

CITY OF HALLANDALE BEACH

MEMORANDUM

DATE: August 21, 2017
FROM: Vanessa Leroy, Associate Planner 
VIA: Keven Klopp, Development Services Director 
TO: Roger Carlton, City Manager
SUBJECT: ModPod Development Assessment

BACKGROUND

On June 19, 2017, the Hallandale Beach Community Redevelopment Agency (HBCRA) Board was presented an unsolicited proposal to develop a modular affordable housing pilot project (ModPod) on the property identified by folio number 5142-22-04-0320. Staff was directed to prepare a review of the zoning and land development considerations as to limitations, lot size, density, etc. Following are the property detail information, current zoning regulations and commentary from the Building Division.

PROPERTY INFORMATION



Folio:	5142-22-04-0320
Legal Description:	GEO M PHIPPENS SUB IN 21-51-42 B-145 D LOT 2 W 40 BLK D
Zoning:	Residential Two-Family (duplex) (RD-12) district
Land Use Category:	Residential Low-Medium Density
Lot Width:	40 feet
Lot length:	50 feet
Lot size:	2,000 square feet
Property Owner ¹ :	Hallandale Beach Community Redevelopment Agency
Proposed Use:	2 residential units utilizing cargo containers

Permitted Uses

The subject property is zoned Residential Two-Family (Duplex) (RD-12) district. Depending on the size of the lot, RD-12 zoning district permits single-family, two-family (duplex) and townhouse residential dwellings in addition to residential accessory uses, public parks and playgrounds, and public utility substations, transformers and transmission

¹ Property History- Sales Records

The subject property was deeded to Broward County in 2003, as no person appeared to claim the property during its public sale in 1994. Thereafter the following changes in property ownership proceeded:

- May 2004, from Broward County (BC) to the City of Hallandale Beach (COHB).
- March 2005, from COHB to Angella Hibbert.
- April 2005, from Angella Hibbert to COHB.
- November 2012, from COHB to HBCRA.

facilities. Other uses permitted conditionally in this zoning district include public and private schools, day care centers and nurseries, mobile homes, parking lots and places of worship. Currently, the subject property is a vacant lot.

Site Development Standards

Within RD-12, the minimum lot area must be 7,500 square feet and the minimum lot width 75 feet. Smaller lots platted prior to November 21, 1978, are permitted. The subject property was platted in its existing condition prior to this date; therefore would be exempt from lot size and lot width minimum requirements.

1222-04-C31-1C WILLIAMS, ELLER L 1045 NW 7 CT HALLANDALE FLA 33009	GEO W PHIPPENS SUB IN 21-51-42 8-145 D LOT 1 BLK D	TAXABLE	5,060	2553 21.3077 1/THCU	107.81 107.81T
1222-04-C32-01 PACKEY, CARRIE 310 NW 4 ST HALLANDALE FLA-33009	GEO W PHIPPENS SUB IN 21-51-42 8-145 D LOT 2 W 40- BLK D	HOMESTEAD SENIOR HE	3,600	2553	0.00T
1222-04-C33-00 GREEN, P C LELIA M 705 NW 3 CT HALLANDALE FLA 33009	GEO W PHIPPENS SUB IN 21-51-42 8-145 D LOT 2 E 14 BLK D	TAXABLE	3,910	2553 21.3077 1/THCU	83.30 83.30T
1222-04-C34-01 GREEN, LELIA M 705 NW 3 CT HALLANDALE FLA 33009	GEO W PHIPPENS SUB IN 21-51-42 8-145 D LOT 2 E 36 OF W 76 BLK D	TAXABLE	6,670	2553 21.3077 1/THCU	142.13 142.13T

The property was platted with the original Town of Hallandale Plat prior to 1978 and existed in its currently non-conforming state (size and width) since.

However, as the designated land use category, Residential Low-Medium, permits a density up to 14 units per acre, the subject property would be large enough to house 0.64 units, or zero residential units, as the residential unit calculations are rounded down. *Therefore, no number of residential dwelling units would be permitted, regardless of the exemption previously stated, since the subject property does not have the minimum land area required to sustain residential use..*

Lot Requirement - Existing Conditions				
	RD-12	Code Section	Existing/Potential	Conditions
Lot Size	7,500 sf.	Sec. 32-144(d)(1)	2,000 sf.	Exempted by Code
Lot Width	75 ft.	Sec. 32-144(d)(2)	40 ft.	Exempted by Code
Density	14 du/ac	Sec. 32-731(a)(1)a.	0 units	

PROPOSED PROJECT DETAILS

The proposed ModPod project consists of two attached 2-story affordable residential dwelling units on the 2,000 square-foot lot, each unit measuring approximately 700 square-feet in habitable floor area. The units are proposed to be constructed with cargo or shipping containers.

Currently, cargo or shipping containers are only permitted as a temporary structure. Pursuant to Section 32-431, in any zoning district, temporary structures, such as trailers and cargo containers, shall be permitted in connection with the sale or development of an active construction site.² Therefore, the use of the cargo or shipping containers as a permanent structure is not permitted as proposed. *To allow such use, an amendment to the Zoning and Land Development Code would be required.*

Zoning and Comprehensive Plan Considerations

The ModPod project was reviewed in consideration of the City of Hallandale Beach Code of Ordinances and Future Land Use Element (FLUE) of the City's Comprehensive Plan. The project is proposed as follows:

Code of Ordinances	RD-12	Code Section	Proposed
Minimum yard setbacks			
Front	25 ft.	Sec. 32-144(d)(4)a	10 ft.
Rear	30 ft.	Sec. 32-144(d)(4)b	5 ft.
Side	7.5 ft.	Sec. 32-144(d)(4)c.1	5 ft. and 8 ft.
Maximum Building Height	2 stories or 30 ft.	Sec. 32-144(d)(3)	2 stories ²

² Cargo containers are generally 9.5 feet in height. The proposed development proposes 2 stories of containers. The maximum height allowed is two stories or 30 feet.

Minimum floor area			
One bedroom	850 sf.	Sec. 32-144(d)(5)a.1	700
Two bedrooms	1,000 sf.	Sec. 32-144(d)(5)a.2	700
Three or more bedrooms	1,150 sf.	Sec. 32-144(d)(5)a.3	700
Required # of parking spaces	4	Sec. 32-455(b)(1)	0
Minimum Landscape area	40% or 800 sf.	Sec. 32-384(a)(2)	n/a ³
Comprehensive Plan	Residential Low-Medium Density Land Use Category		
Density	14 du/ac	FLUE	43.56 du/ac
Number of Units	0	FLUE	2

Accessory structures, such as storage and tool sheds, are permitted in RD-12 with a required setback of 7.5 feet from property lines and shall cover not more than 30 percent of the total rear yard areas. As proposed, the project would leave little to no room for accessory structures.

The proposed project does not comply with the general intent of the Zoning Code and Comprehensive Plan. To be approved as proposed, numerous variances must be granted. Based on the project information available, the project would require at least the following variances:

Variances	Code Requirement	Proposed	Deficiency
Front Setback	25 ft.	10 ft.	60%
Rear Setback	30 ft.	5 ft.	83.3%
Side Setback	7.5 ft.	5 ft.	26.7%
Minimum floor area	850 to 1,150 sf.	700	17.6%
Required # of parking spaces	4	0	100%

Additionally, to allow the residential units on the property, a rezoning and Land Use Plan Amendment reassigning the property's zoning and land use designations would also be necessary. The proposed project would set a density of 43.56 units per acre on the subject property. This could correspond to an RM-HD-2 zoning district, which would create an isolated zoning district. If such density is permitted on the property, *an assignment of two (2) residential units from Flex Zone 94 would be needed. However, Flex Zone 94 currently has zero (0) available units; a revision could address this lack of units.*

Should the necessary variances, rezoning and land use plan amendment be considered for approval, staff would recommend at the very least, that on-street parking be provided on the south side of the street, with City Engineer approval, in addition to comprehensive staff review of a detailed and complete development proposal. The project must be subject to development site plan review and a development impact analysis, comply with the City's minimum housing regulations, all other zoning and land development regulations, Florida Building Code, Fire prevention regulations, and all other applicable City, County, State and other relevant agency regulations.

Building Division Comments:

Shipping Containers that are converted into housing units are subject to the Florida Building Code, just like any modular and Site-built homes with permanent foundations. The Building Division will require construction documents prepared by a registered design professional Chapter 471, Florida Statutes or Chapter 481, Florida Statutes, consisting of Structural (Wind requirements, structural calculations, foundations, flood requirements, wall/floor & roof systems & etc.), Electrical, Plumbing and Mechanical as per FBC 107. Furthermore, the shipping container homes shall be

³ The minimum landscape area required is 40% of the total site (800 square feet). The *building* footprint is proposed to cover 945 square feet of the total lot (47%), leaving a potential landscape area of 1,055 square feet. However, other impervious material, such as paved walkways, driveways, etc., which will further reduce the landscape area, is not known at this time.

subjected to all the required inspections under Section 110 of the FBC. Some issues identified by the Building Division are as follows:

- Description of how past concerns raised about used shipping containers being laden with harmful chemicals such as chromate, phosphorus, and lead –base paints used to make the containers durable for ocean transportation are resolved,
- Wood floors that normally line majority of shipping containers are infused with hazardous chemical pesticides like arsenic and chromium to keep pests away.
- Temperature and humidity problems due to the tremendous heat transferred by the steel walls of the containers.

In short, to realize the proposed ModPod project the following applications are essential ahead of building permit and site plan reviews:

- Rezoning
- Land Use Plan Amendment
- Variance
- Zoning and Land Development Code Amendment
- Assignment of Residential Units (Flex Zones Units)

Site Imagery - Existing Conditions

