



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#25-1044

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

FROM: Rickelle Williams, City Manager

DATE: November 18, 2025

TITLE: First Reading - Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-13.20 – Downtown RAC Review Process and Special Regulations, Section 47-13.30 – Table of Dimensional Requirements for the SRAC Districts, Article XII, Section 47-36.1 – Transfer of Development Rights (TDR), and Section 47-37B.5 – Table of Dimensional Requirements for the Uptown Urban Village Zoning Districts to Update the TDR Ordinance and Allow Additional Density for Receiving Sites Utilizing the TDR Program; Extending the Expiration Date for Certificates of Eligibility; Providing a Calculation for Available Dwelling Units at Sending Sites, and Incorporating Ability to Retransfer TDR Units or Floor Area – Case No. UDP-T24009 – (**Commission Districts 1, 2, 3 and 4**)

Recommendation

Staff recommends the City Commission consider an ordinance amending the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) Section 47-13.20 – Downtown RAC Review Process and Special Regulations, Section 47-13.30 – Table of Dimensional Requirements for the SRAC Districts, Article XII, Section 47-36.1 – Transfer of Development Rights (TDR), and Section 47-37B.5 – Tables of Dimensional Requirements for the Uptown Urban Village Zoning Districts to update the TDR ordinance and allow increased density for receiving sites utilizing the TDR program, extending the expiration date for Certificates of Eligibility, providing a calculation for available dwelling units at sending sites, and incorporating the ability to retransfer TDR units or floor area.

Background

The City Commission adopted the Transfer of Development Rights (TDR) Ordinance on March 16, 2021. The ordinance is intended to encourage the preservation of historic resources by providing a process where otherwise unusable development and density rights for a historic resource may be converted into an asset that may be sold to a receiving site.

At the December 4, 2023, Historic Preservation Board (HPB) meeting, the Board made a motion to send a Communication to the City Commission, provided as Exhibit 1, requesting the following:

- To recommend the City Commission have the City Manager instruct staff to obtain a consultant to study the Transfer of Development Rights (TDR) for the maximum number of units currently available and to look at best practices in Broward County to optimize the TDR program; and
- To evaluate the City's Land Use Plan and see if there is potential to increase units for the receiving sites for the TDR program.

At its January 9, 2024, conference meeting, the City Commission requested that staff prepare recommendations for improvements to the program. In response to this request, an amendment to the existing TDR ordinance was developed.

This item was first presented to the HPB on September 9, 2024, and was deferred several times to allow time for interested parties to review the proposed changes and obtain feedback, which resulted in additional modifications that were presented to the HPB on January 6, 2025. Following the January 6, 2025 meeting, another motion for deferral was made due to a loss of quorum and the item was then deferred by staff for additional time to further refine the ordinance, and then again due to a cancelled HPB meeting. During the span that the item was deferred, the amendment was further developed and staff continued to update interested parties. Changes implemented during this time include the following:

- Added a list of all the Receiving Area zoning districts
- Extended the expiration date for Certificates of Eligibility from eighteen (18)-months to twenty-four (24)-months
- Added a process and criteria for the renewal of a Certificate of Eligibility
- Added the ability to retransfer TDRs

Subsequently, at the July 7, 2025, HPB meeting, the Board voted unanimously (6-0) to endorse the revised amendments. Combined minutes from the HPB meetings are attached as Exhibit 1.

On August 20, 2025, the Planning and Zoning Board (PZB), acting as the local planning agency (LPA), reviewed the application and recommended approval (by a vote of 6-0), finding the proposed changes are consistent with the City of Fort Lauderdale Comprehensive Plan. The Planning and Zoning Board staff report dated August 20, 2025, is attached as Exhibit 2, and draft meeting minutes are attached as Exhibit 3.

The first reading of the ordinance by the City Commission was held on October 7, 2025, and was deferred to November 18, 2025, to allow for additional time to meet with stakeholders and to further analyze enhancements to the ordinance. This effort resulted in the following elements being added to the recommended amendment:

- Provide that a long-term maintenance plan for a sending site be in effect for thirty (30)-years from the date that it is recorded. The previous draft amendment did not include an expiration period for the maintenance plan; and
- Removal of the Development Review Committee (DRC) as part of the review process for a Certificate of Transfer (COT). An application for a COT will be processed administratively by City staff.

Proposed ULDR Amendments

The proposed amendments to Section 47-36.1, Transfer of Development Rights (TDR) program include, but are not limited to the following:

1. Modify the ability to transfer ten (10) units per acre to an eligible receiving site, to instead transfer units in accordance with the density limitations of the zoning district of the receiving site.
2. Change the eighteen (18) month expiration date to a twenty-four (24) month expiration date for the Certificate of Eligibility.
3. Provide a calculation to determine available dwelling units at sending sites.
4. Provide for the ability to transfer floor area to increase floor plate size at a receiving site.
5. Provide for the ability to re-transfer TDRs to a different site by following the Certificate of Transfer process.
6. Added revisions to make the City's TDR ordinance consistent with the Broward County Land Use Plan in accordance with TDR requirements that were updated in 2024.
7. Added updates to select definitions and miscellaneous edits to provide additional clarity related to the TDR process and requirements.

Maps of the updated receiving areas are attached as Exhibit 4.

As part of this effort, amendments are also proposed to specify that increased density may be transferred to the following zoning districts for the purposes of the TDR program:

- ULDR Section 47-13.20: RAC-RPO – Regional Activity Center – Residential Professional Office
- ULDR Section 47-13.30: RAC-SAe – Regional Activity Center – South Andrews East and RAC-SAw – Regional Activity Center – South Andrews West
- ULDR Section 47-37B.5: UUV-NE – Uptown Urban Village Zoning Districts, UUV-NW – Uptown Urban Village Zoning Districts, UUV-SE – Uptown Urban Village Zoning Districts (ULDR Section 47-37B.5)

Through a separate text amendment to ULDR Section 47-13.20, Section 47-13.50, and Section 47-28 the allocation of residential dwelling units from a sending site to a receiving site, utilizing the Transfer of Development Rights (TDR) program, was recommended for approval by the Planning and Zoning Board (PZB) on April 16, 2025, and was approved by the City Commission on May 20, 2025.

Amended Ordinance recommended by City Staff after PZB meeting:

City staff is suggesting the following amended ordinance, attached as Exhibit 8, which reflects the following changes after PZB approval. The version of the ordinance recommended by the PZB is attached as Exhibit 7 for reference.

1. Presented to the PZB was an added bonus to the density calculation that would provide a twenty-five (25) unit bonus in addition to units available to transfer. After discussions with the Broward County Planning Council, this added bonus has been removed from the proposed amendment as it is not currently included in the Broward County Land Use Plan. Staff intends to continue discussions with the Broward County Planning Council to determine if this could be added as an option to the Broward County Land Use Plan to further incentivize the TDR program.
2. Following the PZB meeting an exception was included as part of the proposed amendments under Section 47-36.1.S.5 regarding any existing site plan that utilized TDRs prior to the adoption of these proposed amendments. The exception states that the site plan may be approved, amended, or modified using the TDR provisions in effect at the time of the approved site plan.
3. Correction for non-substantive scrivener's errors.

In addition to the amendments, the following actions will be completed by staff:

- Maintain a list of all historically designated properties on the City's website;
- Maintain a list of complete Certificate of Eligibility applications, to be posted at time of submittal, on the City's website;
- Continue to engage stakeholders and outside agencies with a role in land use regulations, including the Broward County Planning Council, to identify further opportunities for improvements; and
- Development of educational materials, including multimedia, that provides an overview of the TDR program to ensure applicants and property owners are familiar with the program and its benefits.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports a FY2025 Priority for Public Spaces and Community Initiatives to increase ease of historic preservation incentives.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Public Places Area.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Community.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan, specifically advancing:

- Neighborhood Enhancement Focus Area
- Historic Preservation Element
- Goal 3: Ensure historic preservation goals are met through the coordination and implementation of various local, state, and national preservation tools.

Attachments

Exhibit 1 – Combined HPB Meeting Minutes

Exhibit 2 – August 20, 2025, PZB Staff Report

Exhibit 3 – August 20, 2025, Draft Meeting Minutes

Exhibit 4 – Updated Maps of Receiving Areas and Floor Plate Applicability

Exhibit 5 – Memos to the Council of Fort Lauderdale Civic Associations (CFLCA)

Exhibit 6 – Business Impact Estimate

Exhibit 7 – Ordinance Recommended by PZB

Exhibit 8 – Ordinance

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