



## City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading	
<b>10/9/2024</b>	<b>24-283</b>	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	<b>9/12/2024</b>	<b>10/9/2024</b>
			Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:		
<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>N/A</b>	<b>Vanessa Leroy, Director</b>	<b>Sustainable Development</b>		
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input checked="" type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 9/12/2024			Estimated End Date: Upon Adoption		

**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 2 “ACCESSORY USES AND STRUCTURES”, SECTION 32-242 “PERMITTED ACCESSORY USES” TO ALLOW OUTDOOR COOKING AS AN ACCESSORY USE FOR RESTAURANTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; 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 outdoor cooking as a conditional use when accessory to a restaurant.

Staff recommends the City Commission adopt the proposed Ordinance.

**Background:**

Many restaurants commonly utilize outdoor cooking equipment to prepare specific menu items that could not otherwise be prepared indoors without extensive improvements to existing buildings or due to fire and building code requirements. The existing Zoning and Land Development Code does not expressly permit outdoor cooking for restaurants. Recognizing the diversity of operational needs within the restaurant industry, the proposed code amendment seeks to permit outdoor cooking when accessory and incidental to restaurants as a conditional use.

On May 22, 2024, the Planning and Zoning Board unanimously recommended the adoption of the proposed Ordinance by a vote of 5-0. The Planning and Zoning Board Agenda Cover Memo and Meeting Minutes are attached as Exhibits 2 and 3.

**Current Situation:**

The proposed code amendment aims to permit outdoor cooking as an accessory and incidental activity to restaurants, subject to conditional use approval. Conditional uses are those that may be allowed under specific conditions to ensure they integrate smoothly into the neighborhood without causing negative impacts. These uses are reviewed by the Planning and Zoning Board, which makes recommendations, and then considered for approval by the City Commission. Additional conditions may also be imposed by Staff, the Planning and Zoning Board, and the City Commission as deemed necessary.

By considering accessory outdoor cooking as a conditional use, this amendment aims to ensure that any potential negative effects of outdoor cooking are identified and mitigated in a manner tailored to the specific site.

Furthermore, the proposed amendment outlines conditions that must be met for outdoor cooking during City Commission consideration. These conditions are designed to ensure compliance with fire and building codes, maintain safe vehicular circulation, minimize negative impacts on adjacent properties, and ensure design compatibility with the primary building and applicable zoning regulations.

**Analysis**

The attached proposed draft ordinance (Exhibit 1) amends Section 32-242 of the Zoning and Land Development Code as summarized below:

1. Permits outdoor cooking as a Conditional Use when accessory to a restaurant.
2. Provides regulations for outdoor cooking to ensure compliance with fire and building codes, ensure safe vehicular circulation, reduce the impact of negative effects onto adjacent properties, and require design compatibility with the primary building and applicable zoning regulations.

**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.

**Why Action is Necessary:**

Pursuant to Article V, Division I, Section 5.01 of the City of Hallandale Beach Charter, a City Ordinance is required to amend an existing Ordinance.

**Cost Benefit:**

While there are no direct costs associated with the proposed ordinance, 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 will improve the overall quality of life for citizens within the City of Hallandale Beach.

**PROPOSED ACTION:**

Staff recommends the City Commission adopt the proposed Ordinance.

**ATTACHMENT(S):**

- Exhibit 1 – Proposed Ordinance
- Exhibit 2 – May 22, 2024, Planning and Zoning Board Cover Memo
- Exhibit 3 – May 22, 2024, Planning and Zoning Board Minutes

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