

CITY OF HALLANDALE BEACH
ADMINISTRATIVE POLICYDATE OF ISSUE: 01/22/07NO: 2014.011/R1EFFECTIVE DATE: 01/22/07SUBJECT: PUBLIC NOTICE
DEVELOPMENT
PROJECTS

REVISION DATE: _____

APPROVED: _____

Mark Antonio, City ManagerI. PURPOSE/INTENT:

The purpose of this Policy is to provide a procedure by which public notice is required to be provided for Redevelopment and Development Projects and timelines by which staff reports and back-up materials are available to the Planning and Zoning Board, City Commission and the public for review.

II. DEFINITIONS:

1. **Development Projects.** Development projects shall include applications - with the City for Minor and Major development projects or redevelopment projects, Conditional Uses, Rezoning, Land Use Plan Amendments, Plats, Road Vacations, Variances, Redevelopment Area Modifications, and projects requiring public hearing before the Planning and Zoning Board and/or the City Commission.
2. **Minor Development.** Minor developments are defined as which contain less than 10 residential dwelling units, or less than 4,000 square feet of nonresidential gross floor area and shall be subject only to staff review and approval. For the purpose of this Policy, Major Development Projects are classified in two categories as follows:
 - a. **Major Development- Neighborhood Impact project.** A project containing 10 to 49 residential or hotel units or 4,000 square feet to 49,999 square feet of nonresidential gross floor area and up to 4 stories in height or which generates less than 100 peak hour net daily trips.

- b. **Major Development - Community Impact project.** A project containing 50 residential or hotel units or more, 50,000square feet of nonresidential gross floor area or more, or any building greater than 5 stories in height or which generates 100 or more peak hour net daily trips.
3. **Plat Request:** An application for the division, subdivision or platting for any land within the boundaries of the City pursuant to F.S Chapter 163 and 177, County and City Platting ordinances.
4. **Public Notices.** Public notices shall include notifications of Developer's Public Meetings, Planning and Zoning Board Hearings and City Commission Hearings.
5. **Courtesy letters:** A notice mailed to property owners within a specified distance of a development project site notifying of a public meeting or hearing.
6. **Developer's Public Meeting.** A neighborhood compatibility public meeting held by and noticed by the applicant of a Major Development-Community Impact project for the purpose of obtaining input from area property owners prior to a required public hearing.

III. POLICY/PROCEDURES:

1. **Development Applications Filed With The City**

New applications filed for development projects shall be posted on the City's website within 7 days of receipt of the application.

- a. The information shall include:
 - 1) The application number;
 - 2) The applicant's name;
 - 3) The proposed use of the property;
 - 4) A general description of the project;
 - 5) An outline of the steps to complete its processing;
 - 6) Estimated timeline for completion;
 - 7) Status of the application;
 - 8) Site plans of the project.
- b. The status of the application shall be updated as the application goes through the process.

2. Public Hearings: Planning and Zoning Board and City Commission

- a. Staff reports and back-up materials for required Planning and Zoning Board or City Commission hearings if City Commission action is also required, shall be provided to Board members and the City Commission a minimum of seven (7) days prior to the Hearing.
- b. Staff reports and backup materials of applications requiring Planning and Zoning Board and/or City Commission action shall be available for review by the public at City Hall and posted on the City's website a minimum of seven (7) days prior to the Hearing.
- c. No changes to an application shall be permitted nor accepted from the applicant nor made by staff once the report has been posted and forwarded to the Planning and Zoning Board or City Commission. Any changes may be discussed at the dais.
- d. The agenda of the Planning and Zoning Board and City Commission shall be published at least 10 days prior to the hearing as set forth of in Article IX Section 32-1004(A) of the Code.
- e. The agenda of the Planning and Zoning Board and City Commission shall be posted at a public place in City Hall at least 7 days prior to the hearing.

3. Notice Requirements

All applications for Development Projects shall conform to the notice requirements set forth in Article IX, Section 32-1004 of the Zoning and Land Development Code as identified in the table below:

Proposed Action	Published Notice (Minimum number of days prior to each scheduled meeting/hearing)	Mailed Notice (Minimum number of days prior to the first scheduled meeting/hearing)	Posted Notice (Minimum number of days prior to the first scheduled meeting/hearing)
Major development	10 days prior	10 days prior	10 days prior
Future Land Use Map (FLUM) amendment	10 days prior	10 days prior	10 days prior
Rezoning	10 days prior	10 days prior	10 days prior
Plat and plat note amendment	10 days prior	N/A	N/A
Vacations of right-of-way or easement	10 days prior	10 days prior	10 days prior
Comprehensive Plan text amendment	10 days prior	N/A	N/A
Zoning Code text amendment	10 days prior	N/A	N/A
Conditional use	10 days prior	10 days prior	10 days prior
Variance/redevelopment area modifications	10 days prior	10 days prior	10 days prior
Development public meeting	10 days prior	10 days prior	10 days prior

4. Posting Requirements

All applications for Development Projects shall conform to the posting requirements set forth in Section 32-1004(B).

a. Such posting notice shall:

- 1) Have a minimum size of four feet by four feet if the application is the subject of major development, land use plan amendment or rezoning. Such sign shall be double-faced and erected perpendicular to the street. All other

applications shall be posted by the applicant with a sign provided by the City.

- 2) Provide the time, date and place of hearing/meeting.
- 3) State the type of petition to be considered.
- 4) State the application number.
- 5) State where further information can be obtained.

5. *Courtesy Letters: General*

- a. All courtesy letters for Planning and Zoning Board or City Commission Hearings shall be mailed by the applicant at least 10 days prior to the hearing to all property owners, including each owner of a condominium or a cooperative unit within 1,000 feet radius; except:
 - 1) Applications for variances or redevelopment area modification waivers involving properties with up to 9 residential units or less than 4,000 square feet of non-residential area shall be mailed to all property owners within a 300 foot radius as set forth in section 32-1004(C) of the Code and;
 - 2) Applications for road vacations, for which notice shall be given by certified mail to any property owner adjoining or abutting the street, right-of-way or easement sought to be vacated as set forth in Chapter 25, section 25-103 of the Code.
- b. As provided in section 32-1004(C)(1) of the Code, the Development Services Director may require an additional area to receive a courtesy notice on any application. The development services director may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is desirable.
- c. Such courtesy letter shall include the following information:
 - 1) Date, time and place of the hearing/meeting;
 - 2) Current general zoning and reference permitted uses of the property;
 - 3) Type of petition to be considered;
 - 4) Place and time the petition may be reviewed;

- 5) Information on its posting on the City's website;
- 6) A location map of the subject site which shall include major street names as a means of identification of the general area.

6. *Courtesy letters: Public Hearings, Major Development-Neighborhood Impact Projects*

- a. Courtesy letters announcing a public hearing of a Major Development - Neighborhood Impact project shall be mailed at least 10 days prior to the hearing to all property owners within 1,000 feet of property as specified in section 32-1004(C)(1) of the Code.
- b. The applicant shall be responsible for mailing the courtesy notices to property owners for Major Development - Neighborhood Impact projects. The courtesy letter shall include all information specified in Section III (5)(c) of this Policy

7. *Courtesy letters: Public Hearings Major Development-Community Impact Projects*

- a. Courtesy letters announcing a public hearing of a Major Development - Community Impact project shall be mailed at least 10 days prior to the hearing to all property owners within 1,000 feet of property as specified in section 32-1004(c)(1) of the Code.
- b. The applicant shall be solely responsible for the cost of mailing courtesy letters announcing public hearings for all Major Development - Community Impact projects. The courtesy letter shall include all information specified in Section III (5)(c) of this Policy.

8. *Developer's Public Meetings*

- a. The applicant of Major Development-Community Impact projects shall be required to hold at least one public meeting to include all area property owners prior to the Planning and Zoning Board hearing, or City Commission Hearing if Planning and Zoning Board action is not required. The meeting shall be held for the applicant to present the plans to the community

- and obtain input regarding the application. The Development Services Director shall determine if more than one public meeting is needed to resolve issues or amendments as a result of the community input at the meeting.
- b. In accordance to Section 32-1004(C)(6), courtesy letters announcing developer's public meetings shall be mailed at least 10 days prior to the meeting to all property owners within $\frac{1}{2}$ mile radius of the project. The courtesy notice shall include all information specified in Section III (5)(c) of this Policy.
- c. The public meeting shall be:
- 1) Noticed by the applicant upon verification from the Development Services Department that the application is complete and the notice form is acceptable.
 - 2) Held at a time and place determined by the Development Services Department to provide adequate notification to the community and report any issues raised.
 - 3) Held after a minimum of one (1) Development Review Committee (DRC) meeting has been held on the application.
 - 4) Advertised in a newspaper the City deems appropriate of general circulation in the City or County as follows:
 - i. The ad must be at least $\frac{1}{2}$ page in a standard size tabloid paper;
 - ii. The headline in type no smaller than eighteen (18) point;
 - iii. Notice shall not be placed in the portion of the newspaper where legal notices and classified ads appear;
 - iv. Notice shall be placed in a newspaper published at least weekly;
 - v. Notice shall be published at least ten (10) days prior to the public meeting.

The cost of advertising and providing public notice of developer's public meetings shall be the responsibility of the applicant.

IV. ADDITIONAL INFORMATION REQUIREMENTS AND RESPONSIBILITIES

The Director of Planning and Zoning, Development Services Department shall be responsible for maintaining this Policy.