

ORDINANCE NO. C-15-01

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-24.1, DEVELOPMENT PERMITS AND PROCEDURES, GENERALLY, SECTION 47-24.2, SITE PLAN DEVELOPMENT PERMIT, SECTION 47-27.4, NOTICE FOR SITE PLAN LEVEL II, III AND LEVEL IV, CONDITIONAL USE AND PLATS, TO ESTABLISH PUBLIC PARTICIPATION NOTICE REGULATIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICT ORDINANCE PROVISIONS; AND AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 47-24.1, Generally of Section 47-24, Development Permits and Procedures, of the Unified Land Development Regulations (hereinafter referred to as "ULDR") of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

SECTION 47-24. DEVELOPMENT PERMITS AND PROCEDURES

Sec. 47-24.1. Generally.

...

F. Application requirements. An application for a development permit shall be submitted to the department on forms provided by the department. Unless otherwise provided herein, the following is a list of the minimum requirements for an application for a development permit. Additional information necessary in order to determine if the development meets the ULDR may be required as identified on the application form for a specific development permit.

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14. For development permits that require public participation notice as provided in Section 47-27, Notice procedures for public hearings, the following:

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- a. The applicant shall provide an affidavit documenting that notice was provided at a minimum of ten (10) days prior to both the Development Review Committee and Planning and Zoning Board meetings.
- b. The applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s) has taken place a minimum of thirty (30) days prior to the Planning and Zoning Board hearing. The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record.

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SECTION 2. That Section 47-24.2, Site plan development permit, of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 27-24.2. Site plan development permit.

- A. Site plan level I, level II, level III and level IV.
  - 1. Applicant. The owner of property proposed for development.
  - 2. Application. An application for a site plan level review shall be submitted to the department. The application shall include the information provided in Sec. 47-24.1.F.
  - 3. Review process.

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c. Site plan level III (planning and zoning board).

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iii. Upon the DRC determination that the proposed development meets the standards and requirements of the ULDR ~~and~~ criteria for site plan level III, and has held the required public participation meetings a minimum of thirty (30) days prior to the Planning and Zoning Board meeting, the applicant may within sixty (60) business days of the DRC determination, request planning and zoning board consideration.

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d. Site plan level IV (city commission).

i. The application for a site plan level IV shall be submitted to the department and the development review committee (DRC) for review to consider if the application meets the standards and requirements of the ULDR and site plan level IV criteria.

ii. The applicant shall conduct a public participation meeting(s) a minimum of thirty (30) days prior to the Planning and Zoning Board meeting.

~~ii.~~

iii. The department shall forward its and the DRC recommendations to the planning and zoning board for consideration.

~~iii.~~

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iv. During a regular public meeting the planning and zoning board shall consider the application and the record and recommendations forwarded by the department and DRC and shall hear public comment on the application.

~~iv.~~  
v. The planning and zoning board shall determine whether the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level IV development and shall forward its recommendation to the city commission.

~~v.~~  
vi. During a public meeting the city commission shall consider the application and the record and recommendations forwarded by the department, DRC and planning and zoning board and shall hear public comment on the application.

~~vi.~~  
vii. If the city commission determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for a site plan level IV development, the city commission shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level IV permit. If the city commission determines that the proposed development or use does not meet the standards, requirements and criteria, the city commission shall deny the application.

~~vii.~~

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- viii. After approval of the site plan level IV by the city commission, the application shall be returned to the DRC for final review and approval to ensure that the planning and zoning board and city commission conditions for approval are incorporated into the site plan.

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SECTION 3. That Section 47-27.4, Notice for site plan level II, III and level IV, conditional use and plats, of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-27.4. Notice for site plan level II, III and level IV, conditional use and plats.

A. Notice for site plan level III and level IV development approvals, site plan level II approval in the SRAC-S Ae and SRAC-S Aw zoning districts conditional use approvals and plats shall be as follows:

1. *Sign notice.* Sign notice for site plan level III and level IV shall be required prior to a public hearing by the planning and zoning board and city commission.
2. *Additional notice.*
  - a. For consideration of an application for alternative screening of a dumpster as provided in Section 47-19.4.H, notice shall be given to the civic or neighborhood association which represents the area within which the subject property is located of the public hearing before the planning and zoning board. The notice shall be mailed to the address on file for the association in the city clerk's office at least ten (10) days prior to the date of hearing. Failure of the notice shall not be

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grounds to invalidate the hearing as this provision is directory and not mandatory.

- b. For consideration of an application for a conditional use when no portion of a parcel abuts a right-of-way, prior to the planning and zoning board meeting mail notice shall be given to the owners of the land being considered and the owners of land within three hundred (300) feet of the right-of-way closest to the parcel being considered.
  
- c. For consideration of site plan level III, site plan level IV, conditional use approvals, parking reduction requests, flex allocation, cluster developments, modification of yards, waterway use approvals, rezoning requests, right-of-way vacation requests, public purpose sue, land use amendments, any development in the Regional Activity Centers that require approval by the planning and zoning board or the city commission, and excludes plat and easement vacation requests:
  - i. A minimum of twenty-one (21) days prior to the first scheduled development review committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organizations(s) within three hundred (300) feet of the proposed project, notifying of the date, time and place of the DRC meeting.
  
  - ii. Prior to submittal of application to the planning and zoning board (PZB), a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within three hundred (300) feet of the proposed project, notifying of the date, time and place of applicant's project

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presentation meeting to take place prior to the PZB meeting.

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SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 6th day of January, 2015.

PASSED SECOND READING this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH

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