



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

**FROM:** Greg Chavarria, City Manager

**DATE:** September 6, 2022

**TITLE:** First Reading – Ordinance Amending the City of Fort Lauderdale Code of Ordinances Section 25, Streets and Sidewalks, to Update Sidewalk Installation Requirements – Case No. UDP-T22008 - (**Commission Districts 1,2,3 and 4**)

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**Recommendation**

Staff recommends the City Commission consider an ordinance amending the City's Code of Ordinances Section 25, Streets and Sidewalks, to update sidewalk installation requirements.

**Background**

At the April 20, 2021, City Commission Conference meeting, the City Commission directed to staff to amend the Code of Ordinances to address sidewalk installation criteria based on requirements for when sidewalks are to be installed. The proposed amendments include criteria for existing sidewalks, as well as for sidewalks associated with new development and site alterations.

The proposed amendments provide updates to the following subsections:

- Section 25-40, Declaration of Intent
- Section 25-43, Engineering Permit Required: Non-compliance
- Section 25-44, Remedies for Violations and Orders by the City Manager
- Section 25-45, Definitions
- Section 25-56, Requirements for Existing Sidewalks
- Section 25-57, Specification
- Section 25-58, Determination of Necessity for Construction, Reconstruction or Repair
- Section 25-59, Notice to Owners to Construct Sidewalk Improvements
- Section 25-60, Contents of Notice; Service
- Section 25-62, Requirement for New Development and Site Alterations

Installation of sidewalks will be required for all new development and for site alterations to existing development, subject to the following conditions:

- The value of the proposed improvements exceeds twenty-five (25) percent or more of the value of the existing improvements, or
- The aggregate area of the proposed site improvements is more than twenty-five (25) percent of the area of the Development Site; or
- The area of the proposed building or structural addition(s) exceed twenty-five (25) percent of the gross floor area of the existing buildings or structure(s) on the Development Site; or
- A proposed change in zoning, use or occupancy results in a higher off-street parking requirement than the existing use, as calculated in accordance with Section 47-20 – “Parking and Loading Requirements” of the Unified Land Development Regulations (“ULDR”). For the purpose of this section the calculation of the off-street parking requirements shall exclude any parking reductions and exemptions granted for the development pursuant the ULDR.

Exceptions for installing sidewalks are as follows:

- The proposed location of sidewalk improvements are on a finger island or dead-end street where eighty (80) percent or more of properties do not have sidewalks abutting the property;
- A neighborhood transportation plan approved by the City Commission clearly indicates that sidewalks are not preferred for the area in which the property is located; and,
- Property owners may request relief from the provisions of this section by making application to the Board of Adjustment. The property owner shall have the burden of demonstrating that a unique circumstance particular to the property at issue exists that would otherwise preclude the installation of a sidewalk in the specified location.

The proposed regulations for existing sidewalks will require property owners to notify the Public Works Department when adjacent sidewalks have been damaged or need repair. Upon notification, the Public Works Department will inspect the site and prepare a sidewalk assessment report to document the sidewalk conditions and cause of damage to determine the party responsible for repairs. If it is determined that the property owner is responsible for repairs, the property owner will be notified to complete the necessary sidewalk improvements within 60 days of notice. If the property owner fails to complete the repairs, the City will repair the sidewalk and impose a lien against the property.

The proposed regulations are attached as Exhibit 1.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Neighborhood Enhancement Focus Area

- Goal 4: Build a thriving and inclusive community of neighborhoods.

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:

- The Neighborhood Enhancement Focus Area
- Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservations of neighborhood, character, and compatibility of uses.

**Attachment**

Exhibit 1 – Ordinance

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Prepared by: Karlanne Devonish, AICP, Principal Urban Planner,  
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Department