

Exhibit 1
ORDINANCE NO. 2019-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, "ZONING AND LAND DEVELOPMENT CODE; PROVIDING UPDATES TO REQUIREMENTS FOR STREET TREES IN THE RDO REDEVELOPMENT OVERLAY AREA TO ENHANCE THE CITY'S TREE CANOPY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, trees make important contributions to society and are an integral part of urban infrastructure. They are critical to the health and livability of communities as roads, sewers, and buildings. Community trees leverage the social, economic, and environmental value of cities, with forestry and related industries providing employment for over 1.6 million people and contributing \$231.5 billion to the U.S. economy; and

WHEREAS, urban forests provide an invaluable role in the protection of public health and reduction of harmful greenhouse gases. Enhancing the tree canopy within the City supports sustainability and beautification goals; and

WHEREAS, enhancing the tree canopy in the RDO Redevelopment Overlay Area of the City of Hallandale Beach will provide benefits to the health and welfare of the community, as well as improve the aesthetics in the City's most visible corridor, and reduce greenhouse gases; and

WHEREAS, the proposed amendments to Chapter 32, “Zoning and Land Development Code” provide updates to the requirements for street trees in the RDO Redevelopment Overlay Area to enhance the City’s tree canopy; and

WHEREAS, on January 30, 2019, the Planning and Zoning Board, serving as the Local Planning Agency, considered the proposed amendments to Chapter 32 and afforded all interested persons an opportunity to be heard at the public meeting; and

WHEREAS, the City Commission has determined that it is in the best interests of the citizenry and general public to update regulations.

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

SECTION 1. Chapter 32, Businesses, is hereby amended to create Article XIV, Medical
Cannabis Business Regulations, to read as:

Chapter 32. – ZONING AND LAND DEVELOPMENT CODE

Sec. 32-181. - RDO redevelopment overlay.

(a) *District boundaries.* For the purpose of defining the boundaries, the RDO redevelopment overlay area is divided into three sectors: the Hallandale Beach Boulevard, the North Federal Highway, and the South Federal Highway sectors. The Hallandale Beach Boulevard sector is bounded by I-95 to the west, SW 1 Street, SE 1 Street, Church Drive, and Diana Drive to the south; NW 1 Street and NE 1 Street to the north; and the Intracoastal Waterway to the east. The boundaries of the North Federal Highway sector are: Pembroke Road to the north, NE 3 Avenue to the west, NE 8 Avenue to the east and Hallandale Beach Boulevard to the south. The South Federal Highway sector is all properties which front on South Federal Highway, excluding properties zoned Community Facilities District. All more particularly described in Exhibit A, attached hereto and on file in the office of the city clerk.

* * *

(j) *Sidewalks, fences, walls, and street trees:*

(1) *Walls:* No barbed wire extensions shall be permitted on any wall or fences within the overlay district. Chain link and privacy wood fences are prohibited along the corridors.

(2) *Street trees:* The planting of street trees shall be required within the RDO overlay district. The following criteria shall apply to the planting of street trees within the overlay district in the required landscaped perimeter buffer strips:

a. Street trees may not be counted for credit towards the minimum number of trees required by article IV, division 8, "Landscaping Requirements," of the zoning and land development code.

b. Street trees shall be a minimum of 20 feet in height with a minimum diameter of three inches at a point four feet above ground level at the time of planting, and shall have

trunks which can be maintained in a clean condition for over six feet of clear wood measured from ground level.

c. Street trees shall be spaced, center to center, at a maximum of one tree per 25 linear feet of street frontage, exclusive of accessways.

d. Street trees shall be of noninvasive root species. ~~The designated street tree for Hallandale Beach Boulevard and North Federal Highway is the royal palm. The street tree for all other local streets shall be a species enumerated in the city's approved plant material list.~~ Street trees shall be a canopy species, planted in the right-of-way directly in front of the property line(s). The street trees shall be a species enumerated in the City's Design Guidelines Manual or South Florida Water Management Publication, *Waterwise*. Palm varieties may be used at corners, crosswalks or to accent building entrances and may be permitted in lieu of shade trees when physical conditions may prevent the proper growth of shade trees, as determined by the Director of Development Services. Consistency in street species shall be established on both sides of the street along a block face. The first to develop shall establish the species for the entire block.

e. The minimum height required herein for street trees may be modified by the director of ~~growth management~~ Development Services, without penalty, in instances where the installation of trees would interfere with overhead utilities; so long as the minimum number and spacing of the trees is maintained.

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SECTION 3. Conflict. All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

SECTION 4. 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 5. Codification. It is the intention of the Mayor and the City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon adoption
on second reading.

PASSED AND ADOPTED on 1st reading on _____, 2019.

PASSED AND ADOPTED on 2nd reading on _____, 2019.

JOY D. ADAMS

MAYOR

SPONSORED BY:

ATTEST:

JENORGEN GUILLEN, CMC

CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY

AND FORM

JENNIFER MERINO

CITY ATTORNEY