

1 EXHIBIT 1

2 ORDINANCE NO. 2023-

3  
4 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF  
5 HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND  
6 LAND DEVELOPMENT CODE; AMENDING DIVISION 1. – SECTION 32-8. –  
7 DEFINITIONS; AMENDING DIVISION 3. – FORM-BASED ZONING DISTRICTS;  
8 SUBDIVISION I. – CENTRAL RAC DISTRICT; AMENDING SECTION 32-193. –  
9 ALLOWABLE USES RELATIVE TO CENTRAL RAC SUBDISTRICTS;  
10 RENAMING THE FASHION ART AND DESIGN SUBDISTRICT TO DISTRICT 8  
11 SUBDISTRICT; AMENDING SECTION 32-199. – RELATIVE TO DIMENSIONAL  
12 AND PARKING REQUIREMENTS FOR EXISTING AND NEW DEVELOPMENT  
13 WITHIN THE DISTRICT 8 SUBDISTRICT; AMENDING REFERENCES TO THE  
14 FASHION ART AND DESIGN SUBDISTRICT IN CHAPTER 32, ZONING AND  
15 LAND DEVELOPMENT CODE SECTION 32-192, SECTION 32-201, SECTION  
16 32-203, SECTION 32-205, AND SECTION 32-524 TO THE NAME DISTRICT 8  
17 SUBDISTRICT, PROVIDING FOR CONFLICT; PROVIDING FOR  
18 CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN  
19 EFFECTIVE DATE.

20  
21 **WHEREAS**, the City of Hallandale Beach desires to incentivize future development and  
22 growth within the RAC District corridor by providing the opportunity for the expansion of existing  
23 development and newly proposed development without parking constraints; and

24 **WHEREAS**, the City of Hallandale Beach desires to rename the Fashion Art and Design  
25 Subdistrict to the District 8 Subdistrict; and

26 **WHEREAS**, the City of Hallandale Beach desires to modify its dimensional and parking  
27 standards for the District 8 Subdistrict to promote future growth within the corridor through newly  
28 proposed parking reductions and parking exemptions based on use; and

29 **WHEREAS**, the City of Hallandale Beach desires to promote certain uses by permitting  
30 food truck venues; and

31 **WHEREAS**, the proposed amendments to incorporate parking leniency standards in the  
32 City's existing Land Development Code regulations are consistent with, and as envisioned by, the  
33 Fashion Row District Plan and the City of Hallandale Beach Comprehensive Plan; and

34 **WHEREAS**, the Mayor and City Commission have determined that the proposed  
35 amendments are in the best interest of the City of Hallandale Beach and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY  
COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

**SECTION 1.** The foregoing "Whereas" clauses are hereby incorporated herein.

**SECTION 2.** Chapter 32, Zoning and Land Development Code, Division 3. – Form-  
Based Zoning Districts, Subdivision I. – Central RAC District is amended as follows:

\* \* \*

**Sec. 32-8. - Definitions.**

\* \* \*

Food truck means the preparing, cooking, serving, or selling of food performed from a cargo container, food stand, movable cart, vehicle, truck, van, or trailer. Each cargo container, food stand, movable cart, vehicle, truck, van, or trailer shall be considered a food truck for purposes of this section.

Food truck venue means one or more food trucks located on private property.

\* \* \*

**Sec. 32-192. Regulating plan showing Central RAC subdistricts.**

\* \* \*

(a)The locations and boundaries of the Central RAC subdistricts shall be shown on both a map entitled "City of Hallandale Beach Zoning Map" and a map entitled "Hallandale Beach Central RAC Regulating Plan." The Hallandale Beach Central RAC Regulating Plan depicts additional information necessary to apply the standards contained in this section and is hereby officially adopted as an integral part of these regulations. To create the vibrant, diverse character envisioned for the Central RAC, six subdistricts are hereby created and assigned to land, as shown on both a map entitled, "Hallandale Beach Zoning Map" and a map entitled, "Hallandale Beach Central RAC Regulating Plan":

(1)RAC Corridor.

(2)Transit Core.

(3)RAC Neighborhood.

(4)Transitional Mixed Use.

(5)Fashion Art Design (FAD) District 8.

(6)Greyhound Track.

**Sec. 32-193. Allowable uses.**

- (a) *Permitted and conditional uses.* Table 32-193(a), allowable uses by subdistrict, identifies uses that are allowed as permitted or conditional uses in each Central RAC subdistrict as well as uses that are not permitted in each subdistrict. Uses identified with a "P" are permitted by right. Uses identified with a "C" are permitted subject to the standards in section 32-964, conditional uses, and additional standards in each subdistrict. Uses identified with a "-" are not permitted in the subdistrict.
- (b) *Accessory uses.* Each Central RAC subdistrict allows the accessory uses and structures described in section 32-242(a) and (b), permitted accessory uses. All accessory uses and structures must comply with the special regulations in section 32-243, special regulations. Unless otherwise directed in section 32-242, permitted accessory uses, accessory uses and structures shall be located behind the main building facade and may be placed as close as five feet to rear and side property lines.

**Table 32-193(a) - Allowable Uses by Subdistrict**

	CENTRAL RAC SUBDISTRICTS					
	RAC Corridor	Transit Core	RAC Neigh- borhood	Trans. Mixed Use	<del>Fashion- Art- Design- District 8</del>	Grey- hound Track
RESIDENTIAL						
Single-family dwellings	-	-	P	-	<del>P</del> -	-
Two-family (duplex) dwellings	-	P	P	-	<del>P</del> -	P
Townhouse dwellings	P	P	P	P	P	P
Multi-family dwellings	P	P	P	P	P	P
<del>Live/work units</del>	<del>P</del>	<del>P</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>P</del>
Work/live units	P	P	-	P	P	P
Assisted living facilities	P	P	C	C	-	P
Nursing homes	P	P	C	C	-	P
Other residential care facilities	See section 32-524					
LODGING						
Bed-and-breakfast inns	P	C	C	P	P	P
Hotels and motels	P	P	-	P	P	P
BUSINESS						
Medical marijuana treatment center dispensing facilities and pharmacies	P	P	-	P	<del>P</del> -	P
Offices, limited	P	P	C	P	P	P
<del>Offices</del>	<del>P</del>	<del>P</del>	<del>-</del>	<del>P</del>	<del>P</del>	<del>P</del>
Stores and services, general	P	P	-	P	P	P
Stores and services, large format	P	P	-	P	-	P
Service station/convenience business	-	-	-	C	-	P
Family entertainment center	P	P	-	P	P	P
Drive-through facilities (for any use)	C	-	-	C	C	C
Contractor and trade operations	P	-	-	P	-	P
Garage, public parking	C	C	-	C	<del>C</del>	P

Parking lot	C	C	-	C	C	P
Parking lot, interim	C	C	-	C	C	C
Alcoholic beverage establishments	P	C	-	P	P	P
Racing and casino complexes	-	-	-	-	-	P
Restaurants	P	P	-	P	P	P
Studio or workshop	P	P	-	P	P	P
Vehicle sales, repair, or service	-	-	-	C	-	P
Warehouse/self-storage facility (1)	-	-	-	-	-	P
<b>Food Truck Venue (2)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>P</b>	<b>-</b>
<b>CIVIC &amp; EDUCATION</b>						
Civic open spaces	P	P	P	P	P	P
Day care centers	P	P	C	P	-	P
Government uses	P	P	-	P	<b>C</b>	P
Places of worship	P	P	C	P	-	-
Schools, public and private	P	P	C	P	-	-
<b>P = Permitted Use    C = Conditional Use    - = Use Not Permitted</b>						

(1) - Permitted only on parcels abutting NE 1 Avenue and/or NE 7 Street.

(2) – Food trucks shall be exempt from dimensional requirements of Table 32-199(a), and parking requirements, however, they shall be subject to site plan review approval by the City Manager. The City Manager reserves the discretion to deny any application for a food truck venue. A site plan which clearly identifies the following is required:

- a. Number and location of each food truck.
- b. Location of restrooms.
- c. Number and location of seats.
- d. Parking, if provided.
- e. Pedestrian access to the property.
- f. Waste disposal location and operation.

\*      \*      \*

**Sec. 32-199. ~~Fashion/Art/Design District 8~~ subdistrict standards.**

(a) *Purpose and intent.* The ~~Fashion/Art/Design District 8~~ subdistrict is intended to be a unique, lively arts and commerce area accommodating a wide range of uses including residential, retail, art, culture, and design.~~and some light industrial uses.~~

\*      \*      \*

(d) *Building uses and density.*

(1) *Specific uses.* Specific uses in the ~~Fashion/Art/Design District 8~~ subdistrict shall conform to the regulations in section 32-193.

(2) *Conditional use standards.* Conditional uses must be approved pursuant to the provisions in section 32-964. In addition, the following regulations apply:

- a. *Drive-through facilities for any use.* Drive-through facilities for any use shall have the drive-through window(s) and stacking area located to the rear or side of buildings.
- b. *Interim parking lots.* Parcels no greater than 25,000 square feet in area may be approved for interim parking lots serving general business and residential areas for specific timeframes. Interim parking lots must be maintained with a dust-free surface and shall have perimeter landscaping comprised of a continuous maintained hedge three to four feet in height with one tree every 30 feet installed along streets and residential properties, with final details to be incorporated as conditions of approval. The approval may specify an annual review process that could result in revocation if these requirements and any other conditions of approval are not maintained.
- (3) *Base density.* The base density in Table 32-199(a) is the number of dwelling units allowed per acre.
- (4) *Buildings exceeding maximum height or density.* The maximum building height is four stories. The maximum density in Table 32-199(a) is the number of dwelling units allowed per acre based upon the approval processes set forth in sections 32-205 and 32-206. Buildings which meet all of the following criteria may build up to eight stories in height and to the maximum density specified in Table 199(a):
- a. Meet the requirements of the community redevelopment agency (CRA) arts and culture in public places program upon its implementation. Developments proposed prior to the implementation of the arts and culture in public places program, shall provide on-site installation of artwork which shall be reviewed by the directors of the CRA and development services department for content and design. If the proposed design is denied, the applicant may appeal to the city commission. All arts and culture in public places projects shall be accessible to the public.
  - b. Be located on NE 1st Avenue or NE 3rd Street.
  - c. Meet the city's green building requirement level beyond the base certification.
  - d. Provide only business uses in the first story; upper stories may be commercial, residential or a combination of permitted uses.
  - e. First floor garage areas fronting on primary streets shall be screened from view at the sidewalk level by a minimum of 20 feet of habitable space occupied by retail, office or other commercial uses. Upper level of the garage shall have architectural treatment to reflect a building façade or screened by an art installation approved by the CRA and development services directors. Parking lots on secondary streets shall also be screened from street view by an art installation approved by the CRA and development services directors.
  - ~~f. Provide street/streetscape improvements consistent with the city's complete streets efforts, on both sides of adjacent rights-of-way, as determined by the development services director.~~
  - g. Provide at least 15 percent of the project's residential units as affordable housing or contribute to the city's affordable housing fund.

<b>Table 32-199(a)</b> <b><del>Fashion/Art/Design</del> District 8 Subdistrict</b> <b>Dimensional Requirements</b>	
<b>Lot Size</b>	
Lot Width	50 ft. min.

Lot Area		5000 sf. min./ 100,000 max.
<u>Lot Area-properties west of NE 1<sup>st</sup> Avenue</u>		<u>2,500 sf</u>
Lot Coverage		95% max.
<u>Lot coverage-properties west of NE 1<sup>st</sup> Avenue</u>		<u>100%</u>
Minimum Landscape Area		5%
<u>Min. Landscaping Area-properties west of NE 1<sup>st</sup> Avenue</u>		<u>0%</u>
<b>Building Placement</b>		
<b>A</b>	Primary Street Setback <sup>2</sup>	10 ft. min./ 15 ft. max.
	<u>Primary Street Setback-properties west of NE 1<sup>st</sup> Avenue</u>	<u>0 ft.</u>
	Secondary Street Setback	10 ft. min.
<b>B</b>	Street above the 4 <sup>th</sup> story	<u>210</u> ft. min.
<b>C</b>	Interior Side Setback <sup>2</sup>	0 ft. min. <sup>2</sup>
<b>D</b>	Interior side above the 4 <sup>th</sup> story	<u>210</u> ft. min.
<b>E</b>	Rear Setback	10 ft. min.
<b>F</b>	<u>Rear Setback- properties west of NE 1<sup>st</sup> Avenue</u>	<u>0 ft.</u>
<b>F-G</b>	Rear above the 4 <sup>th</sup> story	<u>210</u> ft. min.
<b>G-H</b>	Building Frontage on Primary Streets	50% min.
<b>Building Size &amp; Height</b>		
Min. Height Primary Streets		1 Story
Base Building Height		4 Stories
Max. Building Height		8 Stories
<b>Density</b>		
Base Density		25 du/ac
Max. Density		50 du/ac
<b>Civic Open Space Requirement</b>		
Sites Greater than 40,000 sq. ft.		5%
<sup>1</sup> Side lot lines facing streets are regulated by front setback requirements. <sup>2</sup> All light and air shafts shall be provided within the lot See subsection 32-194(b)(2)		

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(h) *Parking ~~location and design~~ exemptions, reductions, and design.*

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(1) *Parking exemption for permitted existing uses.* Any change of a permitted business use, ~~or renovations,~~ or expansion of an existing permitted business use existing at the time of the effective date of this provision (date of provision) that results in the addition of no more than ~~50~~ 100 percent of the existing floor area of the building shall be exempt from the minimum number of off-street parking spaces required per use of subsections 32-203, ~~32-455(e) and the administrative parking standards document~~; provided however, that, when in the opinion of the city engineer, there is sufficient right-of-way width which is not otherwise necessary for through traffic, and which can accommodate on-street parking in the adjacent public right-of way, the property owner shall provide on-street parking as may be possible adjacent to the property. The city engineer shall check and

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174 approve the plan showing such improvement so as to provide proper drainage and  
175 design.  
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177 ~~(2) Substantial expansion, new development or redevelopment. Applicants may not divide~~  
178 ~~or phase expansions to avoid being subject to parking requirements for expansions~~  
179 ~~larger than 50 percent or for new development or redevelopment. If an applicant or~~  
180 ~~successor in interest submits another application for an expansion within five years from~~  
181 ~~that approval or a new development on the same parcel, then the entire project, together~~  
182 ~~with the previously approved expansion shall be subject to the requirements of~~  
183 ~~subsections 32-203, 32-455(c) and the administrative parking standards document.~~  
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185 (2) *Nonconforming parking.* Any change of a business use, renovation or expansion of an  
186 existing business use ~~that results in no more than 50 percent in floor area of the existing~~  
187 ~~floor area of the building~~ with a nonconforming parking lot shall be permitted to maintain  
188 the existing layout. In the event the property owner wishes to reconfigure a  
189 nonconforming parking layout, the property owner shall be exempt from the  
190 requirements of subsection 32-453(i)(2); however, the property owner shall submit a  
191 new layout to the department of sustainable development director for consideration.  
192 Landscaping associated with the reconfigured parking layout shall be subject to review  
193 and approval by the director. The director, with the input of the city engineer, shall review  
194 such requests on a case-by-case basis and may approve such requests provided there  
195 is no public safety or traffic circulation concerns. ~~The granting of such approval shall not~~  
196 ~~vest any right to continue the nonconformity should the property owner redevelop, add~~  
197 ~~structures or expand existing structures by more than 50 percent in floor area.~~  
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200 (3) Parking exemptions for new development. Within the District 8 subdistrict, restaurants,  
201 and alcoholic beverage establishments on development sites with up to 20,000 square  
202 feet in lot area shall be exempt from parking requirements.  
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204 A covenant running with the land, approved by the city attorney, shall be recorded to  
205 ensure that new development with parking exemptions per this subsection is limited to  
206 restaurant and alcoholic beverage establishments and no changes in use are permitted  
207 on the property unless a parking facility with the number of spaces required by Section  
208 32-203 for such use is provided.  
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210 (4) Parking exemptions for development located on the west side of NE 1<sup>st</sup> Avenue. Within  
211 the District 8 subdistrict, all existing or new development shall be exempt from parking  
212 requirements.  
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214 (5) Parking reductions for new development. Within the District 8 subdistrict, the parking  
215 requirements for the following uses shall be reduced by 50% of the required parking  
216 specified by code section 32-203.

217 a. Stores & services, general.

218 b. Family entertainment center.

219 c. Restaurants and alcoholic beverage establishments which do not qualify for the  
220 parking exemptions in subsection (3).  
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223 (i) *Other applicable standards.* See section 32-193 and sections 32-201 through 32-204 for  
224 standards that also apply to the Fashion/Art Design District 8 subdistrict.

**Sec. 32-201. - Frontage types.**

The central RAC subdistricts and Hallandale Beach Boulevard subdistrict establish a predictable spatial framework to create a pedestrian-friendly environment supportive of infill redevelopment and multi-modal transportation options. Frontage standards ensure a superior pedestrian environment develops over time that improves the overall visual appearance and use of streets. These standards define architecture and design components for the entrance(s) to buildings and the area between building facades and streets.

- (a) *Frontage types.* The entrance(s) of every building shall be directly accessible from and face a public right-of-way or civic open space. Frontage types define architectural characteristics for the detailing of these building entrances. Six distinct frontage types have been identified, which are appropriate for different types of buildings and uses. Table [32-201\(a\)](#) identifies the frontage types appropriate for each subdistrict by an "X". Using one or more of frontage types identified is required.

**Table [32-201\(a\)](#)**

**Frontage Types per Subdistrict**

RAC Subdistrict	Frontage Types						
	Porch	Stoop	Bracketed Balcony	Forecourt	Storefront	Arcade/Colonnade	Lobby Entry
RAC corridor		X	X	X	X	X	X
Transit core		X	X	X	X	X	X
RAC neighborhood	X	X		X			X
Transitional mixed use			X	X	X	X	X
<del>Fashion/art/design</del> <a href="#">District 8</a>	X	X	X	X	X	X	X
Greyhound track	X	X	X	X	X	X	X
<b>Hallandale Beach Boulevard Subdistrict</b>							



Table 32-201(a)

Frontage Types per Subdistrict

RAC Subdistrict	Frontage Types						
	Porch	Stoop	Bracketed Balcony	Forecourt	Storefront	Arcade/Colonnade	Lobby Entry
HBB—West		X	X	X	X	X	X
HBB—East		X	X	X	X	X	X

\* \* \*

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Table 32-201(i)

Dimensional Requirements for Pedestrian Walkways per Subdistrict

Subdistrict	Primary Street	Secondary Street
RAC corridor	10 feet	8 feet
Transit core	10 feet	8 feet
RAC neighborhood	5 feet	5 feet
Transitional mixed use	10 feet	8 feet
<b><u>Fashion/arts/design District 8</u></b>	8 feet	8 feet
Greyhound track	8 feet	6 feet
Hallandale Beach Boulevard West	10 feet	6 feet
Hallandale Beach Boulevard East	10 feet	6 feet

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243 **Sec. 32-203. Central RAC parking standards**

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245 (3) Properties located with the ~~fashion/art/design~~ District 8 subdistrict are not required to provide  
246 additional parking resulting from a change of use or renovations of a building and any existing  
247 nonconforming parking layout is permitted to maintain the existing layout.

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250 **Sec.32-205.- Approval processes**

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252 (e)General rules for changes to central RAC zoning district.

253 (1)Overlays as contained within section 32-186

254 a.Prior mapped overlays. Portions of the central RAC zoning district had previously been  
255 included in one or more mapped overlays: North Dixie Corridor overlay, South Dixie  
256 Highway overlay, ~~fashion-art-and-design~~ District 8 overlay, Pembroke Road overlay, Foster  
257 Road Corridor overlay, and redevelopment overlay. Relevant parts of those overlay  
258 regulations have been incorporated into the central RAC subdistrict regulations.

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260 **Sec.32-524. – Location of facilities**

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263 <sup>4</sup>Institutional, commercial and office zone group—All commercial districts, CR, B-O, B-  
264 L, B-G, B-H and B-I; also these subdistricts of the West RAC zoning district: Pembroke Road,  
265 Foster Road; also these subdistricts of the Central RAC zoning district: RAC Corridor, Transit  
266 Core, Transitional Mixed Use, ~~Fashion/Art/Design~~ District 8, Greyhound Track.

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270 **SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City of  
271 Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent  
272 of such conflict.  
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**SECTION 4. Codification.** It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to affect such intention the words “ordinance” or “section” may be changed to other appropriate words.

**SECTION 5. Severability.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED ON 1<sup>ST</sup> reading on \_\_\_\_\_, 2023.

PASSED AND ADOPTED ON 2<sup>ND</sup> reading on \_\_\_\_\_, 2023.

\_\_\_\_\_  
JOY COOPER  
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

\_\_\_\_\_  
JENORGEN M. GUILLEN, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY