

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
3/6/2024	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	2/21/2024	3/6/2024
File No.:		Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
24-023		Advertising Required	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:	
N/A	N/A	N/A	N/A	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy, Director	Sustainable Development	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Finance & Budget		<input checked="" type="checkbox"/> Organizational Capacity	<input type="checkbox"/> Infrastructure/Projects	
Implementation Timeline:				
Estimated Start Date: 2/21/2024 Estimated End Date: Upon adoption				

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE IV OF THE ZONING AND LAND DEVELOPMENT CODE, DIVISION 7 HEIGHT EXCEPTIONS SECTION 32-361 APPLICATION, TO ALLOW AN EXCEPTION FOR ROOFTOP AMENITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The Department of Sustainable Development is proposing a code amendment to the Zoning and Land Development Code to allow and regulate additional height above the permitted height in a zoning district for rooftop amenities and uses.

Staff seeks City Commission approval of the proposed Ordinance.

Background:

Division 7, titled Height Exceptions allows for building elements such as steeples, flagpoles, elevator penthouses, air conditioning units, television or radio antennas, and other mechanical or functional features to exceed the zoning district height maximum following consideration by the director prior to installation; however, this does not address other habitable uses or amenities.

On January 24, 2024, the Planning and Zoning Board reviewed the proposed code amendment. It recommended the City Commission adopt the proposed Ordinance by a vote of 5 to 0. This recommendation included a clarification that the proposed exception would not apply to single-family properties. This has been added to the proposed ordinance.

Current Situation:

The proposed amendment to the code would allow rooftop amenities provided on the roof of a building to exceed the permitted zoning district height by a maximum of 12 feet. The proposed code amendment allows flexibility in design to encourage higher quality developments and diversity in building design and floorplans. The amendment includes certain criteria and conditions that are required to be met in order to permit the additional height. The area provided on the building rooftop to accommodate amenities customarily associated with or incidental and accessory to the primary use, is considered the rooftop activation area which may include, but is not limited to, open-air rooftop amenities such as outdoor dining areas, pool decks, courts, cooking facilities, and open-air shade structures such as cabanas, gazebos, pergolas, or trellises. While enclosed or climate-controlled structures are permitted, they are limited to 25 percent of the rooftop area, and are not permitted to be larger in area than the open-air amenities. The regulations require any rooftop structure permitted under this section be compatible with the architecture and massing of the overall building and requires that enclosed or climate-controlled rooftop structures be oriented in a manner which minimizes the visual impact from building facades adjacent to a public right-of-way.

Analysis

The attached proposed ordinance (Exhibit 1) amends Section 32-361 to the Zoning and Land Development Code summarized below:

1. Makes minor grammatical amendments to the existing language regarding mechanical and functional features.
2. Permits rooftop amenities to exceed the permitted height within the zoning district by a maximum of 12 feet.

3. Requires that any rooftop amenities conform to the list of permitted uses within the zoning district.
4. Identifies the area provided on the building rooftop to accommodate amenities customarily associated with or incidental and accessory to primary use as the rooftop activation area which may include, but are not limited to, open-air rooftop amenities such as outdoor dining areas, pool decks, courts, cooking facilities, and open-air shade structures such as cabanas, gazebos, pergolas, or trellises.
5. Limits the aggregate area enclosed or climate-controlled rooftop structures to 25 percent of the rooftop area.
6. Limits the aggregate area enclosed or climate-controlled rooftop structures to less than or equal to the area of the unenclosed open-air rooftop amenities.
7. Requires that enclosed or climate-controlled rooftop structures be oriented to minimize the visual impact from adjacent to a public right-of-way.
8. Requires compatibility of all structures with the architecture and massing of the overall building.
9. Clarifies that mechanical equipment, associated screening, and appurtenances necessary to the operation or maintenance of the building or structure itself, are not considered as a part of the rooftop activation area.

Business Impact Estimate

As per 166.041(4)(c), this item is exempt from providing a business impact estimate as it is an ordinance enacted to implement Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.

Why Action is Necessary:

Pursuant to Article V, Division I, Section 5.01 of the City of Hallandale Beach Charter, a City Ordinance is required to amend an existing Ordinance.

Cost Benefit:


The proposed code amendment seeks to increase property security consistent with the City's Comprehensive Plan and seeks to improve the overall quality of life for citizens within the City of Hallandale Beach.

PROPOSED ACTION:

Staff recommends the City Commission adopt the proposed Ordinance.


ATTACHMENT(S):

Exhibit 1 – Proposed Ordinance
Exhibit 2 – January 24, 2024 Planning and Zoning Board Cover Memo
Exhibit 3 – January 24, 2024 Planning and Zoning Board Minutes
Exhibit 4 – Presentation

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