



City of Hallandale Beach City Commission Agenda Cover Memo

Hallandale Beach
PROGRESS. INNOVATION. OPPORTUNITY.

Meeting Date:	September 17, 2018		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	X		1 st Reading	
		X				2 nd Reading	
			Public Hearing: <i>(Enter X in box)</i>	X	No	Yes	No
Funding Source:	N/A		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
				X			
Account Balance:	N/A		Quasi-Judicial: <i>(Enter X in box)</i>	Yes		No	
						X	
Project Number:	N/A		RFP/RFQ/Bid Number:	N/A			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: <i>(Enter X in box)</i>				
		X					
			Quality	<input checked="" type="checkbox"/>			
			Vibrant Appeal	<input type="checkbox"/>			
Sponsor Name:	Nydia Rafols Interim City Manager		Department: Development Services	Keven Klopp, Development Services Director			

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, "ZONING AND LAND DEVELOPMENT CODE" OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES; AMENDING SECTION 32-171, "PLAC PLANNED LOCAL ACTIVITY CENTER DISTRICT"; AMENDING SECTION 32-186, "PDO PLANNED DEVELOPMENT OVERLAY"; CREATING SECTION 32-805 TITLED "DEVELOPMENT AGREEMENTS; AMENDMENTS AND MINOR REVISIONS"; PROVIDING AN APPROVAL PROCESS FOR AMENDMENTS AND MINOR REVISIONS TO DEVELOPMENT AGREEMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

Staff Summary:

Section 163.3223, Florida Statutes provides, "Any local government may, by ordinance, establish procedures and requirements, as provided in ss. 163.3220-163.3243, to consider and enter into a development agreement with any person having a legal or equitable interest in real property located within its jurisdiction." Minor revisions to a development agreement may be approved pursuant to the city's home rule powers under the Florida Constitution and Chapter 166, Florida Statutes.

The City of Hallandale Beach Code of Ordinances does not currently include a codified procedure for an approval process for amendments and minor revisions to development agreements.

The City of Maitland, Florida has enacted regulations within their land development procedures which articulate a process by which amendments and minor revisions to development agreements are approved by the City.

The City of Hallandale Beach City Administration has determined it would be beneficial to provide for a clear and efficient approval process similar to the City of Maitland's adopted provisions for development agreement amendments within the City Code for amendments and minor revisions to development agreements adopted pursuant to Section 163.3220, Florida Statutes.

The attached ordinance provides a process for approval of amendments and minor revisions to development agreements, and updates and clarifies sections of the existing code to provide for consistency. Establishing clear, efficient, and consistent legal guidelines for the approval of amendments and minor revisions to development agreements is in the best interest of the City of Hallandale Beach.

On April 25, 2018, the Planning and Zoning Board, serving as the Local Planning Agency, considered the proposed ordinance and afforded all interested persons an opportunity to be heard at the public meeting. The Board recommended approval of the ordinance, with a recommendation to remove the following classification of a minor revision:

When the development agreement provides that a city official take certain action, the revision adds that the city official "or his or her designee" may execute the action.

The attached ordinance has incorporated the Planning and Zoning Board recommendation.

On August 15, 2018, the City Commission approved First Reading of the attached ordinance.

FISCAL IMPACT:

None.

Proposed Action:

Approve for adoption the attached Ordinance on Second and Final Reading.

Attachment(s):

Exhibit 1 – Ordinance

Prepared by:


Christy Dominguez
Principal Planner

Concurred with:


Keven R. Klopp, Director
Development Services