



**City of Hallandale Beach**  
**Planning and Zoning Board Agenda Cover Memo**

<b>Applicant:</b>	City of Hallandale Beach	<b>Meeting Date:</b>	February 28, 2024
<b>General Title:</b>	Allocation of Residential Units Amendment	<b>Application No.:</b>	LDC-24-01310
<b>Primary Application Type:</b>	Zoning and Land Development Code Amendment	<b>Additional Applications:</b>	Not Applicable
<b>Quasi-Judicial:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Advertisement Type Required:</b>	<input checked="" type="checkbox"/> Display <input type="checkbox"/> Regular <input type="checkbox"/> Not Applicable
<b>Public Hearing:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Workshop:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Request:</b>	Amendment to the Zoning and Land Development Code amending code provisions relative to the allocation of Residential Units.		
<b>Business Impact Estimate:</b>	Exempt as per Florida Statute 166.041(4)(c)		
<b>Staff Recommendation:</b>	<b>Sponsor Name:</b>		
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny	Vanessa J. Leroy, Department of Sustainable Development Director		
	<b>Prepared By:</b>		
	Christy Dominguez, Planning and Zoning Manager		

**Short Title:**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE V OF THE ZONING AND LAND DEVELOPMENT CODE, AMENDING SECTION 32-206 AND 32-216, AND CREATING SECTION 32-796 RELATING TO THE ALLOCATION OF RESIDENTIAL UNITS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

## Staff Summary

### **Summary**

The City Administration is proposing code amendments to amend the code provisions relative to the allocation of residential units to clarify the approval process required and the timing of allotments.

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

### **Current Situation**

Residential uses, when permitted, generally have a base density which entitles them to a certain number of residential units, however, approval of units beyond base density, utilizing Regional Activity Center (RAC) units and Residential Flexibility units is discretionary and based on factors listed in the City Code.

The City has limited availability of RAC units or Flexibility units to allocate to prospective projects. Presently, there are 630 residential RAC units available in the Regional Activity Center. The City is in the process of preparing an application to Broward County to obtain an additional 4,000 RAC units, however, its approval takes time and allocation of available units from the City pools should be to the benefit of the City.

Currently, there are 1,279 flex units available. There are projects presently being processed that would require the assignment of Flexibility units or RAC units. In addition, there are several projects in the pipeline, ready to file, going through pre-application meetings, that would require additional allotment of Flexibility or RAC units. As such, immediate allocation of all residential units, including those for future phases, would severely limit the ability to regulate development in a manner most beneficial to City residents.

Further, the Department of Sustainable Development recommends that the Mayor and City Commission find it in the public interest to authorize the City Commission to negotiate future allocation of residential units for phased projects as a condition of approval.

### **Analysis**

The Zoning and Land Development Code currently permits assignment of Residential (RAC) units and Flexibility units as applicable, subject to performance criteria and City Commission approval.

The attached proposed ordinance (Exhibit 1) amends the following sections of the Zoning and Land Development Code as summarized below:

1. Amends Section 32-206, RAC density allocation standards to clarify the provisions apply to the Central and West RAC Districts. It also repositions the general provisions for density allocation from this section to a newly created Section 32-796, Development Review Procedures, in order to have all the applicable residential allocation provisions in one section.

2. Amends Section 32-216, Hallandale Beach District, to also move the density allocation standards to new Section 32-796 for general allocations of Flexibility units.
3. Amends Section 32-147, (RM-HD-2 District) Section 32-149 (B-L, Business Limited, District), and Section 32-181, (RDO, Redevelopment Overlay District) to clarify the use of flexibility units are subject to assignment by the City Commission and restates that the density of any such development shall be subject to availability and assignment of flexibility units by the City Commission in accordance with the Broward County flexibility rules.
4. New Section 32-796 clarifies the allocation approval process as follows:
  - a) Allocation of residential RAC units above the base requires City Commission approval.
  - b) Allocation of any residential flexibility unit also requires City Commission approval.
  - c) The City Commission may condition its approval of a project on future allocation of residential units if the number of RAC units exceeds the base density or are Flex Units.
5. Clarifies the timing of the allocation as follows:
  - a) The City Commission may condition the timing of the allocation of its approval of a project on future allocation of residential units if RAC units exceed the base density or are Flex Units.
  - b) Allocations under the above provision will require an approved development agreement, restrictive covenant or agreement in a form acceptable to the City Attorney as to the number and any restriction on the residential units.
  - c) Provides that the City Commission shall not approve any proposed plat amendments that include units not yet allocated as per County regulations, as such allocations bound the units to the property.

### **Why Action is Necessary**

Pursuant to Section 2-102 of the City of Hallandale Beach Land Development Regulations, the Planning and Zoning Board shall review and make advisory recommendations to the City Commission on applications for text changes to the Zoning and Land Development Code.

### **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.

### **Cost Benefits**

The proposed code changes will accommodate continued efforts to enhance and revitalize the City of Hallandale Beach consistent with the City's Comprehensive Plan, Future Land Use Element and will improve the overall quality of life for citizens within the City of Hallandale Beach.

**Staff Recommendation:**

Staff recommends the Planning and Zoning Board forward a recommendation of approval to the City Commission.

**Attachment(s):**

Exhibit 1- Proposed Draft Ordinance