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**EXHIBIT 1  
ORDINANCE NO. 2024-**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE, DIVISION 20 “TEMPORARY USES”, SECTION 32-702 “EVENT PERMIT REQUIRED” RELATING TO ANNUAL PERMITS FOR TEMPORARY USES ON PROPERTIES OWNED BY THE CITY OR THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

14       **WHEREAS**, pursuant to the Zoning and Land Development Code (the “Code”) of City of  
15 Hallandale Beach, Florida (“City”), proposed temporary events on properties located within certain  
16 zoning districts within the City are eligible for an annual permit, subject to City Commission  
17 consideration and approval; and

18       **WHEREAS**, recognizing the need for greater flexibility in the use of properties owned by the City  
19 and the Hallandale Beach Community Redevelopment Agency (HBCRA), City staff has proposed a  
20 code amendment to permit annual temporary use permits for properties owned by the City or the  
21 HBCRA and allow temporary site improvements on such sites; and

22       **WHEREAS**, pursuant to section 32-702 of the Code, events lasting more than thirty (30) days for  
23 properties within certain specified zoning districts are eligible for an annual permit subject to City  
24 Commission consideration; and

25       **WHEREAS**, the proposed amendment would add City and HBCRA-owned properties to the list  
26 of properties eligible for an annual permit, thereby allowing for greater flexibility in the use of City and  
27 HBCRA properties; and

28       **WHEREAS**, the proposed amendment provides for applications for an annual permit to include  
29 temporary site improvements that may not fully conform to the zoning standards, subject to consideration  
30 and approval by the City Commission; and

31       **WHEREAS**, Staff has determined that the proposed amendments are consistent with the  
32 Comprehensive Plan and recommends that the Mayor and City Commission adopt the above

33 referenced code amendments relating to annual temporary use permits for properties owned by the  
34 City or the HBCRA, as more specifically set forth below; and

35 **WHEREAS**, on May 22, 2024, the Planning and Zoning Board considered and unanimously  
36 recommended the adoption of the proposed Ordinance by a vote of 5-0; and

37 **WHEREAS**, the Mayor and City Commission recognize that the proposed amendments will  
38 accommodate continued efforts to enhance and revitalize the City and will improve the overall quality  
39 of life for citizens and residents of the City.

40 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE**  
41 **CITY OF HALLANDALE BEACH, FLORIDA:**

42 **SECTION 1. Incorporation of Recitals.** The foregoing “Whereas” clauses are confirmed  
43 as true and incorporated herein.

44 **SECTION 2. Amendment.** The following sections within Chapter 32, Article IV, Division  
45 2, of the City of Hallandale Beach Code of Ordinances are hereby amended as follows:

46 Chapter 32 ZONING AND LAND DEVELOPMENT CODE

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48 ARTICLE IV. – DEVELOPMENT STANDARDS

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50 DIVISION 20. – TEMPORARY USES

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53 **Sec. 32-702. Event permit required.**

54 (a) No person shall operate a temporary use within the city without first obtaining a temporary  
55 use permit. A temporary use shall include, but not be limited to:

56 (1) Events held indoors and promotional events that change the city approved use of the  
57 facility.

58 (2) Special events that involve street closures or include event components requiring the  
59 coordination of a number of city departments or other agencies, or involve activities  
60 such as the use of alcohol, on-site commercial cooking, food sales or large scale  
61 temporary structures.

62 (3) Outdoor sales of a temporary nature including, but not limited to:

63 a. Sidewalk sale, except as provided in section 32-168, as amended,

64 b. Seasonal sale in B-G, business general district or a less restrictive district,

65 c. Grand opening sale,

- 66 d. Going out of business sale,  
67 e. Fundraising sale and similar gatherings,  
68 f. Any other off-premises sale or exhibition.
- 69 (4) Outdoor special events including, but not limited to:  
70 a. Concerts,  
71 b. Festivals,  
72 c. Parades  
73 d. Carnivals,  
74 e. Athletic events, walks or races,  
75 f. Flea markets or farmer's markets,  
76 g. Food truck events,  
77 h. Outdoor community events, such as, a block party, and  
78 i. Other similar uses of a temporary nature, not specifically permitted by this chapter,  
79 as determined by the city manager.
- 80 (b) A recurring event is a temporary use generally requiring a temporary use permit, and occurs  
81 a minimum of four times a year and meets the same conditions outlined in section 32-703.  
82 A recurring event, pursuant to subsection (a) above, is permitted on properties owned by the  
83 city or the city community redevelopment agency, those zoned recreation and open space  
84 (OS), community facilities (CF), planned local activity center (PLAC), commercial  
85 recreational active (CR-A) or central regional activity center/District 8 and greyhound track  
86 sub-districts, which shall be eligible for an annual permit. Such permit may be issued on a  
87 fiscal year basis by the city manager provided the duration of the reoccurring event is  
88 compliant with subsection 32-708(c).
- 89 (c) Events, pursuant to subsection (a) above, lasting more than 30 days on properties owned  
90 by the city or city community redevelopment agency, or zoned planned local activity center  
91 (PLAC), commercial recreational active (CR-A) or central regional activity center/District 8  
92 and greyhound track sub-districts, shall be eligible for an annual permit subject to city  
93 commission approval pursuant to subsection 32-707(c).  
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- 95 (d) Subject to city commission approval, applications for an annual permit may include temporary  
96 site improvements that do not fully conform to the zoning standards such as, but not limited  
97 to, landscape standards and parking standards.  
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100 **Sec. 32-703. Application.**

101 Applications for a temporary use permit shall be submitted to the city not less than 45 days  
102 or if city commission approval is required, 60 days, prior to each permitted temporary use. All  
103 temporary use permit applications shall include, but not be limited to, the following information:

- 104 (1) Event dates.  
105 (2) Nature of event.  
106 (3) The number of expected attendees (vendors and support staff).

- 107 (4) Specific hours of operation.
- 108 (5) Notarized statement from property owner authorizing the proposed temporary use on  
109 the property.
- 110 (6) Alcohol distribution requested, if applicable.
- 111 (7) A site plan, which shows the location, layout of the event, and pedestrian circulation  
112 pattern.
- 113 (8) A list of all temporary structures to be used during the event, including signs, tents,  
114 booths, concession areas, trailers, cargo containers, waste removal facilities, sanitary  
115 facilities, utilities, such as temporary electrical and telephone facilities, emergency  
116 medical facilities, carnival rides, fencing, and any other information requested by the  
117 city. All temporary structures require a separate permit, unless expressly exempt by  
118 other city, county or state regulations. Proof of application for permits as required for  
119 the operation of temporary uses should be provided upon application for the temporary  
120 use permit.
- 121 (9) General liability insurance or indemnification declaration, pursuant to section 32-704.
- 122 (10) Other reasonable information deemed by the city manager to be necessary for an  
123 adequate evaluation of the proposed event.

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**Sec. 32-707. Approval of permit.**

- 126 (a) All permitted temporary uses require the city manager's approval. A temporary use of  
127 significant scale, such as a concert, parade or carnival, may additionally require notice to the  
128 city commission.
- 129 (b) Concerts ending after midnight shall require city commission approval.
- 130 (c) Events lasting more than 30 days shall require city commission approval.
- 131 (d) The city may impose conditions to mitigate any negative impacts and to protect the public  
132 health and welfare.

133 **Sec. 32-708. Duration and frequency of permit.**

- 134 (a) Each single family residence is limited to four temporary use permits each fiscal year.
- 135 (b) Each multi-family, commercial, or civic establishment is limited to six temporary use permits  
136 each fiscal year, except for recurring events specified in subsection 32-702(b), sidewalk  
137 sales specified in subsection 32-708(d), and properties zoned CF, OS, PLAC, CR-A, and the  
138 District 8 subdistrict.
- 139 (c) Each temporary use permit shall be issued for a specific period of time not to exceed five  
140 days or, in the case of a seasonal sale such as that of Christmas trees and pumpkins, 30  
141 days. A temporary use permit may be approved by the city manager for a period greater than  
142 five days, but not in excess of 30 days, upon finding that such increased duration will not  
143 adversely impact the city and that the conditions of section 32-705 have been met. Permits  
144 for events in excess of 30 days shall be issued as authorized by the city commission.
- 145 (d) Sidewalk sales shall be permitted six times annually, and shall not last more than 72 hours.
- 146 (e) The violation of any of the conditions of a temporary use permit shall constitute cause for  
147 immediate revocation of the permit. It shall be unlawful for any person to continue a  
148 temporary use after the permit has expired or been revoked. The duration and frequency of

149 a temporary use permit and annual permits may be altered as determined by the city  
150 manager, or in the case of events in excess of 30 days, the duration shall be determined by  
151 the city commission.

152 (f) Events pursuant to subsection 32-702(c), with an annual permit authorized by the city  
153 commission, may be renewed on an annual basis at the city manager's discretion utilizing  
154 the criteria in section 32-705 for a period not to exceed a total of three years from the date  
155 of city commission's approval.

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157 **SECTION 3. Conflict.** All ordinances, parts of ordinances, resolutions, or parts of  
158 resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

159 **SECTION 4. Severability.** Should any provision of this Ordinance be declared by a  
160 court of competent jurisdiction to be invalid, such decision shall not affect the validity of this  
161 Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

162 **SECTION 5. Codification.** It is the intention of the Mayor and City Commission that the  
163 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention  
164 the words "ordinance" or "section" may be changed to other appropriate words.

165 **SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon its  
166 passage and adoption.

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168 PASSED AND ADOPTED on 1st reading on \_\_\_\_\_, 2024.

169 PASSED AND ADOPTED on 2nd reading, on \_\_\_\_\_, 2024.

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JOY F. COOPER  
MAYOR

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ATTEST:

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\_\_\_\_\_  
JENORGEN GUILLEN  
CITY CLERK

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APPROVED AS TO FORM &  
LEGAL SUFFICIENCY

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JENNIFER MERINO  
CITY ATTORNEY

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