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ORDINANCE NO. 2011-

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH FLORIDA, AMENDING CHAPTER 32, ARTICLE III OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES, THE "ZONING AND LAND DEVELOPMENT CODE", BY AMENDING SECTION 32-151, RS-5 RESIDENTIAL SINGLE-FAMILY DISTRICT AND CREATING SECTION 32-181, ENTITLED GOLDEN ISLES NEIGHBORHOOD OVERLAY DISTRICT, PROVIDING SUPPLEMENTAL STANDARDS RELATIVE TO PERMITTED USES, SITE DEVELOPMENT STANDARDS, SIGNAGE AND NOTICE REQUIREMENTS WITHIN THE GOLDEN ISLES OVERLAY DISTRICT. PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1957, Golden Isles was replatted by H.B. Layne and a Declaration of Protective Covenants (also known as the Golden Isles Deed Restrictions) was recorded on all of the properties; and

WHEREAS, in 1968, the City approved Ordinance No. 820 adopting the declaration of protective covenants relating to the residential section of Golden Isles; and

WHEREAS, in most cases, the imposed restrictions are more stringent than the existing ordinances of the City; and

WHEREAS, the City Attorney's office has advised the City cannot legally enforce the Golden Isles Deed Restrictions, as they were not formally adopted into the City's Zoning and Land Development Code; and

WHEREAS, the Golden Isles Homeowner's Association has expressed their desire for the City to legally enforce the Golden Isles Deed Restrictions; and

WHEREAS, the City has held several community meetings with single-family property owners in Golden Isles to discuss existing and proposed regulations; and

WHEREAS, on October 12, 2010, the Golden Isles Homeowner's Association voted to formally adopt only those regulations outlined in the Golden Isles Deed Restrictions into the City's Zoning and Land Development Code; and

WHEREAS, the Planning and Zoning Board on June 22, 2011, at a duly noticed public hearing recommended _____of the proposed amendments.

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

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53 **SECTION 1.** That the City of Hallandale Beach Code of Ordinances shall be and is
54 hereby amended to read as follows:
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56 **Sec. 32-151. RS-5 residential single-family district.**

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58 * * *

59 (d) *Site development standards.*

- 60
61 (1) Minimum lot area: ~~shall be~~
62 a. Generally.....7,500 square feet. Smaller lots platted prior to November
63 21, 1978, shall be permitted.
64 b. Golden Isles.....11,000 square feet.
65
66 (2) Minimum lot width: ~~shall be~~
67 a. Generally.....75 feet. Smaller lots platted prior to November 21, 1978,
68 shall be permitted.
69 b. Golden Isles.....75 feet, except those properties located within the
70 subdivision of Golden Isles Section "A", which shall be a minimum of 85
71 feet.
72

73 (3) Maximum height shall be two stories or 30 feet.

74
75 (4) Minimum yard setbacks are as follows:
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<i>Yard</i>	<i>Setback</i> <i>(Feet)</i>
a. Front:	
1. Generally.....	30
2. Golden Isles.....	25
b. Rear:	
1. Generally.....	30
2. Golden Isles.....	40
c. Side:	
1. Interior.....	10
2. Corner.....	10

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89 (5) Minimum floor area shall be 1,800 square feet per unit.

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91 (6) Special regulations for the Golden Isles Subdivision only are as follows: Accessory
92 structures, excepting swimming pools, shall not be located in required yard setbacks.
93

94 (e) *General regulations.* Applicable general regulations are as follows:
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- 96 (1) Supplemental regulations, section 32-331 et seq.
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98 (2) Development review procedures, section 32-781 et seq.
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100 (3) Off-street parking and loading regulations, section 32-451 et seq.

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~~(4)~~(5) Landscaping provisions, section 32-381 et seq.

~~(5)~~(6) Sign regulations, section 32-601 et seq.

(Code 1980, app. A, art. IV, § 1; Ord. No. 1998-24, § 2, 12-1-1998)

* * *

Sec. 32-181. Golden Isles Neighborhood overlay district.

(a) Purpose and Intent. The purpose and intent of the Golden Isles Neighborhood Overlay District is to provide supplemental standards to preserve and enhance the unique characteristics already established within the district.

(b) District boundaries. For the purpose of defining the boundaries, the Golden Isles Neighborhood Overlay District encompasses only those single family dwellings located in Golden Isles, which is generally located south of East Hallandale Beach Blvd, west of the Intracoastal Waterway, east of the SE 14th Avenue Canal, and north of the Miami-Dade County line.

(c) Permitted uses. All uses specifically listed in Section 32-151(b) shall be permitted, and all uses not listed as permitted are prohibited. All uses within the Golden Isles Neighborhood Overlay District shall comply with otherwise applicable regulations, these supplemental regulations and the City's Design Guidelines Manual. Where the regulations for this overlay district conflict with other overlay district regulations or otherwise applicable regulations, the Golden Isles Neighborhood overlay provisions shall control.

(d) Supplemental standards. Within the Golden Isles Neighborhood Overlay District, all site development standards, landscaping and parking requirements shall be those specified by the underlying zoning district, except as otherwise set forth herein.

(1) Fences and walls. No fence or wall shall be erected greater than 4 feet in height in any front and rear yard setback or greater than 6 feet in height in any side yard setback.

(2) Design Requirements.

a. All developed single family lots within the overlay district shall provide and maintain a minimum of 3 trees from the City's approved species list. Such trees shall be a minimum of 15 feet in height when measured immediately after planting.

b. Built-up tar and gravel roofs shall not be permitted on any building or structure.

(3) Signage. One temporary real estate or construction sign shall be permitted, not to exceed 200 square inches (1.39 square feet) in sign area.

(4) Parking of Commercial Trucks and Vehicles. No commercial trucks or vehicles with any lettered signs thereon shall be permitted to be parked within this overlay

152 for more than four hours at a time nor parked overnight unless within a
153 completely enclosed building.

154
155 (5) Amendments to the overlay district. Any amendment to this overlay district shall
156 require a courtesy mailed notice to all single family property owners within
157 Golden Isles prior to any public hearing on the matter. In addition, if fifty-one
158 percent of the landowners noticed under this paragraph file signed, written
159 objections to a proposed change of this ordinance, as evidenced and affirmed by
160 receipt of the City Clerk by no later than five o'clock pm two business days before
161 first reading of the proposed change to the ordinance, then a supermajority of the
162 City Commission shall be required to pass such change(s) to the ordinance.

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164 * * *

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166 **SECTION 2.** That all ordinances or parts of ordinances inconsistent or in
167 conflict with the provisions of this Ordinance are hereby repealed.

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169 **SECTION 3.** If any section, part of section, paragraph, clause, phrase, or word
170 of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not
171 be affected.

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173 **SECTION 4.** This Ordinance shall become effective upon the date of its
174 adoption.

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176 PASSED AND ADOPTED on 1st reading _____.

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178 PASSED AND AOPTED on 2nd reading _____.

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182 MAYOR-COMMISSIONER

183 ATTEST:
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185 _____
186 CITY CLERK