

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Exhibit 1

RESOLUTION NO. 2024-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING THE REQUEST BY VICTOR CABAN-DIAZ & JOURNEY C&D GROUP, INC., ON BEHALF OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, TO ALLOCATE BONUS RESIDENTIAL DENSITY PURSUANT TO THE BROWARD COUNTY LAND USE PLAN, FOR A DUPLEX AFFORDABLE HOUSING PROJECT LOCATED AT 538 NW 6 AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on behalf of the Hallandale Beach Community Redevelopment Agency (HBCRA), the Applicants, Victor Caban-Diaz and Journey C&D Group Inc., are requesting that the City of Hallandale Beach (“City”) allocate bonus residential density for a two-family affordable housing residential dwelling located at 538 NW 6 Avenue within the City and CRA; and

WHEREAS, the subject property is zoned within the RD-12 residential two-family (duplex) district under the City’s Zoning and Land Development Code (the “Code”); and

WHEREAS, RD-12 zoning allows two-family dwellings based on 14 units per acre, and with the subject property being 4,030 sq. ft., the allowable density would only permit one (1) unit; and

WHEREAS, the Applicants are seeking to utilize Policy 2.16.3 “Affordable Housing Bonus Density” of the Broward County Land Use Plan to exceed the permitted density to allow for two (2) total units which results in approximately 22.22 units per acre; and

WHEREAS, pursuant to Policy 2.16.3 “Affordable Housing Bonus Density” of the Broward County Land Use Plan (the “Plan”), as incorporated herein by reference, bonus residential density in addition to permitted City density/units, may be allocated to facilitate the development of affordable housing for persons within the Low-, Very-Low-, and Moderate-income categories as defined in the Plan, based on certain bonus to affordable unit formulas; and

35 **WHEREAS**, the application of Plan Policy 2.16.3 to the subject application would
36 allow bonus and affordable housing units to exceed the allowable density of the zoning
37 district subject to enumerated criteria and City Commission approval; and

38 **WHEREAS**, prior to the allocation of the units associated with the aforementioned
39 policy, the City shall make a finding that adequate public facilities and services will be in
40 place upon completion of project construction as well make a finding of compatibility with
41 existing and future land uses and development regulations; and

42 **WHEREAS**, City Staff has evaluated the proposed request to utilize bonus density,
43 and recommends that approval by the City Commission is subject to the condition that
44 prior to issuance of the building permit, a declaration of restrictive covenant, in a form
45 acceptable to the City Attorney, shall be recorded in the public records of Broward County,
46 Florida, affirming that the affordability of at least one unit will be maintained for a period
47 of at least thirty (30) years as described in Policy 2.16.3 of the Plan; and

48 **WHEREAS**, City Staff hereby recommends approval of the request for additional
49 bonus density, subject to the conditions listed herein.

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

52
53 **SECTION 1. Incorporation of Recitals.** The foregoing “whereas” clauses are
54 incorporated herein.

55 **SECTION 1. Findings.**

56 Based upon substantial competent evidence presented on the record at the public
57 hearing, the City Commission hereby makes the following findings:

- 58 a. The allocation of additional affordable housing bonus density by the City
59 pursuant to the provisions of Broward County Land Use Plan Policy 2.16.3 is
60 compatible with the City’s existing and future land uses and development
61 regulations.

- 62 b. Application of Broward County Land Use Plan Policy 2.16.3 by the City to
- 63 allocate bonus density is discretionary upon the City and does not create any
- 64 entitlements to the bonus units.
- 65 c. Adequate public facilities and services will be in place with the completion of
- 66 project construction to accommodate all bonus and affordable units allocated
- 67 pursuant to Broward County Land Use Plan Policy 2.16.3.
- 68 d. The City Commission has determined that the proposal will result in significant
- 69 improvements to the City of Hallandale Beach.

70

71 **SECTION 3. Approval/Denial/Approval With Conditions.**

72 Based on substantial competent evidence presented at the public hearing,

73 including, but not limited to, the Agenda Cover Memo and staff presentation, any

74 materials presented by the applicant and the sworn testimony of staff, the applicant and

75 any experts, the Mayor and the City Commission of the City of Hallandale Beach, Florida,

76 hereby find the application in compliance not in compliance with the criteria applicable

77 to Broward County Land Use Plan Policy 2.16.3 and the relevant provisions of the City

78 Code and does hereby deny / approve, subject to the conditions enumerated in **Exhibit**

79 **“1-A”**.

80 **SECTION 4. Effective Date.** This resolution shall be effective immediately upon

81 its adoption.

82

83 APPROVED and ADOPTED this ___ day of October 2024.

84

85

86

87 _____

88 JOY F. COOPER

89 MAYOR

90 SPONSORED BY: CITY ADMINISTRATION

91

92

93 ATTEST:

94

95

96 _____
JENORGEN M. GUILLEN, CMC

97 CITY CLERK

98

99 APPROVED AS TO LEGAL SUFFICIENCY

100 AND FORM

101

102

103 _____
JENNIFER MERINO

104 CITY ATTORNEY

105

106

107

108
109
110
111
112
113
114
115
116
117
118
119
120

Exhibit "1-A"

BONUS DENSITY REQUEST: 538 NW 6 AVENUE.

Approval of the above-referenced request to utilize additional bonus density pursuant to Policy 2.16.3 "Affordable Housing Bonus Density" of the Broward County Land Use Plan, is subject to the following conditions of approval:

1. Prior to issuance of the building permit, a declaration of restrictive covenant, in a form acceptable to the City Attorney, shall be recorded in the public records of Broward County, Florida, guaranteeing that the affordability of at least one (1) bonus unit for the moderate-income group described in Policy 2.16.3 of the Broward County Land Use Plan will be maintained for a period of at least thirty (30) years for rental housing and at least thirty (30) years for owner-occupied housing.