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EXHIBIT 1

ORDINANCE NO. 2024-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE, AMENDING SECTION 32-160.d. PEMBROKE ROAD SUBDISTRICT STANDARDS; SECTION 32-160.e. FOSTER ROAD SUBDISTRICT STANDARDS; SECTION 32-195. RAC CORRIDOR SUBDISTRICT STANDARDS; SECTION 32-196. TRANSIT CORE SUBDISTRICT STANDARDS; SECTION 32-197. RAC NEIGHBORHOOD SUBDISTRICT STANDARDS; SECTION 32-198. TRANSITIONAL MIXED USE SUBDISTRICT STANDARDS; SECTION 32-199. DISTRICT 8 SUBDISTRICT STANDARDS; SECTION 32-200. GREYHOUND TRACK SUBDISTRICT STANDARDS; SECTION 32-210. HALLANDALE BEACH BOULEVARD WEST SUBDISTRICT; SECTION 32-211. HALLANDALE BEACH BOULEVARD EAST SUBDISTRICT RELATING TO PAYMENT IN LIEU OF AFFORDABLE HOUSING UNITS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, properties within the Foster Road subdistrict, Pembroke Road subdistrict, Central RAC, and the Hallandale Beach Boulevard zoning districts may exceed the base density, and in some cases the base height, provided certain performance criteria are met, including a requirement that 15 to 25 percent of the residential units be used as affordable housing units, with an option for applicants to make a payment to the City in-lieu of restricting required percentage of the residential units as affordable housing units; and

WHEREAS, in order to facilitate development of affordable housing units for projects utilizing the maximum density or height incentive, the City of Hallandale Beach City Commission would like to remove the ability for applicants to make a payment in-lieu of constructing the required affordable housing units in the above-listed districts so that more affordable housing units will be built; and

64 (4) *Maximum density and height.* The maximum density and height in Table 32-160(d)
65 shall be subject to approval by the city commission, pursuant to sections 32-160.b.(i)
66 and 32-206 and the following performance criteria:

67 a. For a maximum density of 80 du/ac and/or a maximum building height of 10 stories,
68 projects shall provide:

69 1. At least 15 percent of the project's residential units as affordable housing
70 maintained for a period of at least 30 years guaranteed through a restrictive
71 covenant in a form acceptable to the city attorney ~~or similar value as~~
72 ~~contribution to the city's affordable housing fund;~~

73 ***

74 **Sec. 32-160.e. Foster Road subdistrict standards.**

75 ***

76 (d) Building massing and placement.

77 ***

78 (4) *Maximum density and height.* The maximum density and height in Table 32-160(e)
79 shall be subject to approval by the city commission, pursuant to sections 32-160.b.(i)
80 and 32-206 and the following performance criteria:

81 a. For a maximum density of 60 du/ac and/or a maximum building height of 5 stories,
82 projects shall provide:

83 1. At least 15 percent of the project's residential units as affordable housing
84 maintained for a period of at least 30 years guaranteed through a restrictive
85 covenant in a form acceptable to the city attorney ~~or similar value as~~
86 ~~contribution to the city's affordable housing fund;~~

87 ***

88 b. For lots East of NW 4th Avenue, for density up to 120 du/ac and/or a maximum
89 height of 12 stories, in addition to the criteria in (d)(4)(a), projects shall also provide:

90 1. At least 25 percent of the project's residential units as affordable housing
91 maintained for a period of at least 30 years guaranteed through a restrictive
92 covenant in a form acceptable to the city attorney ~~or similar value as~~
93 ~~contribution to the city's affordable housing fund; and~~

94 ***

95 **Sec. 32-195. RAC corridor subdistrict standards.**

96 ***

97 (d) *Building uses and density.*

98 ***

99 (4) *Maximum density.* The maximum density in Table 32-195(a) is the number of
100 dwelling units allowed per acre based upon all the following performance criteria
101 and the approval process set forth in sections 32-205 and 32-206:

102 a. For density up to 70 du/ac, projects shall:

- 103 1. Provide a total of 7.5 percent of the site, or the portion of the site proposed for
104 development in a multi-phased project, as civic open space(s);
- 105 2. Provide at least 15 percent of the project's residential units as affordable housing
106 maintained for a period of at least 30 years guaranteed through a restrictive
107 covenant in a form acceptable to the city attorney ~~or contribute to the city's~~
108 ~~affordable housing fund; and~~
- 109 3. Fully conceal parking garage levels on secondary streets at the sidewalk level for
110 a depth of at least 20 feet by a story containing active use(s), such as residential,
111 office, or retail; and
- 112 4. Provide street/streetscape improvements consistent with the city's complete
113 streets efforts, on both sides of adjacent rights-of-way.

114 b. For density up to 90 du/ac, in addition to the criteria in (d)(4)(a), projects
115 shall:

- 116 1. Provide at least 15 percent of the project's residential units as affordable housing
117 maintained for a period of at least 30 years guaranteed through a restrictive
118 covenant in a form acceptable to the city attorney ~~or contribute to the city's~~
119 ~~affordable housing fund; and~~

120 2. Provide at least 10 percent more parking than the amount required, accessible to
121 the general public on an hourly or daily basis, with a fee to be determined by the
122 owner.

123 ***

124 **Sec. 32-196. Transit Core subdistrict standards.**

125 ***

126 (d) *Building uses and density.*

127 ***

128 (4) *Maximum density.* The maximum density in Table 32-196(a) is the number of
129 dwelling units allowed per acre based upon all the following performance criteria
130 and the approval processes set forth in sections 32-205 and 32-206:

131 a. Provide a total of 7.5 percent of the site, or the portion of the site proposed for
132 development in a multi-phased project, as civic open space(s);

133 b. Provide at least 15 percent of the project's residential units as affordable
134 housing maintained for a period of at least 30 years guaranteed through a
135 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
136 ~~city's affordable housing fund; and~~

137 c. Fully concealed parking garage levels on secondary streets at the sidewalk
138 level for a minimum depth of 20 feet with a story containing active uses, such
139 as residential, office, or retail, and

140 d. Provide street/streetscape improvements consistent with the city's complete
141 streets efforts, on both sides of adjacent rights-of-way.

142 ***

143 **Sec. 32-197. RAC Neighborhood subdistrict standards.**

144 ***

145 (d) *Building uses and density.*

146 ***

147 (5) *Maximum density.* The maximum density in Table 32-197(a) is the number of
148 dwelling units allowed per acre based upon the following performance criteria and
149 the approval processes set forth in sections 32-205 and 32-206:

- 150 a. Development shall be in the form of townhouses, apartment houses, or
151 courtyard buildings, and
- 152 b. All parking areas shall be located to the rear or the side of buildings. Parking
153 facilities may be designed so that vehicles back into a public alley, but shall not
154 allow vehicles to back into a street.
- 155 c. Provide at least 15 percent of the project's residential units as affordable
156 housing maintained for a period of at least 30 years guaranteed through a
157 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
158 ~~city's affordable housing fund.~~

159 ***

160 **Sec. 32-198. Transitional Mixed Use subdistrict standards.**

161 ***

- 162 (d) *Building uses and density.*

163 ***

164 (4) *Maximum density.* The maximum density in Table 32-198(a) is the number of
165 dwelling units allowed per acre based upon the approval processes set forth in
166 sections 32-205 and 32-206.

- 167 a. Provide at least 15 percent of the project's residential units as affordable
168 housing maintained for a period of at least 30 years guaranteed through a
169 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
170 ~~city's affordable housing fund~~; and

171 ***

172 **Sec. 32-199. District 8 subdistrict standards.**

173 ***

- 174 (d) *Building uses and density.*

175 ***

176 (4) *Buildings exceeding maximum height or density.* The maximum building height is
177 four stories. The maximum density in Table 32-199(a) is the number of dwelling
178 units allowed per acre based upon the approval processes set forth in sections 32-

179 205 and 32-206. Buildings which meet all of the following criteria may build up to
180 eight stories in height and to the maximum density specified in Table 199(a):

- 181 a. Meet the requirements of the community redevelopment agency (CRA) arts
182 and culture in public places program upon its implementation. Developments
183 proposed prior to the implementation of the arts and culture in public places
184 program, shall provide on-site installation of artwork which shall be reviewed
185 by the directors of the CRA and development services department for content
186 and design. If the proposed design is denied, the applicant may appeal to the
187 city commission. All arts and culture in public places projects shall be
188 accessible to the public.
- 189 b. Be located on NE 1st Avenue or NE 3rd Street.
- 190 c. Meet the city's green building requirement level beyond the base certification.
- 191 d. Provide only business uses in the first story; upper stories may be commercial,
192 residential or a combination of permitted uses.
- 193 e. First floor garage areas fronting on primary streets shall be screened from view
194 at the sidewalk level by a minimum of 20 feet of habitable space occupied by
195 retail, office or other commercial uses. Upper level of the garage shall have
196 architectural treatment to reflect a building façade or screened by an art
197 installation approved by the CRA and development services directors. Parking
198 lots on secondary streets shall also be screened from street view by an art
199 installation approved by the CRA and development services directors.
- 200 f. Provide at least 15 percent of the project's residential units as affordable
201 housing maintained for a period of at least 30 years guaranteed through a
202 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
203 ~~city's affordable housing fund.~~

204 ***

205 **Sec. 32-200. Greyhound track subdistrict standards.**

206 ***

207 (d) *Buildings uses and density.*

208 ***

209 (4) *Maximum density.* The maximum density in Table 32-200(a) is the number of
210 dwelling units allowed per acre based upon all the following performance criteria
211 and the approval process set forth in sections 32-205, approval processes, and 32-
212 206, RAC density allocation standards:

213 a. For density up to 70 du/ac, projects shall:

214 1. Provide a total of seven and one-half percent of the site, or the portion of the site
215 proposed for development in a multi-phased project, as civic open spaces(s); and

216 2. Provide at least 15 percent of the project's residential units as affordable housing
217 maintained for a period of at least 30 years guaranteed through a restrictive
218 covenant in a form acceptable to the city attorney ~~or contribute to the city's~~
219 ~~affordable housing fund~~; and

220 3. Fully conceal parking garage levels on secondary streets at the sidewalk level for
221 a depth of at least 20 feet by a story containing active use(s), such as residential
222 office, or retail; and

223 4. Provide street/streetscape improvements consistent with the city's complete
224 streets efforts, on both sides of adjacent rights-of-way.

225 b. For density up to 90 du/ac, in addition to the criteria in (d)(4)(a), projects shall:

226 1. Provide at least 15 percent of the project's residential units as affordable housing
227 maintained for a period of at least 30 years guaranteed through a restrictive
228 covenant in a form acceptable to the city attorney ~~or contribute to the city's~~
229 ~~affordable housing fund~~; and

230 2. Provide at least ten percent more parking than the amount required, accessible
231 to the general public on an hourly or daily basis, with a fee to be determined by
232 the owner in consultation with the city manager.

233 ***

234 **Sec. 32-210. Hallandale Beach Boulevard West subdistrict.**

235 ***

236 (d) *Building size and height.*

237 ***

238 (7) *Maximum density.* The maximum density in Table 32-210(a) is the number of
239 dwelling units allowed per acre based upon all the following performance criteria

240 and the approval process set forth in section 32-215. For density up to 30 dwelling
241 units per acre, projects shall:

242 a. Provide at least seven and one-half percent of the site, or the portion of the site
243 proposed for development in a multi-phased project, as civic open space(s)
244 consistent with the standards set forth in section 32-202;

245 b. Fully concealed parking garage levels on all streets at the sidewalk level for a
246 depth of at least 20 feet by a story containing active use(s), such as residential,
247 office, or retail;

248 c. Provide street/streetscape improvements consistent with the city's complete
249 streets efforts, including planting shade trees along the public sidewalk on both
250 sides of side streets on NW or SW 1st Streets;

251 d. Provide at least 15 percent of the project's residential units as affordable
252 housing maintained for a period of at least 30 years guaranteed through a
253 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
254 ~~city's affordable housing fund~~; and

255 e. Proposed density shall not exceed the maximum density permitted by the city's
256 comprehensive plan. Any residential development on sites designated
257 commercial in the city's land use plan is subject to allocation by the city
258 commission of residential flexibility units and execution of a restrictive covenant
259 or agreement in a form acceptable to the city attorney as to the number and
260 any restrictions on the residential units. It is further provided that the density of
261 any such development shall be subject to availability and assignment of
262 flexibility units by the city commission in accordance with the county flexibility
263 rules contained in the administrative rules document of the county land use
264 plan. The city commission shall not be required to allot flexibility units to permit
265 the maximum density permitted by the city comprehensive plan.

266 ***

267 **Sec. 32-211. Hallandale Beach Boulevard East subdistrict.**

268 ***

269 (e) *Building uses and density.*

270 ***

271 (5) *Maximum density.* The maximum density in Table 32-211(a) is the number of
272 dwelling units allowed per acre based upon all the following performance criteria
273 and the approval process set forth in section 32-215. For density up to 50 dwelling
274 units per acre, projects shall:

275 a. Provide at least seven and one-half percent of the site, or the portion of the site
276 proposed for development in a multi-phased project, as civic open space(s) or
277 provide the minimum required amount in a waterfront location;

278 b. Fully concealed parking garage levels on all streets at the sidewalk level for a
279 depth of at least 20 feet by a story containing active use(s), such as residential,
280 office, or retail;

281 c. Provide street/streetscape improvements consistent with the city's complete
282 streets efforts, including planting shade trees along the public sidewalk on side
283 streets;

284 d. Provide at least 15 percent of the project's residential units as affordable
285 housing maintained for a period of at least 30 years guaranteed through a
286 restrictive covenant in a form acceptable to the city attorney ~~or contribute to the~~
287 ~~city's affordable housing fund~~; and

288 e. Proposed density shall not exceed the maximum density permitted by the city's
289 comprehensive plan. Any residential development on sites designated
290 commercial in the city's land use plan is subject to allocation by the city
291 commission of residential flexibility units and execution of a restrictive covenant
292 or agreement in a form acceptable to the city attorney as to the number and
293 any restrictions on the residential units. It is further provided that the density of
294 any such development shall be subject to availability and assignment of
295 flexibility units by the city commission in accordance with the county flexibility
296 rules contained in the administrative rules document of the county land use

297 plan. The city commission shall not be required to allot flexibility units to permit
298 the maximum density permitted by the city comprehensive plan.

299 ***

300
301 **SECTION 4. Conflict.** All ordinances, parts of ordinances, resolutions, or parts of
302 resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

303
304 **SECTION 5. Severability.** Should any provision of this Ordinance be declared by a
305 court of competent jurisdiction to be invalid, such decision shall not affect the validity of this
306 Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

307
308 **SECTION 6. Codification.** It is the intention of the Mayor and City Commission that the
309 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention
310 the words "ordinance" or "section" may be changed to other appropriate words.

311
312 **SECTION 7. Effective Date.** This Ordinance shall take effect immediately upon its
313 passage and adoption.

314
315 PASSED AND ADOPTED on 1st reading, on _____, 20__.

316
317 PASSED AND ADOPTED on 2nd reading, on _____, 20__.

318
319
320 _____
321 JOY F. COOPER
322 MAYOR

323 ATTEST:
324
325 _____
326 JENORGEN GUILLEN
327 CITY CLERK

328
329 APPROVED AS TO LEGAL SUFFICIENCY
330 FORM

331
332
333 _____
334 JENNIFER MERINO
335 CITY ATTORNEY