

ORDINANCE NO. C-23-45

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CITY OF FORT LAUDERDALE, FLORIDA'S UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE IX – ADMINISTRATION AND BOARDS, SPECIFICALLY SECTION 47-30 – PLANNING AND ZONING BOARD, AND SECTION 47-32 – HISTORIC PRESERVATION BOARD, TO REVISE TERM OF APPOINTMENT ON EACH BOARD; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS AND REPEAL, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Article IX – Administration and Boards, Section 47-30 entitled “Planning and Zoning Board” and Section 47-32 entitled “Historic Preservation Board”, of the City of Fort Lauderdale, Florida's Unified Land Development Regulations (“ULDR”) to revise the length of time members serve on the Planning and Zoning Board and Historic Preservation Board; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its meeting of September 20, 2023 (PZ Case No. UDP-T23008), reviewed the proposed text amendments for consistency with the City of Fort Lauderdale Comprehensive Plan and recommended the City Commission adopt the amendments to the ULDR; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meetings to be held on Tuesday, December 5, 2023, and Tuesday, December 19, 2023, at 6:00 o'clock P.M., in the Mary N. Porter Riverview Ballroom at the Broward Center for the Performing Arts, 201 SW 5th Avenue, Fort Lauderdale, Florida;

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

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2. Article IX – Administration and Boards, Section 47-30 entitled “Planning and Zoning Board” of the City of Fort Lauderdale, Florida ULDR is hereby amended as follows:

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

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Sec. 47-30.2. - Membership.

- A. The city planning and zoning board shall consist of nine (9) members.
- B. The term of office of each member shall be ~~three (3)~~ four (4) years except for the filling of vacancies. ~~The term of office in each instance shall begin on June 1.~~
- C. Vacancies on the board shall be filled for the balance of any unexpired term.
- D. Members of the board shall receive no compensation for their service on the board.
- E. The provisions of Section ~~2-217~~ 2-219 of the Code of Ordinances – Rules governing board and committee appointments, ~~applicable to advisory boards including but not limited to removal of board members~~ shall apply to the planning and zoning board as provided ~~therein~~ when such provisions are not in conflict with this section of the Code. (Located in Section ~~2-217~~ 2-219 of the Code.) In the event of conflict the provisions in this Section 47-30 shall prevail.

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Sec. 47-30.4. - Meetings and procedures.

- A. The regular meeting of the board shall be held on the third Wednesday of each month at city hall so long as the board has business to conduct, except when:
 - 1. this day is a legal holiday observed by the city; or
 - 2. the regular meeting is rescheduled on an intermittent basis to a date and time as may be designated by the board and announced at the regularly scheduled meeting immediately preceding the rescheduled meeting, or
 - 3. is canceled by the chairperson or zoning administrator because of emergency.

If the regularly scheduled meeting falls on a legal holiday observed by the city, that meeting shall be held on the following day. In addition to the regularly scheduled or re-scheduled meeting date(s), the board may meet at such other times as agreed upon during the regularly scheduled monthly meeting. In addition to the regularly scheduled or re-scheduled meetings, the chairperson may designate special meetings at other times after ten (10) days' advance notice to the members. Nothing herein with regard to regularly scheduled, re-scheduled or special meetings of the board shall be deemed a waiver of the notice procedures set forth in

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Section 47-27 hereof.

In the computation of any time period involved in planning and zoning board proceedings, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday recognized pursuant to Florida Statutes Chapter 683 or the city, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday nor legal holiday. When the period of time prescribed or allowed is less than seven (7) days, the intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

- B. The planning and zoning board shall elect from its members a chairperson and a vice-chairperson at an annual election held in ~~June~~ December of each year who shall serve for terms of one (1) year and who shall be eligible for reelection.
- C. The department shall provide all clerical services needed by the board. This shall include the keeping of records, receiving of applications, collecting of fees, preparing the agenda, sending out notices of meetings, preparing the minutes of the board's meetings, answering correspondence and doing whatever clerical tasks as are necessary for the operation of the board.

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SECTION 3. Article IX – Administration and Boards, Section 47-32 entitled “Historic Preservation Board” of the City of Fort Lauderdale, Florida ULDR is hereby amended as follows:

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Sec. 47-32.4. - Membership.

- A. The historic preservation board shall consist of nine (9) members to be appointed by the city commission. Each commissioner shall nominate two (2) members and the Mayor shall nominate one (1) member.
- B. Members shall serve for a period of ~~three (3)~~ four (4) years from date of appointment.
- C. In the event of a vacancy, the city commission shall appoint a successor to fill the

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unexpired term within sixty (60) days of the vacancy.

D. Any member may be removed from the board by the city commission.

E. Members shall serve without compensation.

F. The provisions of Section 2-219 of the Code of Ordinances – Rules governing board and committee appointments, shall apply to the historic preservation board when such provisions are not in conflict with this section of the Code. (Located in Section 2-219 of the Code.) In the event of conflict, the provisions in this Section 47-32 shall prevail.

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Sec. 47-32.6. - Meetings and procedures.

A. The board shall hold regular monthly meetings unless there is no business to be brought before the board. The board shall adopt rules for the time and place of such meetings.

B. The calling of special meetings may be done by the chairperson when warranted by extraordinary circumstances.

C. The historic preservation board shall elect from its members a chair and a vice-chair at an annual election held in ~~June~~ December of each year, who shall serve for terms of one (1) year and who shall be eligible for reelection.

D. The board shall receive assistance in the performance of its historic preservation responsibilities from the department. Other city staff members or consultants may be asked to assist the board by providing technical advice or help in the administration of the historic preservation regulations.

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SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or his designee, without the need for a public hearing.

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SECTION 5. 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 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be effective immediately upon its passage and adoption.

PASSED FIRST READING this 5th day of December, 2023.

PASSED SECOND READING this _____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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