

38 **SECTION 2.** Chapter 32, Article IV "Development Standards" of the zoning and land
39 development code of Hallandale Beach is hereby amended to include a new division 7-B "Home
40 Occupations and Live/Work" and a new section 32-370 "Home Occupations and Live/Work" that
41 relocates and revises former section 32-191, as follows:

42 **ARTICLE IV. DEVELOPMENT STANDARDS**
43 **DIVISION 7-B. HOME OCCUPATIONS AND LIVE/WORK**

44 **Sec. 32-370. Home Occupations and Live/Work.**

45 **(a) Home Occupations** *[the non-underlined text that follows is being re-adopted from former*
46 *Sec. 32-191 and renumbered as shown]*

47 (1 a) *Purpose.* This section is intended to provide for home occupational uses within
48 residential districts which are compatible with residential uses and do not detract from
49 the residential character of the neighborhood. It is further the intent of this section to
50 regulate the operation of a home occupation in such a manner that the average
51 neighbor will be unaware of its existence. All home occupations shall conform with all
52 requirements and stipulations of this section prior to the issuance of an occupational
53 license.

54 (2 b) *Performance standards.* A home occupation is allowable as an accessory use in a
55 dwelling unit in any residential area. No home occupation shall be permitted unless it
56 complies with all of the following standards:

57 (a. 4) The use shall be conducted entirely within a dwelling and carried on only by
58 the residents of the dwelling.

59 (b. 2) No more than 25 percent of the area of the residence and no garage or
60 accessory building or structure is used for the business purpose.

61 (c. 3) No sign relating to the home occupation or any business may be posted or
62 displayed on the site and no vehicles with any signs displaying the business or
63 residential address, which might serve to indicate that the dwelling is being
64 used for a business occupation use, may be located on the premises.

65 (d. 4) No person or customer shall be serviced in person on the site nor shall the
66 occupation be conducted in any way which would necessitate suppliers or
67 customers visiting the site.

68 *Exception.* Individual tutoring shall be permitted at the residence, provided
69 there are no more than two students at any one time in the residence.

70 (e. 5) No goods shall be displayed for sale or as samples either inside or outside on
71 the site.

72 (f. 6) No noise, odors, smoke, electrical interference, hazardous materials or
73 nuisance of any type shall arise from or be used in the conduct of the
74 occupation.

75 (g. 7) The address or telephone of the premises may be used for receiving business
76 mail and telephone calls provided no more than one business phone line and
77 one fax/modem line are used and the home address is not listed in any Yellow
78 Pages advertising.

79 (h. 8) The home address shall not be used for purposes of advertising, soliciting or
80 announcing the licensed use of the premises through printed material or any
81 other media, except stationery and business cards.

82 (l. 9) The use shall not generate additional pedestrian or vehicular traffic.

83 (3 e) *Occupational licenses.* All applicants for restricted occupational license shall be
84 required to sign a sworn statement attesting to their knowledge and understanding of
85 the restrictions and conditions of operating a home business, as set forth by this
86 section, and advising that the residence is subject to inspection by the city. The
87 applicant shall further execute a waiver permitting inspection, upon prior notice by the
88 city, if the city has reasonable cause to believe that the applicant is in violation of this
89 chapter. The license fee shall be as set by resolution of the city commission.

90 (4 d) *Applicability of chapter.* No provision of this section may be deemed to be a waiver of
91 any other requirement of this chapter unless it is expressly so stated.

92 **(b) Live/work dwelling units.**

93 (1) A live/work dwelling unit is defined by this chapter as a single dwelling unit in a
94 detached building, or in a multifamily or mixed-use building, that also accommodates
95 limited commercial uses within the dwelling unit. The minimum size for each unit in a
96 detached building is 1,000 square feet; in a multifamily or mixed-use building, 850
97 square feet.

98 (2) The predominate use of a live/work unit is residential, and commercial activity is a
99 secondary use. The quiet enjoyment expectations of residential neighbors takes
100 precedence over the work needs of a live/work unit.

101 (3) Commercial uses in live/work units must be conducted entirely within the unit or
102 customary residential accessory building.

103 (4) Up to two employees or contractors other than members of the immediate family
104 residing in the dwelling may work in a live/work unit.

105 (5) Signage for live/work units is limited to one non-illuminated wall or window sign up to
106 three square feet.

107 (6) No commodities, stores, or display of products on the premises shall be visible from
108 the street or surrounding residential area, and no outdoor display or storage of
109 materials, goods, supplies, or equipment used in the live/work unit shall be permitted
110 on the premises.

111 (7) Required parking spaces shall be in accordance with general residential parking
112 standards, plus 1 space per employee.

113 (8) No equipment shall be used which creates noise, vibration, glare, fumes, or odors
114 outside the dwelling unit that are objectionable to the normal senses.

115 (9) Commercial uses in live/work units are limited to *Offices* and to *Store & Services,*
116 *General*, as those terms are defined by this code. However, due to the residential
117 nature of live/work units, visits from customers, clients, and suppliers shall average no
118 more than a total of thirty visits per week.

119 (10) Where live/work dwelling units require conditional use approval, the approval may
120 specify an annual review process that could result in revocation if these requirements
121 and any other conditions of approval are not maintained.

122 **(c) Work/live dwelling units.**

- 123 (1) A work/live dwelling unit is defined by this chapter as a single dwelling unit in a
124 detached building, or in a multifamily, mixed-use, or commercial building, where the
125 predominate use of the unit is commercial.
- 126 (2) Because the predominate use of a work/live unit is commercial, customary commercial
127 impacts may take precedence over the quiet enjoyment expectations of residential
128 neighbors.
- 129 (3) Commercial uses in work/live units must be conducted entirely within the unit or
130 customary accessory building.
- 131 (4) Signs shall be in accordance with the standards for business signs.
- 132 (5) One additional parking space is required for the dwelling unit.
- 133 (6) Commercial uses in work/live units are limited to *Offices* and to *Store & Services,*
134 *General*, as those terms are defined by this code.

135 **SECTION 3.** Chapter 32, Article IV "Development Standards" of the zoning and land
136 development code of Hallandale Beach is hereby amended as follows:

137 **ARTICLE IV. DEVELOPMENT STANDARDS**
138 **DIVISION 8. LANDSCAPING**

139 **Sec. 32-384. Landscaping Requirements.**

- 140 (a) *Landscape area requirements.* The minimum amount of required landscape area for all
141 uses, unless otherwise stipulated within this chapter or within a specific zoning district, shall
142 be as follows:
- 143 (1) All single-family detached residential uses: 50 percent, with at least 15 percent in the
144 rear yard.
- 145 (2) All duplex uses: 40 percent.
- 146 (3) Townhouse development: 40 percent.
- 147 (4) Mobile home uses: 30 percent.
- 148 (5) Multi-family uses in RM-18 district: 30 percent.
- 149 (6) Multi-family uses in RM-25 and RM-HD-2 districts: 30 percent.
- 150 (7) All public, institutional, and permitted nonresidential uses in residential districts: 25
151 percent.
- 152 (8) All commercial uses: 15 percent.
- 153 (9) All industrial uses: 15 percent.
- 154 *[no further changes to section 32-384]*

155 **SECTION 4.** Chapter 32, Article IV “Development Standards” of the zoning and land
 156 development code of Hallandale Beach is hereby amended to include a new division 9-B “Outdoor
 157 Display” and a new section 32-415 “Outdoor Display” that relocates former section 32-168, as
 158 follows:

159 **ARTICLE IV. DEVELOPMENT STANDARDS**
 160 **DIVISION 9-B. OUTDOOR DISPLAY**

161 **Sec. 32-415 ~~32-168~~. Outdoor display.**

162 *[no change to former text being moved here from section 32-168]*

163 **SECTION 5.** Chapter 32, Article IV “Development Standards” of the zoning and land
 164 development code of Hallandale Beach is hereby amended to include a new division 9-C “Outdoor
 165 Seating” and a new section 32-420 “Outdoor Seating” that relocates former section 32-169, as
 166 follows:

167 **ARTICLE IV. DEVELOPMENT STANDARDS**
 168 **DIVISION 9-C. OUTDOOR SEATING**

169 **Sec. 32-420 ~~32-169~~. Outdoor seating.**

170 *[no change to former text being moved here from section 32-169]*

171 **SECTION 6.** Chapter 32, Article IV “Development Standards” of the zoning and land
 172 development code of Hallandale Beach is hereby amended as follows:

173 **ARTICLE IV. DEVELOPMENT STANDARDS**
 174 **DIVISION 14. RESIDENTIAL CARE FACILITIES**

175 **Sec. 32-524. Location of facilities.**

176 Residential care facilities are permitted in the zoning districts described on the following
 177 chart provided that no new residential care facility may be located within a 1,000-foot distance
 178 from a lawfully existing residential care facility:
 179

Type of Facility	Single Family Zone Group ¹	Two-Family Zone Group ²	Multiple-Family Zone Group ³	Business Office & Institutional Zone Groups ⁴	Industrial Group ⁵
Congregate housing	NP	NP	CU	CU	NP
Foster homes	CU	CU	CU	NP	NP
Group home I-A	CU	CU	CU	NP	NP
Group home I-B	CU	CU	CU	NP	NP
Group home II-A	NP	CU	CU	P	NP
Group home II-B	NP	CU	CU	P	NP
Group home III-A	NP	NP	CU	P	NP
Group home III-B	NP	NP	CU	P	NP
Life care facility	NP	NP	CU	CU	NP

180 **Legend**

- P — Permitted use
- CU — Conditional use
- NP — Not permitted

181 ¹ Single-family zone group—All RS districts

- 182 ² Two-family zone group—RD-12 district; also the Palms Gateway subdistrict of the West
 183 RAC zoning district
- 184 ³ Multiple-family zone group—RM-18 and RM-25 districts; also the RAC Neighborhood
 185 subdistrict of the Central RAC zoning district
- 186 ⁴ Institutional, commercial and office zone group—All commercial districts, CR, B-O, B-L,
 187 B-G, B-H and B-I; also these subdistricts of the West RAC zoning district: Pemboke
 188 Road, Foster Road; also these subdistricts of the Central RAC zoning district: RAC
 189 Corridor, Transit Core, Transitional Mixed Use, Fashion/Art/Design, Greyhound Track
- 190 ⁵ Industrial zone group—I-L district

191 **SECTION 7.** Chapter 32, Article IV “Development Standards” of the zoning and land
 192 development code of Hallandale Beach is hereby amended as follows:

193 **ARTICLE IV. DEVELOPMENT STANDARDS**
 194 **DIVISION 17. SIGNS**

195 **Sec. 32-605. Permitted signs.**

- 196 (a) *Generally.* No sign of any kind shall be permitted, constructed, erected or maintained within
 197 the various zoning use districts of the city except as provided in this section.
- 198 (b) *Single-family, two-family districts.* The following signs are permitted in single-family and two-
 199 family residential districts, including without being limited to RS-5, RS-6, RS-7 and RD-12
 200 districts and the Foster Road subdistrict of the West RAC district:
 201 *[no further changes]*
- 202 (c) *Multi-family districts.* The following signs are permitted in multi-family residential districts,
 203 including without being limited to RM-18, RM-25 and RM-HD-2 districts and the RAC
 204 Neighborhood subdistrict of the Central RAC district: *[no further changes]*
- 205 (d) *All other zoning districts.* The following signs are permitted in all other zoning districts: *[no*
 206 *changes]*

207 **SECTION 8.** Chapter 32, Article V “Development Review” of the zoning and land
 208 development code of Hallandale Beach is hereby amended as follows:

209 **ARTICLE V. DEVELOPMENT REVIEW**

210 **Sec. 32-782. Applicability.**

- 211 (a) *Review procedures.* All applications for a development permit within the city shall be subject
 212 to development review procedures, including both site plan review and impact evaluation.
 213 Applications shall be classified as either of a minor or major nature for the purposes of
 214 determining procedural review and approval responsibilities. The following classifications
 215 are established:
- 216 (1) *Minor development.* Minor developments shall include those which contain less than
 217 ten residential dwelling units, or less than 4,000 square feet of nonresidential gross
 218 floor area and shall be subject only to staff review and approval.
- 219 (2) *Major development.* Major developments shall include those which contain ten
 220 residential dwelling units or more, or 4,000 square feet of nonresidential gross floor

221 area or more and shall be subject to review by staff and the planning and zoning board,
222 and review and approval by the city commission.

223 (3) Major development with administrative review. Certain development applications in
224 the Central RAC zoning district that would otherwise qualify as major developments
225 are subject only to staff review and approval; see section 32-205(a).

226 (4) ~~(3)~~ Division of proposed developments prohibited. Applicants may not divide or phase
227 developments to avoid being subject to major development classification. If an
228 applicant obtains approval for a minor development, and, within two years from that
229 approval, that applicant or his successor in interest, submits another application for a
230 development permit on the same parcel of property that, together with the previously
231 approved development, would qualify as a major development, then the entire project,
232 including that portion previously approved, shall be subject to the requirements for
233 major developments.

234 **SECTION 9. Conflict.** All ordinances or portions of the Code of Ordinances of the City of
235 Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent
236 of such conflict.

237 **SECTION 10. Severability.** Should any provision of this ordinance be declared by a court
238 of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a
239 whole, or any part thereof, other than the part declared to be invalid.

240 **SECTION 11. Codification.** It is the intention of the Mayor and City Commission that the
241 provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention
242 the words "ordinance" or "section" may be changed to other appropriate words.

243 **SECTION 12. Effective Date.** This Ordinance shall take effect immediately upon adoption.

244 PASSED AND ADOPTED on 1st reading on October 15, 2014.


245 PASSED AND ADOPTED on 2nd reading on November 5, 2014.

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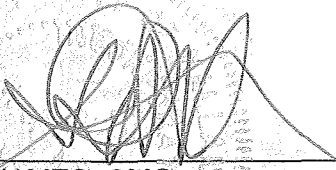


JOY F. COOPER
MAYOR

250 SPONSORED BY: CITY ADMINISTRATION

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ATTEST:

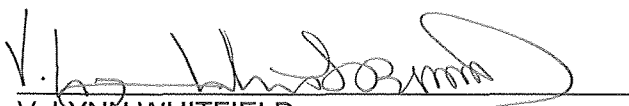


SHEENA D. JAMES, CMC
CITY CLERK

VOTE	
AYE/NAY	
Mayor Cooper	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Vice Mayor Julian	<input checked="" type="checkbox"/> / <input checked="" type="checkbox"/> <i>Mosant</i>
Comm. Grachow	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Lazarow	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Sanders	<input checked="" type="checkbox"/> / <input type="checkbox"/>

258 APPROVED AS TO LEGAL SUFFICIENCY
259 AND FORM

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V. LYNN WHITFIELD
CITY ATTORNEY