1	EXHIBIT 1
2	ORDINANCE NO. 2024-
3 4	AN ORDINANCE OF THE MAYOR AND CITY COMMISSION
5	OF THE CITY OF HALLANDALE BEACH, FLORIDA,
6	AMENDING ARTICLE IV OF THE ZONING AND LAND
7 8	DEVELOPMENT CODE, DIVISION 2 "ACCESSORY USES AND STRUCTURES", SECTION 32-242 "PERMITTED
9	ACCESSORY USES" TO ALLOW OUTDOOR COOKING AS
10	AN ACCESSORY USE FOR RESTAURANTS; PROVIDING
11 12	FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN
13	EFFECTIVE DATE.
14	
15	WHEREAS, pursuant to the Zoning and Land Development Code (the "Code") of City of
16	Hallandale Beach, Florida ("City"), the City does not expressly permit outdoor cooking for
17	restaurants within its zoning districts; and
18	WHEREAS, recognizing the diversity of operational needs within the restaurant industry,
19	the Department of Sustainable Development has proposed a code amendment to allow outdoor
20	cooking as a conditional use when accessory and incidental to restaurant use within the City;
21	and
22	WHEREAS, the proposed amendment would permit outdoor cooking as an accessory
23	activity to restaurants, subject to conditional use approval; thereby ensuring that any potential
24	negative effects of outdoor cooking are identified and mitigated in a manner tailored to the
25	specific site; and
26	WHEREAS, the proposed amendment also outlines conditions that must be met for
27	outdoor cooking, which are designed to ensure compliance with fire and building codes,
28	maintain safe vehicular circulation, minimize negative impacts on adjacent properties, and
29	ensure design compatibility with the primary building and applicable zoning regulations; and
30	WHEREAS, Staff has determined that the proposed amendments are consistent with
31	the Comprehensive Plan and recommends that the Mayor and City Commission find it in the
32	public interest to adopt the above referenced code amendments relating outdoor cooking as an

accessory use, as more specifically set forth below; and

33

34	WHEREAS, the Mayor and City Commission recognize that the proposed amendments			
35	will accommodate continued efforts to enhance and revitalize the City and will improve the			
36	overall quality of life for citizens and residents of the City.			
37	NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION			
38	OF THE CITY OF HALLANDALE BEACH, FLORIDA:			
39	<u>SECTION 1</u> . <u>Incorporation of Recitals</u> . The foregoing "Whereas" clauses are			
40	confirmed as true and incorporated herein.			
41	SECTION 2. Amendment. The following sections within Chapter 32, Article IV,			
42	Division 2, of the City of Hallandale Beach Code of Ordinances are hereby amended as			
43	follows:			
44	****			
45	Chapter 32 - ZONING AND LAND DEVELOPMENT CODE			
46	***			
47	ARTICLE IV. – DEVELOPMENT STANDARDS			
48	***			
49	DIVISION 2. – ACCESSORY USES AND STRUCTURES			
50	***			
51	Sec. 32-242. – Permitted accessory uses.			
52	***			
53	(b) The following accessory uses are permitted in all zoning districts unless otherwise specified:			
54	***			
55	(5) Reserved. Outdoor cooking may be permitted as a conditional use when accessory to			
56 57	a restaurant. The request for conditional use approval for outdoor cooking shall be processed pursuant to Article VIII of this chapter and shall be subject to the following:			
58	 <u>Outdoor cooking shall be screened from view along street frontages.</u> 			
59	b. Outdoor cooking operations and associated equipment shall not occur within nor			
60 61	occupy required parking spaces or drive isles and shall not disrupt safe traffic circulation.			
62 63	 <u>Outdoor cooking equipment shall be oriented in a manner as to reduce the impact</u> <u>of odors and smoke onto adjacent properties.</u> 			
64 65 66 67	d. Structures associated with outdoor cooking, such as canopies and awning structures shall be compatible in design, scale, and character with the primary structure and shall comply with the applicable zoning and land development regulations.			
68 69	e. Outdoor cooking operations and any associated equipment or structure shall comply with the applicable Florida Building code and Fire code requirements.			

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71	SECTION 3. Conflict. All ordinances, parts of ordinances, resolutions, or parts of		
72	resolutions in conflict herewith are hereby repealed, to the extent of the conflict.		
73			
74	SECTION 4. Severability. Should any provision of this Ordinance be declared by a		
75	court of competent jurisdiction to be invalid, such decision shall not affect the validity of this		
76	Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.		
77			
78	SECTION 5. Codification. It is the intention of the Mayor and City Commission that the		
79	provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention		
80	the words "ordinance" or "section" may be changed to other appropriate words.		
81			
82	SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its		
83	passage and adoption.		
84			
85	PASSED AND ADOPTED on 1st reading on, 2024.		
86 87	PASSED AND ADOPTED on 2nd reading, on, 2024.		
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90	1017 - 000 - 000		
91 92	JOY F. COOPER MAYOR		
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94	ATTEST:		
95 96			
97			
98	JENORGEN GUILLEN		
99 100	CITY CLERK		
100	APPROVED AS TO LEGAL SUFFICIENCY		
102	FORM		
103 104			

105		
106	JENNIFER MERINO	
107	CITY ATTORNEY	