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ORDINANCE NO. 2017-23

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT 650 NW 2ND STREET FROM RESIDENTIAL LOW-DENSITY CATEGORY TO COMMUNITY FACILITY-UTILITIES CATEGORY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

16 **WHEREAS**, the parcel of property located at 650 NW 2nd Street ("parcel") is
17 currently designated residential low-density category on the Future Land Use Element of
18 the City of Hallandale Beach Comprehensive Plan (See Future Land Use Map "Exhibit 1-
19 A"); and
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21 **WHEREAS**, the parcel is the westerly extension of the City of Hallandale Beach
22 Public Works compound and currently contains a wash pad for the collection of stormwater
23 and street stripping debris; and
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25 **WHEREAS**, the Public Works Department is seeking to obtain a Transfer Station
26 license from Broward County, which would permit setting up a roll-off container or dry bed
27 on the existing wash pad to decant stormwater debris before hauling the container for
28 disposal to an approved site outside of the City; and
29

30 **WHEREAS**, the City is requesting a small-scale Future Land Use Plan Amendment
31 to change the land use designation of the subject parcel to Community Facility-Utilities
32 Category to accommodate the Public Works Department's intended use for the parcel; and
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34 **WHEREAS**, Section 32-963 of the City of Hallandale Beach Code requires that
35 decisions or recommendations relating to any change to the land use element of the
36 comprehensive plan must address the effect of the proposed amendment as it relates to the
37 following:

- 38 (1) The relationship of the proposed amendment to the purposes and objectives
39 of the City's Comprehensive Land Use Plan, when adopted, with appropriate

40 consideration as to whether or not the proposed changes will further the purpose of
41 this chapter and other codes, regulations and actions designed to implement the
42 plan.

43 (2) The proposed change would or would not be contrary to the established land
44 use pattern.

45 (3) The proposed change would or would not create an isolated district
46 unrelated to adjacent and nearby districts.

47 (4) The proposed change would or would not alter the population density pattern
48 and thereby have an adverse impact upon public facilities such as schools, utilities
49 and streets.

50 (5) Existing district boundaries are illogically drawn in relation to existing
51 conditions on the property proposed for change.

52 (6) Changed or changing conditions make the passage of the proposed
53 amendment necessary.

54 (7) Substantial reasons exist why the property cannot be used in accordance
55 with the adopted land use plan and/or the existing zoning.

56 (8) Whether or not the change is out of scale with the needs of the
57 neighborhood.

58

59 **WHEREAS**, the City intends to amend the Land Use Element of the
60 Comprehensive Plan adopted by Ordinance 97-8 on May 20, 1997, in the manner
61 prescribed in Chapter 163.3187, Florida Statutes, to designate the parcel as Community
62 Facility-Utilities Category (See Proposed Future Land Use Map "Exhibit 1-B"); and

63

64 **WHEREAS**, the parcel is currently designated Low-Medium (10) Residential in the
65 Broward County Future Land Use Map. To maintain consistency with Broward County's
66 Future Land Use Map, the parcel's land use designation must be amended to the
67 Community Land Use category in the Broward County Future Land Use Map (Exhibit "1-
68 C"), which also requires application and transmittal to the Florida Department of Economic
69 Opportunity; and

70

71 **WHEREAS**, notice has been provided and published pursuant to the procedures
72 set forth in Section 32-1004 of the City Code; and

74 **WHEREAS**, after notice of a public hearing being duly published, a public
75 hearing was held before the Planning and Zoning Board in their capacity as Local Planning
76 Agency of the City of Hallandale Beach on August 23, 2017 at which hearing all interested
77 parties were afforded the opportunity to be heard; and

78
79 **WHEREAS**, on August 23, 2017, the Planning and Zoning Board unanimously
80 recommended approval of the proposed amendment to the City Future Land Use Map; and

81
82 **WHEREAS**, the City has conducted a public hearing on this Amendment to its
83 Comprehensive Plan, as required by Chapter 163, Florida Statutes.

84
85 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
86 **CITY OF HALLANDALE BEACH, FLORIDA:**

87
88 **SECTION 1. Amending the Future Land Use Element.** The Future Land Use
89 Element of the City of Hallandale Beach Comprehensive Plan is amended to change the
90 designation of the parcel located at 650 NW 2nd Street, as shown on Exhibit 1-B from
91 Residential Low-Density Category to the Community Facility-Utilities Category.

92
93 **SECTION 2. Transmittal to the Broward County Planning Council.** The Plan
94 as hereby amended shall be transmitted for recertification to the Broward County Planning
95 Council and shall be effective upon recertification by the Broward County Planning Council
96 as provided in Chapter 163, Florida Statutes.

97
98 **SECTION 3. Providing for Conflict.** All ordinances or portions of the Code of
99 Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance
100 shall be repealed to the extent of such conflict.

101
102 **SECTION 4. Providing for Severability.** Should any provision of this ordinance
103 be declared by a court of competent jurisdiction to be invalid, the same shall not affect the
104 validity of the ordinance as a whole, or any part thereof, other than the part declared to be
105 invalid.

107 **SECTION 5. Providing for an Effective Date.** This Ordinance shall take effect
108 immediately upon adoption.

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110 PASSED AND ADOPTED on 1st reading on September 27, 2017.

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112 PASSED AND ADOPTED on 2nd reading on November 1, 2017.


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JOY F. COOPER
MAYOR

118 SPONSORED BY: CITY ADMINISTRATION

119

120 ATTEST:

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124 
MARIO BATAILLE, CMC

125 CITY CLERK

126

127

128 APPROVED AS TO LEGAL SUFFICIENCY AND

129 FORM

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133 
JENNIFER MERINO

134 CITY ATTORNEY

135

VOTE
AYE/NAY

Mayor Cooper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Mayor London	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comm. Lazarow	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comm. Taub	<input checked="" type="checkbox"/>	<input type="checkbox"/>