

For DRAFT

**PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY
WEDNESDAY, DECEMBER 23, 2020
ZOOM VIRTUAL CONFERENCE MEETING/CULTURAL CENTER**

Board Members Present: Charles Wu, Chair; Howard Garson, Vice Chair, Danny Kattan, Terri Dillard and Rick Levinson

Board Secretary: Cindy Bardales-Villanueva

City Attorney's Representative: Elizabeth S. Loconte, Assistant City Attorney

City Staff Present: Vanessa Leroy, Joy Murray and Christy Dominguez

2020 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

FULL TIME BOARD MEMBERS	1/29	2/26	3/25	4/22	5/27	6/24	7/22	8/26	9/23	10/28	11/25	12/23
Charles Wu- <i>Chair</i>	P	CANCELLED	CANCELLED	CANCELLED	P	P	CANCELLED	P	P	CANCELLED	CANCELLED	P
Howard Garson - <i>Vice Chair</i>	P				P	P		P	P			P
Danny Kattan	P				P	P		P	P			P
Diane Lyon Wead	P				P	P		P	P			
Terri Dillard					P	P		P	P			P
Rick Levinson	P											P
Total Members Present	5				5	5		5	5			5
Total Members Absent	0				0	0		0	0			0
ALTERNATE BOARD MEMBERS	1/29	2/26	3/25	4/22	5/27	6/24	7/22	8/26	9/23	10/28	11/25	12/23
Faith Fehr- <i>Alternate</i>	P				P	P		P	P			
Bruce McNamara- <i>Alternate</i>	P				P	P		A	A			

2021 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

FULL TIME BOARD MEMBERS	1/27	2/24	3/24	4/28	5/26	6/23	7/28	8/25	9/22	10/27	11/24	12/21
Charles Wu- <i>Chair</i>												
Howard Garson - <i>Vice Chair</i>												
Danny Kattan												
Terri Dillard												
Rick Levinson												
Total Members Present												
Total Members Absent												
ALTERNATE BOARD MEMBERS	1/29											
Faith Fehr- <i>Alternate</i>												
Bruce McNamara- <i>Alternate</i>												

Present **(P)** Absent: **(A)**

Excused Absence **(E)** Tardy: **(T)**

1
2 **1. CALL TO ORDER**
3

4 Mr. Wu called the meeting to order at 6:10 PM

5 **2. ROLL CALL**
6

7 **3. APPROVAL OF MINUTES**
8

9 A. Draft Minutes for September 23, 2020

10 Mr. Wu: asked to review the Attendance Calendar that the Total Number of Present and Absentee
11 matches the chart.

12 **MS. DILLARD MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 23, 2020**
13 **PLANNING AND ZONING BOARD MEETING WITH CORRECTIONS.**
14

15 **MR. KATTAN SECONDED THE MOTION.**
16

17 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**
18

19 **4. PUBLIC PARTICIPATION**

20 Watch Meeting on the City's Website: <https://cohb.org/HBTV>

21 Watch Meeting on Comcast Cable Channel 78

22 Written Comments: email a written message to
23 planningandzoningdivision@hallandalebeachfl.gov

24 Once the agenda is published no later than 3 p.m. on Wednesday, December 23, 2021. Written
25 comments will be distributed to the Board but will not be read during the meeting.

26 Any document the Applicant or member of the public wishes to be admitted into evidence shall
27 be provided to the Planning and Zoning Division in electronic format no later than 12:00 PM, 5
28 business days before the virtual hearing. Written comments will be distributed to the Board but
29 will not be read during the meeting.

30 In-Person: The Hallandale Beach Cultural Center, located at 410 SE 3rd Street, Hallandale
31 Beach, Florida, will be opened to the public to watch and provide public participation to this virtual
32 meeting.
33

34 **5. PUBLIC HEARING**
35

36 A. APPLICATION# V-20-02521 BY ALBERT & LESLI ANGEL REQUESTING A VARIANCE
37 FROM SECTION 32-141(D)(2) OF THE ZONING AND LAND DEVELOPMENT CODE IN
38 ORDER TO SUBDIVIDE TWO ADJOINING LOTS UNDER SINGLE OWNERSHIP TO
39 CREATE THREE ADJOINING LOTS IN A MANNER WHICH DIMINISHES ITS
40 COMPLIANCE WITH THE MINIMUM LOT FRONTAGE REQUIREMENTS FOR SINGLE
41 FAMILY HOMES IN THE RS-5 DISTRICT. THE PROPERTY IS LOCATED AT 501 PALM
42 DRIVE.

43 **Polling of Ex Parte Communications (Board Secretary)**

44 *Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He advised he*
45 *would base his decision solely on the testimony being presented.*

Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Mr. Kattan advised that he had yes Ex-Parte Communications regarding this matter. He advised he previous conversation with the applicant. However, he would base his decision solely on the testimony being presented.

Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter. She advised she would base his decision solely on the testimony being presented.

Mr. Levinson advised that he had no Ex-Parte Communications regarding this matter. He advised she would base his decision solely on the testimony being presented.

Swearing in of Witnesses (City Clerk)

Ms. Dominguez provided a PowerPoint presentation and gave a summary of the item.

Mr. Wu: asked the applicant if had a presentation or would they like to waive it?

Mr. Angel: stated no. He introduced his wife Ms. Lesli Angel and advise he had a presentation that was presented to the Board as back-up and records of their request.

Mr. Angel: provided the Board a detailed presentation on the property. He informed the Board that the property being discussed was purchased as an investment and was the largest single-family home parcel in all Golden Isles. He further added that the parcel on the right is intended to be demolished but the project has been delayed due to the pandemic.

Mr. Kattan: questioned the uniqueness of the parcel as the applicant indicated has made it difficult for the applicant. He asked if staff foresees more similar variance requests coming before the Board with a similar situation.

Mr. Wu: interjected and stated that generally when a variance is approved for a cul-de-sac that increases density, would, in essence, encourage others with cul-de-sac parcels to request a similar treatment, which is what the Board should be trying to avoid.

Mr. Garson: further stated that would not like to set a precedent but would like to know if the Board set a minimum as part of the approval would address the issue?

Mr. Wu: stated the minimum resides in the zoning code text and the minimum applies throughout the City.

Mr. Wu: advised Mr. Garson that if he desired to revisit the minimum requirement, because of this variance, he should direct Staff and the City Commission to relook at the minimums in a pie-shaped situations, provide target numbers and bring up a recommendation that he felt was appropriate for a minimum requirement moving forward.

Mr. Wu: asked if there were any final arguments from the applicant?

Ms. Angel: asked the Board to consider the modernization of what is going on in the residential area during these times. She stated there is sea-level rise, which makes people more hesitant to buy waterfront properties.

Ms. Angel: further stated that approval of the application would allow the City to garnish taxes from 3 properties valued at \$6 million and would look magnificent, oppose to having it sit demolished.

Ms. Angel: stated that they did not feel they had special privileges over anyone else. She clarified that their acre lot is pie-shaped and there is no other parcel in Golden Isles their lot, they are the only ones.

Mr. Angel: asked to address the four variance criteria that have been identified by Staff as not being met:

- *Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same district.*

Mr. Angel: reiterated that it was not a special privilege and no other pie-shaped lot was showing the dimensions as presented. Therefore, it is not a request to receive equivalent treatment as there are no other properties that meet similar requirements.

- *Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.*

Mr. Angel: stated that his literal interpretation that there is an equivalency between width and frontage that only applies in the context of rectangular lots and was trying to remedy that in the context of this pie-shaped lot minimum variance.

- *The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

Mr. Angel: stated that they had intended to split the lot into 2 parcels which are what was done from the beginning. He added that the property sat in the marketplace for over two and a half years, the minimum variance that they were seeking was to include one additional lot.

- *The grant of the variance will be in harmony with the general intent and purpose of this chapter.*

Mr. Angel: stated that the standards mentioned in Chapter 32 also addresses the efficiency and economy of the property. He added that the lot being discussed is oversized lot and they were trying to efficiently create the minimum variance for an additional lot that would bring them in line with the community.

Mr. Angle: further added that they have met the criteria of developing suitable lot sizes that are larger than the average and their variance was designed to avoid the harsh treatment.

138 Mr. Wu: stated on the record that a written email was received requesting denial of the
139 application from Ms. Jemma Alkhen residing in Hallandale Beach, FL.

140 Mr. Wu: Opened the Public Hearing.

141
142 Mr. Jim Stefanelli (Hallandale Beach, FL): stated that he was not in favor of adding and splitting
143 the lot into 3 properties. However, he was in favor of splitting the lot into 2 properties. He felt that
144 the proposed request will bring traffic to the area.

145
146 Mr. Stefanelli: pointed out that the applicant claims they are developers, but the plan provided only
147 show a pie-shaped plan with three structures. He asked what was the request and is the applicant
148 agreeing to develop what is before the bBard or what it could potentially be developed?

149
150 Mr. Stefanelli: further added that unless a final architectural plan of what the three residences
151 would look like, what the ingress and egress would be, and where the entrances would be located;
152 he did not foresee any development and believed the applicant had the potential to return before
153 the Board in 2 or 3 years asking for further request in a setback or even go higher.

154
155 Mr. Stefanelli- pointed out that he felt there was more to the request. He added that Golden Isles
156 would support the applicant as neighbors. However, he felt it was not up to the neighbors to make
157 it more profitable for the applicant that invested and should require to keep as two lots.

158
159 Mr. Wu: Closed the Public Hearing.

160
161 Mr. Kattan: congratulate Mr. and Mrs. Angel on their presentation and for trying to make things
162 work in this neighborhood.

163
164 Mr. Levinson: asked to clarify how he could include a condition that prevents this from other pie
165 shapes lots that are not able to comply with the 58 feet requested in the variance. He stated that
166 he would not want to set a precedent of adjusting the footage, based upon anything less than 58
167 feet.

168
169 Mr. Wu: stated that he would defer the Assistant City Attorney if that would be an appropriate
170 condition to make as part of the motion?

171
172 Ms. Loconte: stated that the Board was certainly free to set their conditions and make their motion
173 to approve subject to those conditions.

174
175 Ms. Loconte: further stated the applicant is not asking for a privilege and it is not a situation that
176 would repeat based on the size and shape of the lot. Therefore, the Board would need to work on
177 the code and make an exception for a large size, which is not the variance request before the
178 Board.

179
180 Mr. Wu: further added that tying the hands of future applicants and cases that have not even been
181 heard and trying to deeply sculpt such a condition seem unfeasible.

182
183 Mr. Wu: recommended that the Board base their decision and make a motion on the application
184 and documents before them and determining whether the applicant met the standard requirement
185 and criteria. Also, taking into consideration the testimony heard by staff, applicants, and the public.

186
187 Mr. Levinson: asked the applicant regarding the statement given by Mr. Stefanelli if he had an offer
188 and would like to know what was the offer?

189

Mr. Wu: stated that he did not feel that the question was relevant because even if they develop or someone else develops it is based on the lot split criteria.

Mr. Angel: clarified that they were not developers but have been approached by a developer who cannot make it work based on the two lots. However, they felt more confident based on three lots, so we have a current offer.

MS. DILLARD MADE A MOTION BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, THAT THE PLANNING AND ZONING BOARD DENY APPLICATION# V-20-02521 BY ALBERT & LESLI ANGEL REQUESTING A VARIANCE FROM SECTION 32-141(D)(2) OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO SUBDIVIDE TWO ADJOINING LOTS UNDER SINGLE OWNERSHIP TO CREATE THREE ADJOINING LOTS IN A MANNER WHICH DIMINISHES ITS COMPLIANCE WITH THE MINIMUM LOT FRONTAGE REQUIREMENTS FOR SINGLE FAMILY HOMES IN THE RS-5 DISTRICT. THE PROPERTY IS LOCATED AT 501 PALM DRIVE.

MR. WU SECONDED THE MOTION.

MOTION DENIED BY A ROLL CALL VOTE (3-2). (Mr. Garson, Mr. Levinson, and Mr. Kattan- No)

MR. GARSON MADE A MOTION BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, THAT THE PLANNING AND ZONING BOARD APPROVE APPLICATION# V-20-02521 BY ALBERT & LESLI ANGEL REQUESTING A VARIANCE FROM SECTION 32-141(D)(2) OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO SUBDIVIDE TWO ADJOINING LOTS UNDER SINGLE OWNERSHIP TO CREATE THREE ADJOINING LOTS IN A MANNER WHICH DIMINISHES ITS COMPLIANCE WITH THE MINIMUM LOT FRONTAGE REQUIREMENTS FOR SINGLE FAMILY HOMES IN THE RS-5 DISTRICT. THE PROPERTY IS LOCATED AT 501 PALM DRIVE.

Mr. Kattan: stated that it was stated on the record that the reason the Board was struggling on voting to approve is because of the pie-shaped lot. He added that their intent is not to encourage the property owner's with rectangular parcels to request a variance on the frontage.

MR. KATTAN SECONDED THE MOTION.

MOTION APPROVED BY A ROLL CALL VOTE (3-2) (Mr. Wu and Ms. Dillard- No)

- B. APPLICATION # V-19-00732 BY ANA MARIA TELLO REQUESTING A VARIANCE FROM SECTION 32-142(D)(4) OF THE ZONING AND LAND DEVELOPMENT CODE, RELATIVE TO THE MINIMUM REAR YARD SETBACK REQUIRED FOR PROPERTIES ZONED RS-6, RESIDENTIAL SINGLE-FAMILY, DISTRICT IN ORDER TO LEGALIZE A CANOPY STRUCTURE AND PATIO CONSTRUCTED WITHOUT A BUILDING PERMIT AT THE HOUSE LOCATED AT 409 SW 2ND STREET.

Polling of Ex Parte Communications (Board Secretary)

Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Mr. Kattan advised that he had no Ex-Parte Communications regarding this matter. He advised he would base his decision solely on the testimony being presented.

Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter. She advised she would base his decision solely on the testimony being presented.

Mr. Levinson advised that he had no Ex-Parte Communications regarding this matter. He advised she would base his decision solely on the testimony being presented.

Swearing in of Witnesses (City Clerk)

Ms. Dominguez provided a PowerPoint presentation and gave a summary of the item.

Ms. Ana Maria Tello, Applicant: introduced herself and explained that she was not aware the canopy structure required a building permit. She advised that her intent was to build the structure which would give them space outside where she would be able to sit outside since all public spaces have been closed due to Covid-19.

Ms. Kimberly Garces, Applicant's daughter: further added that their neighbors next door had also the same canopy and they spoke to them about the improvements to the backyard, which led them to believe the structure would be allowed.

Ms. Garces: advised that the structure was built in 2018 and has benefited them extremely through the pandemic because she is currently disabled and her mother is a senior citizen and not having the canopy structure would have limited them from going outside of their house.

Ms. Garces: further added that prior to the renovation of the backyard, it was unbearable to enjoy their backyard during the rainy season since rainwater would flood the backyard and attract mosquitoes and other insects.

Mr. Wu: asked the applicant if she had a presentation or would they like to waive it?

Ms. Garces: stated yes. She added that she was not aware she was able to provide a powerpoint presentation.

Ms. Dillard: asked was the neighboring property permitted to build a canopy structure in their backyard?

Ms. Dominguez: clarified that the neighbor to the west of the property also built a canopy on their property without a building permit. They were cited and were required to apply for a variance application which was approved over a year ago.

Ms. Dillard: advised that she lives in the neighborhood and was able to visit the property while jogging and noticed the neighboring property had a canopy and their home had a greater set-back than the property being discussed.

286
287 Ms. Dillard: further added that Ingalls Park, which is near their property had railings all around the
288 park for those people with disabilities to hold on to while still enjoying the park.
289
290 Mr. Kattan: asked if the property next door variance approval was for a similar canopy?
291
292 Ms. Dominguez: recalled the neighboring property providing a twenty-foot setback instead of fifteen
293 proposed in this case.
294
295 Mr. Levinson: asked if the installing contractor who provided this work without a permit was issued
296 any enforcement action against him?
297
298 Ms. Dominguez: stated that in this case it was reported that the owner built the structure.
299
300 Mr. Wu: pointed out that when the first application for variance approval was issued the Board
301 recommended that staff review and amend the code to provide specific setback requirements for the
302 patio.
303
304 Mr. Wu: further stated he has expressed his concern from the first case which was if the Board
305 continues to approve after-the- fact permits it would only encourage people to do things without a
306 permit, try to get caught, and then ask for forgiveness.

307 Mr. Wu: Opened the Public Hearing.
308
309 No speakers.
310
311 Mr. Wu: Closed the Public Hearing.
312
313 Ms. Dominguez: interjected and ask the Board to please be aware of the conditions from staff
314 before making a motion.
315
316 Mr. Wu: asked the applicant if they had any final statement they would like to make?
317
318 Ms. Garces: apologized for assuming that because their home is paid in full, they were able to
319 make modifications without a building permit.
320
321 Mr. Wu: asked staff to read in the record the conditions of approval to ameliorate the violations on
322 the property.
323
324 Ms. Dominguez: stated that conditions shall be resolved before the expiration of the variance
325 approval:
326
327 1. The applicant/owner of the property shall execute a restrictive covenant, which restricts any
328 future changes to or enclosure of the metal canopy and concrete patio structure now or in
329 the future.
330 2.
331 3. The applicant shall obtain the required building permit and final inspections for the existing
332 metal canopy structure and concrete slab patio according to the processes set in place by
333 the City.
334

- 335 4. The applicant shall plant 3 trees to comply with the minimum tree requirements as specified
336 by City Code. These shall have a single trunk, a minimum of 10 feet in height, and a minimum
337 of 2 inches in caliper (DBH – Diameter at Breast Height) at time of planting. In addition, the
338 trees shall be a native species with a minimum of 2 of them being shade trees.

339 Mr. Wu: requested to reword condition number 1: He asked to replace language that read “now or
340 in the future” with “unless provided by the City of Hallandale Beach zoning code”. He further added
341 that if the zoning code does not get amended to allow the enclosure, that this covenant should not
342 restrict that.

343
344 **MR. LEVINSON MADE A MOTION BASED ON THE COMPETENT AND SUBSTANTIAL**
345 **EVIDENCE PRESENTED TODAY, THAT THE PLANNING AND ZONING BOARD APPROVE**
346 **APPLICATION # V-20-00735 BY ANA MARIA TELLO REQUESTING A VARIANCE FROM**
347 **SECTION 32-142(D)(4) OF THE ZONING AND LAND DEVELOPMENT CODE, RELATIVE TO**
348 **THE MINIMUM REAR YARD SETBACK REQUIRED FOR PROPERTIES ZONED RS-6,**
349 **RESIDENTIAL SINGLE-FAMILY, DISTRICT IN ORDER TO LEGALIZE A CANOPY**
350 **STRUCTURE AND PATIO CONSTRUCTED WITHOUT A BUILDING PERMIT AT THE**
351 **HOUSE LOCATED AT 409 SW 2ND STREET TO INCLUDE THE FOLLOWING**
352 **CONDITIONS:**

- 353
354 1. THE APPLICANT/OWNER OF THE PROPERTY SHALL EXECUTE A RESTRICTIVE
355 COVENANT, WHICH RESTRICTS ANY FUTURE CHANGES TO OR ENCLOSURE OF THE
356 METAL CANOPY AND CONCRETE PATIO STRUCTURE UNLESS SO PROVIDED BY THE
357 CITY OF HALLANDALE BEACH ZONING CODE PRIOR TO THE ISSUANCE OF THE
358 BUILDING PERMIT FOR THE STRUCTURE.
359
360 2. THE APPLICANT SHALL OBTAIN THE REQUIRED BUILDING PERMIT AND FINAL
361 INSPECTIONS FOR THE EXISTING METAL CANOPY STRUCTURE AND CONCRETE
362 SLAB PATIO ACCORDING TO THE PROCESSES SET IN PLACE BY THE CITY.
363
364 3. THE APPLICANT SHALL PLANT 3 TREES TO COMPLY WITH THE MINIMUM TREE
365 REQUIREMENTS AS SPECIFIED BY CITY CODE. THESE SHALL HAVE A SINGLE TRUNK,
366 A MINIMUM OF 10 FEET IN HEIGHT, AND A MINIMUM OF 2 INCHES IN CALIPER (DBH –
367 DIAMETER AT BREAST HEIGHT) AT TIME OF PLANTING. IN ADDITION, THE TREES
368 SHALL BE A NATIVE SPECIES WITH A MINIMUM OF 2 OF THEM BEING SHADE TREES.

369 **MR. KATTAN SECONDED THE MOTION.**

370
371 **MOTION PASSED BY A ROLL CALL VOTE (3-2). (Mr. Wu and Mr. Garson - No)**
372

373 **MR. KATTAN MADE A MOTION FOR STAFF TO REVIEW AND AMEND THE ZONING AND**
374 **LAND DEVELOPMENT CODE RELATIVE TO SETBACK OF PATIOS AND CANNOT BE**
375 **SIMILAR TO BUILDING SETBACK.**

376
377 **MR. GARSON SECONDED THE MOTION.**

378
379 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**
380

381
382 **C. AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF**
383 **HALLANDALE BEACH, FLORIDA, IMPLEMENTING THE HALLANDALE BEACH**

BOULEVARD ZONING DISTRICT; AMENDING THE HALLANDALE BEACH REGULATING PLAN TO INCLUDE THE HALLANDALE BEACH BOULEVARD WEST AND THE HALLANDALE BEACH BOULEVARD EAST SUBDISTRICTS; ADOPTING ZONING REGULATIONS IN CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE III, ZONING, DIVISION 3, CREATING SUBDIVISION II, THE HALLANDALE BEACH BOULEVARD DISTRICT; CREATING HALLANDALE BEACH BOULEVARD WEST SUBDISTRICT AND HALLANDALE BEACH BOULEVARD EAST SUBDISTRICT STANDARDS; AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE, ARTICLE III, DIVISION 3, FORM-BASED ZONING DISTRICTS, SECTION 32-194 CONFIGURATION OF BUILDINGS, SECTION 32-201 CENTRAL RAC FRONTAGE STANDARDS, SECTION 32-202 CENTRAL RAC CIVIC OPEN SPACES, AND SECTION 32-203 CENTRAL RAC PARKING STANDARDS; AMENDING ARTICLE I, SECTION 32-8, DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- D. AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH ZONING MAP BY REMOVING BUSINESS GENERAL (B-G) AND CENTRAL CITY BUSINESS (CCB) ZONING DISTRICTS, AND THE PLANNED REDEVELOPMENT OVERLAY (RDO) DISTRICTS FROM THE LANDS WITHIN THE HALLANDALE BEACH BOULEVARD ZONING DISTRICT; REZONING CERTAIN PARCELS ADJACENT TO HALLANDALE BEACH BOULEVARD, LOCATED WITHIN THE BOUNDARIES OF THE GENERAL COMMERCIAL LAND USE CATEGORY OF THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO THE HALLANDALE BEACH BOULEVARD ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Dominguez: provided a PowerPoint presentation and gave a summary of the item.

Mr. Garson: asked if the East HBB subdistrict starts at the East Federal Highway and continues east?

Ms. Dominguez: clarified that it started east of the Gulfstream Promenade parcel outside of the Regional Activity Center (RAC) area.

Mr. Garson: further asked if the Hallandale Oasis project currently being built would meet all the criteria?

Ms. Dominguez: stated that the Hallandale Oasis project does generally meets criteria. She added, for example, that the project does provide the 20-foot setback in the front for pedestrians' accessibility and the residential buildings will be 26 stories, instead of 25 stories in the new code which are similar to what is being proposed.

Ms. Wead: asked why the City wanted to build a parking lot and was it due to a shortage in the district? She further asked who would be paying for the project?

Ms. Dillard: asked if the Civic Open Space requirement of 7.5% of sites exceeding base density applied to Section 32-202 and 32-211 since it did not read the same on the document provided.

Ms. Dominguez: stated that both subdistrict's civic space requirement is a minimum of 5%, for lots over 40,000 square feet which are commercial buildings, or for density higher than 18 units per acres, the requirement is 7.5%.

Mr. Wu: asked if this amendment does not absolve developers from submitting traffic studies requirements and mitigate traffic impacts.

Ms. Dominguez: stated no and added that all development projects would be required to provide traffic information and traffic impact fees would apply.

Mr. Wu: asked if they meet the design guidelines requirements, would City Commission approval still be required?

Ms. Dominguez: stated that they would not require City Commission approval if they meet the design guidelines requirements and if they meet all zoning criteria unless they are asking for additional density or height above the base specified.

Mr. Wu: asked if variance applications would require City Commission approval?

Ms. Dominguez: stated that variance and conditional use applications would still require for the applications to go before the Planning and Zoning Board and City Commission for approval.

Mr. Wu: Opened the Public Hearing.

No speakers.

Mr. Wu: Closed the Public Hearing.

Mr. Wu: stated that based on the discussion and recommendation from the Board the motion will include the following conditions:

MR. LEVINSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, IMPLEMENTING THE HALLANDALE BEACH BOULEVARD ZONING DISTRICT; AMENDING THE HALLANDALE BEACH REGULATING PLAN TO INCLUDE THE HALLANDALE BEACH BOULEVARD WEST AND THE HALLANDALE BEACH BOULEVARD EAST SUBDISTRICTS; ADOPTING ZONING REGULATIONS IN CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE III, ZONING, DIVISION 3, CREATING SUBDIVISION II, THE HALLANDALE BEACH BOULEVARD DISTRICT; CREATING HALLANDALE BEACH BOULEVARD WEST SUBDISTRICT AND HALLANDALE BEACH BOULEVARD EAST SUBDISTRICT STANDARDS; AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE, ARTICLE III, DIVISION 3, FORM-BASED ZONING DISTRICTS, SECTION 32-194 CONFIGURATION OF BUILDINGS, SECTION 32-201 CENTRAL RAC FRONTAGE STANDARDS, SECTION 32-202 CENTRAL RAC CIVIC OPEN SPACES, AND SECTION 32-203 CENTRAL RAC PARKING STANDARDS; AMENDING ARTICLE I, SECTION 32-8, DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**MR. GARSON SECONDED THE MOTION.
MOTION PASSED BY A ROLL CALL VOTE (5-0).**

Ms. Dominguez: pointed out that there was a typo on the PowerPoint Presentation in the allowable uses chart where nightclub uses were not on the list. However, what is being proposed in the ordinance is the same as the uses now permitted in the RDO and nightclub applications remains a conditional use.

MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH ZONING MAP BY REMOVING BUSINESS GENERAL (B-G) AND CENTRAL CITY BUSINESS (CCB) ZONING DISTRICTS, AND THE PLANNED REDEVELOPMENT OVERLAY (RDO) DISTRICTS FROM THE LANDS WITHIN THE HALLANDALE BEACH BOULEVARD ZONING DISTRICT; REZONING CERTAIN PARCELS ADJACENT TO HALLANDALE BEACH BOULEVARD, LOCATED WITHIN THE BOUNDARIES OF THE GENERAL COMMERCIAL LAND USE CATEGORY OF THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO THE HALLANDALE BEACH BOULEVARD ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

MS. DILLARD SECONDED THE MOTION.

MOTION PASSED BY A ROLL CALL VOTE (5-0).

6. REMARKS BY THE CHAIR

Mr. Wu: recognized and thanked Ms. Diane Lyon Wead for services on the Planning and Zoning Board and he welcomed back newly appointed Mr. Rick Levinson.

Mr/ Wu: Wished the Board and the public a Happy Holidays.

7. LIAISON'S REPORT

Ms. Dominguez: advised the Board that the City of Hallandale Beach City Attorney, Jennifer Merino, will be conducting a Virtual Boards/Committee Training for all Board/Committee Members. The training is scheduled for Thursday, January 7th, 2021 at 6:30 pm and will address subjects such as Sunshine Laws and Robert's Rules.

Ms. Dominguez: asked the Board if there were any objections to the proposed 2021 Planning and Zoning Board meeting dates sent via email.

No objection from the Board.

8. NEXT SCHEDULED MEETING

A. Wednesday, January 27, 2021, at 6:00 PM

MEETING ADJOURNED AT 8:57 P.M.

Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping of the Planning and Zoning Board meeting, summarized above, should be submitted to the Planning & Zoning Division at or can be mailed to 400 South Federal Highway, Hallandale Beach, Florida 33009