

EXHIBIT __
ORDINANCE NO. 2025-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32 ZONING AND LAND DEVELOPMENT CODE; ARTICLE III. ZONING, SECTION 32-143. – RS-7 RESIDENTIAL SINGLE FAMILY DISTRICT TO ALLOW MARINAS ACCESSORY TO A PRIMARY OUTDOOR COMMERCIAL RECREATION USE AS A CONDITIONAL USE WITHIN A PLANNED DEVELOPMENT OVERLAY; AMENDING SECTION 32-153. – CR-P COMMERCIAL RECREATION (PASSIVE) DISTRICT TO MODIFY DIMENSIONAL REGULATIONS FOR MARINAS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission wish to allow marinas accessory to a primary commercial recreation use on parcels zoned RS-7 within a Planned Development Overlay; and

WHEREAS, on ____, 2025, the City Commission adopted a text amendment to the Future Land Use Element of the Comprehensive Plan authorizing public and private outdoor recreation uses in the Low Density (5) Residential land use category, when paired with a Planned Development Overlay zoning district, as an ancillary use to a primary outdoor recreation or commercial recreation use; and

WHEREAS, on, ____, 2025 the Planning and Zoning Board serving as the Local Planning Agency considered the proposed Amendment; and

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

WHEREAS, the Mayor and City Commission have determined that the proposed Amendment is in the best interest of the City of Hallandale Beach and its residents, and is consistent with the Future Land Use Element of the adopted Comprehensive Plan.

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

SECTION 1. Ratification. The foregoing “Whereas” clauses are confirmed as true and

1 incorporated herein.

2 **SECTION 2. Amendment to the RS-7 permitted uses.** Section 32-143. - RS-7
3 residential single-family district, is hereby amended to read as follows. New text is underlined
4 and deleted text is ~~stricken~~.

5 * * *

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

- 7 (1) Churches, synagogues and similar houses of worship, provided that there is a site
8 of no less than one acre and that no structure is located less than 50 feet from any
9 adjacent residential use. A 20-foot-wide landscaped buffer abutting residential
10 property shall be provided to minimize the visual and noise impacts associated
11 with the house of worship. Accessory uses shall not exceed more than 50 percent
12 of the total gross floor area of the facility.
- 13 (2) Public and private schools, provided that no structure is located less than 50 feet
14 from any adjacent residential use and that educational activities are of a
15 secondary level or below with a curriculum substantially similar to that of a general
16 public school curriculum.
- 17 (3) Day care centers and nurseries, provided that areas designated for outdoor play
18 activities are effectively screened from adjacent residential uses.
- 19 (4) Public facilities, provided that no structure is located less than 50 feet from any
20 adjacent residential use.
- 21 (5) Marinas accessory to primary outdoor recreation or commercial recreation uses
22 within a Planned Development Overlay, subject to the marina development
23 standards of the CR-P district.

24 * * *

25 **SECTION 3. Amendment to the CR-P permitted uses.** Section 32-153. – CR-P
26 commercial recreation (passive) district is hereby amended to read as follows. New text is
27 underlined and deleted text is ~~stricken~~.

28 * * *

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

- 32 (1) a. Where accessory marinas are located within 300 feet of residential uses, a site
33 plan shall be required and approved by the city commission to ensure
34 compatibility of uses. This shall include but not be limited to noise/sound
35 attenuations measures taken to reduce the nuisance factor of accessory marinas
36 upon adjacent residential uses and reduce excess light and glare to the residential
37 area from the marina.
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- 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 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.

1 **SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon its
2 passage and adoption.

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5 PASSED on 1st Reading on _____, 20__.
6 ADOPTED on 2nd reading on _____, 20__.

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11 _____
12 JOY F. COOPER
13 MAYOR

14 SPONSORED BY: CITY ADMINISTRATION

15
16 ATTEST:

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18
19 _____
20 JENORGEN GUILLEN
21 CITY CLERK

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23
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25 APPROVED AS TO LEGAL SUFFICIENCY
26 FORM

27
28
29 _____
30 JENNIFER MERINO
31 CITY ATTORNEY