



**Hallandale Beach**  
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## City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading
<b>12/14/2022</b>	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	<b>5/18/2022</b>	<b>12/14/2022</b>
File No.:		Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>22-122</b>		Advertising Required	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fiscal Impact (\$):		Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Account Balance (\$):	Funding Source:	Project Number:		
<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>N/A</b>	<b>Vanessa Leroy, Director</b>	<b>Sustainable Development</b>	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity	<input checked="" type="checkbox"/> Infrastructure/Projects	
Implementation Timeline:				
Estimated Start Date: 5/18/2022    Estimated End Date: 12/14/2022				

**SHORT TITLE:**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING SECTION 2, THE FUTURE LAND USE ELEMENT OF THE CITY OF HALLANDALE BEACH ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AN INCREASE TO THE NUMBER OF REGIONAL ACTIVITY CENTER (RAC) RESIDENTIAL UNITS IN THE REGIONAL ACTIVITY CENTER LAND USE PURSUANT TO POLICY 2.4.1 OF THE BROWARD COUNTY LAND USE PLAN, PROVIDING FOR TRANSMITTAL OF THE COMPREHENSIVE PLAN TEXT AMENDMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, PART II, (“COMMUNITY PLANNING ACT”); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

## STAFF SUMMARY:

### Summary

The purpose of the proposed amendment to the City of Hallandale Beach Comprehensive Plan Future Land Use Element is to request additional Regional Activity Center (RAC) residential dwelling units. The City of Hallandale Beach is able to request 500 residential RAC units through a local Land Use Plan Amendment (LUPA) which must then adhere to the Broward County recertification and State amendment requirements. However, if the City requests more than 500 RAC units, the City would need a County LUPA, Local LUPA, and Recertification. The requested 500 units are available only after recertification by the Broward County Planning Council.

### Background

In February 2009, after numerous community meetings and City Commission Workshops, the Hallandale Beach City Commission adopted a new Citywide Master Plan and an Implementation Strategy. One of the recommendations of the Master Plan was to create a Regional Activity Center (RAC) with a focus on transit-oriented development. The Citywide Master Plan also calls for a walkable pattern of streets and a sufficient population to support future mass transit initiatives.

In July 2010, the City of Hallandale Beach adopted a RAC land use designation in order to allow for redevelopment consistent with the recommendations advanced in the Citywide Master Plan and the City's Comprehensive Plan. The purpose of creating the RAC was to enable the City to have greater flexibility in allocating land uses within the geographic area without the need for individual land use plan amendments on a smaller, parcel by parcel basis.

In November 2014, the City Commission adopted an ordinance establishing zoning regulations to implement the RAC policies of the Comprehensive Plan.

On June 30, 2021, the Planning and Zoning Board/Local Planning Agency (PZB/LPA) heard the subject Ordinance amending the Future Land Use Element of the City's Comprehensive Plan and recommended approval by a vote of 5 to 0.

On October 6, 2021, the City of Hallandale Beach adopted the plan amendment (Ordinance Number 2021-18) with the effective date being after review per Florida Statutes. The Ordinance was transmitted to the Department of Economic Opportunity (DEO) which considered the amendment a large-scale amendment and returned the amendment package to the City due to it not being transmitted pursuant to Section 163.3184(3), Florida Statutes, prior to adoption.

In addition, the City Property Rights Element must first be adopted prior to the adoption of any large-scale amendment. At the time of transmittal, the City had not adopted the Property Rights Element. Therefore, DEO requested the City rescind the ordinance adopting the plan amendment and transmit the proposed amendment following procedures set forth in Section 163.3184(3), Florida Statutes.

On May 18, 2022, the City Commission approved First Reading of the subject ordinance. The ordinance was transmitted to the Department of Economic Opportunity (DEO) for their review pursuant to Section 163.3184 Florida Statutes.

On June 29, 2022, DEO completed its review and had no comment related to adverse impact to state resources and facilities within the Department's authorized scope of review on the amendment. (Exhibit 3).

The City of Hallandale Beach received comments from the South Florida Water Management District (SFWMD) on June 22, 2022, related to the proposed impact on the regional water supply. After meeting with Public Works and SFWMD, City Staff was able to provide sufficient evidence of capacity and received SFWMD approval on October 18, 2022. Therefore, the ordinance may now be adopted on Second Reading as proposed.

### **Current Situation**

The City's adopted RAC did not increase the density or intensity of the amended area over what was permitted by the Broward County Future Land Use Map (FLUM). Rather, the intent was to direct permitted densities to the major transportation corridors that would better support mass transit and further redevelopment objectives outlined by the community. Recently, however, as the economy continues to improve, the City is experiencing an influx in interest for new development within the RAC. Projects presently under review have nearly exhausted the supply of dwelling units for the RAC. As such, it is necessary for the City to amend the Future Land Use Element to increase the number of permitted units within the RAC.

A total of 464.49 net acres (637.6 gross acres) were designated as RAC Future Land Use. The Hallandale Beach RAC is generally located east of Interstate 95, between Pembroke Road and Southwest 11th Street (Broward/Miami/Dade County Line). When the RAC was adopted, 4,241 RAC units were assigned to the RAC pool. This number was derived using the total allowed density permitted on the Broward County Future Land Use Map. The number also included the allocation of 605 flexibility units to the RAC and existing residential units, allowing for a total of 946 new units in the RAC.

As of September 2022, there are 264 RAC units (Exhibit 2) in the RAC remaining that have not been allocated.

Broward County Policy 2.4.1 provides for a municipality to increase its RAC unit pool for a maximum of 500 RAC units by a City Local Land Use Plan Amendment without the need of a Broward County Land Use Plan Amendment. RAC unit increases above 500 units or earlier than every 5 years after allotment of 500 RAC units require a Broward County Future Land Use Plan and City Future Land Use Plan amendments. The City is in the process of preparing an application for Broward County and City Land Use Plan amendments to provide for an increase above the 500 RAC units presently proposed. However, the subject Local Future Land Use Plan Amendment will allow for accommodating potential projects that may be filed in the near future while the County and City Plan amendments for additional units are processed.

New development in the RAC is guided by the Zoning and Land Development Code, which limits height and density, and provides transitional zones between the RAC Corridor and adjacent established neighborhoods to protect against incompatible uses.

Per the RAC Comprehensive Plan policies, a tracking system has been created to ensure all properties can be developed within the overall density and intensity limitations of the RAC. (Please refer to attached, Exhibit 2, Hallandale Beach RAC Monitoring Chart).

The City of Hallandale Beach finds it necessary to revise the area of the City designated RAC as provided by Policy 2.4.1 of the Broward County Land Use Plan which allows additional RAC units through a local Land Use Plan Amendment. The County Policy is as follows:

Broward County Land Use Plan Policy 2.4.1

**ACTIVITY CENTERS**

*POLICY 2.4.1 Permitted residential densities and hotel rooms within areas designated "Activity Center" on the Broward County Land Use Plan (except for any "Activity Center" located east of the Intracoastal Waterway) may be increased by 20% or 500 dwelling units and/or hotel rooms, whichever is less, no earlier than every five (5) years via a local land use plan amendment and recertification by the Broward County Planning Council, and/or permitted non-residential intensities within areas designated "Activity Center" on the Broward County Land Use Plan may be increased by 20% or 200,000 square feet, whichever is less, every five (5) years via a local land use plan amendment and recertification by the Broward County Planning Council, subject to the following:*

- a. The local government must document that no more than 10% of permitted residential units and/or non-residential intensities proposed for increase are available for allocation at the time the local land use plan amendment is considered by the local government at a hearing.*
- b. "Every five (5) years" means starting from the date the 2017 Broward County Land Use Plan is effective for "Activity Centers" included in that Plan, or when a new or revised "Activity Center" is adopted by the County Commission and is effective.*
- c. An application for a Broward County Land Use Plan amendment may be submitted at any time for "Activity Center" proposals which would exceed the above referenced residential and non-residential density/intensity increases.*
- d. The local land use plan shall include policies addressing the affordable/workforce housing needs of "Activity Centers."*
- e. The local land use plan shall demonstrate sufficient capacity for public facilities and services, including coordination with public schools.*

**With 264 RAC units left in the City of Hallandale Beach, the City meets the thresholds for Policy 2.4.1. The City is requesting 500 dwelling units as 20% of the allotted amount of RAC units is equal to over 800 units. It has also been over 5 years since the local land use**

**plan amendment adopting the RAC. Further, the City has less than 10% of permitted residential units available for allocation.**

Citywide Master Plan

The City of Hallandale Beach Citywide Master Plan states the RAC designation is intended to encourage development that supports mixed living, working, shopping, education, and recreational activities. More specifically facilitate appropriate mixed-use infill development and redevelopment, encourage mass transit and reduce dependence on automobiles, provide incentives for high-quality development, and helps shape a desirable urban form.

***The requested amendment is consistent with the Citywide Master Plan as it would continue to provide additional redevelopment opportunities in the areas identified in the Master Plan and would continue to redirect redevelopment away from existing established residential neighborhoods.***

**APPLICABLE CODES AND HALLANDALE BEACH COMPREHENSIVE PLAN:**

1. The Hallandale Beach Comprehensive Plan, Future Land Use Element, Regional Activity Center Land Use presently states the following:

**Hallandale Beach Regional Activity Center**

Acreage: Approximately 464.49 net acres

General Location: The site is in the central and northwestern portions of the City.

Density/Intensity of Land Uses:<sup>1</sup>

<u>Land Use</u>	<u>Maximum</u>
Residential:	4241* dwelling units <sup>2</sup>
Commercial:	136.94 net acres
Commercial Recreation:	45.95 net acres
Community Facilities:	17.83 net acres
Employment Center:	3.61 net acres
Light Industrial:	10.15 net acres
Public Parks:	17.04 net acres <sup>3, 4</sup>

Remarks:

<sup>1</sup> Acreage for non-residential land uses will be assigned on a net acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements. such as. but not limited to. building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc. Within mixed use projects, acreage shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A. then 50 percent of the net acreage of the development parcel will be assigned to A).

<sup>2</sup> Consisting of 550 single-family units, 491 duplexes, 1,200 townhouses, 1,000 garden apartments, and 1,000 mid-rise apartments. Dwelling units from any given category (ex: single-family, townhouses, etc.) may be substituted for dwelling units of another category provided that the substitution results in the same or lesser student generation using the County's adopted student generation rates. Residential development east of U.S. 1 shall be limited to the number of units currently permitted by the Broward County Land Use Plan.

<sup>3</sup> Resolution 2009-09 (adopted May 6, 2009) of the City of Hallandale Beach dedicates Foster Park to the public for twenty-five (25) years as an outdoor recreation area because funding was provided through the Florida Recreation Development Assistance Program (FORAP). Additionally, if any other existing park acreage in the RAC is replaced, such replacement lands and facilities shall serve the same neighborhoods in an equivalent or improved capacity.

<sup>4</sup> Park acreage includes the 0.4175 acres of the Foster Park Addition. Acquisition of the site was accommodated through the Broward County Safe Land Preservation Bond Program.

*In its implementation of development and redevelopment within the RAC area, the City shall:*

*1. Direct development and redevelopment proposals, as appropriate, to areas adjacent to major transportation corridors within the RAC area: US 1, Dixie Highway, Hallandale Beach Boulevard, Pembroke Road, and Foster Road.*

*2. Within six months of the effective date of this amendment, the City shall adopt land development regulations which shall protect existing residential areas. These land development regulations will require City Commission approval of any development plans or rezoning proposals on lands zoned for residential use as of the effective date of this amendment located inside the RAC area which seeks either:*

*a. To increase the residential intensity to a level greater than permitted under the applicable property's zoned residential density as of the effective date of this amendment; or*

*b. To introduce a non-residential use onto lands residentially zoned as of the effective date of this amendment.*

*The purpose and intent of implementing land development regulations shall be to protect established residential neighborhoods within and adjacent to the RAC area while allowing appropriate redevelopment to take place.<sup>2-38</sup> In addition, due to the unique historical and cultural nature of the Foster Road community, land development regulations for that area will be developed in conjunction with the community to ensure that redevelopment activities complement surrounding neighborhoods and further enhance those historical and cultural elements identified by the community.*

***In 2014, the City of Hallandale Beach adopted land development regulations for the RAC that adhere to the above requirements.***

2. The City of Hallandale Beach is requesting to increase the present 4,241 limitations of units within the RAC by 500 units, to a total of 4,741 RAC units. This request is consistent with Broward County Policy 2.4.1 which permits municipalities to increase its RAC unit pool by 500 RAC units by a Local Land Use Plan Amendment.

**SEC. 32-963 HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE - LAND USE PLAN AMENDMENTS REVIEW CRITERIA.**

Decisions or recommendations relating to any change to the official zoning map or the land use element of the comprehensive plan shall address but is not limited to the effect of the proposed amendment as it relates to the following:

- (1) The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive land use plan, when adopted, with appropriate consideration as to whether or not the proposed changes will further the purpose of this chapter and other codes, regulations, and actions designed to implement the plan.

***The amendment furthers the purpose of the City Comprehensive Plan goals, objectives, and policies as well as the Land Development Regulations and is consistent with the following:***

*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.*

***The requested amendment is consistent with Objective 1.9 as it would continue to provide additional redevelopment opportunities in the area encouraging functional mixed living.***

*POLICY 1.9.1: The City shall use the Regional Activity Center designation as a means to carry out recommended land use policies within a unified planning district based on an adopted master or redevelopment plan.*

***The requested amendment is consistent with Policy 1.9.1 allowing for flexible redevelopment and transit-oriented development consistent with the Citywide Master Plan.***

*POLICY 1.9.2: Non-motorized transportation as well as mass transit shall be encouraged to serve a Regional Activity Center to reduce reliance upon automobile travel.*

***The requested amendment is consistent with Policy 1.9.2 by encouraging transit-oriented development and discouraging vehicular transportation.***

*POLICY 1.9.3: To facilitate public transit access, integrated transportation systems should be encouraged to serve a Regional Activity Center.*

***The requested amendment is consistent with Policy 1.9.3 by continuing to allow for a mix of uses to better support mass transit.***

*POLICY 1.9.4: To enhance pedestrian movement and safety, the separation of pedestrian and vehicular traffic should be encouraged within a Regional Activity Center.*

***The additional residential units within the RAC will promote pedestrian activity within the mixed-use corridor. Land development regulations have been adopted in the City's Zoning and Land Development Code that adheres to this policy.***

*POLICY 1.9.5: Redevelopment activities should be encouraged within a Regional Activity Center.*

***The addition of residential units will increase redevelopment activities within the RAC as the demand associated with it is growing in the area.***

*POLICY 1.9.6: A Regional Activity Center should provide for substantial housing opportunities to allow people to both live and work within the Regional Activity Center.*

***The addition of residential units furthers this policy.***

*POLICY 1.9.7: A Regional Activity Center shall include opportunities to address the affordable/workforce housing needs of the city.*

***The addition of residential units furthers this policy as the land development regulations for the RAC requires affordable housing units or contribution to affordable housing programs to obtain additional residential density.***

*POLICY 1.9.8: Park land and/or open space that is open to the public must be included as a functional component within a proposed Regional Activity Center.*

***The adopted land development regulations for the RAC encourages and/or require open space for allocation of increase in density and residential units.***

***The City of Hallandale Beach is built out with limited opportunity for future development on vacant large parcels. The RAC serves as a guide for future development and facilitates redevelopment. In order to keep consistent with mixed-use development, development needs to contain the residential component. Adding these units will further the goals, objectives, and policies of the City's Comprehensive Plan.***

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

***The proposed increase in residential dwelling units within the RAC would not be contrary to the established land use pattern. The additional units would continue the City's goal of achieving economic growth and vitality while continuing to create the quality of life the City has envisioned for the community.***

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

**The proposed change would not create an isolated district unrelated to adjacent and nearby districts as it will increase the residential dwelling units within the RAC land use designation.**

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

**The proposed amendment will have no impact on population projections. When the RAC was created population estimates for the City were much higher than actual. The Broward County Planning and Development Management Division projected population for 2025 at the time was 46,052. Because the population is projected to grow at a smaller rate than originally anticipated, the proposed amendment will not have an adverse impact or alter the population density pattern. Broward County's current population projections for Hallandale Beach through 2045 are provided below.**

Census 2010	Census 2020	2025	2030	2035	2040	2045
37,113	39,883	40,789	42,579	43,620	44,351	45,052

Source: Broward County Planning & Development Management Division, Population 2010-2045

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

**Not Applicable. No boundary changes to the RAC are proposed.**

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

**When the original land use plan amendment was approved, the City did not increase the entitlements in the area. To create a true transit-oriented corridor, there needs to be much more housing to balance commercial and office space.**

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

**The City has almost exhausted its available RAC units. Additional RAC units are needed to allow for mixed-use development in the RAC.**

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

**The change is not out of scale with the needs of the neighborhood as the intent is to attract a healthy mix of uses to help promote transit-oriented development and redevelopment of the area.**

**Why Action Is Necessary**

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

**Cost Benefit**

The City is proposing the attached Ordinance (Exhibit 1) approving changes to the Future Land Use Element of the City's Comprehensive Plan Future Land Use Element (Exhibit 1.A).

The proposed Future Land Use Plan Amendment will assist in having RAC dwelling units remain available for new residential development and redevelopment projects by increasing the density within the current RAC land use designation by 500 dwelling units while Broward County and City Land Use Plan amendment applications are filed and processed.

The Plan Amendment would allow the City, and more specifically its Regional Activity Center, to continue to evolve as a vibrant mixed-use urban area, consistent with the vision of the Citywide Master Plan.

**PROPOSED ACTION:**

The City Commission:

Approve the attached Ordinance on Second Reading. The Ordinance shall be effective upon recertification by the Broward County Planning Council as provided in Chapter 163, Florida States.

**ATTACHMENT(s):**

Exhibit 1- Ordinance

Exhibit 1-A – Proposed Amendments Related to Comprehensive Plan RAC Local Land Use

Exhibit 2 -Hallandale Beach RAC Unit Monitoring Report – September 2022

Exhibit 3- Letter from DEO

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