



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:		Item Type:			1 st Reading	2 nd Reading
9/2/2020		<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other		Ordinance Reading	8/19/2020	9/2/2020
File No.:				Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19-551				Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20-236				Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):		Account Balance (\$):	Funding Source:		Project Number:	
N/A		N/A	N/A		PA-20-01349 Temporary Use Code Amend.	
Contract/P.O. Required		RFP/RFQ/Bid Number:	Sponsor Name:		Department:	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	N/A	Vanessa Leroy, Development Services Director		Development Services Department	
Strategic Plan Focus Areas:						
<input type="checkbox"/> Financial		<input type="checkbox"/> Organizational Capacity		<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline						
Estimated Start Date: 8/5/2020 Estimated End Date: 8/19/2020						

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE; AMENDING ARTICLE IV, DEVELOPMENT STANDARDS; DIVISION 20, TEMPORARY USES; PROVIDING FOR FOOD TRUCKS SPECIAL EVENTS; PROVIDING FOR THE TEMPORARY USE OF CARGO CONTAINERS IN THE CENTRAL REGIONAL ACTIVITY CENTER/ FASHION/ART DESIGN AND GREYHOUND SUBDISTRICTS, THE PLANNED LOCAL ACTIVITY CENTER (PLAC) AND COMMERCIAL RECREATIONAL ACTIVE (CR-A) DISTRICTS; PROVIDING FOR EXTENDED TEMPORARY USE EVENTS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Second Reading)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA ESTABLISHING TEMPORARY USE ANNUAL PERMIT AND APPLICATION FEES; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary

Summary

The Hallandale Beach Community Redevelopment Agency (CRA) has requested the City via its Planning and Zoning Division to make changes to the existing land development regulations to allow the use of temporary cargo containers in the Fashion/Art/ Design (FADD) subdistrict of the Regional Activity Center (RAC) to accommodate continued efforts in reshaping the FADD area. As requested, the attached draft ordinance amends the zoning regulations for temporary uses to allow cargo containers in the FADD for a period of up to 5 years. The proposed ordinance also specifically provides for food truck events and establishes a process for temporary uses and special events lasting more than 30 days subject to City Commission approval.

Background

Originally referred to as “Schmatta Row,” Fashion Row was recognized by the City as a special district in 1980. Through the years, several amendments have been made to the regulations for Fashion Row in order to revitalize the area.

Efforts in recent years have included:

In 2011, the Hallandale Beach Community Redevelopment Agency (CRA) worked in cooperation with Florida Atlantic University to complete the Fashion Row Implementation Plan. In addition, Policy 1.2.5 of the Future Land Use Element (FLUE) of the City’s Comprehensive Plan requires the City to continue to implement the Fashion Row District Plan by upholding and enhancing the Fashion Row District.

In January 2014, after a series of community meetings which helped gather input from property business owners, the City Commission amended the Fashion Row Overlay District with its adoption of Ordinance 2014-03.

In November 2014, as part of the implementation of the Regional Activity Area (RAC) land use designation, Fashion Row was rezoned to Central RAC and renamed Fashion/Art/Design (FADD) Subdistrict which adopted new regulations for the FADD with the intent to not only include form-based design to buildings but also, to encourage arts and commerce in the district.

In 2018, after also holding community meetings with property and business owners, the CRA created a series of new initiatives and efforts to spur redevelopment and reinvestment in the FADD District.

Most recently, in 2019, the Planning and Zoning Board recommended approval and the City Commission adopted an ordinance amending the regulations for the FADD including the allowable uses, density, building height and parking requirements.

On May 24, 2020, the Planning and Zoning Board/Local Planning Agency (PZB/LPA) heard the Ordinance amending the temporary use regulations of Chapter 32 and recommended approval by a vote of 5 to 0. The Board discussed the ordinance and made minor comments which have been incorporated into the Ordinance. Please refer to the Planning and Zoning Board Cover Memo dated May 24, 2020. (Exhibit 3) and draft Minutes of the Hearing (Exhibit 4).

On August 19, 2020, the City Commission approved First Reading of the subject Ordinance.

Current Situation

The Fashion/Art/Design Subdistrict in the Central RAC District is intended to be a unique, lively arts and commerce area accommodating a wide range of uses including residential, retail, art, culture, design, and some accessory light industrial uses.

The Hallandale Beach CRA (HBCRA) has been working diligently to improve the FADD area by seeking business owners willing to invest in the area and providing financial assistance to eligible owners within the district. In addition to redesigning the street some years ago to allow for public on-street parking, the CRA recently acquired and is developing a public parking lot at the corner of NE 2nd Avenue and NE 3rd Street to continue its commitment to increasing available public parking for the FADD.

Private investment is also occurring in the area with nearby ArtSquare Project recently completed. In addition, Icebox Project, a culinary arts center and restaurant on NE 3rd street is under construction and planned to be completed soon. The CRA's goal is for the FADD area to become a major regional destination in the next few years.

HBCRA staff has recently received interest from private investors wishing to use cargo containers for an extended period of time in the FADD to operate temporary restaurants, bars and other commercial activities, such as in the popular neighborhood of Wynwood.

In addition to the FADD, City administration believes the proposed code amendments to allow temporary uses for extended period of time are also appropriate for properties zoned Planned Local Activity Center (PLAC), Commercial Recreational Active (CR-A) and the Central RAC/Greyhound Track subdistrict, that are entertainment and recreation destinations, such as, Gulfstream Park and the Big Easy, subject to annual reviews and conditions.

Analysis

The following is a summary of the proposed amendments in the attached Ordinance:

1. Food truck events are regularly permitted as a similar temporary use under Section 32-702. The ordinance amends the subsection by specifically adding the use to the list of outdoor special events.
2. Amends Section 32-702, Temporary Uses, to allow an annual permit for cargo containers used as a principal temporary use/structure in the PLAC and CR-A Districts and the Central RAC/FADD and Greyhound Subdistricts with City Commission approval.
3. Temporary cargo containers would not be subject to dimensional requirements of the zoning district. The stacking of containers is limited to 2.

4. Amends Section 32-702, Temporary Uses, to allow an annual permit for events lasting more than 30 days in the PLAC and CR-A Districts and the Central RAC/FADD and Greyhound Subdistricts with City Commission approval.
5. Section 32-708, Duration and Frequency of Permit, currently specifies the duration of time the City Manager may approve a temporary use at a maximum of 30 days. Presently, there are no provisions for a temporary use to exceed 30 continuous days. The ordinance clarifies that permits for events in excess of 30 days shall require City Commission approval.
6. Events with annual temporary permits authorized by the City Commission may be renewed on an annual basis at the City Manager's discretion for a period not to exceed a total of three (3) years from the date of Commission's approval subject to the conditions specified in Section 32-705.
7. Cargo containers with an annual permit authorized by the City Commission may be renewed on an annual basis at the City Manager's discretion for a period not to exceed a total of five (5) years from the date of Commission's approval subject to the conditions specified in Section 32-705.
8. The areas authorized by the City Commission for annual permits, including the use of temporary cargo containers, must be restored to its original condition or sodded if the area was vacant. Above-ground improvements, if any, installed in connection with an annual permit would be required to be removed within 30 days of expiration or revocation of the permit.
9. Approval of an annual permit involving cargo containers would not constitute approval of a permanent structure. Upon the expiration of the annual permit, the containers and associated improvements would be required to be removed or made to comply with the applicable zoning regulations of the subdistrict.

In addition to the established temporary use application fee, an annual permit fee for events lasting more than 30 days and temporary cargo containers uses would be required. Staff recommends an annual fee of \$1,200 be adopted to cover the city's administrative cost. It is also recommended the existing one-time application fee of \$250 for annual permits established in 2014 be increased to \$350 which will be reflected in the FY 2020/21 Fee Schedule. Please refer to the Resolution (attached) related to this item adopting the fees.

The proposed Ordinance will provide an alternate use and uniqueness to the Fashion/Art/Design Subdistrict and help in the revitalization of the area consistent with the City's Comprehensive Plan, Future Land Use Element (FLUE) Policy 1.2.5 which states the City shall continue to implement the district's plan to enhance the District provided there is private effort by merchants and property owners. The change also supports FLUE Policy 1.9.5, which states that redevelopment activities should be encouraged in the Regional Activity Center.

Why Action is Necessary

Pursuant to Article V, Division I, Section 5.01 of The City of Hallandale Beach City Charter, a City Ordinance is to be adopted to amend an existing Ordinance. A Resolution is required to adopt or revise the City's Fee Schedule.

Cost Benefit

The proposed code amendments will enhance areas of the City intended to provide for a mix of uses, recreation and entertainment by allowing a variety of temporary uses and events as determined by the City Commission consistent with the City's Comprehensive Plan, Future Land Use Element, and will improve the overall quality of life for the citizens within the City of Hallandale Beach.

It is anticipated the City will receive be 5 to 7 requests for events lasting more than 30 days. Based on the proposed fees, it is anticipated the proposed amendment will generate approximately \$10,000 in annual revenue.

Staff Recommendation:

Staff recommends the City Commission approve the subject Ordinance on Second Reading.

Staff further recommends the City Commission approve the Resolution establishing a new fee for temporary uses lasting more than 30 days and amending the application fee for temporary uses.

Attachment(s):

Exhibit 1- Proposed Ordinance
Exhibit 2- Proposed Resolution
Exhibit 3- Planning and Zoning Agenda Cover Memo for May 27, 2020
Exhibit 4- Draft Planning and Zoning Meeting Minutes for May 27, 2020