



City of Hallandale Beach Planning and Zoning Board 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 :	Fashion Row Art Overlay District	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 #05-14-TC	Strategic Plan Priority Area: <i>(Enter X in box)</i>																				
		<table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Cohesive Visual Appeal</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Civil & Respectful Government</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Create Local Jobs</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Economic Development</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Improve City Infrastructures</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Improve Safety, Security & Comfort of Residents</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Operational Excellence</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Quality of Life</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Vibrant Destination</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>				Cohesive Visual Appeal	<input type="checkbox"/>	Civil & Respectful Government	<input type="checkbox"/>	Create Local Jobs	<input type="checkbox"/>	Economic Development	<input checked="" type="checkbox"/>	Improve City Infrastructures	<input checked="" type="checkbox"/>	Improve Safety, Security & Comfort of Residents	<input checked="" type="checkbox"/>	Operational Excellence	<input type="checkbox"/>	Quality of Life	<input type="checkbox"/>	Vibrant Destination
Cohesive Visual Appeal	<input type="checkbox"/>																					
Civil & Respectful Government	<input type="checkbox"/>																					
Create Local Jobs	<input type="checkbox"/>																					
Economic Development	<input checked="" type="checkbox"/>																					
Improve City Infrastructures	<input checked="" type="checkbox"/>																					
Improve Safety, Security & Comfort of Residents	<input checked="" type="checkbox"/>																					
Operational Excellence	<input type="checkbox"/>																					
Quality of Life	<input type="checkbox"/>																					
Vibrant Destination	<input checked="" type="checkbox"/>																					
Sponsor Name:	Althea Jefferson, AICP, Planning & Zoning Manager	Prepared by:	Althea Jefferson, 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 III ENTITLED ZONING, DIVISION 2 ENTITLED ZONING DISTRICTS, SPECIFICALLY AT SECTION 32-171 ENTITLED FASHION ROW OVERLAY DISTRICT TO RENAME IT THE FASHION ROW ART OVERLAY DISTRICT AND TO INCLUDE ADDITIONAL USES TO THE RM-18 RESIDENTIAL MULTIFAMILY, B-L BUSINESS LIMITED AND B-I BUSINESS INDUSTRIAL, LIST OF PERMITTED USES IN ACCORDANCE WITH THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

Originally referred to as “Schmatta Row,” Fashion Row was recognized by the City as a special district in 1980; however, the City Commission amended the most current Fashion Row Overlay District with its adoption of Ordinance 2009-21 on November 4, 2009.

In 2011, the Hallandale Beach Community Redevelopment Agency (CRA) worked in cooperation with Florida Atlantic University to complete the Fashion Row Implementation Plan. In addition, Policy 1.2.5 of the Future Land Use Element (FLUE) of the City’s Comprehensive Plan requires the City to continue to implement the Fashion Row District Plan by upholding and enhancing the Fashion Row Overlay District.

After a series of community meetings, which served to gather input from property and business owners, the Plan established recommendations for improvements to the area. Since that time, Fashion Row has undergone many changes, including the installation of landscape islands, and on-street parking. In addition, future improvements to this corridor are also proposed, which include sidewalks, drainage, and gateway signage is also planned for the area.

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.

Current Situation

In addition to the physical changes planned for the area, the property and business owners expressed the desire to make regulatory changes, which could continue to reshape Fashion Row; and, perhaps spur redevelopment. The Planning and Zoning Division was directed to work with the property and business owners to determine the best means for addressing the needs of the community. The input provided for the 2011 Implementation Plan was used to draft a proposal for the area.

On August 15, 2013 the Planning and Zoning staff met with the community to discuss the proposed changes to the Fashion Row Overlay District. Business and property owners were receptive to the proposed amendment and requested a few additional changes, which included banquet halls as a permitted use in the district. At that time, it was also requested that the City consider 350 square feet for the minimum living area for live-work units. Subsequent to the meeting, staff made the requested changes. These cooperative efforts resulted in a proposed ordinance for Fashion Row Art Overlay District (Exhibit 1). The community received courtesy meeting notices for the November Planning and Zoning Board meeting. For those community participants that provided e-mail addresses, the draft ordinance was also sent.

Analysis

The proposed ordinance pertains to the parcels shown in Exhibit 2, per previous community meetings input: proposed to rename the area as the Fashion Row Art District. The Fashion Row overlay district rules applies to the properties on NE 1st Avenue zoned B-L District between

Hallandale Beach Boulevard to NE 3 street and NE 2 Avenue between NE3 street and NE 5 street: Fashion Row consists of three primary zoning districts: Residential Multi-family (RM-18), Business Limited (B-L), and Business Industrial (B-I). The proposed ordinance includes changes to permitted, conditional and prohibited uses, provides for live-work units, and renames the district. The changes are detailed below.

In General

Name Change

In previous community meetings staff received suggestions to rename the area as the Fashion Row Art District.

Residential Multi-family (RM-18)

RM-18 Permitted, Conditional and Prohibited Uses:

Consignment shops have been added to the list of permitted uses. This change reflects the input from property and business owners in the area, and is consistent with the recommendations of the Fashion Row Implementation Plan. Nightclubs, outdoor storage, massage establishments, and restaurants with drive-in or drive-through facilities will be prohibited in the RM-18 District, as proposed in the ordinance.

RM-18 Site Development Standards

The site development standards remain unchanged (set-backs, minimum floor area, etc.).

RM-18 Live-work Units

Inclusion of a commercial component as a live-work unit in the RM-18 residential zoning district of Fashion Row would continue to be allowed through the conditional use process. This entails the houses on NE 2 Avenue. The commercial component cannot exceed 50% of the total floor area of the residential unit.

Business Limited (B-L)

B-L Permitted, Conditional and Prohibited Uses:

Additional uses are being added as allowed by right instead of by conditional use permit. Conditional use permits require Planning and Zoning Board and City Commission approval, which takes months to process and require application fees, public hearings and notices to area owners. The uses permitted are in addition to existing permitted B-L uses, such as retail, restaurants, office and services uses presently permitted. Retail with manufacturing will retain the right to have up to 50 percent of the floor area dedicated to this type of accessory use.

The following uses will change from conditional use to permitted uses in Fashion Row's B-L District:

- Alcoholic beverage establishments
- Consignment shops
- Banquet Halls
- Billiard rooms
- Broadcasting Studios
- Retail on premises pick up with dry cleaning operation
- Clubs organized for religious, educational, charitable, or cultural purposes
- Recording studios
- Wholesale distribution showrooms
- Sporting goods stores

- Live-work Units will be permitted by right, subject to specified criteria

Multi-family residential, mixed-use buildings (commercial/residential), and nightclubs would continue to be permitted as a conditional use. Outdoor storage, massage establishments, and restaurants with drive-in or drive-through facilities will continue to be prohibited in the B-L District.

Business Industrial (B-I)

B-I Permitted, Conditional and Prohibited Uses:

Consignment shops, banquet halls and live-work units have been added to the list of permitted uses. This change reflects the input from property and business owners in the area, and is consistent with the recommendations of the Fashion Row Implementation Plan. Permitted uses in B-I also encompasses all permitted uses allowed in B-L, as well.

Outdoor storage, massage establishments, and restaurants with drive-in or drive-through facilities will be prohibited in the B-I District. Residential uses, other than live-work units, are also prohibited in the B-I District.

Business Limited (B-L) and Business Industrial (B-I)

B-I and B-L Live-Work Units:

Live-work units in commercial zoning districts will be allowed as a permitted use. A commercial unit must have 1,000 square feet in floor area with 350 square feet of living area. The living area/residential unit cannot exceed 50% of the total floor area of the commercial unit. Additionally, the maximum density for live-work units shall not exceed 18 dwelling units per acre.

B-I and B-L Outdoor Display:

Currently, outdoor displays of merchandise and sales are allowed in Fashion Row, but only for fashion retailers. The proposed code amendment would allow all retail establishments to have outdoor displays and sales.

B-I and B-L Parking:

Parking exemptions have been added to provide more flexibility from general parking requirements. This will allow a change in use on existing buildings without the need to meet current parking requirements. Buildings with non-conforming parking configuration can retain their existing layout, including back-out parking. However, non-conforming parking configuration must be deemed safe and approved by the city engineer on a case-by-case basis pursuant to Section 32-452(f)(2) of the City's Code of Ordinances.

B-I and B-L Artistic Murals:

The process for artistic murals without commercial context is also proposed to be simplified. The process previously required a \$500.00 filing fee. The fee for Fashion Row was reduced to \$100.00 in the fiscal year 2012/2013 budget. The Legal Advertisement fee of \$200.00 required to be paid by the applicant and mailing of individual notices to property owners within 1,000 feet will no longer be required; thus, further reducing the cost of the artistic mural application. The process still requires City Commission approval of the Mural Permit at a public hearing.

B-1 and B-L Special Events:

The proposed ordinance will allow for more flexibility for special events held in the Fashion Row Art District.

The proposed code changes uphold and enhance the Fashion Row Overlay District, pursuant to FLUE Policy 1.2.5 and will improve the overall quality of life for citizens within the City of Hallandale Beach. The changes also support FLUE Policy 1.9.5, which states that redevelopment activities should be encouraged in the Regional Activity Center. Therefore, staff recommends the Planning and Zoning Board forward the proposed ordinance to the City Commission with a recommendation for adoption.

Proposed Action:

Move that the Planning and Zoning Board:

- recommend the City Commission not adopt the proposed ordinance; or,
- recommend the City Commission adopt the proposed ordinance; or,
- recommend the City Commission adopt the proposed ordinance with changes, as proposed by the Board.

Attachment(s):

Exhibit 1- Proposed Ordinance
Exhibit 2- Location Map