



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Primary Application Type:	Land Development Regulation Amendments	Hearing Date:	January 25, 2023		
Additional Applications:	N/A	Public Hearing:	YES X	NO	
General Title:	Temporary Uses	Quasi-Judicial:	YES	NO X	
Applicant:	City of Hallandale Beach	Workshop:	YES	NO X	
Application #	LDC-23-142	Advertisement Type Required:	DISPLAY x	REGULAR	N/A
Staff Recommendation:		Approve	Approve with Conditions		Reject
		X			
Request:			Strategic Plan Priority Area:		
Code amendments to Chapter 32, Division 20, Temporary Uses, removing cargo containers as a principal temporary use.			<input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
Sponsor Name:	Vanessa Leroy, Director Sustainable Development Department	Prepared By:	Christy Dominguez, Planning and Zoning Manager		

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; AMENDING ARTICLE IV, DEVELOPMENT STANDARDS; DIVISION 20, TEMPORARY USES, REMOVING CARGO CONTAINERS AS A PRINCIPAL TEMPORARY USE; AMENDING REFERENCES TO THE FASHION ART DESIGN SUBDISTRICT WITHIN DIVISION 20 TO THE DISTRICT 8 SUBDISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary

Summary

The City's Department of Sustainable Development is proposing a code amendment to Article IV, Division 20, temporary Uses, of the Zoning and Land development Code applicable to cargo containers used as a principal use temporary structure. The provisions presently allow principal use temporary cargo containers in the Fashion/Art/Design (FADD), Planned Local Activity Center (PLAC) and the Greyhound subdistricts on an annual basis subject to specific criteria and not to exceed 5 years. After further review, staff has determined the use, such as, the KAO Bar and Grill Cargo Container establishment located at 11 NE 1st Avenue, is not temporary in nature but a permanent structure required to be in compliance with the Florida Building Code and other life safety building codes.

The following is a summary of the proposed amendments in the attached draft ordinance:

1. Amends references to the Fashion Art and Design Subdistrict to be renamed to District 8 subdistrict.
2. Amends Section 32-702, Section 32-705, Section 32-707, Section 32-708 by removing cargo containers as a principal temporary use and the specified criteria and terms.

City Staff has prepared an additional related ordinance which further amends Section 32-8 Definitions, to include an all-encompassing definition for Food Truck Venue, that include temporary cargo containers used in connection with food truck venues which would be allowed as a permitted use in the FADD/District 8 subdistrict subject to site plan approval of the proposal by the City Manager.

Staff is recommending the proposed amendments to the Temporary Use provisions for consistency to the amendments proposed to the FADD subdistrict in the related ordinance for your consideration and comments.

Background

On October 6, 2022, the Planning and Zoning Board held a public hearing on a proposed ordinance amending the parking requirements for the FADD and recommended approval by a vote of 5 to 0. Since the Board meeting, staff has made additional more comprehensive revisions to the proposed ordinance considered by the Board on October 6, 2022, to provide further reductions for parking requirements based on an additional assessment of the existing lot sizes within the FADD, the allowable uses, temporary uses, subdistrict name change, and site dimensional requirements. The changes proposed to the FADD subdistrict in the related ordinance prompts necessary amendments to the Temporary Use provisions for consistency as discussed herein.

Cargo container should be governed by the present regulations in Section 32-431 of the Code. According to the Section, cargo containers are included as construction material in the construction of the permanent building, if approved by the DSD director in compliance with applicable provisions of the City's zoning and land development code, the Florida Building Code, Florida Fire Prevention

Code, and other applicable local, state, and federal laws. City Commission approval is required if the proposed cargo container is proposed without cladding or with exposed metal panels.

Current Situation

In maintaining consistency with the City's Comprehensive Plan, City staff seek to incorporate design measures which advocate for future expansion and new development within the FADD/District 8 subdistrict. The goal is to attract future growth and development while allowing the opportunity for existing uses to expand without having to combat the constraints of the existing code requirements. In achieving this goal, staff seeks to amend the existing code by amending the allowable uses consistent with purpose and the intent of the FADD/District 8 subdistrict. Amendments to the Temporary Use provisions are also necessary to clarify the use of cargo containers used as a principal use.

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, Future Land Use Element (FLUE) Policy 1.2.5 and will improve the overall quality of life for citizens within the City of Hallandale Beach. The changes in this draft ordinance and the related FADD/District 8 ordinance also support the elimination of unnecessary variance applications, promote growth opportunities, and protect quality of life while maximizing the use of property.

Staff Recommendation:

Staff recommends the Planning and Zoning Board recommend the City Commission approve the proposed code amendments.

Attachment(s):

Exhibit 1- Proposed draft ordinance