



Hallandale Beach
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City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant:	City of Hallandale Beach	Meeting Date:	January 24, 2024
General Title:	Rooftop Height Exception Amendment	Application No.:	LDC-23-08207
Primary Application Type:	Zoning and Land Development Code Amendment	Additional Applications:	Not Applicable
Quasi-Judicial:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Advertisement Type Required:	<input checked="" type="checkbox"/> Display <input type="checkbox"/> Regular <input type="checkbox"/> Not Applicable
Public Hearing:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Workshop:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Request:	Code amendment to the Zoning and Land Development regulations to allow and regulate additional height above the permitted height in a zoning district for rooftop uses.		
Business Impact Estimate:	Exempt as per Florida Statute 166.041(4)(c)		
Staff Recommendation:	Sponsor Name:		
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny	Vanessa J. Leroy, Department of Sustainable Development Director		
	Prepared By:		
	Deandrea Moise, AICP, Principal Planner		

Short Title:

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; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Summary

The Department of Sustainable Development is proposing a code amendment to the Zoning and Land Development Code to allow and regulate additional height above the permitted height in a zoning district for rooftop amenities and uses.

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

Current Situation

Division 7 titled *Height Exceptions* allows for building elements such as steeples, flagpoles, elevator penthouses, air conditioning units, television or radio antennas, other mechanical or functional features to exceed the zoning district height maximum following consideration by the director prior to installation; however, this does not address other habitable uses or amenities. The proposed amendment to the code would allow rooftop amenities provided on the roof of a building to exceed the permitted zoning district height by a maximum of 12 feet. The proposed code amendment allows flexibility in design to encourage higher quality developments and diversity in building design and floorplans. The amendment includes certain criteria and conditions that are required to be met in order to permit the additional height. The area provided on the building rooftop to accommodate amenities customarily associated with or incidental and accessory to the primary use, is considered the rooftop activation area which may include, but is not limited to, open-air rooftop amenities such as outdoor dining areas, pool decks, courts, cooking facilities, and open-air shade structures such as cabanas, gazebos, pergolas, or trellises. While enclosed or climate-controlled structures are permitted, they are limited to 25 percent of the rooftop area, and are not permitted to be larger in area than the open-air amenities. The regulations require any rooftop structure permitted under this section be compatible with the architecture and massing of the overall building and requires that enclosed or climate-controlled rooftop structures be oriented in a manner which minimizes the visual impact from building facades adjacent to a public right-of-way.

The proposed code amendment is consistent with the Comprehensive Plan and will assist in furthering the following policies and objectives, based upon the following:

GOAL 1: To provide a coordinated and compatible mix of land uses which encourages a high quality of life meeting the social, economic and physical needs of the present and 2-3 future population of Hallandale Beach, while insuring reasonable environmental protection and timely and efficient provision of services

POLICY 1.20.7: The City shall continue to foster its “sustainable” community character with a variety of housing opportunities at varying price ranges, employment and retail uses, educational, community facilities, parks and recreational uses, etc. to the extent possible.

OBJECTIVE 1.9: Regional Activity Center Land Use: Consider a Regional Activity Center (RAC) land use category within the city to encourage attractive and functional mixed living, working, shopping, educational and recreational activities.

OBJECTIVE 1.18: Urban Infill and Redevelopment: Establish criteria which encourage development of urban infill and urban redevelopment area(s) to promote economic development, increase housing opportunities, and maximize the use of existing public facilities and services.

POLICY 1.13.2: The Hallandale Beach Zoning and Land Development Code provisions which contain design standards relative to landscaping, setbacks, and other site controls, shall continue to be strictly enforced to meet the intent of the Goal, Objective and Policies of the Future Land Use Element of the Plan.

Analysis

The attached proposed ordinance (Exhibit 1) amends Section 32-361 to the Zoning and Land Development Code summarized below:

1. Makes minor grammatical amendments to the existing language regarding mechanical and functional features.
2. Permits rooftop amenities to exceed the permitted height within the zoning district by a maximum of 12 feet.
3. Requires that any rooftop amenities conform to the list of permitted uses within the zoning district.
4. Identifies the area provided on the building rooftop to accommodate amenities customarily associated with or incidental and accessory to primary use as the rooftop activation area which may include, but are not limited to, open-air rooftop amenities such as outdoor dining areas, pool decks, courts, cooking facilities, and open-air shade structures such as cabanas, gazebos, pergolas, or trellises.
5. Limits the aggregate area enclosed or climate-controlled rooftop structures to 25 percent of the rooftop area.
6. Limits the aggregate area enclosed or climate-controlled rooftop structures to less than or equal to the area of the unenclosed open-air rooftop amenities.
7. Requires that enclosed or climate-controlled rooftop structures be oriented to minimize the visual impact from adjacent to a public right-of-way.
8. Requires compatibility of all structures with the architecture and massing of the overall building.

9. Clarifies that mechanical equipment, associated screening, and appurtenances necessary to the operation or maintenance of the building or structure itself, are not considered as a part of the rooftop activation area.

Why Action is Necessary

Pursuant to Section 2-102 of the City of Hallandale Beach Land Development Regulations, the Planning and Zoning Board shall review and make advisory recommendations to the City Commission on applications for text changes to the Zoning and Land Development Code.

Cost Benefits

The proposed code changes will accommodate continued efforts to enhance and revitalize the City of Hallandale Beach consistent with the City’s Comprehensive Plan, and Future Land Use Element and will improve the overall quality of life for citizens within the City of Hallandale Beach.

Business Impact Estimate

As per 166.041(4)(c), this item is exempt from providing a business impact estimate as it is an ordinance enacted to implement Part II of chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.

Staff Recommendation:

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

Attachment(s):

Exhibit 1- Proposed Draft Ordinance

REVIEWED BY: Christy Dominguez
Planning and Zoning Manager