

ORDINANCE NO. C-17-14

AN ORDINANCE AMENDING THE CITY OF FORT LAUDERDALE, FLORIDA UNIFIED LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 47-18.43 ENTITLED "LIQUOR STORE AND CONVENIENCE STORE" TO MODIFY CRITERIA FOR PERMITTING CONVENIENCE STORE, MULTI-PURPOSE WITHIN THE NORTHWEST REGIONAL ACTIVITY CENTER LAND USE DESIGNATION; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 47-18.43 of the City of Fort Lauderdale Unified Land Development Regulations ("ULDR") entitled "Liquor Store and Convenience Store" currently prohibits "liquor stores, package liquor stores, convenience kiosks, convenience store, and convenience store, multi-purpose" within the Northwest Regional Activity Center (NW-RAC) land use designation of the City of Fort Lauderdale, Florida; and

WHEREAS, the Planning and Zoning Board of the City of Fort Lauderdale, Florida, acting as the local planning agency, has determined that convenience store, multi-purpose, as a permitted use in the NW-RAC, subject to approval of a conditional use permit pursuant to Section 47-24.3 of the ULDR, and the criteria proposed for Section 47-18.43 of the ULDR set forth in SECTION 1 below are consistent with the City's Comprehensive Plan; and

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida has determined that convenience store, multi-purpose, as a permitted use in the NW-RAC, subject to approval of a conditional use permit pursuant to Section 47-24.3 of the ULDR, and the criteria proposed for Section 47-18.43 of the ULDR set forth in SECTION 1 below are consistent with the City's Comprehensive Plan; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meeting to be held on Tuesday, June 20, 2017, and Tuesday, July 11, 2017, at 6:00 o'clock P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida;

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

SECTION 1. That Section 47-18.43 of the ULDR hereby amended to read as follows:

Sec. 47-18.43 – Liquor store and convenience store.

A. The following uses and other substantially similar uses are not permitted within the Northwest Regional Activity Center land use designation:

1. Liquor store,
2. Package liquor store,
3. Convenience kiosk,
4. Convenience store,
5. Convenience store, multi-purpose.

B. Convenience store, multi-purpose uses may be permitted within the Northwest Regional Activity Center land use designation subject to the approval of a conditional use permit per ULDR Section 47-24.3 and when meeting the following criteria:

1. Is located within a shopping center as defined in the ULDR and the total gross floor area of commercial use within the shopping center contains a minimum of 25,000 square feet of gross floor area and the shopping center contains at least three (3) different commercial establishments permitted pursuant to the underlying zoning; and,
2. Contains an area that is devoted to the preparation, service, consumption and sale of fresh or freshly prepared food; and,
3. Sells automotive fuel with fuel pumps, but offers no automotive repairs.

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SECTION 2. 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 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 20th day of June, 2017.

PASSED SECOND READING this the 11th day of July, 2017.



Mayor

JOHN P. "JACK" SEILER

ATTEST:



City Clerk

JEFFREY A. MODARELLI

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