



## City of Hallandale Beach City Commission Agenda Cover Memo

<b>Meeting Date:</b>	November 1, 2017		<b>Item Type:</b> <small>(Enter X in box)</small>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>
					X	
<b>Fiscal Impact:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <small>(Enter X in box)</small>	<b>1st Reading</b>		<b>2nd Reading</b>
				X		
		X	<b>Public Hearing:</b> <small>(Enter X in box)</small>	Yes		No
				X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <small>(Enter X in box)</small>	Yes		No
				X		
<b>Account Balance:</b>	N/A		<b>Quasi-Judicial:</b> <small>(Enter X in box)</small>	Yes		No
						X
<b>Project Number:</b>	Z-17-01832		<b>RFP/RFQ/Bid Number:</b>	N/A		
<b>Contract/P.O. Required:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b> <small>(Enter X in box)</small>			
			Safety <input type="checkbox"/>			
		X	Quality <input checked="" type="checkbox"/>			
			Vibrant Appeal <input type="checkbox"/>			
<b>Sponsor Name:</b>	Roger Carlton, City Manager		<b>Department:</b> <b>Development Services</b>	Keven Klopp, Development Services Director		

### Short Title:

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING THE PROPERTY LOCATED AT 650 NW 2<sup>ND</sup> STREET FROM RESIDENTIAL SINGLE-FAMILY DISTRICT (RS-6) TO COMMUNITY FACILITY DISTRICT (CF); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

### Staff Summary

#### **Background**

The property located at 650 NW 2<sup>nd</sup> Street is a city-owned land and serves as an extension of the Public Works Department (DPW) compound. The property had been operating as part of the Sanitation Division services, collecting and disposing of stormwater debris and sediments on the property for years. However, after a site inspection in early February 2017, Broward County

cautioned the City that the use was in violation of Section 27-356(c) of the Broward County Code of Ordinances. The City ceased its collection and disposing of the debris on site to avoid a \$15,000 daily violation fine and contracted these services to EnviroWaste, Inc., a company previously provisionally contracted to perform stormwater infrastructure cleaning in the city's northeast quadrant.

This area of the Public Works compound was deeded to the City in 2004 from the property to the west to expand the City's Public Works services. The property was zoned RS-6, Residential Single-Family District and the zoning was not changed to the appropriate zoning district, Community Facility (CF). The Public Works Department is seeking to obtain a Transfer Station License from Broward County which would permit a container to collect and decant stormwater debris at the subject property before hauling the container for disposal to an approved site outside of the City. However, such use is not permitted within the existing residential zoning district. As such, the City is requesting to rezone the property from RS-6, Residential Single-Family District to Community Facility (CF) district, which allows the intended use.

Additionally, on a separate application, No. PA-17-01831, the City is requesting a local Future Land Use Plan Amendment to change the land use designation of the subject property from Residential, Low-Density to Community Facility-Utilities land use category on the City's Future Land Use Map, to be consistent with the proposed zoning district and to be consistent with the existing use of the Public Works Compound.

On August 23, 2017, the Planning and Zoning Board/ Local Planning Agency convened as the Local Planning Agency and voted support of the proposed amendments to the city's Comprehensive Plan by 4-0 vote.

In accordance with Code requirements, the Notice of Hearing for the September 6, 2016 City Commission meeting was mailed to all property owners within a 1,000 ft radius of the subject property and Notice of Hearing signs were posted on the property on August 25, 2017.

### **Why Action is Necessary**

Pursuant to Article V, Division 1, Section 5.01 of the City of Hallandale Beach Charter, City Ordinance is to be adopted to amend an existing Ordinance.

### **Analysis**

#### **REZONING**

The subject property is currently zoned Residential Single-Family (RS-6) zoning district, which permits public utility substations, transformers and transmission facilities, in addition to single-family dwellings. The surrounding zoning designations are Residential single-family (RS-7) to the north, Community Facility (CF) to the east, and Residential single-family (RS-6) to the west and south. The Public Works Department is located directly east of the subject property. The property directly west is currently vacant. The properties to the south consist of a mixture of uses, including warehouses and single-family dwellings.

The subject property is the westerly extension of the Public Works compound, and currently contains a wash pad for the collection of stormwater and street debris. Sanitation services provided by the Department include the collection and disposal of both commercial and residential garbage and the recovery of recyclable materials. The Public Works Department is seeking to obtain a Transfer Station license from Broward County, which would permit setting up a roll-off container or

dry bed on the existing wash pad to decant stormwater debris before hauling the container for disposal to an approved site outside of the City.

The existing zoning designation is not deemed appropriate for the current and proposed use of the subject property. As such, the City is requesting to rezone the subject property from Residential Single-family (RS-6) zoning district to Community Facility (CF) district, corresponding to the current use of the property and matching the zoning designation of the Public Works compound to the east. Community Facility (CF) zoning district permits public works facilities which includes the proposed use.

### **Rezoning 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 are 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.**

Consistent. The proposed amendment will conform to the City's vision of its Future Land Use Element with the granting of a rezoning and designation of the proposed land use category.

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

Consistent. Granting the land use designation change and the corresponding rezoning will be consistent with the land use pattern. The subject property directly abuts CF zoning district and Community Facility- Utilities land use designation.

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

Consistent. The proposed changes would not create an isolated district unrelated to adjacent and nearby districts. The subject property directly abuts CF zoning district and Community Facility- Utilities 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.**

Consistent. The proposed change would not negatively alter the population density pattern and would not have an adverse impact upon public facilities, whereas it will increase the City's potential to provide sanitation services to its residents.

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

Consistent. The subject property's existing zoning and land use designations are deemed inappropriate, noting the existing use of the subject property and its proximity to the CF zoning district and Community Facility land use designation.

- 6. Changed or changing conditions make the passage of the proposed amendment necessary.**

Consistent. The enhanced services sought to be provided by the Public Works Department create the need for the proposed amendment.

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

Consistent. The subject property is and has been used as a community facility serving the needs of the City's residents. The existing zoning and land use designations are not appropriate for the use of the land.

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

Consistent. The proposed changes are not out of scale with the needs of the neighborhood, as they will maintain the current accommodating use of the property which benefits the City's residents.

**Fiscal Impact**

The subject property is designated Low-Medium (10) Residential on the Broward County Future Land Use Map. To maintain consistency with the County's Future Land Use Map (FLUM), a Broward County FLUM amendment to Community land use category is also required. This small-scale amendment is less than 10 acres of land; therefore, it is not subject to concurrent review by Department of Economic Opportunity (DEO). The FLUM amendment application to Broward County costs estimate is \$12,146.

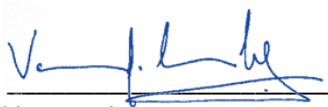
**Staff Recommendations:**

Staff recommends the City Commission approve:

1. The Ordinance rezoning the property located at 650 NW 2nd Street from Residential Single-Family (RS-6) district to Community Facility (CF) district.

**Attachment(s):**

Exhibit 1- Rezoning Ordinance  
Exhibit 1-A- Location/Zoning Map  
Exhibit 1-B- Proposed Location/Zoning Map  
Exhibit 2- Aerial Map  
Exhibit 3- PZB Staff Report  
Exhibit 4- Questions & Answers  
Exhibit 5- PZB Meeting Minutes, August 23, 2017

Prepared by:   
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Planning and Zoning Division

Concurred with:   
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Development Services