

1 **Exhibit 1**

2 **ORDINANCE NO. 2020-**

3 **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF**  
4 **THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING**  
5 **CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE,**  
6 **ARTICLE V, DEVELOPMENT REVIEW PROCEDURES,**  
7 **SECTION 32-787, ESTABLISHING REQUIREMENTS FOR**  
8 **TRASH CHUTES IN RESIDENTIAL BUILDINGS; AMENDING**  
9 **SECTION 32-787, GREEN BUILDING PROGRAM**  
10 **REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING**  
11 **FOR CODIFICATION; PROVIDING FOR SEVERABILITY;**  
12 **PROVIDING FOR AN EFFECTIVE DATE.**

13 **WHEREAS,** On May 16, 2018, the City Commission passed Resolution #2018-024  
14 adopting the City of Hallandale Beach Sustainability Action Plan (SAP) and authorizing the City  
15 Manager to proceed with implementation of the Plan; and

16 **WHEREAS,** the primary objective of the SAP is to provide tangible and measurable  
17 advances in sustainability for the City; and

18 **WHEREAS,** the City's systematic approach to sustainability is supported by a commitment  
19 to protect and enhance the environment, improve community quality of life and generate positive  
20 returns on investment; and

21 **WHEREAS,** the implementation process of the SAP includes enhancing the City's Green  
22 Building Program by revising the existing Green Building code requirements for new public,  
23 commercial and multifamily buildings;

24 **WHEREAS,** the City Commission has determined that it is in the best interest of the  
25 citizenry and general public to promote green building practices within the City by requiring new  
26 trash and recycling chutes in various types of buildings.

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

29 **SECTION 1.** Chapter 32, Zoning and Land Development Code, Article V, Development  
30 Review Procedures, is hereby amended to read as:

31 **CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE**

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33 **ARTICLE V. DEVELOPMENT REVIEW PROCEDURES**

34 **Sec. 32-781. Purpose and intent.**

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36 **Sec. 32-787. - Site plan review standards.**

(a) *Utilization.* The standards specified in this section shall be utilized in the review and evaluation of required site plans.

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(g) *Community services.*

(1) All proposed development shall be designed and located in such a manner as to ensure the adequate provision of necessary community services.

(2) An efficient internal solid waste collection system, including the provision of an adequate number of local receptacles in locations that afford maximum use and collection convenience, shall be provided. All new residential buildings greater than 3 stories in height must include both a trash and a recycling chute. The designated chute for recyclables only shall be kept separate from the bulk (garbage/trash) chute and shall be designed with designated solid waste chutes that connect to an enclosed CBS room within the principal building. The city manager is authorized to waive compliance from this requirement. An application may be filed for consideration by the city manager which demonstrates:

1. All efforts have been made to accommodate designated solid waste chutes and why the building design cannot achieve the requirement.

2. That the relief requested is the minimum necessary to permit servicing the building.

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(j) *Energy conservation.* All proposed development shall be designed in such a manner as to promote maximum efficiency in the use of energy resource. The following should be taken into consideration by the applicant wherever feasible:

(1) Energy-saving site planning considerations, such as solar and prevailing wind relationships and the use of vegetation;

(2) Energy-saving structural considerations, such as window sun screens, automatic thermostats, and extra insulation; and

(3) The partial or full use of alternate energy sources.

(k) *Green Building Program.* In addition to section 32-787(j)(1), ~~the following projects new development projects or substantial renovations as described in section 32-787(2)~~ shall be required to meet the green building certification levels prescribed below based on building size and type. Projects with 10 to 99 residential units or hotel rooms or nonresidential projects sized at 49,999 square feet or less shall achieve the prescribed minimum Green Building Program Certification Level within the City's Green Building Program outlined in Chapter 8 of the Hallandale Beach Code of Ordinances. Any new city owned and operated building construction project, or projects which have 100 or more residential units or hotel rooms, or nonresidential projects with 50,000 square feet or more in area, shall be required to obtain a green building certification of LEED- Gold, Florida Green Building Coalition- Gold, Green Gloves- 3 Gloves, or Living Future- Building Challenge Certification or above, from a recognized environmental agency accepted by the city's development services director, or achieve Net Zero carbon as outlined in chapter 8. (as outlined in chapter 8, as amended from time to time, of the City Code) :

~~(1) New commercial building or major renovation projects greater than 50,000 gross square feet;~~  
~~(2) New residential/hotel building or major renovation projects of 50 units or greater;~~  
~~(3) Any commercial, residential or mixed-use projects requiring the allocation of flexibility or reserve units;~~  
~~(4) Any new city owned and operated building construction project; and~~  
~~(5) Any new major or minor development project requesting financial assistance from the community redevelopment agency.~~

(1) The information specified in Table 8-40(a) required green building prerequisites and Table 8-40 (b), the sustainability worksheet, in chapter 8 shall be submitted with the application for development review through the development services department based on the project type and size as specified below under certification requirements.

(2) Certification Requirements:

	<b>Project Type/Size</b>	<b>City Program Certification Level</b>
(1)	10-19 Residential Units	Earth-Friendly
(2)	20--49 Residential Units	Enhanced
(3)	50 to 99 Residential Units or hotel rooms	Exemplary
	100 Residential Units or hotel rooms and above, or new city buildings	Requires certification from independent Green Building Certifying agency including: LEED- Gold, FGBC Gold, Green Gloves- 3 Gloves, or Living Future- Building Challenge Certification, or above.
(4)	Nonresidential Project 0 -3,999 sq. ft	Earth-Friendly
(5)	Nonresidential Project 4,000 – 19,999 sq. ft	Enhanced
(6)	Nonresidential Project 20,000 – 49,999 sq. ft	Exemplary
(7)	Nonresidential Project 50,000 sq. ft and above, or new city buildings	Requires certification from independent Green Building Certifying agency including: LEED-Gold, FGBC-Gold, Green Gloves-3 Gloves, or Living Future- Building Challenge Certification, or above.

(3) Substantial Renovation for the purposes of this section shall include any work to any type or size building identified in item (k) above that includes the addition of floor area equal to fifty

percent (50 %) or more of the existing floor area; or the addition of new floors that exceeds more than fifty percent (50%) of the assessed value of the existing building. For the purpose of calculation, the increase in floor area shall be aggregated over a three (3) year period.

(4) Green Building Bond Requirements: Prior to the issuance of a Building Permit for a project that is subject to the requirement of this section, the developer/owner/contractor shall provide the City with a performance bond, cash, or irrevocable letter of credit payment (Green Building Bond) in the amount of three (3%) percent of the master building permit construction cost value.

The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued or twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever is less. Upon receiving final documentation of the certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.

If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated towards funding the City's Green Initiatives.

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**SECTION 2. 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 3. 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 4. Codification.** It is the intention of the Mayor and 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 5. Effective Date.** This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED on 1<sup>st</sup> reading on August \_\_\_\_, 2020.

PASSED AND ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, 2020.

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JOY COOPER

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ATTEST:

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JENORGEN M. GUILLEN, CMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

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MAYOR

**FIRST READING VOTE ON ADOPTION**

Mayor Cooper	_____
Vice Mayor Javellana	_____
Commissioner Butler	_____
Commissioner Lazarow	_____
Commissioner Lima-Taub	_____

**FINAL VOTE ON ADOPTION**

Mayor Cooper	_____
Vice Mayor Javellana	_____
Commissioner Butler	_____
Commissioner Lazarow	_____
Commissioner Lima-Taub	_____