



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

**13-1169**

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**TO:** Honorable Mayor & Members  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** September 17, 2013

**TITLE:** Ordinance – Creating Section 47-37A, Innovative Development (ID) District and revising Section 47-37, Planned Unit Development (PUD) District

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**Recommendation**

It is recommended that the City Commission approve an ordinance on first reading creating Section 47-37A, Innovative Development (ID) District and revising Section 47-37, Planned Unit Development (PUD) District.

**Background**

The proposed ULDR amendments, including the creation of the ID ordinance as well as changes to the existing PUD ordinance, are based on a request from various community members who voiced concerns that the existing PUD ordinance does not contain appropriate criteria for rezoning property to a Planned Unit Development, which was intended to provide an opportunity for development that may not otherwise be permitted under existing code.

Therefore, on May 17, 2011 the City Commission adopted an ordinance establishing a moratorium on the filing or acceptance of applications for rezoning of any property to a PUD and on April 20, 2011, the Commission adopted Resolution 11-114 creating the PUD Advisory Committee to recommend ordinance changes.

The effort was undertaken to clearly define the intent of the new regulations, ensure new criteria adequately address the concerns expressed as to what is currently perceived as negative impacts of zoning property to a PUD zoning district, and which include but are not limited to compatibility with surrounding neighborhoods.

Since the adoption of the moratorium, the Committee worked diligently to address the moratorium objectives and propose substantive changes to the ordinance. At completion of their service the committee proposed the creation of an "Innovative

Development” (ID) ordinance, while retaining the existing PUD regulations for applications approved prior to the effective date of the new proposed ordinance. On June 18, 2013 The City Commission reviewed the proposed draft Innovative Development (ID) ordinance, and supported moving forward with the recommended ULDR changes.

This amendment to the ULDR creates a new ordinance titled “Innovative Development” (ID) zoning district. It provides definition of terms; conditions for rezoning, including minimum acreage requirements and open space requirements for the general use of the public; requirements for public outreach; public improvements; and a review process consisting of a pre-application conference and a rezoning application to be approved as a site plan level IV development approval through the City Commission.

The amendment also includes a revision to Section 47-37, Planned Unit Development (PUD) District to restrict the applicability of the provisions of PUD to developments approved prior to the adoption date of the Innovative Development (ID) zoning district, stipulating that no applications for rezoning to PUD on parcels of land designated as any other zoning district will be accepted or processed.

The proposed ordinance and amendments are attached as **Exhibit 3**.

On July 17, 2013 staff presented these recommendations to the Planning and Zoning Board (PZB) for review and recommendation to the City Commission. The PZB recommended approval of the ordinance, with a proposed amendment to eliminate the minimum parcel size requirement for an ID application, and to include a provision that the Planning and Zoning Board be required to approve an ID with a majority plus one vote. The PZB staff report and minutes are provided as **Exhibit 2** and **Exhibit 3** respectively.

Staff recommends approval of the proposed ordinance and associated amendments on first reading.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Attachments**

Exhibit 1 – DRAFT Ordinance

Exhibit 2 – 07/17/2013 PZB Staff Report

Exhibit 3 – 07/17/13 PZB Minutes

Exhibit 4 – Innovative Dev. Ordinance

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Prepared By: Anthony G. Fajardo, Zoning Administrator

Department Director: Greg Brewton, Department of Sustainable Development