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**EXHIBIT 1
ORDINANCE NO. 2024-**

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AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE IV OF THE ZONING AND LAND DEVELOPMENT CODE, DIVISION 2 “ACCESSORY USES AND STRUCTURES”, SECTION 32-242 “PERMITTED ACCESSORY USES” TO ALLOW OUTDOOR COOKING AS AN ACCESSORY USE FOR RESTAURANTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Zoning and Land Development Code (the “Code”) of City of Hallandale Beach, Florida (“City”), the City does not expressly permit outdoor cooking for restaurants within its zoning districts; and

WHEREAS, recognizing the diversity of operational needs within the restaurant industry, the Department of Sustainable Development has proposed a code amendment to allow outdoor cooking as a conditional use when accessory and incidental to restaurant use within the City; and

WHEREAS, the proposed amendment would permit outdoor cooking as an accessory activity to restaurants, subject to conditional use approval; thereby ensuring that any potential negative effects of outdoor cooking are identified and mitigated in a manner tailored to the specific site; and

WHEREAS, the proposed amendment also outlines conditions that must be met for outdoor cooking, which are designed to ensure compliance with fire and building codes, maintain safe vehicular circulation, minimize negative impacts on adjacent properties, and ensure design compatibility with the primary building and applicable zoning regulations; and

WHEREAS, Staff has determined that the proposed amendments are consistent with the Comprehensive Plan and recommends that the Mayor and City Commission find it in the public interest to adopt the above referenced code amendments relating outdoor cooking as an accessory use, as more specifically set forth below; and

SECTION 3. Conflict. All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

SECTION 4. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

SECTION 5. 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 6. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on 1st reading on _____, 2024.

PASSED AND ADOPTED on 2nd reading, on _____, 2024.

JOY F. COOPER
MAYOR

ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

105 _____
106 JENNIFER MERINO
107 CITY ATTORNEY