1 2	EXHIBIT 1 ORDINANCE NO. 2024 –
3 4 5 6 7 8 9 10	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 7 HEIGHT EXCEPTIONS SECTION 32-361 APPLICATION, TO ALLOW AN EXCEPTION FOR ROOFTOP AMENITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
11	WHEREAS, the Department of Sustainable Development recommends a code
12	amendment to the Zoning and Land Development Code to allow and regulate additional height
13	above the permitted height in zoning districts for rooftop amenities and uses; and
14	WHEREAS, the proposed zoning amendments are consistent with the Comprehensive
15	Plan; and
16	WHEREAS, Staff recommends that the Mayor and City Commission of the City of
17	Hallandale Beach find it to be in the public interest to adopt additional height above the
18	permitted height in zoning districts for rooftop amenities and uses.
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20	NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY
21	COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:
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23	SECTION 1. Amendment. Article IV, Division 7 Height Exceptions, Section
24	32-361 Application, of the City of Hallandale Beach Code of Ordinances shall be amended as
25	follows:
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27	Chapter 32 – ZONING AND LAND DEVELOPMENT CODE
28	***
29	ARTICLE IV. – DEVELOPMENT STANDARDS
30	***
31	DIVISION 7. HEIGHT EXCEPTIONS
32	Sec. 32-361 Application.

ORDINANCE 2024 -

FILE NO. 24-

- (a) Except as provided herein, <u>Hh</u>eight limitations indicated in the district regulations shall apply
 only to buildings and portions of buildings designed for human occupancy or use. Steeples,
 flagpoles, elevator penthouses, air conditioning units, television or radio antennas, other
 mechanical or functional features may exceed the district height requirements after being
 approved by the director prior to installations.
- (b) Within all districts, except single-family zoning districts, amenities customarily associated with or incidental and accessory to the primary use(s) may be provided on the building rooftop and may be permitted to exceed the maximum height by a maximum of 12 feet. This area on the rooftop shall be considered the rooftop activation area. Within the rooftop activation area, the following shall apply:
- 43 (1) <u>Rooftop amenities shall conform to the permitted uses provided in the zoning district</u> 44 <u>where located.</u>
- 45 (2) <u>The rooftop activation area may include the following:</u>
- 46a.Unenclosed open-air rooftop amenities such as outdoor dining areas, pool47decks, courts, cooking facilities, bars, or similar. These amenities may48include open-air shade structures such as cabanas, gazebos, pergolas, or49trellises that are at least 50 percent open to the sky.
- 50b.Uses within enclosed or climate-controlled rooftop structures that are
customarily associated with or accessory and incidental to the unenclosed
open-air rooftop amenities, subject to the following:
 - 1. <u>The aggregate area of the enclosed or climate-controlled rooftop</u> <u>structures shall not exceed 25 percent of the rooftop area, and;</u>
 - The aggregate area of the enclosed or climate-controlled rooftop structures shall be less than or equal to the area of the unenclosed open-air rooftop amenities, and;
 - 3. Enclosed or climate-controlled rooftop structures shall be oriented in a manner that minimizes the visual impact from building facades adjacent to a public right-of-way.
 - 4. <u>The above percentage limitation shall include stairways and elevator</u> vestibules that provide access to the rooftop activation area.
- 63 (3) <u>All structures shall be architecturally compatible with and in proportion to the</u> 64 <u>architecture and massing of the overall building.</u>
- (4) <u>Mechanical equipment, associated screening, and appurtenances necessary to the operation or maintenance of the building or structure itself, shall not be considered as a part of the rooftop activation area.</u>

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SECTION 2. Providing for Conflict. All ordinances or parts of ordinances
and all resolutions or parts of resolutions in conflict herewith are hereby repealed, to the
extent of the conflict.
SECTION 3. Providing for Severability. If this ordinance or any part
thereof is declared by a court of competent jurisdiction to be invalid, such decision shall not
affect the validity of the remainder of the ordinance other than the part declared to be invalid.
SECTION 4. Effective Date. This Ordinance shall take effect immediately
upon its passage and adoption.
PASSED AND ADOPTED on 1st reading, on, 20
PASSED AND ADOPTED on 2nd reading, on, 20
JOY F. COOPER
MAYOR
ATTEST:
JENORGEN GUILLEN CITY CLERK
APPROVED AS TO LEGAL SUFFICIENCY
FORM
CITY ATTORNEY