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**ORDINANCE NO. 2020 - 008**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF CITY OF HALLANDALE BEACH, FLORIDA, APPLYING THE PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE PROPERTY LOCATED AT 110 FOSTER ROAD, 501 NW 1<sup>ST</sup> AVENUE, 605 NORTH DIXIE HIGHWAY, 608 NW 1<sup>ST</sup> AVENUE, AND 501 NORTH DIXIE HIGHWAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Hallandale City Center, LLC (“Applicant”) has requested assignment of Planned Overlay Development (PDO) designation for properties located at 110 Foster Road, 501 NW 1<sup>st</sup> Avenue, 605 North Dixie Highway, 608 NW 1<sup>st</sup> Avenue, and 501 North Dixie Highway pursuant to Application #PDO-19-816; and

**WHEREAS**, the purpose of a PDO is to provide an optional zoning procedure to permit site design flexibility and greater land use intensity and density to encourage high quality, innovative development that is consistent with comprehensive plan policies and the City’s development and redevelopment plans; and

**WHEREAS**, Section 32-186 of the City of Hallandale Beach Code requires that applications for rezoning to PDO shall be reviewed with consideration given to the following criteria:

1. That the proposed project would further the development or redevelopment of an area of the city consistent with city land use and development goals, policies and development/redevelopment efforts.
2. That the proposed development would be of an equal or higher quality with regard to appearance, site design, compatibility with the adjacent area, landscaping, and provision of amenities that would result under the existing development standards.
3. That PDO would allow a more innovative design than would be possible under the development standards of the existing zoning district and development regulations.

- 35           4. That the proposed development would promote the public interest, including,  
36           if appropriate, the provision of open space and amenities available for public  
37           use.
- 38           5. That mixed commercial and residential development proposals would be  
39           well planned, in an integrated design that would encourage use of mass  
40           transportation, pedestrian and bicycling modes of transportation.
- 41           6. That it would be more appropriate for a proposed project to be  
42           developed under PDO development standards and procedures than the  
43           existing zoning district development standards, and development review  
44           and variance procedures, when the criteria mentioned in this subsection are  
45           considered

46           **WHEREAS**, a courtesy public notice was mailed to all property owners within the  
47           affected area, and within a 1,000-foot radius from the affected area; and

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49           **WHEREAS**, after notice of a public hearing being duly published, a public hearing  
50           was held before the Planning and Zoning Board of the City of Hallandale Beach on October  
51           23, 2019 at which all interested parties were afforded the opportunity to be heard; and

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53           **WHEREAS**, at the October 23, 2019 Planning and Zoning Board meeting, the Board  
54           recommended approval of the proposed assignment of Planned Development Overlay  
55           District; and

56           **WHEREAS**, the Planning and Zoning Board found that assignment of Planned  
57           Development Overlay District to the subject properties will provide for development and is  
58           consistent with the Comprehensive Plan policies and desired development patterns; and

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60           **WHEREAS**, the Mayor and City Commission have determined based on substantial  
61           competent evidence that applying the Planned Development Overlay District to the subject  
62           properties is in the best interest of the City, is consistent with the City's Comprehensive Plan,  
63           and will not adversely affect the public health, safety and welfare.

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65           **NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY COMMISSION**  
66           **OF THE CITY OF HALLANDALE BEACH, FLORIDA**

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68           **Section 1. Designation of Planned Development Overlay District.** The  
69 properties located at 110 Foster Road, 501 NW 1<sup>st</sup> Avenue, 605 North Dixie Highway, 608  
70 NW 1<sup>st</sup> Avenue, and 501 North Dixie Highway pursuant to Application #PDO-19-816 are  
71 hereby designated as a Planned Development Overlay District by this ordinance more  
72 particularly described and shown in the location map attached as Exhibit "1-A". The official  
73 zoning map of the City shall be amended to reflect the above change.

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75           **SECTION 2. Providing for Conflict.** All ordinances or parts of ordinances and all  
76 resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of  
77 the conflict.

78

79           **SECTION 3. Providing for Severability.** If this ordinance or any part thereof is  
80 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the  
81 validity of the remainder of the ordinance other than the part declared to be invalid.

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83           **SECTION 4. Providing for an Effective Date.** This ordinance shall take effect  
84 immediately upon adoption.

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86           PASSED AND ADOPTED on 1st reading on December 18, 2019.

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88           PASSED AND ADOPTED on 2nd reading on February 19, 2020.

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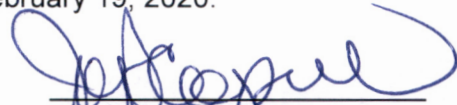
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\_\_\_\_\_  
JOY F. COOPER  
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

  
\_\_\_\_\_  
JENORGEN M. GUILLEN, CMC  
CITY CLERK

108 APPROVED AS TO LEGAL SUFFICIENCY  
109 AND FORM

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113 JENNIFER MERINO  
114 CITY ATTORNEY  
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**FIRST READING VOTE ON ADOPTION**

Mayor Cooper	<u>YES</u>
Vice Mayor Javellana	<u>YES</u>
Commissioner Butler	<u>YES</u>
Commissioner Lazarow	<u>YES</u>
Commissioner Lima-Taub	<u>YES</u>

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**FINAL VOTE ON ADOPTION**

Mayor Cooper	<u>YES</u>
Vice Mayor Javellana	<u>YES</u>
Commissioner Butler	<u>YES</u>
Commissioner Lazarow	<u>YES</u>
Commissioner Lima-Taub	<u>YES</u>

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