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WHEREAS, the Applicant, Maltese Diplomat Owner, LLC, has filed Application No. LDC-25-02725, the City of Hallandale Beach (the “City”) requesting a code amendment to the Zoning and Land Development Code (the “Code”) to allow marinas in the RS-7 zoning district as a conditional use and to also amend the dimensional requirements for marinas; and

WHEREAS, the request stems from the Applicant's desire to make improvements to the marina associated with Shell Bay redevelopment project (the "Property"); and

WHEREAS, the Code does not permit marinas in any single-family zoning district, including RS-7, and marinas are only permitted within the CR-P Commercial Recreation (passive) and CR-A Commercial Recreation (active) zoning districts and are subject to several development standards, including dimensional requirements as they relate to dock projections and setbacks; and

WHEREAS, the applicant is proposing this code amendment to permit marinas as a conditional use in the RS-7 subject to certain requirements, to increase the permitted projection for such use, and to exempt certain setbacks for properties under common ownership; and

WHEREAS, on July 15, 2025, the City’s Planning and Zoning Board considered the proposed text amendment to the Code and recommended approval to the City Commission; and

WHEREAS, the Mayor and City Commission have conducted duly noticed public hearings on the proposed amendment to the Code, as required by Chapter 163, Florida Statutes; and

WHEREAS, the Mayor and City Commission have determined that the proposed amendment to the Code is in the best interest of the City and its residents.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF
HALLANDALE BEACH, FLORIDA:**

SECTION 1. Incorporation of Recitals. The foregoing “Whereas” clauses are confirmed as true and incorporated herein.

SECTION 2. Text Amendment to the Zoning and Land Development Code.

Chapter 32, Article III “Zoning” Division 2. “Zoning Districts and Overlays”, Subdivision 1 “Conventional Zoning Districts”, Section 32-143 and 32-153 are hereby amended to read as follows.

Chapter 32 – ZONING AND LAND DEVELOPMENT CODE

ARTICLE III. – Zoning

Division 2. Zoning Districts and Overlays

Subdivision I. Conventional Zoning Districts

New text is underlined and deleted text is ~~stricken~~.

Sec. 32-143. RS-7 residential single-family district.

(a) Purpose and intent. The purpose and intent of the RS-7 residential single-family district is to provide suitable sites for the development of detached single-family residential dwellings on relatively small lots in areas consistent with the city's comprehensive land use plan.

(b) Uses permitted. Uses permitted are as follows:

- (1) Single-family residential dwellings.
- (2) Residential accessory uses.
- (3) Public parks and playgrounds.
- (4) Public utility substances, transformers and transmissions facilities.

(c) Uses permitted conditionally. Uses permitted conditionally are as follows:

- (1) Churches, synagogues and similar houses of worship, provided that there is a site of no less than one acre and that no structure is located less than 50 feet from any adjacent residential use. A 20-foot-wide landscaped buffer abutting residential property shall be provided to minimize the visual and noise impacts associated with the house of

worship. Accessory uses shall not exceed more than 50 percent of the total gross floor area of the facility.

(2) Public and private schools, provided that no structure is located less than 50 feet from any adjacent residential use and that educational activities are of a secondary level or below with a curriculum substantially similar to that of a general public school curriculum.

(3) Day care centers and nurseries, provided that areas designated for outdoor play activities are effectively screened from adjacent residential uses.

(4) Public facilities, provided that no structure is located less than 50 feet from any adjacent residential use.

(5) Marinas accessory to primary outdoor recreation or commercial recreation uses within a Planned Development Overlay, subject to the marina development standards of the CR-P district.

Sec. 32-153. CR-P commercial recreational (passive) district.

(a) *Purpose and intent.* The purpose and intent of the CR-P commercial recreational (passive) district is to provide suitable sites for commercial recreational attractions and facilities of a passive nature which require extensive land area and are recognized as being supportive of a tourist-oriented economy in areas consistent with the city's comprehensive land use plan.

(g) *Site development standards, marinas.* The following site development standards shall apply to marinas as permitted by subsection (c)(3) of this section and shall prevail to the extent of any conflict with the standards in Section 32-291:

- (1) a. Where accessory marinas are located within 300 feet of residential uses, a site plan shall be required and approved by the city commission to ensure compatibility of uses. This shall include but not be limited to noise/sound attenuations measures taken to reduce the nuisance factor of accessory marinas upon adjacent residential uses and reduce excess light and glare to the residential area from the marina.
- b. Site plans and elevations showing the architectural design of any proposed structure, dimensions and location of docks, dolphin pilings, dumpster enclosure area, driveway entrances, parking, landscape and buffer areas shall be submitted as part of the conditional use application for city commission review and approval. Once approved, the development shall be constructed in accordance with approved site plans, elevations and other design plans; and no structure may be constructed on the property unless specifically included in the approved site plan.

- (2) Boat slips and docks for accessory marinas shall not project more than ~~45~~ 25 percent into the waterway or ~~30~~ 50 feet into the waterway, whichever is less and may be perpendicular to the seawall. Docks shall not ~~nor~~ extend closer than 15 feet to the lot line of any adjacent property under separate ownership.
- (3) Dolphin pilings, being defined as those kinds or types which are self-supporting and unattached to the dock proper are permitted, provided they do not project more than ~~30~~ 50 feet into the waterway nor extend closer than 15 feet to the lot line of any adjacent property under separate ownership.
- (4) Landscape buffers abutting residential property shall be provided to minimize the visual and noise impacts associated with the marina and shall be designed to be compatible and consistent with the surrounding neighborhood. The buffer area abutting the residential uses shall be at least 20 feet wide and shall contain dense landscaping of alternate heights to effectively screen the two uses upon planting. At least one tree, with a minimum height of 20 feet at time of planting, shall be planted for every 25 linear feet of buffer area.
- (5) Trash receptacles shall be provided and shall be of a quality design, material and workmanship to the satisfaction of the city manager. Dumpster enclosures for marinas shall be of masonry construction and shall be landscaped and designed in such a manner as to screen the dumpster from any area accessible to the public or from adjacent properties.
- (6) Signage for accessory marinas on noncontiguous property shall be limited to one freestanding sign identifying the marina which shall not exceed ten square feet in sign area and shall not be placed higher than eight feet above the ground. One directional sign facing a vehicular use area is permitted per access drive, which shall not exceed three square feet in sign area. Such signs may be illuminated.

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 _____, 20__.

PASSED AND ADOPTED on 2nd reading on _____, 20__.

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ADMINISTRATION
ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY