

ORDINANCE NO. C-26-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-16, "HISTORIC PRESERVATION DISTRICT," OF THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS, TO AMEND THE LIST OF HISTORIC DISTRICTS, ~~UPDATE THE LIST OF PERMITTED USES,~~ MODIFICATION OF DIMENSIONAL REQUIREMENTS INCLUDING AN INCREASE IN HEIGHT, MODIFICATION TO SIGN REGULATIONS, AMENDING SECTION 47-24.11, "HISTORIC DESIGNATION OF LANDMARKS, LANDMARK SITE OR BUILDINGS AND CERTIFICATE OF APPROPRIATENESS," TO AMEND THE EFFECTIVE DATE, TO PROVIDE FOR AN APPROVAL PROCESS FOR AN ADMINISTRATIVE CERTIFICATE OF APPROPRIATENESS VISIBLE FROM THE PUBLIC RIGHT-OF-WAY, AND CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS, AND FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Penn Cent. Transp. Co. v. City of New York, 438 U.S. 104 (1978), cities may enact land-use restrictions to encourage or require the preservation of buildings and areas with historic importance; and

WHEREAS, the City Commission of the City of Fort Lauderdale wishes to preserve properties located within the Historic Preservation District zoning district; and

WHEREAS, the City Commission of the City of Fort Lauderdale wishes to amend the Historic Preservation District zoning district; and

WHEREAS, regulations herein are consistent with the City's Comprehensive Plan; and

WHEREAS, the City Commission finds that the preservation of historic properties is a public purpose; and

WHEREAS, the Historic Preservation Board has recommended that the City Commission adopt the proposed amendments to the ordinance; and

WHEREAS, the Planning and Zoning Board recommended that the City Commission adopt the proposed amendments to the ordinance;

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

SECTION 1. That Section 47-16 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations, is hereby amended as follows:

SECTION 47-16. - H-1 - HISTORIC PRESERVATION DISTRICT

Sec. 47-16.1. - List of districts.

The H-1 zoning district classification of the City of Fort Lauderdale was adopted on April 1, 1975, by Ordinance No. C-75-29 and is intended to preserve the buildings and structures that are within an H-1 Historic Preservation District which includes the following areas:

- A. Himmarsee Village. The Himmarsee Village Historic District was zoned H-1 on July 1, 1975, by Ordinance No. C-75-69 and was named as the Himmarsee Village Historic District on March 2, 1976, by Resolution 76-100.
- B. Stranahan House. The Stranahan House was zoned as H-1 on June 15, 1982, by Ordinance No. C-82-50, locally designated on the City of Fort Lauderdale's Historic Register on June 5, 2007, by Resolution No. 07-110, and listed on the National Register of Historic Places on October 2, 1973.

~~H-1 - Historic Preservation.~~

Sec. 47-16.2. - Intent and purpose.

H-1 - Historic Preservation District is intended to promote the cultural, economic, educational and general welfare of the people of the city and of the public generally, through the preservation and protection of historically worthy structures. These regulations are intended to insure a harmonious outward appearance of all structures and premises within an H-1 historic preservation district, to encourage uses which will lead to their continuance, conservation and improvement in a manner appropriate to the preservation of the cultural and historic heritage of the city, to protect against destruction of or encroachment upon such area, structure or premise, to prevent creation of environmental influences adverse to such purposes, and to assure that new structures, uses and premises within an H-1 historic preservation districts will be in keeping with the character to be preserved and enhanced.

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Sec. 47-16.3. - Declaration of public policy.

- A. It is the policy of the city that the preservation, protection, perpetuation of a historic district is a public necessity because it will have a special historic, architectural, archeological, aesthetic or cultural interest and value and thus will serve as a visible reminder of the history and heritage of the city, state and nation. The city commission hereby finds that this ordinance benefits the residents and property owners of the city and declares as a matter of public policy that this ordinance is required in the interest of the health, safety, general welfare and economic well-being of its residents.

Sec. 47-16.4. - ~~Applicability~~ Certificate of Appropriateness.

~~(Reserved)~~

- A. In addition to complying with the provisions of 47-16, no person shall undertake any of the following actions affecting property in an H-1 district without first obtaining a certificate of appropriateness from the historic preservation board in accordance with Section 47-24.11.D, Certificate of Appropriateness:
 - 1. Alteration of an archeological site or the exterior part of a building or a structure or designated interior portion of a building or structure,
 - 2. New construction,
 - 3. Demolition,
 - 4. Relocation,
 - 5. Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness, provided this work on a designated landmark, a designated landmark site, or a property in a designated historic district does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.
- B. All provisions of Section 47-24.11.D, Certificate of Appropriateness, shall apply in the H-1 district.

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C. After a certificate of appropriateness is issued in accordance with Section 47-24.11.D, Development Permits and Procedures, all other applicable permits, licenses and certificates of compliance must be obtained before any use of the land occurs.

Sec. 47-16.5. -- List of Permitted Uses.

District categories -- Residential, Commercial Recreation, Food and Beverage Service, Lodging, Retail Sales, Services/Office Facilities, and Mixed-Use Building.

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| <u>A.</u> | <u>PERMITTED USES</u> |
| | <u>Permitted Uses</u> |
| <u>1.</u> | <u>Residential (only permitted on SW 2nd Avenue and SW 3rd Avenue)</u> |
| <u>a.</u> | <u>Single Family Dwelling.</u> |
| <u>b.</u> | <u>Single Family Dwelling, Attached; Duplex/Two (2) Family Dwelling.</u> |
| <u>c.</u> | <u>Multifamily Use.</u> |
| | |
| <u>2.</u> | <u>Commercial Recreation</u> |
| <u>a.</u> | <u>Indoor Motion Picture Theater, less than Five Screens.</u> |
| <u>b.</u> | <u>Performing Arts Theater, less than 300 Seats.</u> |
| | |
| <u>3.</u> | <u>Food and Beverage Service</u> |
| <u>a.</u> | <u>Bakery Store.</u> |
| <u>b.</u> | <u>Bar, Cocktail Lounge, Nightclub.</u> |

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| e. | Candy, Nuts Store. |
| d. | Delicatessen. |
| e. | Fruit and Produce Store. |
| f. | Grocery/Food Store. |
| g. | Ice Cream/Yogurt Store. |
| h. | Refreshment Stand. |
| i. | Restaurant, except carry-out only or drive-thru restaurants. |
| j. | Tearoom |
| | |
| 4. | Lodging |
| a. | Bed and Breakfast Dwelling, see Section 47-18.6 of the ULDR. |
| b. | Hotel, no greater than 100 sleeping rooms, see Section 47-18.16 of the ULDR. |
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| 5. | Public Purpose Facilities |
| a. | Civic and Private Club Facility. |
| b. | Government Administration. |
| c. | Museum. |
| d. | Post Office Substation. |
| e. | Active and Passive Park, see Section 47-18.44 of the ULDR. |

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| f. | <u>Public/Private Recreation.</u> |
| g. | <u>Public Purpose Use, see Section 47-18.26 of the ULDR.</u> |
| h. | <u>Public dock and landing wharf excluding launching, storage and overnight docking, see Section 47-23.8 of the ULDR, Waterway Uses.</u> |
| i. | <u>Rental of boats that are not powered by gas, power, or electricity, see Section 47-23.8 of the ULDR, Waterway Uses.</u> |
| | |
| 6. | <u>Retail Sales</u> |
| a. | <u>Antiques store.</u> |
| b. | <u>Apparel/Clothing, Accessories Store.</u> |
| c. | <u>Arts & Crafts Supplies Store.</u> |
| d. | <u>Bicycle Shop.</u> |
| e. | <u>Book Store.</u> |
| f. | <u>Cigar, Tobacco Store.</u> |
| g. | <u>Florist Shop.</u> |
| h. | <u>Gifts, Novelties, Souvenirs Store.</u> |
| i. | <u>Glassware, China, Pottery Store.</u> |
| j. | <u>Jewelry Store.</u> |
| k. | <u>Linen, Bath, Bedding Store.</u> |
| l. | <u>Pharmacy.</u> |
| m. | <u>Shoe Store.</u> |

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| n. | <u>Woodcraft Shop.</u> |
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| 7. | <u>Services/Office Facilities</u> |
| a. | <u>Financial Institution, not including Drive-Thru Banks.</u> |
| b. | <u>Flower and vegetable gardens, greenhouses and groves.</u> |
| c. | <u>Hair Salon.</u> |
| d. | <u>Instruction: Fine Arts, Sports and Recreation, Dance, Music, Theater.</u> |
| e. | <u>Interior Decorator.</u> |
| f. | <u>Medical/Dental Office.</u> |
| g. | <u>Photographic studio.</u> |
| h. | <u>Professional Office.</u> |
| i. | <u>Shoe Repair, Shoeshine.</u> |
| j. | <u>Tailor, Dressmaking Store, Direct to the Customer.</u> |
| k. | <u>Watch and Jewelry Repair.</u> |
| | |
| 8. | <u>Accessory Uses, Buildings and Structures (See also Section 47-19 of the ULDR.)</u> |
| a. | <u>Sidewalk cafés. (See Section 47-19.9 of the ULDR.)</u> |
| b. | <u>Mobile vendors. (See Chapter 23, Article IV of Volume I of the Code.)</u> |
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| <u>9.</u> | <u>Mixed-use Development</u> |
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Sec. 47-16.6. - Limitations on permitted uses.

A. The following use limitations shall apply:

1. The HPB may approve a use not listed in Section 47-16.5 that maintains similar characteristics found within the historic district through a Certificate of Appropriateness application per Section 47-24.11.
2. Retail businesses that require a large amount of floor area for operation including but not limited to, department stores, supermarkets, furniture stores, variety stores that sell general merchandise shall not be permitted.
3. Outdoor sale or storage of goods or merchandise except in connection with permitted accessory uses shall not be permitted.
4. Package liquor stores and drive-in or take-out restaurants shall not be permitted.

Sec. 47-16.5 – 47-16.6 - Reserved

Sec. 47-16.57. - Building regulations. Dimensional requirements.

A. Building regulations Dimensional requirements shall be applicable to and commensurate with the permitted uses as specified in Section 47-16.405. For the purpose of ~~this district~~ the Himmarshee Village Historic District, each building shall be identified as belonging to ~~only one of the three use categories: residential, business or other.~~ either residential or nonresidential.

| <u>Requirement</u> | <u>SW 2 Avenue and SW 3 Avenue, Stranahan House</u> | <u>SW 2 Street</u> |
|-------------------------|-----------------------------------------------------|----------------------|
| <u>Minimum lot size</u> | <u>5,000 sq. ft.</u> | <u>5,000 sq. ft.</u> |

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| <u>Maximum structure height</u> | <u>35 ft (3 stories)</u> | <u>6 stories (See Note A)</u> |
| <u>Maximum shoulder height</u> | <u>None</u> | <u>3 stories</u> |
| <u>Required setback</u> | <u>None</u> | <u>15 ft</u> |
| <u>Maximum structure length</u> | <u>100 ft</u> | <u>150 ft</u> |
| <u>Minimum lot width</u> | <u>50 ft</u> | <u>50 ft</u> |
| <u>Minimum front yard</u> | <u>25 ft (See Note B)</u> | <u>Setback a minimum of 45 feet measured from the centerline of the street</u> |
| <u>Minimum corner yard</u> | <u>10 ft setback measured from the property line</u> | <u>45 ft setback measured from the centerline of the street</u> |
| <u>Minimum side yard</u> | <u>5 ft</u> | <u>None</u> |
| <u>Minimum rear yard</u> | <u>15 ft</u> | <u>None</u> |
| <u>Minimum distance between buildings</u> | <u>10 ft (residential Only)</u> | <u>None</u> |
| <u>Open Space Requirements</u> | <u>20 percent</u> | <u>10 percent</u> |
| <u>Note A: Maximum height of up to 9 stories may be approved subject to adherence to performance standards as outlined in Section 47-16.6.B.1. - Performance Standards and Criteria for Additional Height.</u> | | |
| <u>Note B: The HPB may reduce any of the specified yard or setback requirements provided that such modifications shall not increase the lot coverage or decrease the</u> | | |

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open space and would be in keeping with the visual continuity, character, setting and appearance of adjacent and surrounding properties.

Note C: For the purposes of the Transfer of Development Rights (TDR) program density may be calculated based on the underlying Future Land Use of Downtown Regional Activity Center and may be applied to all properties to maintain the character of the district.

Note D: Accessory buildings shall not be located in front or street side yards.

B. *Building Design.*

1. *Performance Standards and Criteria for Additional Height.* The following additional criteria shall apply:

- a. *Scale and Massing.* Where a proposed new construction is of a larger scale and mass than existing adjacent uses, the design of the structure shall place significant consideration on transition, architectural articulation, superior lining with habitable space, and effective transition between higher and lower scale buildings.
- b. *Architectural Design.* Superior architectural design of the building including a provision of an active rooftop on the roof deck of the ninth floor, a minimum 15-foot floor to ceiling height for the first floor and top floor, and all street-facing building facades shall be lined with active uses. A lower height for the first floor may be considered for compatibility if directly abutting an existing structure with a lower first floor.
- c. *Streetscape Design.* All streetscape cross sections shall comply with the Downtown Master Plan Chapter 4 Design Guidelines for local streets. Alternative streetscape designs may be considered to maintain compatibility with the surrounding historic district.

~~1. *Building height and length.*~~

- ~~a. *No building in any use category shall exceed two stories or 25 feet in height.*~~

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~~b. No building in any use category shall exceed 100 feet in any dimension.~~

~~2. *Building site.*~~

~~a. *Residential uses.* Every building erected, relocated, structurally altered or converted for residential use shall provide a minimum lot size of five thousand (5,000) square feet and 50 foot in width. The maximum number of dwelling units per net acre of plot area shall not exceed 15.~~

~~b. *Business uses.* No minimum requirements for a building site area.~~

~~c. *Other uses.* The historic preservation board shall determine the minimum site area by considering the use and structural bulk in relation to site area and surrounding area while providing parking, landscaping and appurtenant elements for the safety and welfare of the general public. All required or non-required parking must meet the parking requirements of Section 47-20, Parking and Loading, and is subject to the criteria and guidelines provided in Section 47-24.11.D.~~

~~3. *Yards, lot coverage and open space.* Existing buildings not conforming to required setbacks, height limits or ground coverage may be used for any permitted use but shall not be enlarged without the approval of the historic preservation board.~~

~~a. Residential uses shall provide yards as specified below:~~

~~i. Front yard: 25 feet.~~

~~ii. Corner yard: one-fourth (1/4) of the lot width but not less than ten feet for single family and duplex; 20 feet all other residential uses.~~

~~iii. Side yard: ten feet.~~

~~iv. Rear yard: 20 feet.~~

~~v. Distance between buildings: ten feet.~~

~~vi. Accessory buildings shall not be located in front or street side yards. Such yards may be used for refuse containers only at locations authorized by the city public services department.~~

~~b. Residential uses shall abide by lot coverage and open space as specified below:~~

~~i. Maximum percent of total nonpermeable area: sixty-five percent (65).~~

~~c. Business uses shall provide yards as specified below:~~

~~i. Front yard: five feet for any portion of the structure less than nine feet in height; zero (0) feet above nine feet in height.~~

~~ii. Corner yard: five feet.~~

~~iii. Side yard when abutting nonresidential uses: none.~~

~~iv. Side yard abutting residential uses: ten feet.~~

~~v. Rear yard when abutting nonresidential uses: none.~~

~~vi. Rear yard abutting residential uses: 15 feet.~~

~~d. Other uses shall provide yards and landscaped open space that enhance and promote the peculiar characteristics and aesthetic qualities of the site, its use and the purpose of the historic district as approved by the historic preservation board.~~

~~e. *Modification of yards.* The historic preservation board may reduce any of the specified yard or setback requirements provided that such modifications shall not increase the lot coverage or decrease the open space and would be in keeping with the visual continuity, character, setting and appearance of adjacent and surrounding properties.~~

~~4. *Minimum floor area.*~~

~~a. Residential uses shall provide minimum floor area of:~~

~~i. Single family: seven hundred fifty (750) square feet.~~

~~ii. Duplex: 400 square feet each dwelling unit.~~

~~iii. Townhouse: seven hundred fifty (750) square feet each dwelling unit.~~

~~iv. Multifamily: 400 square feet each dwelling unit.~~

~~b. Business uses: no requirements for minimum floor area.~~

~~c. Other uses: shall provide minimum floor area relative to its use and the health and safety of the public as approved by the historic preservation board.~~

~~Sec. 47-16.6. Certificate of appropriateness.~~

~~A. No person shall undertake any of the following actions affecting property in an H-1 district without first obtaining a certificate of appropriateness from the historic preservation board in accordance with Section 47-24.11.D, Certificate of Appropriateness:~~

~~1. Alteration of an archeological site or the exterior part of a building or a structure or designated interior portion of a building or structure,~~

~~2. New construction,~~

~~3. Demolition,~~

~~4. Relocation,~~

~~5. Ordinary repairs and maintenance that are otherwise permitted by law may be undertaken without a certificate of appropriateness, provided this work on a designated landmark, a designated landmark site, or a property in a designated historic district does not alter the exterior appearance of the building, structure or archeological site, or alter elements significant to its architectural or historic integrity.~~

~~B. All provisions of Section 47-24.11.D, Certificate of Appropriateness, shall apply in the H-1 district.~~

~~C. After a certificate of appropriateness is issued in accordance with Section 47-24.11.D, Development Permits and Procedures, all other applicable permits,~~

~~licenses and certificates of compliance must be obtained before any use of the land occurs.~~

~~Secs. 47-16.7 — 47-16.9. — Reserved.~~

Sec. 47-16.10. - List of permitted uses.

A. No buildings or structures or part thereof or items such as furniture placed outdoors, push carts, mobile or non-mobile vending machines or trolley cars placed on private property shall be erected, altered, located or used, or land or water used either in a permanent or temporary manner, in whole or in part, for other than the following uses and then only when permitted by the city plan and to the degree permitted by the city plan, the requirements of this section shall not apply to vehicles used solely for the travel purposes of the vehicle operation.

1. *Residential:*

- a. Single family dwelling.
- b. Two family dwelling (duplex).
- c. Multiple-family dwelling and apartments.

2. *Business retail sales:*

- a. Antique shop.
- b. Apothecary.
- c. Apparel shop.
- d. Arts and handicraft shop.
- e. Bakery.
- f. Bicycle sales and/or repair shop.
- g. Candle shop.
- h. Candy shop.

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- i. Ceramic, pottery shop.
 - j. Cigar store.
 - k. Delicatessen.
 - l. Gasoline sales on restored premises originally designed for this purpose.
 - m. Florist shop.
 - n. Flower, fruit and vegetable sales.
 - o. General store in character with historic district.
 - p. Gift and souvenir shop.
 - q. Ice cream parlor.
 - r. Jewelry shop.
 - s. Linens, fabrics, draperies shop.
 - t. Meat and grocery shop.
 - u. Millinery and modistes.
 - v. Shoe shop.
 - w. Silversmith.
 - x. Woodcraft shop.
 - y. Sale of reproduced or restored antique cars.
3. *Business services:*
- a. Barber and beauty shop.
 - b. Photographic studio.

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- c. Rental of unpowered boats, see Section 47-23.8, Waterway Uses.
 - d. Shoe repair, shoe shining, hat cleaning.
 - e. Tailor or dressmaking shop.
 - f. Watch and jewelry repairs.
 - g. Fine arts, music, dancing and dramatic schools.
 - h. Interior decorator shop.
4. *Professional offices:*
- a. Financial institutions.
 - b. Insurance and real estate.
 - c. Legal, dental, medical, scientific, architectural, accountant and engineering office.
 - d. Post office.
 - e. Governmental offices.
 - f. Telegraph office.
5. *Other uses:*
- a. Civic building.
 - b. Dual residential/business building.
 - c. Establishments licensed for sale of alcoholic beverages for consumption on premises only.
 - d. Flower and vegetable gardens, greenhouses and groves.
 - e. Hotels, no greater than 100 sleeping rooms, see Section 47-18.16, Bed and Breakfast Dwellings, see Section 47-18.6.

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- f. Tearoom or restaurant, except take-out or drive-in restaurants.
 - g. Museum relating to the history, culture and character of the historic district.
 - h. Park area and public park associated with passive recreational activities.
 - i. Playhouse, less than 300 seats.
 - j. Public dock and landing wharf excluding launching, storage and overnight docking, see Section 47-23.8, Waterway Uses.
 - k. Public Purpose Use, see Section 47-18.26.
 - l. Refreshment stand.
 - m. Uses judged similar in characteristics to any of the above by the board.
6. *Accessory uses & outdoor site furnishings:*
- a. Sidewalk cafés. (See Section 47-19.9.)
 - b. Mobile vendors. (See Chapter 23, Article IV of Volume I of the Code.)

~~Secs. 47-16.11 — 47-16.19. — Reserved.~~

Sec. 47-16.20. - Limitations on permitted uses.

- A. The following use limitations shall apply:
- 1. Retail businesses that do not enhance the flavor and character of an historic atmosphere because the large amount of floor area required for operation; examples include department stores, supermarkets, furniture stores, variety stores which shall not be permitted.
 - 2. Retail businesses whose merchandise or bizarre atmosphere is the result of modern technology to the extent that the products do not promote or preserve an harmonious aura of historic character shall not be permitted. Examples: prohibit sale and display of modern new and used cars as opposed to that of

reproduced or restored antique cars; prohibit the operation of a "head shop" as opposed to that of a general store.

3. Service establishments whose service was not performed or is not presently performed in a manner compatible with the culture and character of the historic period shall not be permitted. Examples include laundry and dry cleaning pickup agency, self-service laundry, dry cleaning establishments, service stations except restorations, travel agencies, tire and automotive repair shop except as necessary to sale of antique cars.
4. Sale, storage or display of used or secondhand merchandise except in antique shop or museum and except as reasonable antiques used to promote the sales of other merchandise or service shall not be permitted.
5. Outdoor sale or storage of goods or merchandise except in connection with permitted accessory uses shall not be permitted.
6. Package liquor stores and drive-in or take out restaurants shall not be permitted.
7. Motion picture theaters shall be prohibited.

Sec. 47-16.218. - Sign regulations.

A. *Sign definitions.* The definition of signs are those listed under Section 47-22, Sign Requirements.

B. Sign Review Process.

1. New signs that meet the City of Fort Lauderdale's Historic Preservation Design Guidelines for Commercial Properties or a change of copy on an existing sign, as well as requirements in Section 47-22, the DSD shall review the request as part of a building permit application.
2. New signs that are not in keeping with the City of Fort Lauderdale's Historic Preservation Design Guidelines for Commercial Properties or exceed the number of permitted signs must submit a Certificate of Appropriateness application to the Historic Preservation Board. All new signs must also meet the requirements in Section 47-22.

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BC. *Sign regulations.*

1. ~~The location, type, size, material, text, visual impact, shape, character, height and orientation of all signs in addition to the number and total area of signs on a given structure or at a given location shall be approved by the board. No more than two (2) signs shall be permitted at each place of business or premises. One (1) additional sign may be permitted if the place of business or premise faces more than one (1) right-of-way.~~
2. ~~Except for temporary signs allowed under Section 25-24, Temporary Signs, Ssigns may be lighted but only by external lamps, incandescent light bulbs illuminating the text of the sign from the exterior or with reverse channel letter or halo lit channel letters. The intent of this subsection is to prohibit light Internally illuminated box signs are prohibited. and the use of tube light lighting.~~
3. If new holes or brackets are necessary, the installation should not damage any historic material on the structure and should be drilled through the mortar joints to avoid damage to the brick or stone.
4. Electrical conduit and receptacle boxes, or any other operational devices shall be covered, painted, or designed in such a manner as to be visually unnoticeable. Structural supports may be visible if compatible with the architectural style.
- C.—5. No sign in whole or in part shall contain or utilize directly or indirectly neon lighting nor shall it be of the scintillating, moving, flashing, rotating or animated types. Scintillating or black lights, including animated flashing or moving signs subject to view from a public right-of-way ~~or pedestrian mall~~ shall not be permitted.
- D.—6. The following signs are prohibited within the historic district: Marquee signs, banner signs, horizontal projecting signs, outdoor advertising display signs, pylon signs, sidewalk signs, sandwich signs, snipe signs, balloons which are used for advertising and are anchored either temporarily or permanently to any structure or premise, outdoor advertising display signs or billboards and all other signs prohibited by Section 47-22, Sign Requirements.

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~~E.~~ 7. Detailed requirements governing signs and advertising displays are set forth in Section 47-22, Sign Regulations; if a conflict exists, the provisions of this section shall prevail.

~~F.~~ ~~Where uncertainty exists as to any aspect of this section pertaining to signs, the decision of the board, made in accordance with the spirit, intent and purpose of this ordinance, shall prevail.~~

Sec. 47-16.229. - Site amenity requirements.

The minimum site amenities for any building or use, erected, altered, relocated, installed or maintained, shall conform to all applicable ULDR. The board shall consider the protection and separation of contiguous and nearby property and the interest of public safety and convenience; therefore, the board may specify additional requirements for the relocation of walks, ~~malls,~~ yards, ~~terraces,~~ open space, landscaping, walls, fences, hedges, parking areas, loading areas and outdoor waste disposal facilities.

Sec. 47-16.231011. - Parking exemption.

The H-1 district, as described in Section 47-20.3.E., is exempt from the ULDR's parking & loading requirements, however, all non-required parking spaces shall meet the requirements of Section 47-20, Parking and Loading Requirements, and is subject to the criteria and guidelines provided in Section 47-24.11.D.

SECTION 2. That Section 47-24.11 of the City of Fort Lauderdale, Florida, Unified Land Development Regulations is hereby amended as follows:

D. *Certificate of appropriateness.*

6. *Effective date.* The decision of the HPB pertaining to a certificate of appropriateness that is subject to City Commission Request for Review shall not take effect nor shall a building permit be issued until ~~thirty (30)~~ seven (7) business days after approval, and then only if no motion is adopted by the city commission seeking to review the application or no appeal of the HPB decision is filed by the applicant as provided in Section 47-26B of the ULDR,

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Appeals. The action of the HPB shall be final and effective after the expiration of the ~~thirty (30)~~ seven (7) business days period with no action taken by the city commission.

E. *Administrative certificate of appropriateness.* No person may undertake any minor alterations, minor demolitions, in-kind replacements or restoration affecting a designated landmark, a designated landmark site, or a property in a designated historic district without first obtaining an administrative certificate of appropriateness from the department of sustainable development, or if necessary a certificate of appropriateness from the HPB. The department of sustainable development shall administratively review administrative certificate of appropriateness applications for minor alterations, minor demolitions, in-kind replacements, or restoration, notwithstanding the criteria outlined in Section 47-24.11.D.1 of the ULDR. The department may either approve or approve with conditions, or deny an application for an administrative certificate of appropriateness.

5. Approval for an administrative certificate of appropriateness visible from the public right-of-way. Applications that comply with the City of Fort Lauderdale Historic Preservation Design Guidelines and the Secretary of the Interior's Standards for Rehabilitation but include alterations that are visible from the public right-of-way shall be reviewed by the DSD in accordance with this section.

a. An application for an Administrative Certificate of Appropriateness must be submitted to the DSD in accordance with the provisions of this section and shall include the following:

i. Drawings, plans, or specifications of sufficient detail to show all the proposed exterior alterations, additions, changes, or new construction to the property as are reasonably required for decisions to be made by the HPB and the DSD, including but not limited to color photographs, property surveys, floor plan(s), elevation drawings, and details pertaining to proposed materials, textures, and colors.

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b. Review process for an Administrative Certificate of Appropriateness

- i. The DSD shall render its decision within thirty (30) days after the application is deemed complete by the DSD.
- ii. Administrative Certificate of Appropriateness granted by the DSD shall not be effective for a period of fifteen (15) days subsequent to the decision of the DSD to allow for HPB review.
- iii. Once an application is approved or denied, the DSD shall forward its decision to the members of the Historic Preservation Board (HPB) to allow for review. During the fifteen (15) day review period, a member of the HPB may initiate a review by filing a statement of intent with the DSD. If the HPB board member files a request for review, the decision of the DSD shall automatically be stayed, and the application shall be placed on the next available HPB agenda.
- iv. The application shall be reviewed by the HPB as a new application for a certificate of appropriateness in accordance with the procedures provided in Section 47-24.11.D, Certificate of Appropriateness, but no additional fee will be required.

56. Whenever any minor alteration, minor demolition, in-kind replacement, or restoration is undertaken on a property in a designated landmark, a designated landmark site, or a property in a designated historic district without an administrative certificate of appropriateness, the building official shall issue a stop work order.

67. Appeal of administrative certificate of appropriateness.

- a. An applicant may file an appeal of a decision of the department regarding an Administrative Certificate of Appropriateness to the HPB no later than 30 days after the decision. The appeal will be scheduled for a de novo hearing in front of the HPB no sooner than thirty (30) days or later than sixty (60) days from the date of the request for appeal. The HPB may reject, approve or amend the decision of the department.

SECTION 3. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener’s errors in the codification of this Ordinance without the need for a public hearing.

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 immediately upon its passage on second reading.

PASSED FIRST READING this ___ day of _____, 2026.

PASSED SECOND READING this ___ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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