



Hallandale Beach
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City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant:	City of Hallandale Beach	Meeting Date:	May 22, 2024
General Title:	Outdoor Cooking Amendment	Application No.:	LDC-24-03379
Primary Application Type:	Zoning and Land Development Code Amendment	Additional Applications:	Not Applicable
Quasi-Judicial:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Advertisement Type Required:	<input checked="" type="checkbox"/> Display <input type="checkbox"/> Regular <input type="checkbox"/> Not Applicable
Public Hearing:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Workshop:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Request:	Code amendment to the Zoning and Land Development to allow outdoor cooking as a conditional use when accessory to a restaurant.		
Business Impact Estimate:	Exempt as per Florida Statute 166.041(4)(c)		
Staff Recommendation:	Sponsor Name:		
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny	Vanessa J. Leroy, Department of Sustainable Development Director		
	Prepared By:		
	Deandrea Moise, AICP, Principal Planner		

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 2 – ACCESSORY USES AND STRUCTURES SECTION 32-242 – PERMITTED ACCESSORY USES TO ALLOW OUTDOOR COOKING AS AN ACCESSORY USE FOR RESTAURANTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; 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 outdoor cooking as a conditional use when accessory to a restaurant.

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

Current Situation

Many restaurants commonly utilize outdoor cooking equipment to prepare specific menu items that could not otherwise be prepared indoors without extensive improvements to existing buildings or due to fire and building code requirements. The existing Zoning and Land Development Code does not expressly permit outdoor cooking for restaurants. Recognizing the diversity of operational needs within the restaurant industry, the proposed code amendment seeks to permit outdoor cooking when accessory and incidental to restaurants as a conditional use.

Conditional uses are uses which may be permitted with certain stipulated conditions that will serve to ensure that the use will assimilate more properly into the neighborhood without negative effects. Conditional uses are considered by the Planning and Zoning Board for recommendation and subsequently considered for approval by the City Commission. Additional unlisted conditions may also be required if deemed appropriate by Staff, the Planning and Zoning Board, and the City Commission. Considering accessory outdoor cooking as a conditional use will help to ensure that potential negative effects of outdoor cooking can be identified and addressed in a contextual manner based on the subject site.

Additionally, the proposed code amendment includes conditions that must be met for outdoor cooking during City Commission consideration which seek to ensure compliance with fire and building codes, ensure safe vehicular circulation, reduce the impact of negative effects onto adjacent properties, and require design compatibility with the primary building and applicable zoning regulations.

The proposed code amendment is consistent with the Comprehensive Plan and will assist in furthering the following policies and objectives, based upon the following:

POLICY 1.1.2: The City of Hallandale Beach will consider in its decision-making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

GOAL 1: To provide a coordinated and compatible mix of land uses which encourages a high quality of life meeting the social, economic and physical needs of the present and 2-3 future population of Hallandale Beach, while insuring reasonable environmental protection and timely and efficient provision of services

OBJECTIVE 1.2: Land Use Compatibility: Continuously review and reevaluate existing and potential land use conflicts and recommend solutions, in order to enhance land use compatibility and quality of life.

OBJECTIVE 1.9: Regional Activity Center Land Use: Consider a Regional Activity Center (RAC) land use category within the city to encourage attractive and functional mixed living, working, shopping, educational and recreational activities.

OBJECTIVE 1.18: Urban Infill and Redevelopment: Establish criteria which encourage development of urban infill and urban redevelopment area(s) to promote economic development, increase housing opportunities, and maximize the use of existing public facilities and services.

POLICY 1.20.7: The City shall continue to foster its “sustainable” community character with a variety of housing opportunities at varying price ranges, employment and retail uses, educational, community facilities, parks and recreational uses, etc. to the extent possible.

Analysis

The attached proposed draft ordinance (Exhibit 1) amends Section 32-242 of the Zoning and Land Development Code as summarized below:

1. Permits outdoor cooking as a Conditional Use when accessory to a restaurant.
2. Provides regulations for outdoor cooking to ensure compliance with fire and building codes, ensure safe vehicular circulation, reduce the impact of negative effects onto adjacent properties, and require design compatibility with the primary building and applicable zoning regulations.

Why Action is Necessary

Pursuant to Section 2-102 of the City of Hallandale Beach Land Development Regulations, the Planning and Zoning Board shall review and make advisory recommendations to the City Commission on applications for text changes to the Zoning and Land Development Code.

Cost Benefits

The proposed code changes will accommodate continued efforts to enhance and revitalize the City of Hallandale Beach consistent with the City’s Comprehensive Plan and will improve the overall quality of life for citizens within the City of Hallandale Beach.

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.

Staff Recommendation:

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

Attachment(s):

Exhibit 1- Proposed Draft Ordinance

Reviewed by: Christy Dominguez
Planning and Zoning Manager

Reviewed by: Steven Williams
DSD Assistant Director