

1 EXHIBIT 1  
2 ORDINANCE NO. 2026-  
3

4 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION  
5 OF THE CITY OF HALLANDALE BEACH, FLORIDA,  
6 AMENDING ZONING AND LAND DEVELOPMENT CODE  
7 ("ZLDC") SECTION 32-8 ENTITLED, "DEFINITIONS" TO  
8 MODIFY REQUIREMENTS FOR CONDO-HOTELS;  
9 AMENDING SECTION 32-153 ENTITLED, "CR-P  
10 COMMERCIAL RECREATION (PASSIVE) DISTRICT," TO  
11 ALLOW MULTIPLE-FAMILY DWELLINGS AS A  
12 CONDITIONALLY PERMITTED USE; PROVIDING FOR  
13 CONFLICT; PROVIDING FOR SEVERABILITY; AND  
14 PROVIDING FOR AN EFFECTIVE DATE.  
15

16  
17 **WHEREAS**, the City of Hallandale Beach is unique for its regionally significant  
18 commercial recreation uses; and

19 **WHEREAS**, the City acknowledges that these unique uses must adapt to changing  
20 conditions in order to remain viable; and

21 **WHEREAS**, hotels and condo-hotels are a permitted accessory use in the CR-P  
22 District; and

23 **WHEREAS**, the Mayor and City Commission find that it is also appropriate to allow  
24 multi-family residential as a conditionally permissible accessory use in the CR-P District  
25 provided that the underlying land use plan designation authorizes the residential use and that  
26 the residential use is integrated with the commercial recreation facilities; and

27 **WHEREAS**, the Mayor and City Commission find that a rigid length-of-stay limitation  
28 can inhibit development and operation of condo-hotels within a golf club lifestyle development,  
29 and that the limitation within the CR-P District is not necessary for compliance with the Broward  
30 County and City land use plans when such hotel units are assigned one (1) unit of residential  
31 density from the allowable units within the dashed-line area; and

32 **WHEREAS**, on, January 13, 2026 the Planning and Zoning Board serving as the  
33 Local Planning Agency considered the proposed amendment and found them consistent with  
34 the adopted Comprehensive Plan; and

35           **WHEREAS**, the Mayor and City Commission have conducted duly noticed public  
36 hearings on the proposed amendment as required by law; and

37           **WHEREAS**, the Mayor and City Commission have determined that the proposed  
38 amendment is in the best interest of the City of Hallandale Beach and its residents and is  
39 consistent with the City's adopted land use plan.

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

42           **SECTION 1. Ratification.** The foregoing "Whereas" clauses are confirmed as true and  
43 incorporated herein.  
44

45           **SECTION 2. Approval of Amendment to Section 32-8.** Section 32-8 of the ZLDC is  
46 hereby amended as follows, where underlined text is new and ~~stricken~~ text is deleted:  
47

48           \* \* \*

49           *Hotel* means a building or buildings under single management, licensed by the state,  
50 containing five or more sleeping rooms or suites of sleeping rooms, offered to the general  
51 public for transient lodging accommodations, and access to the sleeping rooms is through  
52 an inside lobby or office. Each room with a key must be counted as one room.

53           Hotels may include but are not required to include amenities such as restaurants, coffee  
54 shops, bars, exercise rooms, spas, meeting rooms and limited shopping areas. The word  
55 "hotel" shall include hotels, motels, condominium hotels ("condo-hotels"), suite hotels,  
56 extended stay hotels, and time shares. The determination that a building is a hotel shall be  
57 made without regard to the form of ownership of the property or of units therein, and it shall  
58 be immaterial whether the right of use of occupancy is derived from a leasehold or fee  
59 interest. Compliance with restrictions, conditions and limitations set forth in this definition  
60 shall be certified by the licensee at the time of issuance and payment of the city business  
61 tax.

62           Transient and business-related activities have different impacts on governmental  
63 services, facilities and infrastructure (i.e., density, traffic, parking, schools, homestead  
64 exemptions, etc.). As such, this regulation is to ensure that the land use and business  
65 operation of condo-hotels, hotels and motels, remain an exclusively commercial enterprise,  
66 and not a residential use. Notwithstanding any references, regulations and guidelines set  
67 forth in the city's Code of Ordinances, the aforementioned definition of condo-hotel is the  
68 exclusive definition. Further, in addition to any existing regulations relating to hotel/motel  
69 development found elsewhere in the zoning and land development regulations, the following  
70 criteria shall apply to all condo-hotels, hotels and motels, except that length-of-stay criteria  
71 (5), (8) and (9) shall not apply to condo-hotels with CR-P zoning and a Commercial

72 Recreation land use plan designation within a dashed-line area, provided that each condo-  
73 hotel unit is assigned one (1) full dwelling unit of density. Failure to meet any of the following  
74 criteria except as provided above for length-of-stay criteria in the CR-P District will prevent  
75 a condominium property or parcel from being deemed a "condo-hotel", and, if the  
76 condominium property or parcel is comprised of a condominium form of ownership used for  
77 sleeping accommodations without meeting the following criteria, the use will be deemed a  
78 violation of City Code subject to enforcement action by the city in accordance with chapter  
79 9:

- 80 (1) Cooking facilities may only be offered in hotels that provide a minimum of 50  
81 sleeping rooms.
- 82 (2) Cooking facilities in units of less than 500 square feet shall be limited to one  
83 microwave oven, one coffee maker, and one miniature refrigerator.
- 84 (3) Water utility meters for individual units are prohibited. Sub-meters for individual  
85 units are permitted, subject to the city utility department's approval. Such sub-  
86 meters shall not interfere with the city utility infrastructure or billing, and shall  
87 adhere to the city utility department's standards and specifications. Operation and  
88 maintenance costs of sub-meters for individual units are the owner's sole  
89 responsibility.
- 90 (4) Hotels must offer and have available customary daily maid service, linen service,  
91 back of house services, and other hospitality services.
- 92 (5) No more than five percent of the hotel rooms shall be occupied for more than 90  
93 continuous days by the same occupant. Violation of this section shall result in a  
94 penalty that amounts to 50 percent of the hotel renewal application fee. The  
95 penalty is to be paid by the owner or through the owner's agent at the time of  
96 renewal.
- 97 (6) Rooms shall not be used for homesteading purposes or home occupation.
- 98 (7) Notwithstanding other length of stay limitations in this provision, one room may be  
99 used on a full-time basis by a resident manager(s), and if applicable, subject to the  
100 governance of the condominium association and its rules, regulations and bylaws.
- 101 (8) Owner-occupation. Rooms in a condo-hotel may not be occupied by their owner(s)  
102 for more than a total of 180 days in any consecutive 12-month period, except the  
103 resident manager room. Violation of this section shall result in penalties. Fees for  
104 violation are kept on file in the city clerk's office.
- 105 (9) All rooms in a condo-hotel shall be used for transient accommodations.
- 106 (10) State licensing will be required of all hotels through all applicable state and local  
107 agencies that license hotels. All licenses must be kept current.
  - 108 a. A business tax must be paid for each business operating a hotel property  
109 and must be kept current.

b. A City of Hallandale Beach Hotel Registration Certificate for each business operating a hotel property must be obtained annually. Fees for said registration are kept on file in the city clerk's office.

(11) All hotel guests, including condo-hotel owner, shall be required to register with the hotel front desk noting arrival date and departure date information.

(12) There shall be a lobby/front desk area that is internally oriented and must be operated as a hotel/motel.

(13) There shall be a uniform key entry system, operated by management or hotel staff to receive and disburse keys for each condo-hotel room.

(14) There must be one central telephone system, operated by management or hotel staff in order to access each condo-hotel room.

(15) All rooms shall be subject to all applicable state and local tourist tax collections when rented.

(16) All hotels must have approved signage viewable by the general public designating the property as a hotel or motel.

(17) Developer agreement terms related to hotels/motels, and condo-hotel establishments shall also be subject to the terms of the regulations, herein.

(18) Should a facility apply to convert from a hotel to multi-family residential building, an application must be submitted and the minimum and average unit size, parking, density, and all other zoning requirements for the underlying residential district shall be met.

(19) The books and records of the hotel, pertaining to the rentals of each room in the condo-hotel or hotel/motel facility shall be open for inspection by authorized representatives of the city, upon reasonable notice, in order to confirm compliance with these regulations as allowed by general law.

a. Each registered business operating a hotel property in the city limits must complete and submit a "Hotel Registration Affidavit" on a quarterly basis to certify compliance with the provisions of these regulations.

\* \* \*

**SECTION 3. Approval of Amendment to Section 32-153.** Section 32-153 of the CR-P Commercial Recreation (Passive) District of the Land Development Code is hereby amended to read as follows, where underlined text is new and ~~stricken~~ text is deleted.

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

146 facilities of a passive nature which require extensive land area and are recognized as  
147 being supportive of a tourist-oriented economy in areas including irregular residential  
148 within dashed-line areas consistent with the city's comprehensive land use plan.

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

- 150 (1) Commercial recreation uses, limited to golf courses.
- 151 (2) Accessory uses limited to the following, provided they occupy not more than a  
152 cumulative total of 15 percent of total site area:
- 153 a. Golf driving ranges.
  - 154 b. Hotels, ~~motels~~, restaurants, private clubs and cocktail lounges.
  - 155 c. Parks, playgrounds and beaches.
  - 156 d. Swimming pools.
  - 157 e. Sports courts, such as those for Tennis, racquetball sports, basketball, and  
158 handball courts.
  - 159 f. Massage therapy services establishment holding a valid certificate for  
160 massage therapy services in accordance with section 7-451.

161 For the purpose of this subsection, ~~the above-listed uses a hotel, motel, restaurant,~~  
162 ~~private club, cocktail lounge, golf driving range, swimming pool, tennis, racquetball~~  
163 ~~or handball court, park, playground and beach~~ may be considered an accessory  
164 uses to the main permitted golf course use, provided that those uses are incidental  
165 to and dependent upon the continued existence and operation of the main golf  
166 course use, even though such uses may be more heavily utilized or realize  
167 substantially more income or profit than the main golf course use.

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

- 169 (1) Equestrian courses, provided that they are accessory in nature and all stable areas  
170 are located not less than 600 feet from any adjacent residential use.
- 171 (2) Petting zoos, provided that they are accessory in nature and all animals are  
172 properly sheltered and are located not less than 500 feet from any adjacent use.
- 173 (3) Marinas, provided that they are accessory to a main permitted golf course and  
174 dependent upon the continued existence and operation of a main golf course use  
175 on a noncontiguous site zoned CR-P.
- 176 (4) Multiple-family dwellings provided that they:
- 177 a. Are designated for residential use within a dashed-line area on the city's future  
178 land use plan map;
  - 179 b. Are assigned residential density from the allowable units within the dashed-line  
180 area.

181 -  
182 (d) *Site development standards for golf course use.*

- 183 (1) Minimum golf course site area shall be 100 acres.

- (2) Minimum golf course lot width shall be 200 feet.
- (3) Minimum golf course landscape area shall be 75 percent.
- (4) The 100-acre minimum site area may include contiguous site area outside the city limits that is an integral part of the golf course site area and may include accessory conditional uses on noncontiguous site zoned CR-P, provided that they occupy not more than a cumulative total of 15 percent of total site area.

(e) *Site development standards for accessory and accessory conditional uses.*

- (1) Minimum yard setback from perimeter property line for all structures, accessory uses, and accessory conditional uses are as follows:

| Yard |             | Setback<br>(Feet) |
|------|-------------|-------------------|
| a.   | Front       | 85                |
| b.   | Rear        | 50                |
| c.   | Side:       |                   |
|      | 1. Interior | 50                |
|      | 2. Corner   | 75                |

- (2) Maximum height shall be 100 feet.
- (3) Minimum landscape area shall be 35 percent of the area devoted to each accessory and accessory conditional use.
- (4) The setback requirements shall not be construed to require such separation of main or accessory uses from each other within the site.
- (5) The cumulative land area of all ~~All~~ accessory and accessory conditional uses together with the residential uses may not exceed a ~~cumulative total of~~ 15 percent of the total site area.

\* \* \*

**SECTION 4. Conflict.** All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

**SECTION 5. Severability.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

**SECTION 6. Effective Date.** This Ordinance shall take effect upon the effective date of Ordinance No. 2026-\_\_\_\_\_.

PASSED on 1<sup>st</sup> Reading on \_\_\_\_\_, 20\_\_.

ADOPTED on 2<sup>nd</sup> 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