-II</u> : residential development
N/A	275-140	Non-VUA interior landscaping	All districts

VUA = vehicle use area (parking, driveway, loading)

Figure 307-1
Required Landscaping



* * *

Section 14. That Chapter 28 entitled the “Land Development Code”; at Part 5, entitled “Signage and Design Regulations”, Article 505, entitled “Sign Regulations is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 5 - SIGNAGE AND DESIGN REGULATIONS

* * *

ARTICLE 505 - SIGN REGULATIONS

* * *

* * *

Sec. 505-20. Definitions.

CRA form-based districts. The following mixed-use zoning districts, for the purposes of this article: City Center (CC) District, South Federal Highway Corridor Mixed-Use (SFED-MU) District, East Dania Beach Boulevard Mixed-Use (EDBB-MU) District, Beach Gateway Mixed-Use (GTWY-MU) District, Beach Gateway Mixed-Use II (GTWY-MU-II) District, and Neighborhood Mixed-Use (NBHD-MU) District.

* * *

Sec. 505-90. Signage regulations for the mixed-use CRA form-based zoning districts (CC, SFED-MU, EDBB-MU, GTWY-MU, GTWY-MU-II, NBHD-MU).

* * *

(B) *Sign types allowed.* For each district and street type, the following types of signs are permitted:

✓ = permitted

C = conditionally permitted (i.e. only for certain uses, locations or other qualifications pursuant to the regulations referenced in the left-hand column).

X = not permitted

Sign Type	CC District		SFED-MU, EDBB-MU GTWY-MU, <u>GTWY-</u> <u>MU-II</u> Districts		NBHD- MU District
	Street frontage to which sign is oriented				
	Primary Streets	Secondary Streets	Primary Streets	Secondary Streets	All streets
Permanent signs					
Awning, canopy	✓	✓	✓	✓	✓
Directional	✓	✓	✓	✓	✓
Directory	✓	✓	✓	✓	✓
Gallery edge	✓	✓	✓	✓	✓
Incidental information	✓	✓	✓	✓	✓
Marquee [see subsection 505-130(D)]	C	C	C	X	X
Menu, drive-thru	Permitted if not oriented toward, or screened from, any street				
Menu, other	✓	✓	✓	✓	✓
Monument [see subsection 505-90(O)]	C	X	C	X	X
Private wayfinding [see subsection 505-90(K)]	Permitted, but shall not be oriented to any street				X
Plaque	✓	✓	✓	✓	✓
Projecting [see subsection 505-90(S)]	C	C	C	X	X
Under-canopy	✓	✓	✓	✓	✓

Window	✓	✓	✓	✓	✓
Wall	✓	✓	✓	✓	✓
Portable signs					
Sandwich signs	✓	✓	✓	✓	✓
Umbrella signage	✓	✓	✓	✓	✓
Menu signs	✓	✓	✓	✓	✓
Temporary signs					
Per section 505-160	✓	✓	✓	✓	✓

- (C) *Cumulative sign area allowance.* Every establishment is subject to a maximum cumulative sign area for all building signs. This sign area can be increased, as indicated below, by participating in the signage incentive program set forth in section 505-210.

Cumulative square footage of building signage* per linear foot of occupant street frontage (per frontage)	CC District	SFED-MU, EDBB-MU GTWY-MU, GTWY-MU-II Districts		NBHD-MU District
	All streets	Primary Streets	Secondary Streets	All streets
	1.5 without bonus	1.5 without bonus	1.20 without bonus	1.20 without bonus
	2.5 with bonus	2.5 with bonus	1.7 with bonus	1.7 with bonus

* * *

Sec. 505-210. Community redevelopment area design incentives.

- (D) *Incentives that apply exclusively to nonresidential and mixed-use development within the CRA mixed-use zoning districts.*
- (1) The following types of signs are permitted only as an incentive for producing signage consistent with this section.
 - (a) Monument signs and private wayfinding signs on parcels that satisfy the requirements of subsection 505-90(D).
 - (b) Projecting signs above the ground story.
 - (c) Signage on the incline surface of awnings.
 - (d) Marquee signs.
 - (2) Bonus building sign area.
 - (a) Bonus of one (1.0) square foot of building signage per linear foot of building frontage on all streets in the CC District, and primary streets in the SFED-MU, EDBB-MU and GTWY-MU, GTWY-MU-II districts.

- (b) Bonus of one-half (.50) square foot of building signage per linear foot of building frontage on all other frontages in the SFED-MU, EDBB-MU and GTWY-MU districts, GTWY-MU-II, and in the NBHD-MU District.
- (c) The bonus building sign area may be used for:
 - 1. Increasing the allowable wall or gallery edge signage area (or combination thereof) by up to twenty-five (25) percent.
 - 2. Projecting signs above the second story.
 - 3. Awning signage on the incline surface.
 - 4. Marquee signs.
 - 5. Doubling the allowable window signage area.
- (d) In addition to the sign area bonuses, the city may allow flexibility as to the maximum number of colors and other design standards in section 505-40, subject to design review using the site plan approval process.

* * *

Section 15. That Chapter 28 entitled the “Land Development Code”; at Part 7, entitled “Code Administration”, Article 700, entitled “Code Administration and Legal Provisions”, at Section 725-30, entitled “Terms defined” is hereby amended to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

* * *

PART 7 - CODE ADMINISTRATION

ARTICLE 700 - CODE ADMINISTRATION AND LEGAL PROVISIONS

* * *

Sec. 725-30. Terms defined.

District, CRA form-based. Any of the zoning districts of part 3, subpart 1 of this code. The following are CRA form-based districts: CC, SFED-MU, EDBB-MU, GTWY-MU, GTWY-MU-II, and NBHD-MU mixed-use districts, and the NBHD-RES residential district.

District, mixed-use. A zoning district that permits both commercial and residential principal uses in the same building or on the same lot within separate buildings. The following are mixed-use zoning districts: RO, CC, EDBB-MU, SFED-MU, GTWY-MU, GTWY-MU-II, NBHD-MU.

Section 16. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 18. It is the intention of the Mayor and City Commission of the City of Dania Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Dania Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

PASSED on first reading on . 2025.

First Reading:
Motion by: _____
Second by: _____

Second Reading:
Motion by: _____
Second by: _____

[illegible]

Commissioner Lori Lewellen _____
 Commissioner Luis Rimoli _____
 Commissioner Archibald J. Ryan IV _____
 Vice Mayor Marco Salvino _____
 Mayor Joyce L. Davis _____

ATTEST:

ELORA RIERA, MMC
CITY CLERK

JOYCE L. DAVIS
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

EVE A. BOUTSIS
CITY ATTORNEY



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☐ Variance

☒ **Other:** Zoning Code Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Failure to attend may impact the disposition of the application. The applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division.

The City's DRC process requires a hard copy of the application and application fee payment to be submitted to City Planning staff BEFORE electronic submittal will be accepted for processing. Applications will only be accepted on the submittal date identified on the annual DRC Meeting Deadline schedule. The application must identify the number of proposed residential dwelling units and/or the square footage of commercial/Industrial use, as applicable. Once the application and fee are received a file number will be issued which must be used to identify the project when submitting electronically. Once the file number is issued, the applicant has 24 hours to load the plans electronically. Failure to submit within 24 hours will require the application to begin again the following month.

Location Address: City-wide - Zoning Code Text Amendment

Lot(s): n/a Block: n/a Subdivision: n/a

Recorded Plat Name: n/a

Folio Number(s): n/a Legal Description: n/a

Applicant/Consultant/Legal Representative (circle one) PGP Dania Beach LLC

Address of Applicant: 402 Industrial Lane, Birmingham, AL 35211

Business Telephone: (205) 909-0941 Home: n/a Fax: n/a

E-mail address: turnerj@pgpcompanies.com E-Mail for Agent: dennis.mele@gmlaw.com cc: kelly.ray@gmlaw.com

Agent
Name of Property Owner: Greenspoon Marder LLP (Dennis Mele, Esq.)

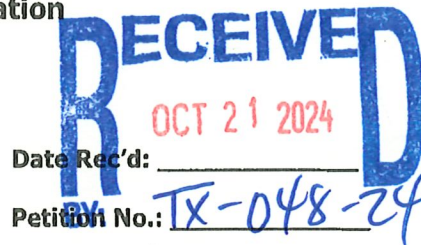
Agent
Address of Property Owner: 200 E. Broward Boulevard, Suite 1800, Fort Lauderdale, FL 33301

Business Telephone: 954-527-2409 Home: n/a Fax: n/a

Explanation of Request: Amend the City's Code to create a new zoning district titled Beach Gateway Mixed Use II District.
*Please provide proposed **Plat Name** & **Criteria Statement** as required by the City's **Land Development Code**.*

Prop. Net Acreage: n/a Gross Acreage: n/a Prop. Square Footage: n/a

Existing Use: n/a Proposed Use: n/a



Is property owned individually, by a corporation, association, or a joint venture? n/a

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Greenspoon Marder LLP (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
Was acknowledged

Matthew Furnas, PGP Dania Beach CFO

By: Matthew Furnas
(Owner / Agent signature*)

BEFORE ME THIS 30th DAY OF August, 2024

By:

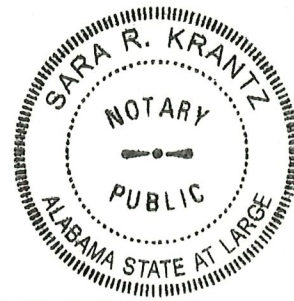
SARA R KRANTZ
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Sara R Krantz
(Signature of Notary Public – State of ALABAMA)

Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____



*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**

Is property owned individually, by a corporation, association, or a joint venture? n/a

AUTHORIZED REPRESENTATIVE

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STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
Was acknowledged

By: [Signature]
(Owner / Agent signature*)

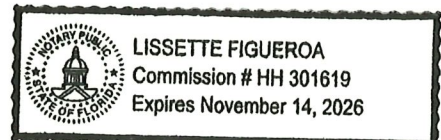
BEFORE ME THIS 28th DAY OF August, 2024

By:

Lissette Figueroa
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public – State of Florida)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

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BEFORE PROCESSING OCCURS.***

City of Dania Beach APPLICATION TYPE AND FEE SCHEDULE

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State statutes and the Dania Beach Land Development Code. Should any applicant have more than one type of request submitted to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board, City Commission, or both. It is the obligation of each applicant to review the appropriate City Codes and design standards related to the proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

APPLICATION TYPE	FEE
LAND USE	
Assignment of Flex Units or Acreage	Filing fee = \$4,000.00 plus \$5.00 per flex, reserve or LAC/RAC unit or hotel room or \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Change of Land Use	Filing fee = \$7,000.00, plus \$500.00 per acre or portion of area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
ZONING	
Change of Zoning (Rezoning)	Less than 2 acres - \$2,600.00 Greater than 2 acres - \$6,200.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Zoning Code Text Amendment	Changing the list of Permitted Uses - \$6,000.00 General Text - \$2,000.00
PLAT	(Perimeter) Filing fee = \$3,000.00 plus \$50.00 per acre or portion of such area (Subdivision) Filing fee = \$3,000.00 plus \$100 per acre or portion of such area <u>Cost Recovery Fee: \$10,000.00</u> <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Delegation Request	\$1,500.00 <u>Cost Recovery Fee: \$10,000.00</u> <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SITE PLAN	
Site Plan	Filing Fee: \$3,000.00 Plus , retainer for staff/consultant review, administrative and notice costs as per "Section 685-10 Cost Recovery for Development Review" of the Land Development Code) <u>Cost Recovery= \$10,000.00</u> Fire Plan Review Fee: \$1,120.00 <u>Minimum fee: \$14,120.00</u> <i>Includes Staff processing, two (2) review cycles, advertising and notice costs</i>
Site Plan Revisions	Filing Fee: \$1,500.00 Fire Plan Review Fee: \$200.00 <u>Cost Recovery Fee: \$10,000.00</u> <i>Two (2) review cycles.</i> <i>(Plus, fee for each associated variance as listed in the fee schedule and cost as per "Section 685-10 Cost Recovery for Development Review" of the Land Development Code)</i>
Extension of Approval(s) (Site plan, variance, special exception requests)	\$1,250.00 – Single Extension (PLUS) an additional \$ 250.00 for each associated approval

City of Dania Beach
APPLICATION TYPE AND FEE SCHEDULE

SPECIAL EXCEPTION	
SPECIAL EXCEPTION	Filing fee = \$4,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Additional Resubmittal (In addition to the standard (2) review cycles)	Any additional review or public notice required by staff or professional consultants due to the negligence of the applicant will be charged to the applicant as per Article 685-10 Cost recovery for Development Review of the Dania Beach Land Development Code.
VARIANCES, APPEALS & WAIVERS	
Administrative, Single Family	\$ 350.00
Administrative, all other	\$ 700.00
Single Family/Community Facility	\$ 500.00
Duplex & Triplex	\$1,150.00
Multifamily, Hotel, Condo-Hotel (per variance)	\$2,500.00
Nonres. (per variance), Wall Signs, Monument Signs, Pole Signs (As permitted)	\$2,000.00
Appeal (single family & comm fac)	\$ 700.00
Appeal (all other uses)	\$2,000.00
Dumpster Appeal to Com. Dev. Dir.	\$ 200.00
Dumpster Appeal to City Com.	\$ 500.00
Alcoholic Beverage Variance	\$1,400.00
Mobility Application	\$1,400.00
Traffic-way Waiver	\$4,000.00
Vacation – Road/Easement	\$3,500.00
Alcohol Beverage Variance	\$1,400.00
Alcohol Extended Hours License Application	\$2,400.00
Alcoholic Beverage Waiver	\$1,000.00
Zoning Review: State Liquor License	\$ 125.00
Outdoor Seating/Dinning	\$ 100.00
Assisted Living Facility	\$ 100.00
CRA Grant Application	\$ 250.00
UNSPECIFIED	\$ 500.00 (PLUS any outside costs incurred by the city as per "Section 685-10 Cost Recovery for Development Review" of the land Development Code)
Zoning Information Letter	\$ 300.00
Certificate of Use- Residential	\$ 50.00
Super Graphic	\$ 250.00

Revised – 02-24-21 as per City Commission Approval Resolution #2021-021

Justification Narrative for Amendment to Text of Land Development Regulations
Proposing a New Zoning District

The enclosed application to amend the text of the City's Land Development Regulations (LDRs) proposes the establishment of a new zoning district, Beach Gateway Mixed-Use II district ("GTWY II"), which is designed to mirror the existing Beach Gateway Mixed-Use district ("GTWY") with key modifications: the maximum density will be increased to 85 units per acre, and the maximum building height will be raised to 8 stories. Additionally, GTWY-MU-II will require the inclusion of at least one amenity from a designated list of three options:

- Sustainable Building Practices
- Provide Public Parking
- Provide Public Parks

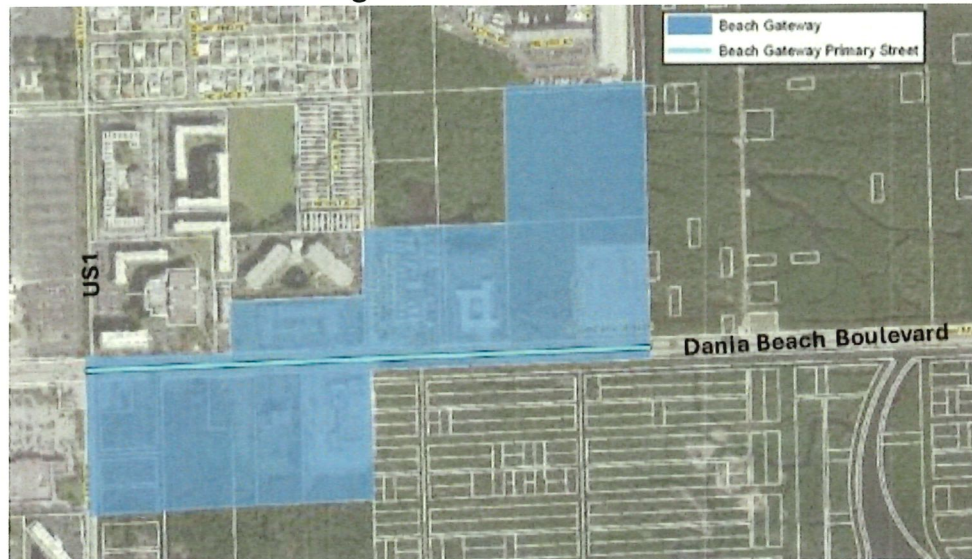
The GTWY district is a form-based code that was established by the City in 2010 with regulations that included density and height incentives with the intent of attracting new development. These incentives allowed for greater building heights and higher density on properties within the district. Specifically, properties in the GTWY district could achieve densities of up to 100 units per acre instead of 50 units per acre and building heights of up to 14 stories instead of 7 stories. As a result, some parcels along Dania Beach Boulevard have been developed or have plans approved to be developed with densities and heights beyond the base permitted.

In March 2024, the City amended its Land Development Code to eliminate the incentives allowing additional height and density. The new proposed GTWY II district uses the existing GTWY district as its foundation and recaptures density and height incentives, but to a lesser degree than before, and as illustrated below.

Regulation		2010 GTWY District	2024 Amended GTWY District	Proposed GTWY II District
DENSITY	Base Density	50 du/ac	50 du/c	85 du/ac
	Max Density	100 du/ac	50 du/c	85 du/ac
HEIGHT	Base Height	7 Stories	7 stories	8 stories
	Max Height	14 Stories	7 stories	8 stories

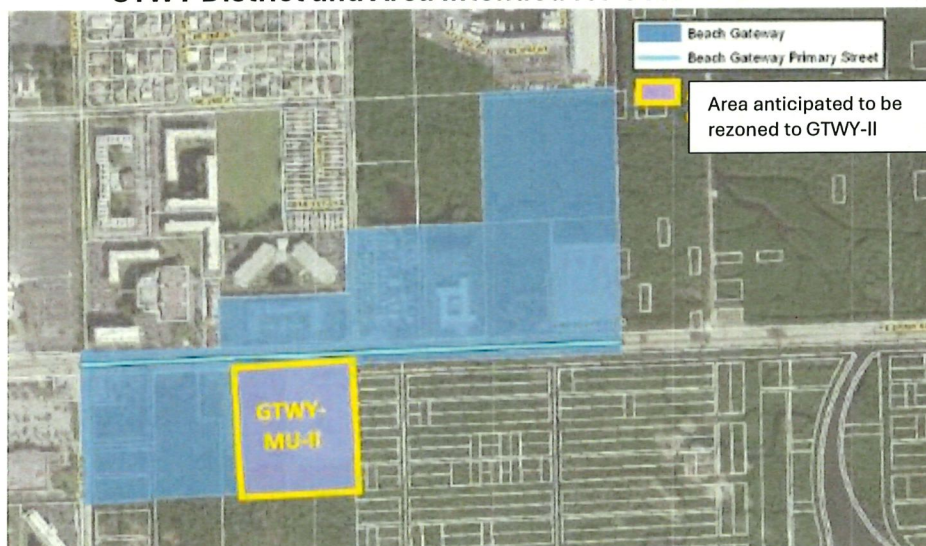
The existing GTWY district is applicable to certain properties generally located along Dania Beach Boulevard east of US1 in the City's CRA/RAC depicted below:

Existing GTWY District Boundaries



The new GTWY II district is anticipated to be used for an area that is currently designated GTWY and depicted below. The GTWY II district aims to allow development on those parcels consistent with existing or approved projects nearby. An application to rezone those parcels to GTWY II would be required. A conceptual site plan is included with this submittal to demonstrate that the height and density proposed as part of the GTWY II district are achievable on the sites anticipated to come forward with an application to rezone to the GTWY II district.

GTWY District and Area Intended for GTWY II District



The proposed GTWY II district is designed to be consistent with the densities and intensities of the neighboring developments that have been built or approved with incentives provided for under the pre-2024 GTWY district. This approach ensures a harmonious integration of new projects with the existing development pattern. Conceptual site plans are included to demonstrate that the proposed maximum density and height are achievable within the GTWY II district. By aligning the new development standards with the existing densities and intensities in the vicinity, we ensure that the growth is balanced and compatible.

The enclosed submittal includes the proposed GTWY-II district text, as well as amendments to other code sections impacted by the addition of the GTWY-II district.

**NOTICE OF PUBLIC HEARING
CITY OF DANIA BEACH, FLORIDA**

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date to consider the following application:

DATE: Tuesday, May 13, 2025
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE : City Commission Chambers
Dania Beach City Hall
100 West Dania Beach Blvd.
Dania Beach, FL 33004

SUBJECT: **TX-048-24:** The applicant, Greenspoon Marder, LLP, is requesting to create a new zoning district within the City's Code of Ordinances, Land Development Code (LDC), establishing Gateway Mixed-Use II zoning district. (First Reading)

The following is the proposed Ordinance of the matter:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, ENTITLED "LAND DEVELOPMENT CODE"; AT PART 3, ENTITLED "SPECIAL ZONING DISTRICTS", SUBPART 1 ENTITLED "COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS" TO CREATE THE "BEACH GATEWAY MIXED USE II DISTRICT", (GTWY-MU-II), AT SECTION 303-75, ENTITLED "GTWY-MU-II, BEACH GATEWAY MIXED-USE II DISTRICT"; ALSO TO PROVIDE FOR THE FOLLOWING REVISIONS: AMENDING ARTICLE 300 ENTITLED "HOW TO USE", SECTION 300-70, ENTITLED "COMMONLY USED ABBREVIATIONS"; AMENDING ARTICLE 302, ENTITLED "DETAILED USE REGULATIONS", SECTION 302-10, ENTITLED "PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES"; AT SECTION 302-40, ENTITLED "MIXING OF USES"; AMENDING ARTICLE 304, ENTITLED "BUILDING HEIGHT AND TRANSITION REGULATIONS", AT "SECTION 304-10, ENTITLED "GENERALLY"; AMENDING ARTICLE 307 ENTITLED "LANDSCAPING REGULATIONS", AT SECTION 307-10, ENTITLED "ON-SITE LANDSCAPING REQUIREMENTS"; AMENDING PART 1 "USE REGULATIONS", ARTICLE 100 ENTITLED "GENERAL USE REGULATIONS APPLYING TO ALL ZONING DISTRICTS", AT SECTION 100-60 ENTITLED "ESTABLISHMENT OF ZONING DISTRICTS"; AMENDING ARTICLE 105 ENTITLED "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS", AT SECTION 105-170 ENTITLED "COMMUNITY RESIDENTIAL HOMES AND RESIDENTIAL CARE FACILITIES"; AMENDING ARTICLE 110 ENTITLED "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS", AT SECTION 110-20 ENTITLED "LIST OF PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES"; AMENDING AT PART 2, "SITE DEVELOPMENT REGULATIONS", ARTICLE 200 ENTITLED "USER GUIDE FOR PART 2 OF THE CODE", AT SECTION 200-40 ENTITLED "HOW PART 2 OF THIS CODE RELATES TO THE CRA FORM-BASED AND PMUD REGULATIONS"; AMENDING ARTICLE 265 ENTITLED "OFF-STREET PARKING REQUIREMENTS", AT SECTION 265-91 ENTITLED "PARKING REDUCTIONS FOR TRANSPORTATION DEMAND MANAGEMENT STRATEGY IMPLEMENTATION WITHIN THE CRA FORM-BASED DISTRICTS"; AMENDING ARTICLE 275 ENTITLED "LANDSCAPING REQUIREMENTS", AT SECTION 275-170 ENTITLED "LANDSCAPE

REQUIREMENTS FOR SCREENING”; AMENDING PART 5 “SIGNAGE AND DESIGN REGULATIONS”, ARTICLE 505 ENTITLED “SIGN REGULATIONS”, AT SECTION 505-20 ENTITLED “DEFINITIONS”; AMENDING SECTION 505-90 ENTITLED “SIGNAGE REGULATIONS FOR MIXED USE CRA FORM BASED ZONING DISTRICTS”; AMENDING SECTION 505-210 ENTITLED “COMMUNITY REDEVELOPMENT AREA DESIGN INCENTIVES”; AND AMENDING PART 7, ENTITLED “ CODE ADMINISTRATION”, ARTICLE 700 ENTITLED “CODE ADMINISTRATION AND LEGAL PROVISIONS”, SECTION 725-30 ENTITLED “TERMS DEFINED”; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed requests or applicable information are available online. For more information, please call the Planning Division at (954) 924-6805 Ext. 3654 and staff will direct you to the online project information.

Please be advised that if a person decides to appeal any decision made by Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to based. The City does not provide or prepare such record pursuant to F.S. 286.0105.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk’s office, 100 West Dania Beach Boulevard, Dania Beach, Florida 33004, (954) 924-6800 Ext. 3624, at least 48 hours prior to the meeting.

Application Information

Project: Text Amendments

Applicant: Greenspoon Marder, LLP

Application Site: City Wide

Request: Text Amendment to create a new zoning district within the City’s Code of Ordinances, Land Development Code (LDC), establishing Gateway Mixed-Use zoning district.

Hearing Date & Time: May 13, 2025 at 7:00 PM

Hearing Location: City Commission Chambers, Dania Beach City Hall, 100 West Dania Beach Blvd

Contact Information: Corinne Lajoie, AICP, Deputy Director, 954-924-6805 Ext. 3704