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**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT 200 NW 8<sup>TH</sup> AVENUE, HALLANDALE BEACH FROM RESIDENTIAL LOW-DENSITY CATEGORY TO RESIDENTIAL, HIGH DENSITY-2 CATEGORY; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the parcel of property located at 200 NW 8<sup>TH</sup> Avenue (“parcel”) is currently designated residential low-density category on the Future Land Use Element of the City of Hallandale Beach Comprehensive Plan (Future Land Use Map “Exhibit 1-A”); and

**WHEREAS**, the parcel is currently a vacant lot approximately 4.57 acres in size located on NW 8<sup>th</sup> Avenue adjacent to the City's Public Works Compound; and

**WHEREAS**, the Applicant Eighth Avenue Partners, LLC (“Applicant”) is requesting a small-scale Future Land Use Map Amendment pursuant to Application #PA-18-0974 to change the land use designation of the subject parcel to residential, high density-2 category to accommodate a proposed 200 unit residential project; and

**WHEREAS**, Future Land Use Element Section 2.3(A)(5)(A) provides High Density-2 Category as Residential Permitted uses for dwelling units and accessory structures subject to a maximum density of fifty (50) dwelling units per net acre, provided however that any density over 25 dwelling units per net acre may only be permitted by the City Commission on site specific properties; and

**WHEREAS**, Section 32-963 of the City of Hallandale Beach Code requires that decisions or recommendations relating to any change to the land use element of the comprehensive plan must address 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

40 as to whether or not the proposed changes will further the purpose of this chapter and  
41 other codes, regulations and actions designed to implement the plan.

42 (2) The proposed change would or would not be contrary to the established land use  
43 pattern.

44 (3) The proposed change would or would not create an isolated district unrelated to  
45 adjacent and nearby districts.

46 (4) The proposed change would or would not alter the population density pattern and  
47 thereby have an adverse impact upon public facilities such as schools, utilities and  
48 streets.

49 (5) Existing district boundaries are illogically drawn in relation to existing conditions on  
50 the property proposed for change.

51 (6) Changed or changing conditions make the passage of the proposed amendment  
52 necessary.

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

55 (8) Whether or not the change is out of scale with the needs of the neighborhood.

56  
57 **WHEREAS**, the Applicant intends to amend the Land Use Element of the  
58 Comprehensive Plan adopted by Ordinance 97-8 on May 20, 1997, in the manner prescribed  
59 in Section 163.3187, Florida Statutes, to designate the parcel as residential, high density-2  
60 category, as depicted in Proposed Future Land Use Map "Exhibit 1-B"; and  
61

62 **WHEREAS**, the parcel is currently designated Residential Low Density in the  
63 Broward County Future Land Use Map. To maintain consistency with Broward County's  
64 Future Land Use Map, the parcel's land use designation must be amended to the Residential  
65 High Density category in the Broward County Future Land Use Map which also requires  
66 application and transmittal to the Florida Department of Economic Opportunity; and  
67

68 **WHEREAS**, notice has been provided and published pursuant to the procedures  
69 set forth in the City Code and state statute; and

70 **WHEREAS**, after notice of a public hearing being duly published, a public hearing  
71 was held before the Planning and Zoning Board/Local Planning Agency of the City of  
72 Hallandale Beach on November 26, 2018 at which hearing all interested parties were afforded  
73 the opportunity to be heard; and

74  
75           **WHEREAS**, at the November 26, 2018, the Planning and Zoning Board/Local  
76 Planning Agency Hearing, the Board considered the proposed amendment to the City Future  
77 Land Use Map; and

78  
79           **WHEREAS**, the City has conducted a public hearing on this Amendment to its  
80 Comprehensive Plan, as required by Chapter 163, Florida Statutes.

81  
82           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
83 **CITY OF HALLANDALE BEACH, FLORIDA:**

84  
85           **SECTION 1. Amending the Future Land Use Element.** The Future Land Use  
86 Element of the City of Hallandale Beach Comprehensive Plan is amended to change the  
87 designation of the parcel located at 200 NW 8<sup>TH</sup> Avenue, as shown on Exhibit 1-B from  
88 Residential Low-Density Category to the Residential, High Density-2 Category.

89  
90           **SECTION 2. Transmittal to the Broward County Planning Council.** The Plan as  
91 hereby amended shall be transmitted for recertification to the Broward County Planning  
92 Council and shall be effective upon recertification by the Broward County Planning Council  
93 as provided in Chapter 163, Florida Statutes.

94  
95           **SECTION 3. Providing for Conflict.** All ordinances or portions of the Code of  
96 Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance  
97 shall be repealed to the extent of such conflict.

98  
99           **SECTION 4. Providing for Severability.** Should any provision of this ordinance be  
100 declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity  
101 of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

102  
103           **SECTION 5. Providing for an Effective Date.** This Ordinance shall take effect  
104 pursuant to the procedures set forth by Section 163.3187, Florida Statutes.

105  
106           PASSED AND ADOPTED on 1<sup>st</sup> reading on December 12, 2018.

107           PASSED AND ADOPTED on 2<sup>nd</sup> reading on March 20, 2019.

108  
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111

112 SPONSORED BY: CITY ADMINISTRATION

113

114 ATTEST:

115

116

117 JENORGEN GUILLEN, CMC

118 CITY CLERK

119

120 APPROVED AS TO LEGAL SUFFICIENCY AND

121 FORM

122

123

124 JENNIFER MERINO

125 CITY ATTORNEY

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JOY D. ADAMS

MAYOR

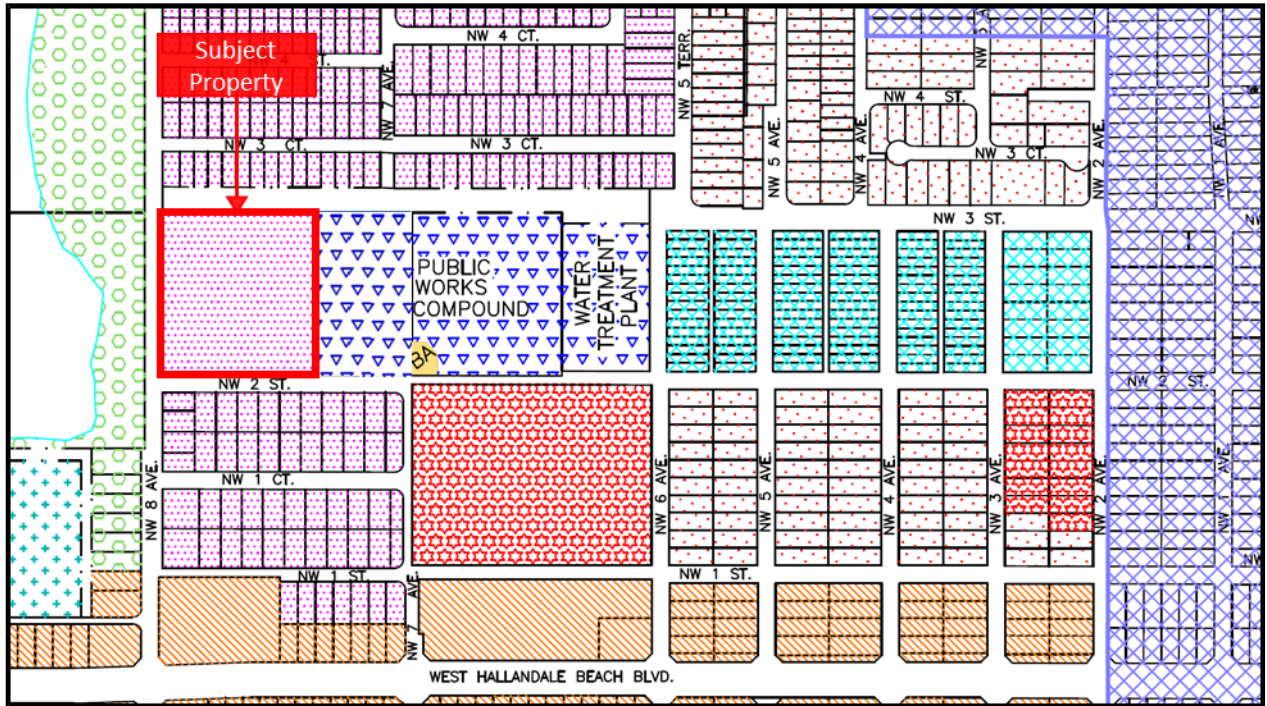
#### **FIRST READING VOTE ON ADOPTION**

Mayor Adams	Yes
Vice Mayor Javellana	No
Commissioner Butler	Yes
Commissioner Lazarow	Yes
Commissioner Lima- Taub	Yes

#### **FINAL VOTE ON ADOPTION**

Mayor Adams	Absent
Vice Mayor Javellana	Yes
Commissioner Butler	Yes
Commissioner Lazarow	Yes
Commissioner Lima- Taub	No

### **Exhibit 1-A EXISTING FUTURE LAND USE MAP**



## Residential Low-Density Category

RESIDENTIAL NET DU/ACRE	
	LOW DENSITY UP TO 7.0
	LOW-MEDIUM DENSITY UP TO 14.0
	MEDIUM DENSITY UP TO 18.0
	HIGH DENSITY UP TO 25.0
	HIGH DENSITY-2 UP TO 50.0

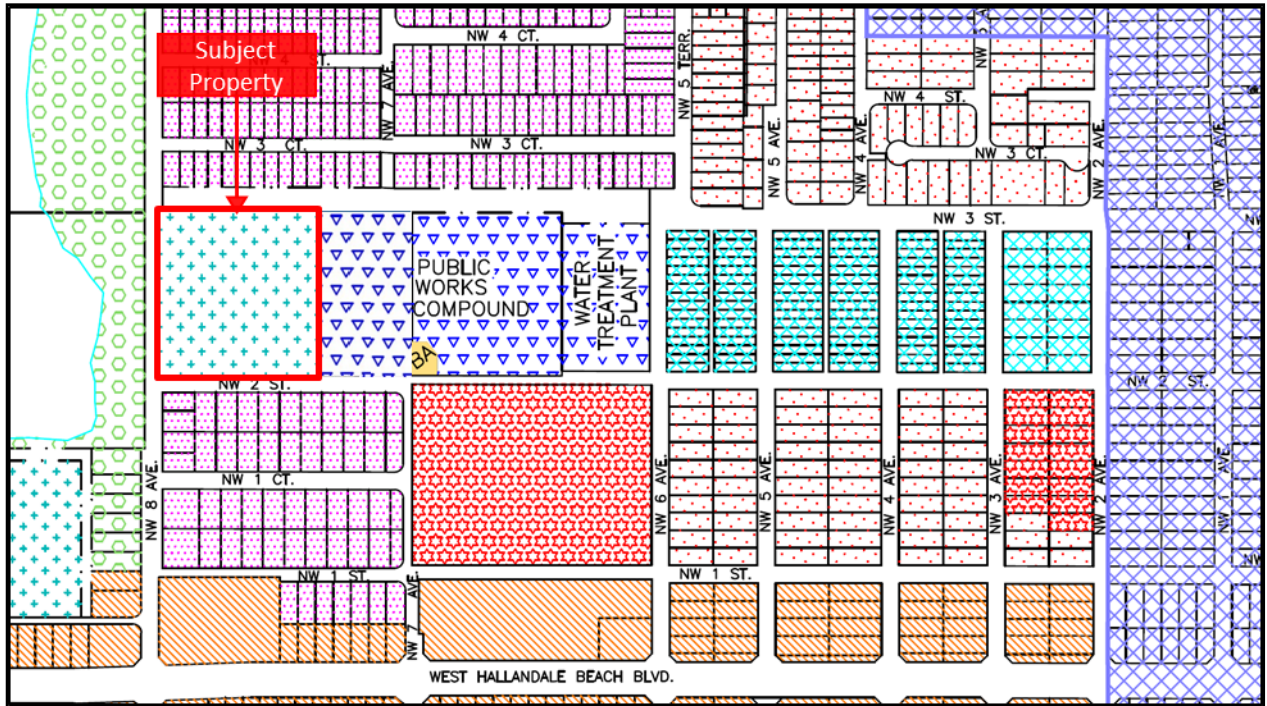
COMMERCIAL	
	NEIGHBORHOOD
	GENERAL
	RECREATION
	LIGHT INDUSTRIAL
	EMPLOYMENT CENTER

COMMUNITY FACILITIES	
	PUBLIC PARKS
	INSTITUTIONAL
	UTILITIES
	HISTORIC

LOCAL ACTIVITY CENTER	
	THE VILLAGE AT GULFSTREAM PARK LAC

REGIONAL ACTIVITY CENTER	

## Exhibit 1-B PROPOSED FUTURE LAND USE MAP



From Residential Low-Density Category to Residential, High Density-2 Category

### Legend

#### RESIDENTIAL NET DU/ACRE

	LOW DENSITY UP TO 7.0
	LOW-MEDIUM DENSITY UP TO 14.0
	MEDIUM DENSITY UP TO 18.0
	HIGH DENSITY UP TO 25.0
	HIGH DENSITY-2 UP TO 50.0

#### COMMERCIAL

	NEIGHBORHOOD
	GENERAL
	RECREATION
	LIGHT INDUSTRIAL
	EMPLOYMENT CENTER

#### COMMUNITY FACILITIES

	PUBLIC PARKS
	INSTITUTIONAL
	UTILITIES
	HISTORIC

#### LOCAL ACTIVITY CENTER

	THE VILLAGE AT GULFSTREAM PARK LAC
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#### REGIONAL ACTIVITY CENTER

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