



City of Hallandale Beach Planning and Zoning Agenda Cover Memo

Meeting Date:	November 22, 2013	Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other
				X	
Applicant:	City of Hallandale Beach	Public Hearing: <i>(Enter X in box)</i>		Yes	No
				X	
Project Name:	Residential Care Facilities Code Amendment	Advertising Requirement: <i>(Enter X in box)</i>		Yes	No
				X	
Planning District:	N/A	Quasi-Judicial: <i>(Enter X in box)</i>		Yes	No
					X
Project Number :	Application #01-14-TC	Strategic Plan Priority Area: <i>(Enter X in box)</i>			
		Cohesive Visual Appeal <input type="checkbox"/> Civil & Respectful Government <input type="checkbox"/> Create Local Jobs <input type="checkbox"/> Economic Development <input type="checkbox"/> Improve City Infrastructures <input type="checkbox"/> Improve Safety, Security & Comfort of Residents <input checked="" type="checkbox"/> Operational Excellence <input type="checkbox"/> Quality of Life <input checked="" type="checkbox"/> Vibrant Destination <input type="checkbox"/>			
Sponsor Name:	Althea Jefferson, AICP, Planning & Zoning Manager	Prepared by:	Althea Jefferson, AICP, Planning & Zoning Manager		

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES OF THE CITY OF HALLANDALE BEACH ENTITLED ZONING AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE IV ENTITLED DEVELOPMENT STANDARDS, DIVISION 14 ENTITLED RESIDENTIAL CARE FACILITIES, SPECIFICALLY AT SECTION 32-525 ENTITLED DEVELOPMENT STANDARDS IN ORDER TO COMBINE LIVING AND DINING SQUARE FOOTAGE ALLOCATION FOR GROUP HOMES TO CONFORM WITH THE FLORIDA BUILDING CODE; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

Staff was directed to research the extent of the existing code provisions for Assisted Living Facilities (ALF) as compared to neighboring municipalities. Staff provided the details of this research in a memo dated August 6, 2013 and the City Commission discussed the findings at its meeting of September 3, 2013. At that time, staff was directed to change the minimum ALF bedroom space requirements and to combine the existing living and dining space requirements per resident. The attached proposed ordinance reflects the changes directed by the Commission (Exhibit 1).

Current Situation

Section 32-525 of the City's Code of Ordinances provides development standards for residential care facilities, and requires 80 square feet per resident for the minimum floor area of bedrooms. In addition, a minimum of 25 square feet of floor area, per assigned resident, must be solely for living and recreation and a minimum of 15 square feet of floor area per assigned resident for dining. These requirements ensure that residential care facilities provide the adequate amount of space to safely and comfortably house facility residents.

Why Action is Necessary

Pursuant Section 2-231(f)(1) of the City of Hallandale Beach 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 (Section 32).

Analysis

Staff reviewed Florida Statutes (F.S.), Chapter 419, regarding "Community Residential Homes" and Florida Administrative Code (FAC), Rule 58A-5.023 regarding standards for residential care facilities. Specific size requirements for living, dining and recreation areas are not listed in the F.S.; however, both the FAC and F.S. make reference to size requirement standards in the Florida Building Code and Life Safety Code.

The following information is taken from the Florida Building Code, Section 434 titled "Assisted Living Facilities":

1. Common areas for living and dining shall allocate 35 square feet per resident. Should the ALF include an adult day care component, an additional 35 square feet of common area per resident must be allocated.
2. Bedrooms with a single occupant must have 80 square feet of clear space.
3. Bedrooms with multiple occupants (a maximum of 2) must have 60 square feet clear space per occupant or 120 square feet.

Staff also reviewed the City Codes of several other cities in South Florida such as Fort Lauderdale, Dania Beach, Aventura, Boca Raton, Deerfield Beach, Hollywood, and West Palm Beach. The findings from staff's research are provided as Exhibit 2.

Both Fort Lauderdale and Hollywood combine the living and dining space allocation in the same manner that Florida Building Code combines them. While most of these codes contained discussions regarding residential care or similar facilities, only Fort Lauderdale and Hollywood have specific size requirements for space within the facilities.

Staff also determined that City of Hallandale Beach's current requirements for the aforementioned living areas for ALFs exceed the Florida Building Code requirements and all the cities identified in the survey, with the exception of Ft. Lauderdale's (90 square feet). As directed by the City Commission, this provision is now being changed to match that of the City of Fort Lauderdale.

City of Hallandale Beach requires larger living and dining space for ALFs than the other municipalities that were reviewed; however, no other city separated the two requirements. The On September 3, 2013, City Commission directed staff to combine the living and dining space requirements, as this space allocation is also currently combined in the Florida Building Code. Therefore, the attached ordinance proposes to combine these space requirements with an unchanged total of 40 square feet.

The proposed changes help to ensure that residential care facilities provide adequate bedroom and living space to safely and comfortably house facility residents. Increasing the space requirements will improve the overall quality of life for the citizens of Hallandale Beach that reside in residential care facilities. Therefore, staff recommends the Planning and Zoning Board forward the proposed ordinance to the City Commission with a recommendation of approval for adoption.

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Proposed Action:

Move that the Planning and Zoning Board:

- recommend not to adopt the proposed ordinance; or,
- recommend approval and adoption of the proposed ordinance; or,
- recommend approval and adoption of the proposed ordinance with changes, as proposed by the Board.

Attachment(s):

- Exhibit 1- Proposed Ordinance
- Exhibit 2- Survey of Habitable Area for Assisted Living Facilities