

ORDINANCE NO. 2024-029

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE SECTION 32-144 - RD-12 RESIDENTIAL TWO-FAMILY (DUPLEX) DISTRICT; AMENDING SECTION 32-145 - RM-18 RESIDENTIAL MULTI-FAMILY (MEDIUM-DENSITY) DISTRICT; AMENDING SECTION 32-146 - RM-25 RESIDENTIAL MULTI-FAMILY (HIGH-DENSITY) DISTRICT; AMENDING SECTION 32-147 - RM-HD-2 RESIDENTIAL MULTI-FAMILY (HIGH-DENSITY-2) DISTRICT; AMENDING SECTION 32-149. - B-L BUSINESS LIMITED DISTRICT; AMENDING DIVISION 5 SECTION 32-311. – DENSITY LIMITS; AMENDING SECTION 32-455. - MINIMUM PARKING SPACE REQUIREMENTS RELATING TO USES, MINIMUM UNIT SIZES, SITE DEVELOPMENT STANDARDS AND MINIMUM PARKING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to the Zoning and Land Development Code (the “Code”) of the City of Hallandale Beach, Florida (“City”), the purpose and intent of the RD-12 residential two-family (duplex) district is to provide suitable sizes for the development of two-family (duplex) residential dwellings in areas consistent with the City's comprehensive land use plan; and

**WHEREAS**, residential uses are limited to single-family, duplex, and townhomes within the RD-12 zoning district, and multifamily would only be permitted as a townhouse development, which has specific development regulations separate and apart from the regulations from the RD-12 zoning district; and

**WHEREAS**, the City staff has proposed a code amendment to the Zoning and Land Development Code to allow multifamily development regardless of building type, to amend the setback requirements within the RD-12 district and to also revise the minimum unit size and minimum parking requirements for residential uses city-wide; and

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Words in underline type are additions

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**WHEREAS**, the proposed amendments would expand multi-family use to allow multifamily regardless of building design, not just for townhomes within the RD-12 zoning district, and would ensure that all properties have the opportunity to maximize the use of their lot by reducing setbacks to match the allowable setback for single-family uses within the RD-12 zoning district; and

**WHEREAS, Staff has determined that the proposed amendments are consistent with the Comprehensive Plan and recommends that the Mayor and City Commission adopt the recommended amendments to the Code, as more specifically set forth below; and**

**WHEREAS**, on July 24, 2024, the Planning and Zoning Board considered and unanimously recommended the adoption of the proposed Ordinance by a vote of 4-0; and

**WHEREAS, the Mayor and City Commission recognize that the proposed amendments will accommodate continued efforts to enhance and revitalize the City and will improve the overall quality of life for citizens and residents of the City.**

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

**SECTION 1. Incorporation of Recitals.** The foregoing “Whereas” clauses are confirmed as true and incorporated herein.

**SECTION 2. Amendment.** The following sections within Chapter 32, Article III, Division 3, of the City of Hallandale Beach Code of Ordinances are hereby amended as follows:

## Chapter 32 – ZONING AND LAND DEVELOPMENT CODE

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## ARTICLE III. – ZONING

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**Sec. 32-144. RD-12 residential two-family (duplex) district.**

(a) *Purpose and intent.* The purpose and intent of the RD-12 residential two-family (duplex) district is to provide suitable sizes for the development of two-family (duplex) residential dwellings and multi-family residential dwellings in areas consistent with the city's comprehensive land use plan.

(b) *Uses permitted.* Uses permitted are as follows:

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(1) Two-family (duplex) residential dwellings. The maximum density permitted shall be limited by the future land use designation.

(2) Multi-Family Residential Dwellings. The maximum density permitted shall be limited by the future land use designation.

(23) Single-family residential dwellings, subject to RS-7 regulations.

(34) Residential accessory uses.

(45) Public parks and playgrounds.

(56) Public utility substations, transformers and transmission facilities.

~~(6) Reserved.~~

~~(7) Townhouse residential dwellings, provided that any such use shall comply with the regulations and site development standards set forth in section 32-731.~~

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(d) *Site development standards.*

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(4) Minimum yard setbacks are as follows:

Yard		Setback (Feet)
a.	Front	<u>25-20</u>
b.	Rear	
	1. Rear—Principal building	<u>30-20</u>
	2. Rear—Canopies or roof extensions over patios (7)*	<u>15-10</u>
c.	Side:	
	1. Interior	<u>7½-5</u>
	2. Corner	<u>15-10</u>
d.	Accessory structures	<u>7½-5</u>

(5) Minimum floor area is as follows:

<u>Minimum Per Unit (sq. ft.)</u>	<u>Minimum Average (sq. ft.)</u>
<u>Single Family Residential Dwelling– 1,000</u>	=
<u>Two-Family Residential Dwelling - 750</u>	=
<u>Multi-family Residential Dwelling - 450</u>	<u>750</u>

- a. Dwelling units with a minimum floor area of 500 sq. ft. or less may be counted as 0.5 dwelling units for residential density calculations.
- b. For multi-family residential developments which provide at least 15% of the units as affordable housing, the minimum unit size may be reduced to 400 sq. ft.
- c. When affordable housing units are provided, such units shall be proportionately distributed amongst unit types and sizes throughout the building(s) and site.
- d. The minimum average floor area may be reduced to 500 sq. ft. for the following developments:

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1. Minor Developments on platted development sites that are less than or equal to 7,500 sq. ft.
2. Developments where all residential units are made affordable to very-low-income persons as defined in the Florida Statutes and maintained for a period of at least 30 years guaranteed through a restrictive covenant in a form acceptable to the city attorney.

a. ~~For a two-family dwelling:~~

1. ~~One bedroom, 850 square feet per unit.~~
2. ~~Two bedrooms, 1,000 square feet per unit.~~
3. ~~Three or more bedrooms, 1,150 square feet per unit.~~

b. ~~For a single-family dwelling, 1,000 square feet per unit.~~

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**Sec. 32-145. RM-18 residential multi-family (medium-density) district.**

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(d) *Site development standards.*

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(7) Minimum floor area is as follows:

<u>Minimum Per Unit (sq. ft.)</u>	<u>Minimum Average (sq. ft.)</u>
<u>Multi-family Residential Dwelling - 450</u>	<u>750</u>

- a. For multi-family residential developments which provide at least 15% of the units as affordable housing, the minimum unit size may be reduced to 400 sq. ft.
- b. When affordable housing units are provided, such units shall be proportionately distributed amongst unit types and sizes throughout the building(s) and site.
- c. The minimum average floor area may be reduced to 500 sq. ft. for the following developments:
  1. Minor Developments on platted development sites that are less than or equal to 7,500 sq. ft.
  2. Developments where all residential units are made affordable to very-low-income persons as defined in the Florida Statutes and maintained for a period of at least 30 years guaranteed through a restrictive covenant in a form acceptable to the city attorney.

a. ~~Efficiencies, 500 square feet per unit.~~

b. ~~One bedroom, 700 square feet per unit.~~

c. ~~Two bedrooms, 850 square feet per unit.~~

d. ~~Three or more bedrooms, 1,050 square feet per unit.~~

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128 **Sec. 32-146. RM-25 residential multi-family (high-density) district.**

129 \*\*\*

130 (d) *Site development standards.*

131 \*\*\*

132 (7) Minimum floor area is as follows:

<u>Minimum Per Unit (sq. ft.)</u>	<u>Minimum Average (sq. ft.)</u>
<u>Multi-family Residential Dwelling - 450</u>	<u>750</u>

- 133 a. For multi-family residential developments which provide at least 15% of the units as  
134 affordable housing, the minimum unit size may be reduced to 400 sq. ft.  
135 b. When affordable housing units are provided, such units shall be proportionately  
136 distributed amongst unit types and sizes throughout the building(s) and site.  
137 c. The minimum average floor area may be reduced to 500 sq. ft. for the following  
138 developments:  
139 1. Minor Developments on platted development sites that are less than or equal  
140 to 7,500 sq. ft.  
141 2. Developments where all residential units are made affordable to very-low-income  
142 persons as defined in the Florida Statutes and maintained for a period of at  
143 least 30 years guaranteed through a restrictive covenant in a form  
144 acceptable to the city attorney.  
145  
146 a. ~~Efficiencies, 500 square feet per unit.~~  
147 b. ~~One bedroom, 700 square feet per unit.~~  
148 c. ~~Two bedrooms, 850 square feet per unit.~~  
149 d. ~~Three or more bedrooms, 1,050 square feet per unit.~~

150 **Sec. 32-147. RM-HD-2 residential multi-family (high-density-2) district.**

151 \*\*\*

152 (c) *Site development standards.*

153 \*\*\*

154 (7) Minimum floor area shall be as follows:

<u>Minimum Per Unit (sq. ft.)</u>	<u>Minimum Average (sq. ft.)</u>
<u>Multi-family Residential Dwelling - 450</u>	<u>750</u>

- 155 a. For multi-family residential developments which provide at least 15% of the units as  
156 affordable housing, the minimum unit size may be reduced to 400 sq. ft.  
157 b. When affordable housing units are provided, such units shall be proportionately  
158 distributed amongst unit types and sizes throughout the building(s) and site.  
159 c. The minimum average floor area may be reduced to 500 sq. ft. for the following  
160 developments:  
161 1. Minor Developments on platted development sites that are less than or equal  
162 to 7,500 sq. ft.

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163                   2. Developments where all residential units are made affordable to very-low-income  
164                   persons as defined in the Florida Statutes and maintained for a period of at  
165                   least 30 years guaranteed through a restrictive covenant in a form  
166                   acceptable to the city attorney.  
167

168                   a. ~~One bedroom, 1,000 square feet.~~

169                   b. ~~Two bedrooms, 1,100 square feet.~~

170                   c. ~~Three or more bedrooms, 1,200 square feet.~~

171                   \*\*\*

172   **Sec. 32-149. B-L business limited district.**

173                   \*\*\*

174   (e) *Site development standards, residential uses.* The following site development standards  
175   shall apply to projects including residential uses permitted under subsection (c)(8) of this  
176   section:

177       (5) Minimum floor area (residential) is as follows:

<u>Minimum Per Unit (sq. ft.)</u>	<u>Minimum Average (sq. ft.)</u>
<u>Multi-family Residential Dwelling - 450</u>	<u>750</u>

178       a. For multi-family residential developments which provide at least 15% of the units as  
179       affordable housing, the minimum unit size may be reduced to 400 sq. ft.

180       b. When affordable housing units are provided, such units shall be proportionately  
181       distributed amongst unit types and sizes throughout the building(s) and site.

182       c. The minimum average floor area may be reduced to 500 sq. ft. for the following  
183       developments:

184           1. Minor Developments on platted development sites that are less than or equal  
185           to 7,500 sq. ft.

186           2. Developments where all residential units are made affordable to very-low-income  
187           persons as defined in the Florida Statutes and maintained for a period of at  
188           least 30 years guaranteed through a restrictive covenant in a form  
189           acceptable to the city attorney.  
190

191           a. ~~Efficiency, 800 square feet.~~

192           b. ~~One bedroom, 850 square feet.~~

193           c. ~~Two bedroom, 1,000 square feet.~~

194           d. ~~Three bedroom, 1,200 square feet.~~

195  
196       (6) Minimum landscape area (residential/mixed use) shall be 30 percent.

197  
198       (7) Maximum permitted density (residential) shall be 18 dwelling units per net acre. Dwelling units  
199       with a minimum floor area of 500 sq. ft. or less may be counted as 0.5 dwelling units for residential  
200       density calculations.

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## ARTICLE IV. - DEVELOPMENT STANDARDS

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### Sec. 32-311. - Limits.

- (a) Density limits are expressed in the maximum number of residential dwelling units permitted per net acre of land.
- (b) Density for the RD and RM multi-family residential district shall be computed as follows:

Dwelling Unit Type		Density Unit Count
(1)	Motel/hotel room	0.5
(2)	<u>Efficiency Residential dwellings 500 sq. ft. or less</u>	<u>0.7-0.5</u>
(3)	<u>One or more bedrooms Residential dwellings greater than 500 sq. ft.</u>	1.0

- (c) No plans may be permitted that allow illegal conversions, that create a greater density than that allowed under the applicable regulations. This includes, without being limited to, allowing two outside entrances and easily partitioned interiors in duplex units, and other similar circumstances.

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### Sec. 32-455. Minimum parking space requirements.

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#### (b) *Residential uses.*

- (1) Single-family detached and two-family residences: two spaces for every dwelling unit.
- (2) Townhouses: two spaces for every dwelling unit, plus townhouse developments of ten units or more have to provide one-half space per unit for guest parking. Guest parking shall be collectively provided, identified, and centrally located and continuously maintained as guest parking.
- (3) Multi-family: 1.5 spaces per unit, plus an additional ten percent of the total number of required spaces for guest parking, which shall be so posted and collectively located in a convenient area and continuously maintained as guest parking.
- a. ~~New development. 1.75 spaces for every efficiency unit or one-bedroom unit, 2.0 spaces for every two-bedroom unit, or one-bedroom unit plus a den; 2.5 parking spaces for every three-bedroom unit or two-bedroom plus a den; and 3.0 parking spaces for over three-bedroom unit or three-bedroom unit plus a den, plus an additional ten percent of the total number of required spaces for guest parking, which shall be so posted and collectively located in a convenient area and continuously maintained as guest parking.~~
- b. ~~Existing development. Properties developed prior to December 7, 2011, with nonconforming parking facilities and subject to the requirements of [sub]section 32-452(f) of this division shall provide 1.25 spaces for every efficiency unit, 1.5 spaces for every one-bedroom unit, 1.75 spaces for every two-bedroom unit, 0.25 spaces for each additional bedroom in excess of two, plus an additional ten percent of the total number of required spaces for guest parking, which shall be so posted and collectively located in a convenient area and continuously maintained as guest parking.~~
- (4) Mobile homes: two spaces for every mobile home unit or space.

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**SECTION 3. Conflict.** All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

**SECTION 4. Severability.** Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

**SECTION 5. Codification.** It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon its passage and adoption.

PASSED on 1st reading on October 9, 2024.

PASSED AND ADOPTED on 2nd reading, on October 30, 2024.

  
\_\_\_\_\_  
JOY E. COOPER  
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST:

  
\_\_\_\_\_  
JENORGEN GUILLEN  
CITY CLERK

APPROVED AS TO FORM &  
LEGAL SUFFICIENCY

  
\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

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**FIRST READING VOTE ON ADOPTION**

Mayor Cooper	<u>Yes</u>
Vice Mayor Lima-Taub	<u>Yes</u>
Commissioner Adams	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>

**FINAL VOTE ON ADOPTION**

Mayor Cooper	<u>Yes</u>
Vice Mayor Lima-Taub	<u>Yes</u>
Commissioner Adams	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>