



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#14-1538

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: January 21, 2015

TITLE: Second Reading of Ordinance – Public Participation Notice; Amending
Unified Land Development Regulations (ULDR), Section 47-24.1,
Development Permits and Procedures, Section 47-24.2, Site Plan
Development Permit, and Section 47-27.4, Notice Requirements

Recommendation

It is recommended the City Commission adopt an ordinance on second reading to amend ULDR Sections 47-24.1, 47-24.2 and 47-27.4 to address aspects of public participation in the development review process for Site Plan Level III (Planning and Zoning Board review) and Site Plan Level IV (City Commission review) applications.

Background

The intent of adopting Public Participation Notice requirements is to ensure that applicants and neighbors have adequate opportunities early in the planning process to understand and comment on proposed development projects. The ordinance will require applicants to present development plans to affected neighborhoods prior to the submittal of a formal development application. Although the proposed ordinance will not guarantee consensus, it can serve as a tool to help guide the process and engage the community in a meaningful way early in the development review process.

The initial concept behind the ordinance was discussed at the City Commission Conference meeting on April 3, 2012, when a presentation was made by City staff regarding the Permitting Process Improvement Project, which was undertaken to evaluate aspects of the development review and permit approval process that could be streamlined. Discussion ensued regarding public input, and points were raised that some cities have institutionalized community outreach at the beginning of the development review process, in an effort to help define development expectations for both applicants and neighbors early on. The City Commission concurred that there is a need for more communication and outreach to the community at the start of the process and in a subsequent Conference meeting on August 21, 2012, the City Commission expressed that appropriate public participation notice requirements be established.

Staff presented a draft proposed ordinance to the Council of Fort Lauderdale Civic Associations on May 13, 2013 followed by a presentation at the City Commission Conference meeting on June 4, 2013. In response to comments at that meeting, the City Commission directed staff to continue with additional outreach. After input from the Council of Civic Associations and other interested parties, staff amended the original draft ordinance, to incorporate additional comments.

The proposed ordinance was presented to the Planning and Zoning Board on October 15, 2014. The Board voiced concerns about codifying the public participation process and potential impacts on development project timelines, thereby recommending denial (9-0). Minutes are attached as Exhibit 2.

Subsequent to the Planning and Zoning Board meeting, staff made one adjustment to the ordinance, requiring that for practical purposes, applicants provide the meeting affidavit to coincide with the same timeframe of five days as exists for existing sign and mail notice affidavits. The change is highlighted in double underlined format in the proposed ordinance, provided as Exhibit 3.

The following is a summary of the proposed amendment to the ULDR:

Notice Requirements: A minimum of 21 days prior to the scheduled Development Review Committee (DRC) meeting, the applicant is required to provide a notice of the upcoming meeting to any official city-recognized civic association(s) within 300 feet of the project. A minimum of five days prior to the DRC meeting, the applicant will then submit an affidavit documenting that notice was provided to the applicable civic associations.

A minimum of 30 days prior to the scheduled Planning and Zoning Board (PZB) hearing date, the applicant is required to conduct a public meeting to discuss the project. Notice of the meeting to the applicable civic associations must be sent prior to submittal of the PZB application. A minimum of five days before the PZB meeting, an affidavit documenting that the notice was delivered must be provided.

Record of Meeting: When a meeting is required under this ordinance, the applicant must provide the Department of Sustainable Development with a record of the meeting including a general summary of the event, presentation material and the number of participants. The letter should also summarize the comments expressed at the meeting. The record of the meeting must be provided to the Department no later than 30 days prior to the scheduled PZB meeting and will be included as a part of the case record.

Pursuant to the above, staff is proposing the amendment to formally encourage stakeholder involvement in the development review process. The Public Participation Notice ordinance will offer a process that will continue to foster good working relationships, communication and engagement between the community, project applicants and City staff. This amendment furthers the goals of the City's 2035 Vision Plan and the

2018 Strategic Plan which include creating strong diverse neighborhoods through increased neighbor engagement.

To review the proposed ordinance, please see Exhibit 3.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item corresponds to *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Infrastructure Cylinder of Excellence**, specifically advancing:

- **Goal 5:** Be a community of strong, beautiful and healthy neighborhoods.
- **Objective 1:** Increase neighbor engagement and improve communication networks within and among neighborhoods.

Attachments:

Exhibit 1 – 101514 PZB Staff Report

Exhibit 2 – 101514 PZB Minutes

Exhibit 3 – Proposed Ordinance

Prepared by: Eric Engmann, Planner II
Department Director: Jenni Morejon, Director