

ORDINANCE NO. 2012 - 13

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, OF THE ZONING AND LAND DEVELOPMENT CODE, ARTICLE II SECTION 32-174, PDD, PLANNED DEVELOPMENT OVERLAY DISTRICT, AND SECTION 32-179 PLAC, PLANNED LOCAL ACTIVITY CENTER DISTRICT, RELATIVE TO THE REVIEW OF MAJOR DEVELOPMENT PLANS AND REQUIRING A PUBLIC HEARING FOR MAJOR CHANGES TO DEVELOPMENT AGREEMENTS AND MAJOR DEVELOPMENT PLANS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 1, 2012, the City Commission considered and approved the City's Citizens Planning Bill of Rights and an Administrative Policy regarding Public Notice;

WHEREAS, it is in the public interest for applications for Major Development projects in PDD and PLAC properties to be presented to the Planning and Zoning Board at a Public Hearing for their consideration and recommendations:

WHEREAS, it is also in the public interest to have major changes to Major Development projects and Development Agreements be heard at a Public Hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. Chapter 32, of the City of Hallandale Beach Zoning and Land Development Code is hereby amended as follows:

* * *
Sec. 32-174. - PDD planned development district.
* * *

(h) Procedures and requirements for major development plan.

(1) The application fees for major development plan in a planned development district shall be those adopted in the city's fee schedule for concurrency evaluation and development review.

(2) An application for a major development in a planned development district shall conform to the requirements for development review as provided in article V of this

- 37 chapter, except as otherwise provided in this chapter.
- 38 (3) In addition to the requirements of article V of this chapter, the following shall be
39 submitted for major development plan approval:
- 40 a. A certified boundary survey.
 - 41 b. General schematic representation of the land uses with densities and
42 intensities, along with a table of computation which depicts number of units,
43 gross floor areas, parking, building height and site coverage.
 - 44 c. Approximate delineation of internal circulation, with hierarchical
45 classification of streets.
 - 46 d. Points of connection of the local streets to the trafficways, including general
47 indication of the necessary improvements to the trafficways to accommodate the
48 local trips generated by the planned development.
 - 49 e. General location and size of any community facility included within the
50 planned development such as parks, schools, fire stations, community center,
51 etc.
 - 52 f. Indication of existing vegetation and all other natural features within the
53 planned development, together with general plans for their conservation or
54 mitigation.
 - 55 g. Schematic depiction of the water distribution and wastewater collection
56 facilities and drainage system, including easements.
 - 57 h. Specific indication of the development phasing, in terms of areas and
58 sequence.
 - 59 i. In addition, the city manager may require additional material such as
60 elevation drawings and architectural renderings, plans, maps and studies
61 necessary to make findings and determinations to ensure the applicable
62 standards and guidelines of this chapter have been fully met.
- 63
- 64 (i) *Dimension and design regulations.*
- 65 (1) All site development standards and related development standards of this chapter are
66 to be negotiated between the city and the applicant as part of the development process in
67 accordance with the planned development district regulations and all other applicable city
68 codes, regulations and standards set forth in the design guidelines manual.
- 69 (2) All planned development districts shall contain a minimum of one acre of land under
70 unified control. However, the city commission may modify this minimum if it is determined to
71 meet all the following criteria:
- 72
- 73 (a) The size without the modification will significantly inhibit neighborhood
74 improvements;
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 - 76 (b) The modification adequately provides for service areas and other development
77 features for the project;
 - 78 (c) The modification adequately provides for service and emergency vehicle access;
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(d)The modification adequately provides for visibility of access.

The modification request shall be filed with the City Manager by an applicant with unified control of the site. The request shall be transmitted to the City Commission accompanied by a staff recommendation for approval or denial. Such requests for modification shall be advertised, posted and noticed in conformity with the requirements of Article IX section 32-1004 of this chapter. The application fee for a modification request shall be those adopted by the city's fee schedule for redevelopment area modifications.

(j) *Conformance to approved major development plan.*

(1) *Building permits.* After rezoning to planned development district, no building permits shall be issued by the city and no development shall commence unless in conformance with a development agreement and approved major development plan unless otherwise exempted pursuant to subsection (e)(2) of this section.

(2) *Minor changes.* The city manager, after receiving staff recommendations, may approve minor changes and deviations from the approved major development plan which are in compliance with the provisions and intent of this chapter, and which do not depart from the principal concept of the approved major development plan, and which are not major changes as described in subsection (j)(3) of this section.

(3) *Major changes.* The city manager may determine that the requested changes and deviations from an approved development agreement and/or major development plan constitute a major change to the character of the development. A requested major change shall be submitted to the city commission as a revision to the development agreement and/or major development plan as specified in section 32-782(a)(2) to be heard at a public hearing. Major changes shall include but not be limited to:

- a. A change in the use of the planned development.
- b. Any change resulting in greater than a ten percent variance in the following plan features:
 - 1. An increase in floor area of proposed structures.
 - 2. An increase in the density of use, but not exceeding that allowed by the underlying zone.
 - 3. Plan revisions which increase trips and impact traffic and utilities.
 - 4. A reduction in open space specified in the approved major development plan.
 - 5. A reduction of off-street parking and loading spaces specified in the approved major development plan.
- c. Any change in the boundaries or phasing of the project.

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Section 32-179- PLAC, Planned Local Activities Center District

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(i) Review, approval and modification of major development plans and development agreements. A major development plan for each phase shall be submitted to and processed by the city in accordance with the provisions of Article V of this chapter, development review procedures, except that changes and deviations of a major development plan for any phase within a PLAC that does not exceed ten percent of the approved square footage in each phase or permitted uses and continues to be consistent with the approved design guidelines and/or development agreement within the PLAC district area shall only require administrative approval. All building permits issued subsequent to the approval of the PLAC rezoning shall be consistent with the respective approved major development plans. Deviations from the approved major development plan and/or development agreement greater than ten percent or that changes the character of the development shall be subject to the provisions for major changes of Section 32-174(j)(3).

* * *

SECTION 2. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

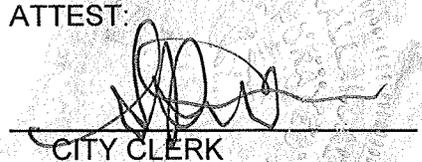
SECTION 3. This Ordinance shall be effective upon its passage and adoption by the City Commission of the City of Hallandale Beach.

Passed on First Reading on May 2, 2012.

Passed and adopted on Second Reading on May 16, 2012.

Effective Date May 16, 2012.


MAYOR-COMMISSIONER

ATTEST:

CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM


V. LYNN WHITFIELD
CITY ATTORNEY

VOTE
AYE/NAY
Mayor Cooper /
Vice Mayor Sanders /
Comm. Lewy /
Comm. London /
Comm. Ross /