

ORDINANCE NO. C-21-06

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING SECTION 47-3.12, ENTITLED "NONCONFORMING OBSTRUCTIONS" AND AMENDING SECTION 47-14 ENTITLED "GENERAL AVIATION DISTRICTS", TO REGULATE THE USE OF LAND ON AND IN THE VICINITY OF THE FORT LAUDERDALE EXECUTIVE AIRPORT AND HELISTOP/HELIPORT BY MODIFYING AIRPORT ZONING REGULATIONS AND ADOPTING AIRPORT AND HELISTOP/HELIPORT HAZARD ZONING REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2016, the Florida Legislature adopted amendments to Chapter 333, Florida Statutes that required local governments to modify their airport zoning standards; and

WHEREAS, Chapter 333, Florida Statutes, as amended, requires local governments to establish airport hazard areas within their boundaries and to adopt and enforce airport zoning regulations for airport hazard areas; and

WHEREAS, enacting airport zoning regulations for airport hazard areas is in the best interest of the health, safety, and welfare of the City of Fort Lauderdale.

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. Section 47-3.12, entitled "Nonconforming Obstructions" of the City of Fort Lauderdale, Florida, Unified Land Development Regulations ("ULDR") is hereby created as follows:

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SECTION 47-3. - NONCONFORMING USES, STRUCTURES AND LOTS

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Sec. 47-3.12 Nonconforming Obstructions

A. Within the Airport Hazard Area, Heliport Hazard Area, GAA and AIP, if the City determines that a nonconforming obstruction has been abandoned or is more than 50% (fifty percent) torn down, destroyed, or deteriorated, a permit may not be granted if it would allow the obstruction to exceed the applicable height limit or otherwise deviate from the airport protection zoning regulations. Whether or not an application is made for a permit under this subsection, the owner of the nonconforming obstruction may be required, at his or her own expense, to lower, remove, reconstruct, alter, or equip such obstruction as may be necessary to conform to the current airport protection zoning regulations. Written notice will be provided by the City to the property owner(s) to remove the nonconforming obstruction. If the owner of the nonconforming obstruction neglects or refuses to comply with such requirement within ten (10) days after notice is sent by the City to the property owner(s), the City may proceed to have the obstruction lowered, removed, reconstructed, altered, or equipped and assess the cost and expense thereof upon the owner of the obstruction or the land whereon it is or was located.

SECTION 3. Section 47-14, entitled "General Aviation Districts" of the City of Fort Lauderdale, Florida, Unified Land Development Regulations ("ULDR") is hereby amended as follows:

SECTION 47-14. - GENERAL AVIATION DISTRICTS

Sec. 47-14.1 - Conflicting Regulations.

In event of conflict between any airport zoning regulations adopted herein and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or vegetation, the use of land, or any other matter, and whether such regulations were adopted by the City or other regulatory body, the more stringent limitation or requirement shall govern and prevail in accordance with Section 333.04(2), Florida Statutes, as amended.

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~~Sec. 47-14.1. - List of districts.~~

- ~~A. GAA - General Aviation Airport.~~
- ~~B. AIP - Airport Industrial Park.~~

Sec. 47-14.2. - List of districts.

- A. GAA - General Aviation Airport.
- B. AIP - Airport Industrial Park.

~~Sec. 47-14.2. - Intent and purpose of each district.~~

- ~~A. GAA - General Aviation Airport is intended to provide for public airport uses and any other uses generally compatible with a public airport operation, including those uses that do not preclude or restrain the aeronautical use of the surrounding area and are designed primarily to serve the needs of airport users and airport employees, aircraft and aircraft operation and maintenance facilities, cargo distribution terminals, transit warehousing and other compatible land uses and are in compliance with the noise requirements of F.A.R. Part 150 and with Subsection 333.03 (2)(c), (2)(d) and (3) of Florida Statutes.~~
- ~~B. AIP - Airport Industrial Park is intended to permit certain types of industrial, manufacturing and distribution uses that are often found in close proximity to general aviation airports, and to prohibit certain types of uses which may adversely impact the operation of the Fort Lauderdale Executive Airport.~~

~~Secs. 47-14.3 - 47-14.9 - Reserved.~~

Sec. 47-14.3. - Intent and purpose of each district.

- A. GAA - General Aviation Airport is intended to provide for public airport uses and any other uses generally compatible with a public airport operation. Included are those uses that do not preclude or restrain the aeronautical use of the surrounding area and are designed primarily to serve the needs of airport users and airport employees, aircraft and aircraft operation, maintenance of facilities, cargo distribution terminals, transit warehousing and other compatible land uses and are in compliance with the noise requirements of F.A.R.

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Part 150 and with Sections 333.03(2)(c), 333.03(2)(d), and 333.03(3), Florida Statutes, as amended.

B. *AIP - Airport Industrial Park* is intended to permit certain types of industrial, manufacturing and distribution uses that are often found in close proximity to general aviation airports, and to prohibit certain types of uses which may adversely impact the operation of the Fort Lauderdale Executive Airport.

Sec. 47-14.4. – Definitions.

A. Definitions: The following definitions shall apply to Section 47-14. of the ULDR.

1. *Above Mean Sea level (AMSL):* The elevation or altitude of any object, relative to the average sea level.
2. *Aeronautical Study:* A Federal Aviation Administration study, conducted in accordance with the standards of 14 CFR part 77, subpart C, and Federal Aviation Administration policy and guidance, on the effect of proposed construction or alteration upon the operation of air navigation facilities and the safe and efficient use of navigable airspace.
3. *Airport:* Any area of land or water designed and set aside for the landing and taking off of aircraft and used or to be used in the interest of the public for such purpose.
4. *Airport Hazard:* An obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities.
5. *Airport hazard area:* Any area of land or water upon which an airport hazard might be established. As illustrated in figures in 47-14.24. of the ULDR included herein.
6. *Airport Height/ Airport Elevation:* The officially designated elevation of an airport above mean sea level. It is the elevation of the highest point on any of the runways of the airport.

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7. Airport land use compatibility zoning: Airport zoning regulations governing the use of land on, adjacent to, or in the immediate vicinity of airports.
8. Airport layout plan: A set of scaled drawings that provide a graphic representation of the existing and future development plan for the airport and demonstrate the preservation and continuity of safety, utility, and efficiency of the airport.
9. Airport master plan: A comprehensive plan of the Fort Lauderdale Executive Airport which describes the current and future plans for the Fort Lauderdale Executive airport development designed to support existing and future aviation demand.
10. Airport Obstruction: Any existing or proposed object, terrain, or structure construction or alteration that exceeds the federal obstruction standards contained in 14 CFR part 77, subpart C. The term includes:
 - (a) Any object of natural growth or terrain:
 - (b) Permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or
 - (c) Alteration of any permanent or temporary existing structure by a change in the structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.
11. Airport protection zoning regulations: Airport zoning regulations governing airport hazards.
12. Approach Surface: A surface longitudinally centered on the extended centerline of the runway beginning at the end of the Primary Surface. Dimensions of the specified approach surface are predicated on the type of approach (i.e., precision instrument, non-precision instrument, visual) and the approach visibility minimums.
13. Approach Zone: The Approach Zone is the area under the Approach Surface which is described as an area longitudinally centered on the extended runway centerline extending outward from each end of the primary surface. An approach zone is

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designated for each runway based upon the type of approach available or planned for that runway end.

14. Boiling Process: The manufacturing process of heating a substance at high temperatures to the point of liquification or vaporization.
15. Conical Zone: The Conical Zone is the area under the Conical Surface which is described as the area extending outward from the periphery of the horizontal zone for a horizontal distance of 4,000 feet.
16. Conical Surface: A surface, which extends upward and outward from the outer limits of the Horizontal Surface for a horizontal distance of 4,000 feet. The slope of the conical surface is 20-1 (5 percent) measured in a vertical plane.
17. Day Night Sound Level (DNL): A noise metric which describes an annual day-night average sound level. The DNL metric is used by the Federal Aviation Administration ("FAA") to quantify aircraft noise exposure in the vicinity of an airport.
18. Department: The Florida Department of Transportation ("FDOT").
19. Educational facility: Any structure, land, or use that includes a public or private kindergarten through 12th grade school, charter school, magnet school, college campus, or university campus. The term does not include space used for educational purposes within a multi-tenant building.
20. Heliport: The same meaning as provided in 47-35.1 of the ULDR. The term heliport shall be used interchangeably with the term "helistop" in Section 47-14. of the ULDR.
21. Helistop: The same meaning as provided in 47-35.1 of the ULDR. The term "helistop" shall be used interchangeably with the term "heliport" in Sections 47-3.12 and 47-14. of the ULDR.
22. Heliport Elevation: The highest point of the touchdown and liftoff area, on which the helicopter lands and/or takes off, expressed as the distance above mean sea level.

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23. Heliport Hazard Area: Any area of land or water upon which a heliport hazard might be established.
24. Heliport Protection Zone: An area off the end of the final approach and takeoff area, which is a defined area over which the pilot completes the final phase of the approach to a hover or a landing and from which the pilot initiates takeoff, and under the approach/departure path intended to enhance the protection of people and property on the ground.
25. Horizontal Surface: A horizontal plane 150 feet above the established Airport Elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the Primary Surface of each runway. Tangents then connect the adjacent arcs.
26. Horizontal Zone: The Horizontal Zone is the area under the Horizontal Surface which is described as the area around each civil airport with an outer boundary, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary zone of each airport's runway and connecting the adjacent arcs by lines tangent to those arcs.
27. Landfill: The same meaning as provided in Section 403.703, Florida Statutes, as amended.
28. Noise Level Reduction ("NLR"): The amount of noise level reduction in decibels achieved through incorporation of noise attenuation (between outdoor and indoor levels) in the design and construction of a structure.
29. Person: Any individual, firm, co-partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.
30. Political subdivision: The local government of any county, municipality, town, village, or other subdivision or agency thereof, or any district or special district, port commission, port authority, or other such agency authorized to establish or operate airports in the state.

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31. Primary Surface: A surface longitudinally centered on a runway. For paved runways, the primary surface extends 200 feet beyond either end of the that runway. The elevation of any point on the Primary Surface is the same as the elevation of the nearest point on the runway centerline.
32. Primary Zone: Area on ground, which falls within the extents of the CFR 14, Part 77 Obstruction Identification Surface – Primary Surface. The primary zone is the area under the Primary Surface which is described as an area longitudinally centered on a runway extending 200 feet beyond each end of that runway with the width so specified for each runway for the most precise approach existing or planned for either end of the runway.
33. Public-use airport: An airport, publicly or privately owned, licensed by the state, which is open for use by the public.
34. Runway protection zone: An area at ground level beyond the runway end to enhance the safety and protection of people and property on the ground.
35. Structure: Any object, constructed, erected, altered, or installed, including, but not limited to, buildings, towers, smokestacks, utility poles, power generation equipment, and overhead transmission lines.
36. Substantial modification: Any repair, reconstruction, rehabilitation, or improvement of a structure when the actual cost of the repair, reconstruction, rehabilitation, or improvement of the structure equals or exceeds 50 percent of the market value of the structure.
37. Terminal Instrument Procedures (“TERPS”): The Purpose of the United States Standard for is to prescribe the criteria for the formulation, review, approval and the publishing of procedures for IFR (Instrument Flight Rules) operations to and from civil and military airports. TERPS criteria specify the minimum measure of obstacle clearance that is considered by the FAA to supply a satisfactory level of vertical protection from obstructions and are predicated on normal aircraft operations.
38. TERPS Surface: TERPS Surface as described in Order 8260.3. United States Standards for Terminal Instrument Procedures (“TERPS”).

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- 39. TERPS Zone: The area under the TERPS departure surface. Guidance on design for establishment of runway thresholds and departure ends is based on a detailed analysis considering the requirements of Order 8260.3. United States Standards for Terminal Instrument Procedures (“TERPS”). Departure surfaces, when clear, allow pilots to follow standard departure procedures.
- 40. Transitional Surface: A surface extending outward and upward, starting from the runway threshold from the edge of the Approach Surface.
- 41. Transitional Zone: Area on ground, which falls within the extents of the CFR 14, Part 77 Obstruction Identification Surface – Transitional Surface.

Sec. 47-14.5. – Acronyms

(1) Acronyms. The following Acronyms may be used in Chapter 47 of the ULDR:

<u>AIP</u>	<u>Airport Industrial Park</u>
<u>CFR</u>	<u>Code of Federal Regulations</u>
<u>dB</u>	<u>Decibel</u>
<u>DNL</u>	<u>Ann Airport ual Day-Night Average Sound Level</u>
<u>DT1</u>	<u>Three-letter U.S. airport identifier for John Fuhrer Downtown Helistop</u>
<u>FAA</u>	<u>Federal Aviation Administration</u>
<u>FDOT</u>	<u>Florida Department of Transportation</u>
<u>FXE</u>	<u>Three-letter U.S. airport identifier for Fort Lauderdale Executive Airport</u>
<u>GAA</u>	<u>General Aviation Airport</u>
<u>NLR</u>	<u>Noise Level Reduction</u>
<u>OE/AAA</u>	<u>Obstruction Evaluation/Airport Airspace Analysis</u>
<u>RPZ</u>	<u>Runway Protection Zone</u>
<u>TERPS</u>	<u>Terminal Instrument Procedures</u>
<u>TODA</u>	<u>Takeoff Distance Available</u>

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Secs. 47-14.6 - 47-14.9. - Reserved.

Sec. 47-14.10. - List of permitted and, conditional uses, and accessory uses, General Aviation Airport (GAA) District.

District Categories — Aeronautical/Aircraft/Aviation, Automotive, Commercial Recreation Uses, Public Purpose Facilities, Lodging, Research and Development, Services/Office Uses, Wholesale Operations, Urban Agriculture and Accessory Uses.

~~District Categories — Aeronautical/Aircraft/Aviation, Automotive, Commercial Recreation Uses, Lodging, Public Purpose Facilities, Research and Development, Services/Office Uses, Wholesale Operations, and Accessory Uses, Buildings and Structures.~~

A.	PERMITTED USES	B.	CONDITIONAL USES: See Section 47-24.3 of the <u>ULDR</u>
1.	<i>Aeronautical/Aircraft/Aviation</i>		
a.	Aeronautical Research and Development.	a.	Heliport, Helistop, see Section 47-18.14. of the <u>ULDR</u>
b.	Aircraft Manufacture.		
c.	Aircraft Conversions.		
d.	Aircraft Fitting.		
e.	Aircraft Fixed Base Operations, including aircraft storage.		
f.	Aircraft Repair.		
g.	Aircraft Leasing.		
h.	Aircraft, Sale and Display, including heavier-than-air and lighter-than-air.		
i.	Aviation Equipment, Manufacture, and Service.		
j.	Aviation Instruction Facilities, for flight and ground maintenance personnel.		
k.	Flight Instruction and Ground Training.		
l.	Model Aircraft, Sale and Display.		
m.	Petroleum Sales, exclusively for aircraft.		
2.	<i>Automotive</i>		
a.	Automotive Rental and Leasing.		

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3.	<i>Commercial Recreation Uses</i>	
	a.	Professional sport clubs, stadiums, and athletic fields.
	b.	Amusement parks.
4.	<i>Public Purpose Facilities</i>	
a.	Active and Passive Park, see Section 47-18.44 of the <u>ULDR.</u>	
5.	<i>Lodging</i>	
a.	Hotel & Motel—Only at sites so designated on the Development Plan of the Fort Lauderdale Executive Airport.	
6.	<i>Research and Development</i>	
a.	Industrial Research Operation.	
b.	Scientific Research Operation.	
7.	<i>Services/Office Uses</i>	
a.	Professional and Administrative Office.	a. Indoor Firearms Range, see Section 47-18.18 of the <u>ULDR.</u>
b.	Medical Office.	
8.	<i>Wholesale Operations</i>	
a.	Regional Wholesale and Industrial Distribution Centers (no retail Sales or Outlets) with minimum requirement of a structure of no less than ten thousand (10,000) sq. ft. on any approved land parcel.	
9.	<i>Urban Agriculture</i> (See Section 47-18.41 of the <u>ULDR.</u>)	
C.	<u>Accessory Uses</u>	
	The following uses are permitted as accessory uses to those uses found in the GAA District. No accessory use shall be permitted to be constructed, placed, erected, or built on any parcel of land prior to the start of construction of the principal building or establishment of the principal use. Permitted accessory uses shall be limited to a maximum of two thousand five hundred (2,500) square feet unless specifically noted otherwise in the ULDR. An increase in the maximum square footage requirements, as provided herein, is subject to review and recommendation provided by the Aviation Advisory Board and the requirements of a Site Plan Level III development permit.	
	<u>Aeronautical/Aircraft/Aviation</u>	
	<u>Outdoor display and outdoor storage of aircraft, see Limitations on Permitted and Conditional Uses Section 47-14.12 of the ULDR.</u>	
	<u>Automotive</u>	

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	<u>Fuel Pumps when accessory to Automotive Rental & Leasing.</u>
	<u>Commercial Recreation Uses</u>
	<u>Accessory uses and structures that are an integral part of and supportive to the Commercial Recreation Conditional Use or other permitted secondary use.</u>
	<u>Food & Beverage Service</u>
	<u>Coffee Shop.</u>
	<u>Delicatessen.</u>
	<u>Ice Cream/Yogurt Store.</u>
	<u>Restaurant, only in conjunction with hotels or fixed base operations.</u>
	<u>Lodging</u>
	<u>Hotel Accessory Uses—Must be completely confined within the hotel building, see Section 47-19.8. of the ULDR (Hotel accessory uses shall not be subject to the two thousand five hundred (2,500) square foot limitation)</u>
	<u>Retail Sales</u>
	<u>Apparel/Clothing, Accessories Store.</u>
	<u>Bicycle Shop.</u>
	<u>Book Store.</u>
	<u>Camera, Photographic Supplies Store.</u>
	<u>Card & Stationery Store.</u>
	<u>Computer/Software Store.</u>
	<u>Cosmetic, Sundries Store.</u>
	<u>Florist Shop.</u>
	<u>Luggage, Handbags, Leather Goods Store.</u>
	<u>Newspapers, Magazines Store.</u>
	<u>Office Supplies, Equipment Store.</u>
	<u>Optical Store.</u>
	<u>Shoe Store.</u>
	<u>Services/Office Facilities</u>
	<u>Copy Center, (less than 5,000 square feet).</u>
	<u>Dry Cleaner, see Section 47-18.12. of the ULDR</u>
	<u>Financial Institution, No Drive-Thru Banks.</u>
	<u>Hair Salon.</u>
	<u>Health and Fitness Center/Spa.</u>
	<u>Mail, Postage, Fax Service.</u>
	<u>Laboratory.</u>

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	<u>Medical/Dental Office.</u>
	<u>Nail Salon.</u>
	<u>Photographic Studio.</u>
	<u>Shoe Repair, Shoe Shine.</u>
	<u>Tailor, Dressmaking Store.</u>
	<u>Travel Agency.</u>
	<u>Watch and Jewelry Repair.</u>

Sec. 47-14.11. - List of permitted and, conditional uses, and accessory uses in the Airport Industrial Park (AIP) District.

District Categories — Aeronautical/Aircraft/Aviation, Food and Beverage, Lodging, Manufacturing, Public Purpose Facilities, Research and Development, Services/Office Uses, Wholesale Operations, Urban Agriculture, and Accessory Uses.

~~District Categories — Aeronautical/Aircraft/Aviation, Food and Beverage, Lodging, Manufacturing, Public Purpose Facilities, Research and Development, Services/Office Uses, Wholesale Operations, Accessory Uses, Buildings and Structures, and Urban Agriculture.~~

A.	PERMITTED USES	B.	CONDITIONAL USES: See Section 47-24.3. of the <u>ULDR.</u>
1.	<i>Aeronautical/Aircraft/Aviation</i>		
a.	Aircraft and Aviation Manufacture of Components, Parts and Accessories.	a.	Aircraft and Aviation Manufacture of Components, Parts and Accessories.
b.	Automotive Service Station, only on sites so designated on the development plan of the Fort Lauderdale Executive Airport.		
2.	<i>Food and Beverage</i>		
a.	Restaurants, see Limitations on Permitted and Conditional Uses, Section 47-14.20. of the <u>ULDR.</u>		
3.	<i>Lodging</i>		
a.	Hotel, minimum 100 units or minimum 85 hotel suites, see Section 47-18.16. of the <u>ULDR.</u>		

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4.	<i>Manufacturing</i>		
a.	Boats.		
b.	Cabinets.		
c.	Canvas Products.		
d.	Electronic Appliances, Devices, and Fixtures and Components.		
e.	Luggage and Leather Products.		
f.	Medical and Orthopedic Instruments and Supplies.		
g.	Metal Furniture.		
h.	Optical Instruments and Goods.		
i.	Rubber Goods.		
j.	Phonographic Radio, and Television Equipment and Supplies.		
k.	Plastics, except Pyroxylyene.		
l.	Precision Instruments.		
m.	Silverware.		
n.	Small Parts and Devices.		
5.	<i>Public Purpose Facilities</i>		
a.	Active and Passive Park, see Section 47-18.44. <u>of the ULDR.</u>		
6.	<i>Research and Development</i>		
a.	Industrial Research Operations.		
7.	<i>Services/Office Uses</i>		
a.	Professional and Administrative Offices.	a.	Professional and Administrative Offices.
b.	Medical Office.		
c.	Indoor Firearms Range, see Section 47-18.18. <u>of the ULDR.</u>		
8.	<i>Wholesale Operations</i>		
a.	Regional Wholesale and Industrial Distribution Centers (no retail sales or outlets) with a minimum requirement of a structure of no less than ten thousand (10,000) sq. ft. on any approved land parcel.		

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9.	<u>Urban Agriculture</u> See Section 47-18.41. of the ULDR.
C.	<u>Accessory Uses</u>
	<u>The following uses are permitted as accessory uses to those uses found in the AIP District. No accessory use shall be permitted to be constructed, placed, erected, or built on any parcel of land prior to the start of construction of the principal building or establishment of the principal use. Permitted accessory uses shall be limited to a maximum of two thousand five hundred (2,500) square feet unless specifically noted in the ULDR. An increase in the maximum square footage requirements, as provided herein, is subject to review and recommendation provided by the Aviation Advisory Board and the requirements of a Site Plan Level III development permit.</u>
<u>1.</u>	<u>Automotive</u>
<u>a.</u>	<u>Fuel Pumps when accessory to Automotive Rental & Leasing.</u>
<u>2.</u>	<u>Commercial Recreation Uses</u>
<u>a.</u>	<u>Accessory uses and structures that are an integral part of and supportive to the commercial recreation conditional use or other permitted secondary use.</u>
<u>3.</u>	<u>Food & Beverage Service</u>
<u>a.</u>	<u>Bakery Store.</u>
<u>b.</u>	<u>Catering Services.</u>
<u>c.</u>	<u>Coffee Shop.</u>
<u>d.</u>	<u>Delicatessen.</u>
<u>e.</u>	<u>Food and Beverage Carry-Out, No Drive-Thru.</u>
<u>f.</u>	<u>Fruit and Produce Store.</u>
<u>g.</u>	<u>Grocery/Food Store/Gourmet Market (less than 5,000 square feet).</u>
<u>h.</u>	<u>Ice Cream/Yogurt Store.</u>
<u>i.</u>	<u>Meat and Poultry Store.</u>
<u>j.</u>	<u>Outdoor Dining and Sidewalk Cafés (See Section 47-19.9 of the ULDR), Permitted in AIP only.</u>
<u>k.</u>	<u>Restaurant.</u>
<u>l.</u>	<u>Seafood Store.</u>
<u>4.</u>	<u>Lodging</u>
<u>a.</u>	<u>Hotel Accessory Uses—Must be completely confined within the hotel building, see Section 47-19.8. of the ULDR (Hotel accessory uses shall not be subject to the two thousand five hundred (2,500) square foot limitation.)</u>
<u>5.</u>	<u>Manufacturing</u>

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<u>a.</u>	<u>Electroplating</u> (Not subject to the two thousand five hundred (2,500) square foot limitation.)
<u>6.</u>	<u>Retail Sales</u>
<u>a.</u>	<u>Apparel/Clothing, Accessories Store.</u>
<u>b.</u>	<u>Bicycle Shop.</u>
<u>c.</u>	<u>Book Store.</u>
<u>d.</u>	<u>Camera, Photographic Supplies Store.</u>
<u>e.</u>	<u>Card & Stationery Store.</u>
<u>f.</u>	<u>Computer/Software Store.</u>
<u>g.</u>	<u>Cosmetic, Sundries Store.</u>
<u>h.</u>	<u>Florist Shop.</u>
<u>i.</u>	<u>Luggage, Handbags, Leather Goods Store.</u>
<u>j.</u>	<u>Newspapers, Magazines Store.</u>
<u>k.</u>	<u>Office Supplies, Equipment Store.</u>
<u>l.</u>	<u>Optical Store.</u>
<u>m.</u>	<u>Shoe Store.</u>
<u>7.</u>	<u>Services/Office Facilities</u>
<u>a.</u>	<u>Copy Center.</u>
<u>b.</u>	<u>Dry Cleaner, see Section 47-18.12. of the ULDR.</u>
<u>c.</u>	<u>Financial Institution, No Drive-Thru Banks.</u>
<u>d.</u>	<u>Hair Salon.</u>
<u>e.</u>	<u>Health and Fitness Center/Spa.</u>
<u>f.</u>	<u>Mail, Postage, Fax Service.</u>
<u>g.</u>	<u>Laboratory.</u>
<u>h.</u>	<u>Medical/Dental Office.</u>
<u>i.</u>	<u>Nail Salon.</u>
<u>j.</u>	<u>Photographic Studio.</u>
<u>k.</u>	<u>Shoe Repair, Shoe Shine.</u>
<u>l.</u>	<u>Tailor, Dressmaking Store.</u>
<u>m.</u>	<u>Travel Agency.</u>
<u>n.</u>	<u>Watch and Jewelry Repair.</u>

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Sec. 47-14.12. - Limitations on permitted and conditional uses.

- A. The following use limitations shall apply to those uses permitted within the GAA district by the List of Permitted and Conditional Uses, Section 47-14.10 of the ULDR, as specified below:
1. All uses shall be completely confined in an enclosed building except for outdoor storage of aircraft and commercial recreation uses. Aircraft stored outside shall have the appearance of being whole.
 2. Aircraft undergoing extensive overhaul, where major assembly or disassembly is necessary, shall be stored in an enclosed structure, or within a fenced area that will substantially hide the aircraft from view.
 3. No uses must preclude or restrain the aeronautical use of the surrounding area.
 4. All uses must not preclude or restrain aircrafts, aircraft operation, aircraft maintenance facilities, cargo distribution terminals, or transit warehousing, and must be in compliance with F.A.R. Part 150.
- B. The following use limitations shall apply to those uses permitted within the AIP district by the List of Permitted and Conditional Uses, Section 47-14.11 of the ULDR, as specified below:
1. No manufacturing permitted in the AIP district shall involve a boiling process.
 2. Restaurants are permitted as a principal use in the AIP district, only in conjunction with and lying within development consisting of a minimum of five hundred thousand (500,000) square feet of improved land held under one ownership, provided, however, that the sale or dispensing of preparing food or beverages by the glass for consumption off premises is prohibited. For the purpose of this section, a freestanding restaurant means a restaurant which provides waiter or waitress table side service, printed menus from which selections are made by patrons, and silverware, glassware and chinaware for dining use.

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- 3. All raw materials and supplies, finished or semi-finished products, shall be stored in a completely enclosed building, or shall be enclosed by a solid masonry wall of such height as to completely shield such material from view.

~~Sec. 47-14.12. -- List of accessory uses General Aviation Airport (GAA) and Airport Industrial Park (AIP) Zoning Districts.~~

~~The following uses are permitted as accessory uses to those uses found in Sections 47-14.10, List of Permitted and Conditional Uses, General Aviation Airport (GAA) District and 47-14.11, List of Permitted and Conditional Uses, Airport Industrial Park (AIP) District. These are intended to provide services and amenities consistent with and supportive of the GAA and AIP zoning districts. No accessory use shall be permitted to be constructed, placed, erected, or built on any parcel of land prior to the start of construction of the principal building or establishment of the principal use.~~

~~Permitted accessory uses shall be limited to a maximum of two thousand five hundred (2,500) square feet unless specifically noted.~~

~~Sec. 47-14.12.A. -- List of accessory uses, General Aviation Airport (GAA).~~

1.	Aeronautical/Aircraft/Aviation
a.	Outdoor display and outdoor storage of aircraft, see Limitations on Permitted and Conditional Uses, this section.
2.	Automotive
a.	Fuel Pumps when accessory to Automotive Rental & Leasing.
3.	Commercial Recreation Uses
a.	Accessory uses and structures that are an integral part of and supportive to the Commercial Recreation Conditional Use or other permitted secondary use.
4.	Food & Beverage Service
a.	Coffee Shop.
b.	Delicatessen.
c.	Ice Cream/Yogurt Store.

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d.	Restaurant, only in conjunction with hotels or fixed base operations.
5.	Lodging
a.	Hotel Accessory Uses— Must be completely confined within the hotel building, see Section 47-19.8. (Hotel accessory uses shall not be subject to the two thousand five hundred (2,500) square foot limitation).
6.	Retail Sales.
a.	Apparel/Clothing, Accessories Store.
b.	Bicycle Shop.
c.	Book Store.
d.	Camera, Photographic Supplies Store.
e.	Card & Stationery Store.
f.	Computer/Software Store.
g.	Cosmetic, Sundries Store.
h.	Florist Shop.
i.	Luggage, Handbags, Leather Goods Store.
j.	Newspapers, Magazines Store.
k.	Office Supplies, Equipment Store.
l.	Optical Store.
m.	Shoe Store.
7.	Services/Office Facilities
a.	Copy Center, (less than 5,000 square feet).
b.	Dry Cleaner, see Section 47-18.12.
c.	Financial Institution, No Drive Thru Banks.
d.	Hair Salon.
e.	Health and Fitness Center/Spa.
f.	Mail, Postage, Fax Service.

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g.	Laboratory.
h.	Medical/Dental Office.
i.	Nail Salon.
j.	Photographic Studio.
k.	Shoe Repair, Shoe Shine.
l.	Tailor, Dressmaking Store.
m.	Travel Agency.
n.	Watch and Jewelry Repair.
8.	Accessory uses which are not specifically listed but are found to be compatible with a public airport operation by the airport advisory board may be deemed to be permitted as interpreted by the zoning administrator.

An increase in the maximum square footage requirements, as provided herein, is subject to review and recommendation provided by the airport advisory board and the requirements of a Site Plan Level III development permit.

Sec. 47-14.12.B. – List of accessory uses, Airport Industrial Park.

1.	<i>Automotive</i>
a.	Fuel Pumps when accessory to Automotive Rental & Leasing.
2.	<i>Commercial Recreation Uses</i>
a.	Accessory uses and structures that are an integral part of and supportive to the commercial recreation conditional use or other permitted secondary use.
3.	<i>Food & Beverage Service</i>
a.	Bakery Store.
b.	Catering Services.
c.	Coffee Shop.
d.	Delicatessen.

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e.	Food and Beverage Carry-Out, No Drive-Thru.
f.	Fruit and Produce Store.
g.	Grocery/Food Store/Gourmet Market (less than 5,000 square feet).
h.	Ice Cream/Yogurt Store.
i.	Meat and Poultry Store.
j.	Outdoor Dining and Sidewalk Cafés (See Section 47-19.9), Permitted in AIP only.
k.	Restaurant.
l.	Seafood Store.
4.	Lodging
a.	Hotel Accessory Uses— Must be completely confined within the hotel building, see Section 47-19.8. (Hotel accessory uses shall not be subject to the two thousand five hundred (2,500) square foot limitation).
5.	Manufacturing
a.	Electroplating (Not be subject to the two thousand five hundred (2,500) square foot limitation).
6.	Retail Sales
a.	Apparel/Clothing, Accessories Store.
b.	Bicycle Shop.
c.	Book Store.
d.	Camera, Photographic Supplies Store.
e.	Card & Stationery Store.
f.	Computer/Software Store.
g.	Cosmetic, Sundries Store.
h.	Florist Shop.
i.	Luggage, Handbags, Leather Goods Store.
j.	Newspapers, Magazines Store.

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k.	Office Supplies, Equipment Store.
l.	Optical Store.
m.	Shoe Store.
7.	Services/Office Facilities
a.	Copy Center.
b.	Dry Cleaner, see Section 47-18.12.
c.	Financial Institution, No Drive-Thru Banks.
d.	Hair Salon.
e.	Health and Fitness Center/Spa.
f.	Mail, Postage, Fax Service.
g.	Laboratory.
h.	Medical/Dental Office.
i.	Nail Salon.
j.	Photographic Studio.
k.	Shoe Repair, Shoe Shine.
l.	Tailor, Dressmaking Store.
m.	Travel Agency.
n.	Watch and Jewelry Repair.
8.	Accessory uses which are not specifically listed but are found not to have an adverse impact to the operation of Fort Lauderdale Executive Airport by the airport advisory board may be deemed to be permitted as interpreted by the zoning administrator.

An increase in the maximum square footage requirements, as provided herein, is subject to review and recommendation provided by the airport advisory board and the requirements of a Site Plan Level III development permit.

~~Secs. 47-14.13—47-14.19. – Reserved.~~

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Sec. 47-14.13. - Nonconforming Obstruction

For nonconforming obstruction, refer to Section 47-3.12 of the ULDR, Nonconforming Obstructions.

Sec. 47-14.14. - Regulation of Airport Hazards and Incompatible Uses.

Pursuant to Section 333.02, Florida Statutes, as amended, certain activities and uses of land in the immediate vicinity of airports are not compatible with normal airport operations, and may, if not regulated, also endanger the lives of the participants, adversely affect their health, or otherwise limit the accomplishment of normal activities.

A. *Land use restrictions.* Notwithstanding any other provision of the ULDR, no use may be made of land or water within the corporate limits of the City of Fort Lauderdale in such a manner as to interfere with the operation of an airborne aircraft.

1. *Use restrictions.* The following requirements shall be adhered to for the uses as specified herein and are in addition to any other requirements in the ULDR for the zoning district where the use is located.
2. All lights or illumination used in conjunction with street, parking, signs or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from a public airport or in the vicinity thereof.
3. No operations of any type shall produce smoke, glare or other visual hazards within three (3) statute miles measured from the edge of any usable runway of a public airport or public heliport landing area.
4. No operations of any type shall produce electronic interference with navigation signals or radio communication between the airport and aircraft.
5. The following uses are deemed incompatible land uses and activities and are prohibited within runway protection zones (RPZs):
 - i. All buildings and structures

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- ii. Transportation facilities
- iii. Fuel storage facilities (above or below ground)
- iv. Hazardous material storage (above or below ground)
- v. Wastewater treatment facilities
- vi. Above ground utility infrastructure (i.e. electrical substations), including any type of solar panel installations)
- vii. Other uses that would encourage a congregation of people.

B. Landfills: Landfills are prohibited, and existing landfills may not be enlarged:

- 1. Within 10,000 feet from the nearest point of any runway used or planned as defined by the Airport Layout Plan to be used by turbine engines or
- 2. Within 5,000 feet from the nearest point of any runway used by non-turbine aircraft, within the lateral limits of the civil airport imaginary surfaces defined in 14 CFR s 77.19 as determined by a review of the Airport.
- 3. If the landfill is located and constructed in a manner that attracts or sustains hazardous bird movements from feeding, water or roosting areas into, or across, the runways or approach and departure patterns of aircraft, unless the landfill operator incorporates bird management techniques or practices to minimize bird hazards to airborne aircraft.

C. Nonconforming Uses – The airport protection zoning regulation adopted herein will not require the removal, lowering, or other change or alteration of any obstruction not conforming to the regulations when these regulations are adopted or amended, or otherwise interfere with the continuance of any existing nonconforming use except as provided in Section 333.06(3), Florida Statutes, as amended.

Sec. 47-14.20. -- Limitations on permitted and conditional uses.

~~A. The following use limitations shall apply to those uses permitted within the AIP district by the List of Permitted and Conditional Uses, Section 47-14.10, as specified below:~~

- ~~1. No manufacturing permitted in the AIP district shall involve a boiling process.~~

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- ~~2. Restaurants are permitted as a principal use in the AIP district, only in conjunction with and lying within development consisting of a minimum of five hundred thousand (500,000) square feet of improved land held under one ownership, provided, however, that the sale or dispensing of preparing food or beverages by the glass for consumption off premises is prohibited. For the purpose of this section, a freestanding restaurant means a restaurant which provides waiter or waitress table side service, printed menus from which selections are made by patrons, and silverware, glassware and chinaware for dining use.~~
- ~~3. All raw materials and supplies, finished or semifinished products, shall be stored in a completely enclosed building, or shall be enclosed by a solid masonry wall of such height as to completely shield such material from view.~~

~~B. The following use limitations shall apply to those uses permitted within the GAA district by the List of Permitted and Conditional Uses, Section 47-14.10, as specified below:~~

- ~~1. No advertising in conjunction with fuel pumps shall be permitted in conjunction with this accessory use.~~
- ~~2. All uses shall be completely confined in an enclosed building except for outdoor storage of aircraft and commercial recreation uses. Aircraft stored outside shall have the appearance of being whole.~~
- ~~3. Simple repair work, such as replacing propellers, wheels and tires, et cetera, shall be permitted.~~
- ~~4. Aircraft undergoing extensive overhaul, where major assembly or disassembly is necessary, shall be stored in an enclosed structure, or within a fenced area that will substantially hide the aircraft from view.~~
- ~~5. Use does not preclude or restrain the aeronautical use of the surrounding area.~~
- ~~6. Use is designed primarily to serve the needs of airport users and airport employees, aircraft and aircraft operation and maintenance facilities, cargo distribution terminals, transit warehousing and other compatible land uses.~~

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Secs. 47-14.15 - 47-14.20. - Reserved.

Sec. 47-14.21. - Dimensional requirements for GAA and AIP districts.

- A. *Height.* No building or structure shall exceed the height limits specified by the Federal Aviation Agency Regulation No. FAR Part 77, as amended, and Chapter 333.07, Florida Statutes, as amended and Section 47-24.1 of the ULDR.
- B. *Plot size.* There shall be no minimum plot size for the GAA and AIP districts, except as required below:
 - 1. Commercial recreation uses that are also an outdoor use require a minimum plot size of ten acres.
- C. *Setback/yards.* A minimum yard as herein specified shall be provided in the GAA and AIP districts:
 - 1. The following yards shall apply to the GAA district:
 - a. No building or structure within the GAA district shall be placed closer than fifty (50) feet from the one hundred (100) foot easement retained by the city north of Commercial Boulevard. The entire fifty (50) feet may be used for landscaping, automobile parking, and identification signs only, and not for any form of display or storage.
 - b. N.W. 62nd St. (south side) shall have a one hundred (100) foot building line setback.
 - c. Where a property line of an adjacent lot or parcel has a common boundary with land reserved for the runway system of the airport, the building setback line for such lot or parcel will be determined by the current transitional slope of Federal Aviation Administration Regulation No. FAR Part 77 as now existing or may hereafter be set.

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- d. Location of yards, setbacks and landscaping on all other GAA zoned land shall be governed by the Federal Aviation Administration and the ~~city commission after review by the development review committee~~ City.

2. The following yards shall apply to the AIP district:

- a. No building or structure within the AIP district shall be placed closer to the abutting right-of-way of the following named streets or avenues than hereinafter noted:

N.W. 50th St. (Commercial Blvd. from N.W. 15th Ave. to Prospect Rd.) south side	100 ft.
N.W. 50th St. (Commercial Blvd. from N.W. 21st Ave. to Prospect Rd.) north side	75 ft.
N.W. 53rd St.	75 ft.
N.W. 62nd St.	100 ft.
N.W. 64th St.	50 ft.
N.W. 65th St.	75 ft.
N.W. 9th Ave. (Powerline Road)	100 ft.
N.W. 12th Ave. (North of Commercial Blvd.)	50 ft.
N.W. 15th Ave. (North of N.W. 62nd St.)	50 ft.
N.W. 15th Ave. (South of N.W. 50th St.)	75 ft.
N.W. 21st Ave. (North of N.W. 62nd St.)	50 ft.
N.W. 23rd Ave.	50 ft.
N.W. 44th St. (Prospect Rd.)	50 ft.
N.W. 49th St.	50 ft.
N.W. 21st Ave. (South of N.W. 50th St.)	75 ft.
N.W. 21st Ave. (North of N.W. 50th St.) west side	75 ft.

- b. On any street not named in the above list, the required setback in the AIP district shall be forty (40) feet.
- c. *Adjacent property.* All buildings and structures within the AIP district shall be located not less than thirty (30) feet from any side, rear, or adjacent property line or the right-of-way line of any secondary abutting street.

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~~Secs. 47-14.22—47-14.29. — Reserved.~~

Sec. 47-14.22. - Minimum design standards.

A. Fences and walls.

1. Fences and walls located in the GAA and AIP districts and not otherwise required in accordance with the city's buffer-yard regulations, shall be constructed of concrete, masonry or metal according to the requirements of Section 47-19.5 of the ULDR, Fences, Walls and Hedges. In AIP metal fences shall be of the open-weave chain link type. In GAA and AIP, whenever an open-weave chain link fence is constructed there shall be an abutting hedge that will screen the fence from the street abutting the property.
2. Fences and walls shall not exceed ten feet in height.
3. Fences and walls shall not be located within the required setback on any street.
4. Barbed wire may be on brackets for the top one-quarter of a fence or wall within the maximum height allowed. Barbed wire fencing shall comply with the provisions of Section 47-19.5 of the ULDR, Fences, Walls and Hedges.
5. A fence or landscaping barrier may be constructed in the required setback area from any street, provided that the height of any such fence shall not exceed three feet as measured in accordance with Section 47-2.2.G.2 of the ULDR, Measurements.
6. It is the intent of this provision that any such barrier in the form of fences, berms, hedges, trees, reflecting pools or any combination thereof, be integrated as part of the landscaping plan for the total parcel and in no way detract from open space effect required by the applicable provisions of the district.
7. Fences and walls shall be in accordance with the requirements of Section 47-14. of the ULDR.

B. Lighting, light pole standards, electrical wiring requirements for the GAA and AIP districts.

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1. Lighting. All lighting (parking lots, streets, et cetera) shall be so installed as to prevent any nuisance to adjoining residential property, adjoining fixed base operations and to aircraft in flight.
2. Light standards. All light poles shall be constructed of masonry or metal. No wooden light poles shall be permitted.
3. Electrical wiring. Electrical wiring shall be placed underground. No exposed electrical overhead wires shall be permitted.
4. Lights or illumination uses shall be in accordance with the requirements of Sections 47-14.14.A.2 and 47-14.14.A.3 of the ULDR (See Section 47-14.14 of the ULDR).

C. Parking and loading requirements. Parking and loading requirements shall be in accordance with the requirements of Section 47-20. of the ULDR.

D. Sign regulations.

1. Signs shall be regulated in the GAA and AIP districts in accordance with Section 47-22 of the ULDR, Sign Requirements.
2. Ground signs. Within the AIP district signs shall be limited to one (1) ground sign facing a public street on the same lot or plot or the business site. Such ground sign shall not exceed one hundred twenty (120) square feet in area, nor shall it extend more than five (5) feet above finished street level. One (1) additional sign may be attached to the main structure. This provision shall not be interpreted to allow signs painted directly on the wall, but are to be constructed with, or constructed and placed on the structure. Such sign shall not extend above the roof level of the wall upon which it is placed, but in no event shall such sign be greater than sixty (60) square feet in size. Signs shall not be illuminated by exposed tubes, bulbs or similar light sources, nor may they be of the flashing, rotating, or animated type. Signs may, however, be illuminated by shielded spotlighting. All signage in the AIP zoning district is subject to site plan level I approval and the signage must be consistent with the purpose and intent of the GAA district. No signage may be erected in the AIP zoning district without site plan level I approval.

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- 3. Signs shall be in accordance with the requirements of Sections 47-14.14.A.2 and 47-14.14.A.3 of the ULDR (See Section 47-14.14. of the ULDR).

Sec. 47-14.23. - Additional Requirements.

Requirements for the GAA and AIP districts are subject to additional location requirements, see Section 47-23 of the ULDR, Specific Location Requirements, Section 47-24 of the ULDR, Development Permits and Procedures, and Section 47-25 of the ULDR, Development Review Criteria.

Requirements for development within an airport hazard area, outside the GAA and AIP districts are subject to additional regulations, see Section 47-23 of the ULDR, Specific Location Requirements, and Section 47-25.2, Adequacy Requirements of the ULDR, Development Review Criteria.

Sec. 47-14.24. - ADDITIONAL LOCATION REQUIREMENTS.

Section 47-14.24.1. - Airport and Heliport Protection Zones.

A. For the purpose of regulating airport obstructions within an airport and heliport hazard area there are hereby created and established the following airport and heliport protection zones consistent with Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace:

- 1. Airports shall have the following protection zones:
 - a. Primary Zone
 - b. Approach Zone
 - c. Transitional Zone
 - d. Horizontal Zone
 - e. Conical Zone

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2. Heliports shall have the following protection zones:

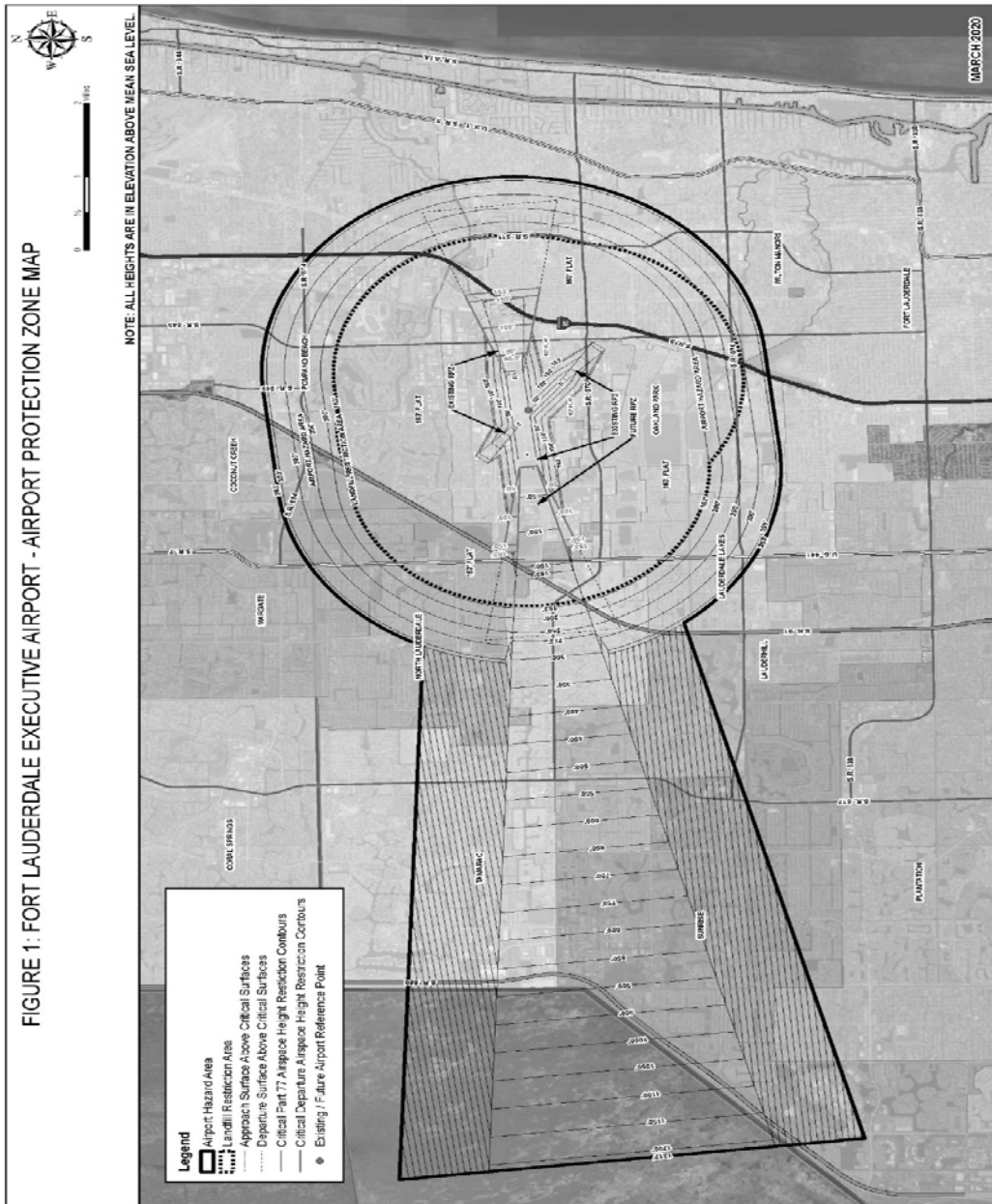
- a. Primary Zone
- b. Approach Zone
- c. Transitional Zone

B. The boundary of each Airport and Heliport Protection Zone is shown on the “Fort Lauderdale Executive Airport (FXE) – Airport Protection Zone Map” (Figure 1) and “John Fuhrer Downtown Helistop (DT1) – Heliport Protection Zone Map” (Figure 2), which are attached to the ordinance codified in this section and made a part hereof.

An area located in more than one of the described zones is governed by the more restrictive height limitation.

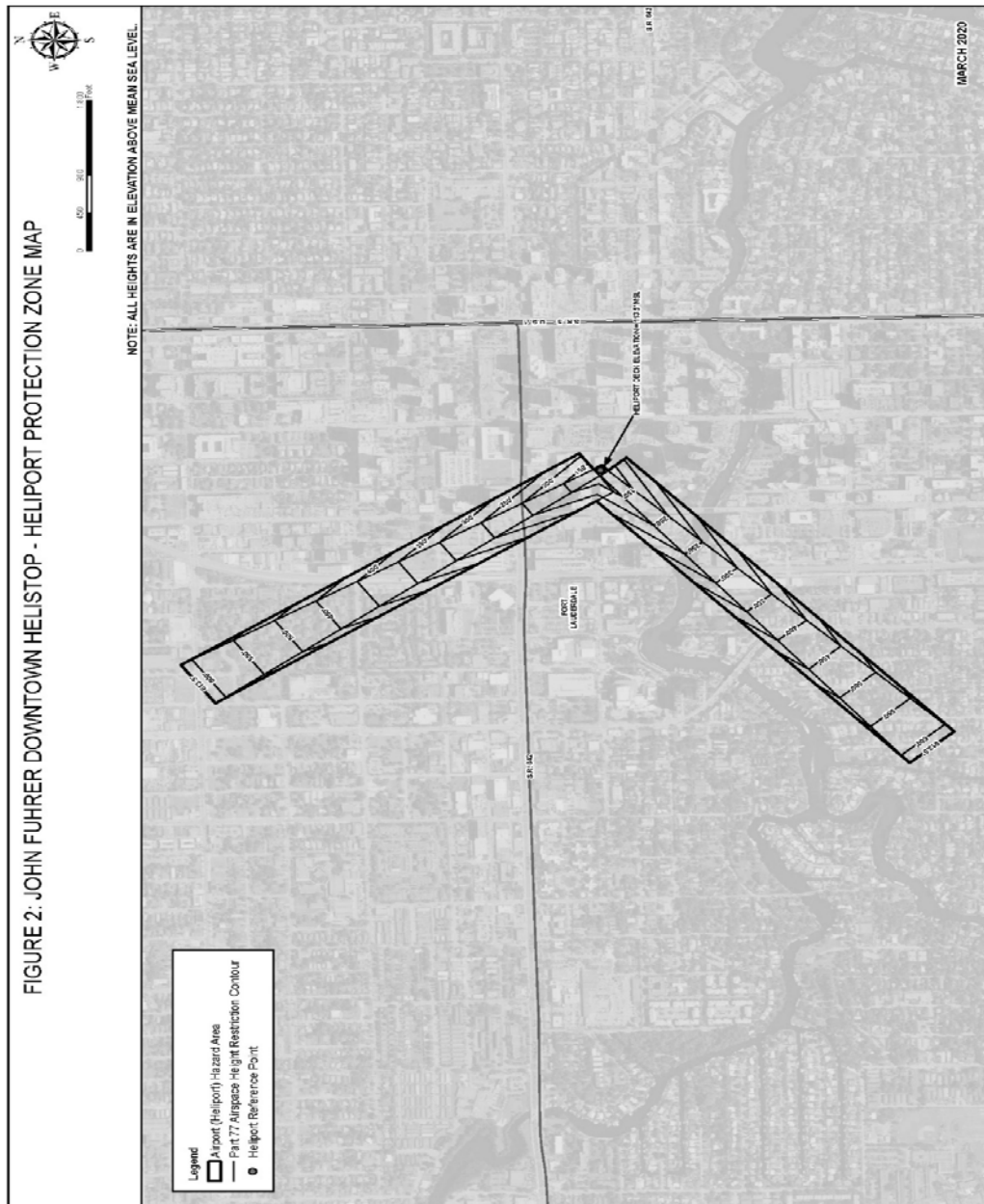
C. Where due to scale or illegibility of the airport and other navigation facilities protection zone map or if there is any uncertainty, contradiction or conflict as to the intended location of any protection zone boundary, the zoning administrator shall have the power and duty of interpreting the intent of said protection zone map so as to determine and designate the proper location of such protection zone boundary with use of Table 1. Figures 3, 4, and 5 and provide a general graphical representation of the surfaces. Figure 6 provides a general graphic representation of a TERP zone.

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Note: Original color graphic is available at Fort Lauderdale Executive Airport administrative office.

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Table 1: Airport and Heliport Protection Zones Dimensions (1)					
Facility:		<u>FXE</u>	<u>FXE</u>	<u>FXE</u>	<u>DT1 (Helistop)</u>
<u>Runway:</u>		<u>Existing Runway 9 / Future Runway 9</u>	<u>Existing Runway 27 / Future Runway 27</u>	<u>Existing Runway 13/31 / Future Runway 13/31</u>	<u>N/A</u>
<u>Dimension/Height Limit</u>					
<u>Primary Zone (2)</u>	<u>Width</u>	<u>1,000 ft.</u>	<u>500 ft.</u>	<u>250 ft.</u>	<u>84 ft.</u>
	<u>Length</u>	<u>Runway length plus 200 ft. at each end of runway (3)</u>			<u>Area under the Primary Surface (4)</u>
<u>Approach Zone (5)</u>	<u>Inner Width</u>	<u>1,000 ft.</u>	<u>500 ft.</u>	<u>250 ft.</u>	<u>Area under the Approach Surface, which begins at each end of the heliport primary surface and extends outwards to 500 ft.</u>
	<u>Outer Width</u>	<u>16,000 ft.</u>	<u>3,500 ft.</u>	<u>1,250 ft.</u>	
	<u>Length</u>	<u>Inner Approach: 10,000 ft. Outer Approach: Additional 40,000 ft.</u>	<u>10,000 ft.</u>	<u>5,000 ft.</u>	<u>4,000 ft.</u>

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	<u>Height Limit</u>	<u>Runway elevation plus 1 ft. vertically per 50 ft. horizontal distance for inner 10,000 ft. of approach surface and 1 ft. vertically per 40 ft. horizontal distance for an additional 40,000 ft. from inner edge of zone.</u>	<u>Runway elevation plus 1 ft. per 34 ft. horizontal distance.</u>	<u>Runway elevation plus 1 ft. per 20 ft. horizontal distance.</u>	<u>Helistop elevation plus 1 ft. per 8 ft. horizontal distance.</u>
<u>Horizontal Zone (6)</u>	<u>Arc Radius</u>	<u>10,000 ft.</u>	<u>10,000 ft.</u>	<u>5,000 ft.</u>	<u>N/A</u>
	<u>Height Limit</u>	<u>150 ft above established airport elevation.</u>			<u>-</u>
<u>Conical Zone</u>	<u>Width</u>	<u>4,000 ft.</u>	<u>4,000 ft.</u>	<u>4,000 ft.</u>	<u>N/A</u>
	<u>Height Limit</u>	<u>150 ft. above established airport height at the inner boundary with permitted height increasing one foot vertically for every 20 feet of horizontal distance measured outward from the inner boundary to a height of 350 feet above airport height at the outer boundary.</u>			<u>N/A</u>

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<u>Transition al Zone</u>	<u>Height Limit</u>	<u>Height limit for adjoining Primary Zone (runway elevation) or Approach Zone (variable) plus 1 ft. per 7 ft. horizontal distance from inner perimeter of zone. (7)</u>			<u>Extends out and up from Primary Surface and Approach Surfaces plus 2:1 slope per 250 ft. horizontal distance from centerline of these surfaces. (8)</u>
<u>TERPS Zone</u>	<u>Height Limit</u>	<u>(9)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

NOTES: ft. = feet

1. An area located within more than one airport zone shall be subject to the more restrictive height limit required.
2. No structure or obstruction will be permitted within the Primary Zone that is not part of the landing and takeoff area and is of a greater height than the nearest point on the runway centerline.
3. The Primary Zone extends to 200 ft beyond the end of the existing runway or any extension of the runways proposed in the FXE Airport Layout Plan, as updated and amended.
4. This area coincides in size and shape with the designated take-off and landing area. This surface is a horizontal plane at the elevation of the established heliport elevation.
5. The inner edge of the approach zone expands uniformly to the outer width. The outer width of an approach zone to an end of a runway will be that width for the most precise approach existing or planned for that runway end.
6. No structure or obstruction will be permitted on the horizontal zone that has a height greater than 150 feet above the airport height.
7. The area under the Transitional Surface that is described as the area extending outward from the sides of the primary zones and approach zones connecting them to the horizontal zone. Height limits within the transitional zone are the same as the primary zone or approach zone at the boundary line where it adjoins and increases at a rate of one foot vertically for every seven feet horizontally, with the horizontal distance measured at right angles to the runway centerline and extended

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- centerline, until the height matches the height of the horizontal zone or conical zone or for a horizontal distance of 5,000 feet from the side of the part of the precision approach zone that extends beyond the conical zone.
8. The area under the Transitional Surface that is described as the area extending outward and upward from the lateral boundaries of the primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.
 9. The departure surface is a trapezoid shape that begins at the end of the Takeoff Distance Available (TODA) and extends along the extended runway centerline and with a slope of 1 foot vertically for every 40 feet horizontally (40:1). The inner width of this zone is 1,000 feet and the outer width is 6,466 feet. The surface widens at an angle of 15 degrees as it extends outwards along the runway centerline away from the runway end as shown in the graphic below, depicted by the unshaded trapezoidal shape.

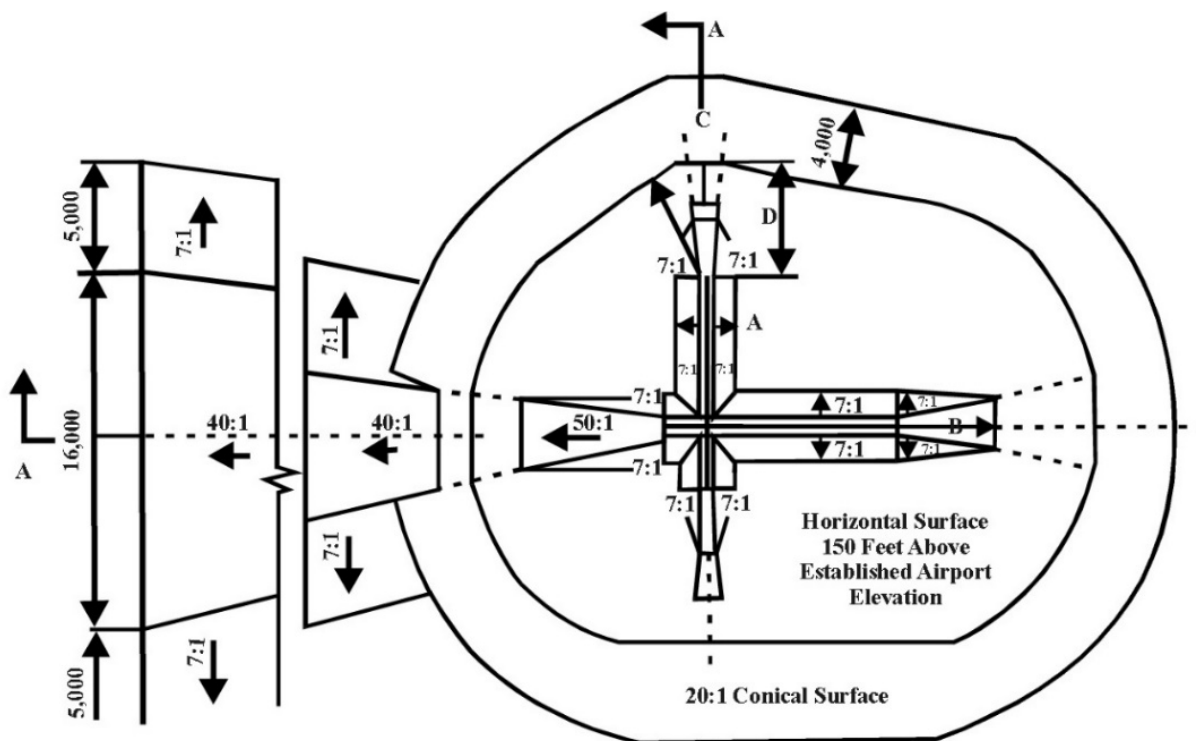


Figure 3 – Title 14 CFR Part 77 Surfaces for Airports – Plan View

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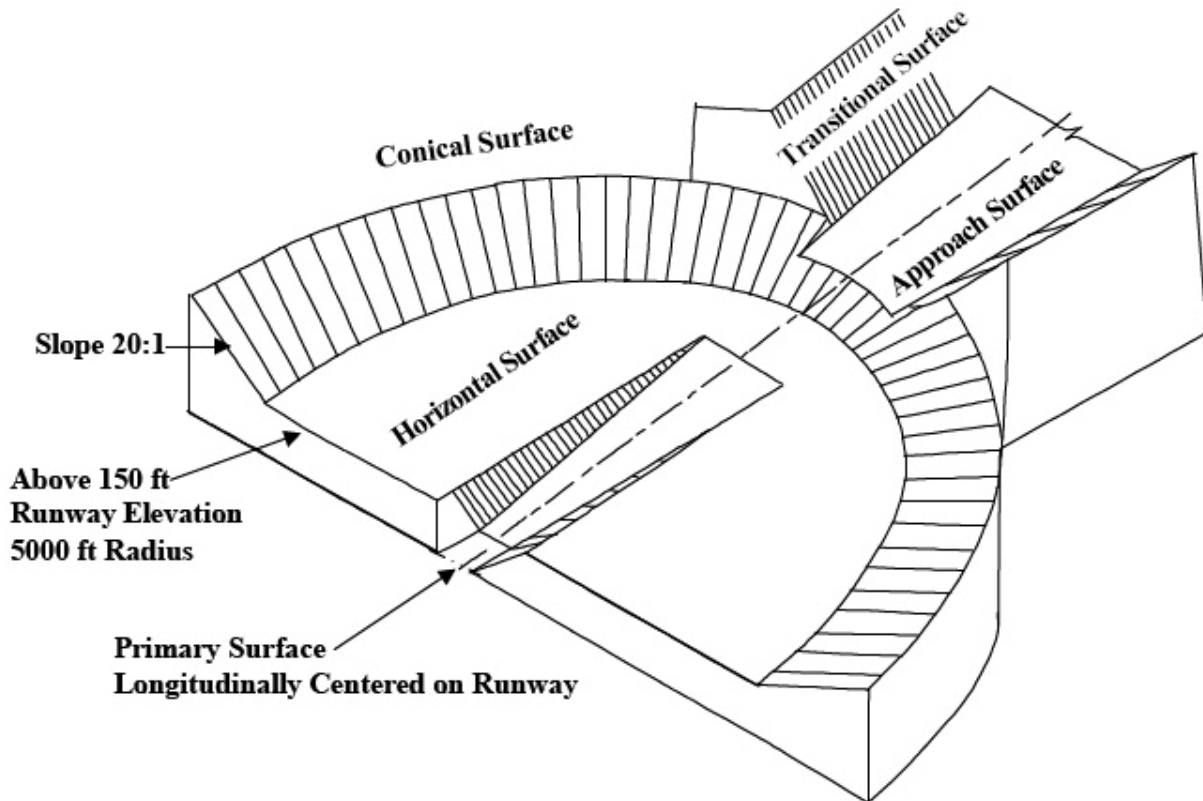


Figure 4 – Title 14 CFR Part 77 Surfaces for Airports – Isometric View

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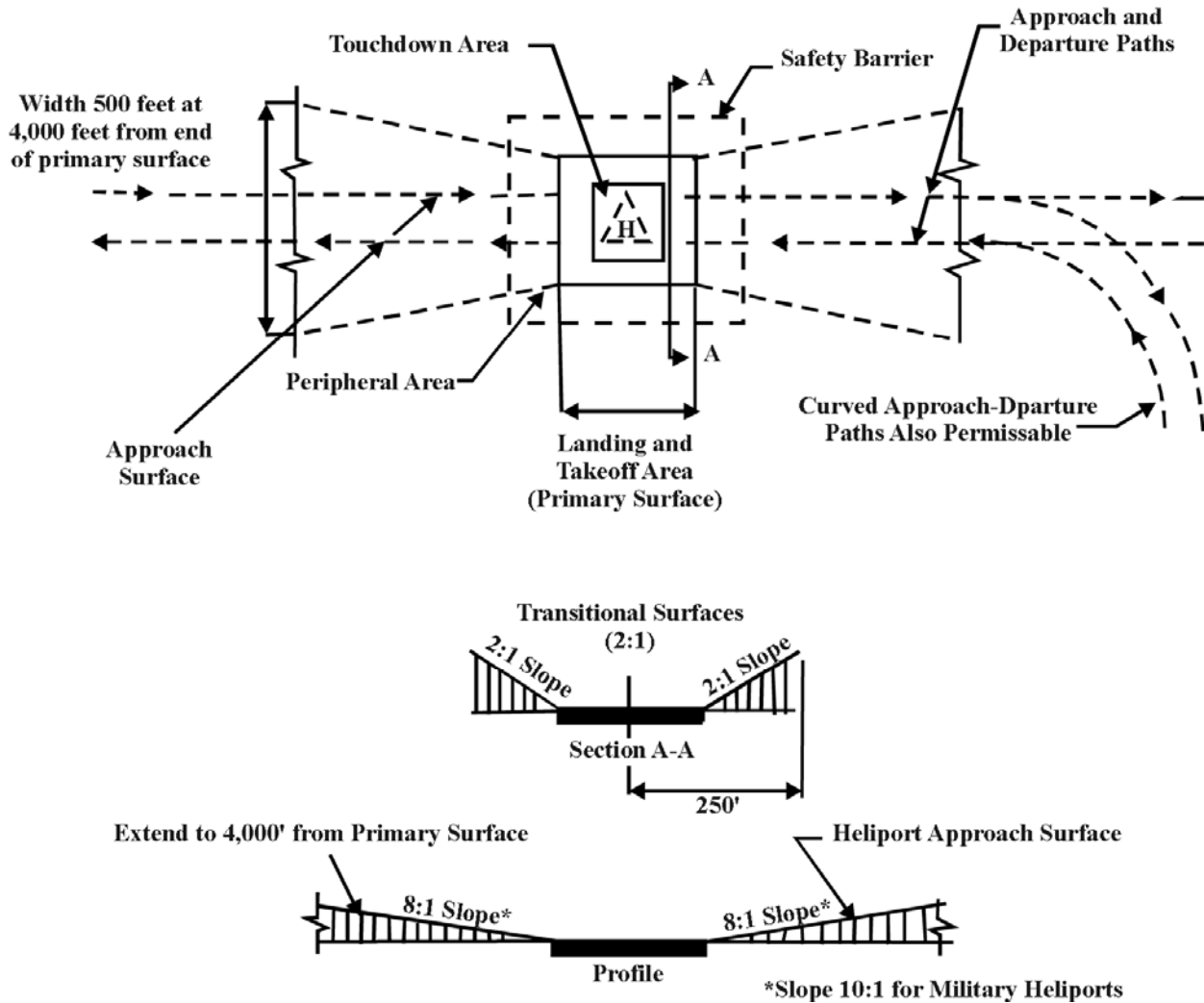


Figure 5 – Title 14 CFR Part 77 Surfaces for Heliports – Plan View

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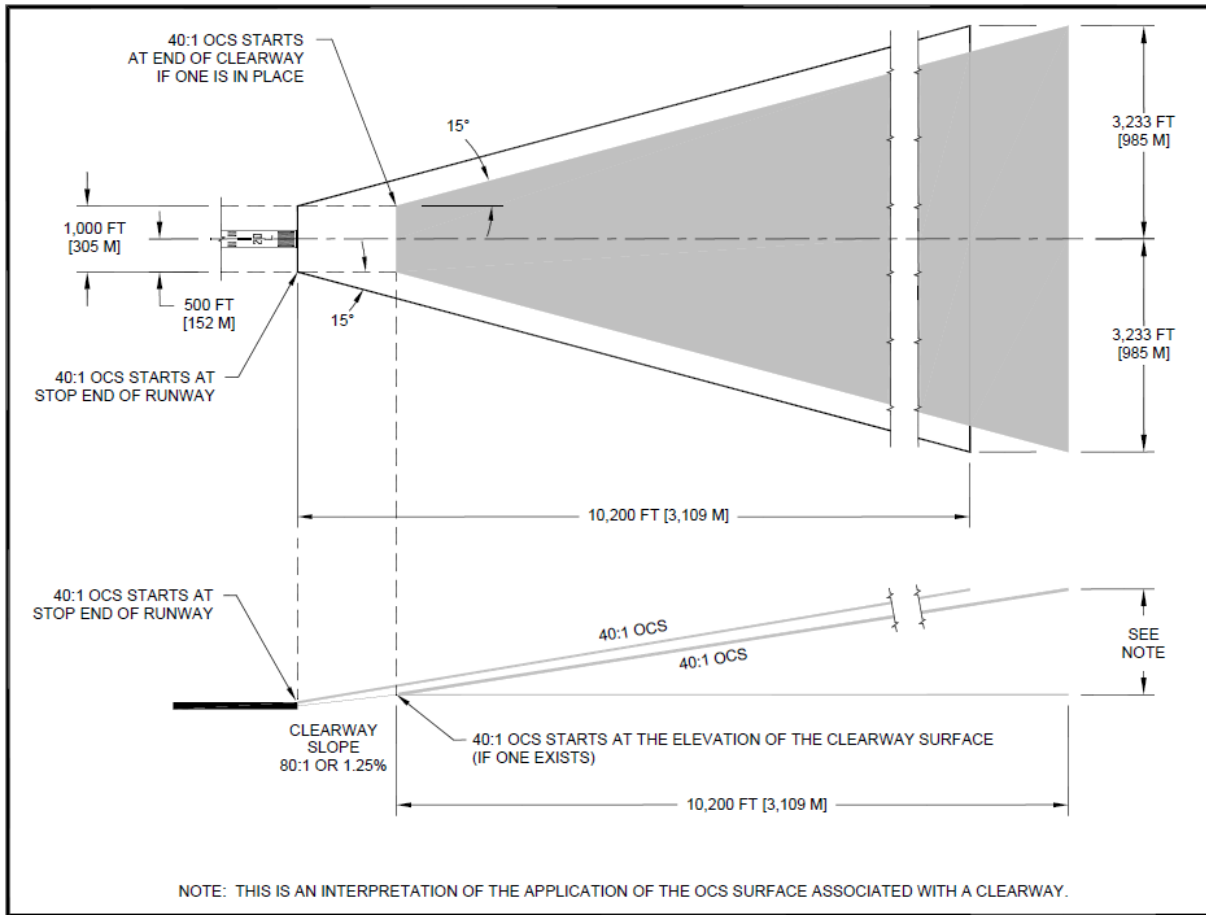


Figure 6 – Depiction of TERPS Zone

- D. Other areas. In addition to the height limitations imposed in Table 1, no structure or obstruction will be permitted within the City that would cause a minimum obstruction clearance altitude, a minimum descent altitude, a decision height or a minimum vectoring altitude to be raised.
- E. Other restrictions. In addition to the height limitations imposed in Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use, and Preservation of the Navigable

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Airspace, the FAA may issue a determination of hazard to air navigation for obstructions. In order to determine if the proposed construction or alteration of structures is an obstruction requiring an airspace evaluation by the FAA and if FAA needs to be notified regarding the proposed development, the FAA's Notice Criteria Tool should be used. This tool can be found at the FAA's Obstruction Evaluation/ Airport Airspace Analysis (OE/AAA) portal on the FAA's website. If any part of the proposed construction or alteration is identified as exceeding notice criteria, a formal airspace analysis request must be filed with the FAA via the OE/AAA site. Applicants shall comply with Title 14 CFR Part 77.9, as amended. Applicants must file notice with the FAA, if requested by the FAA or when anyone proposes any of the following types of construction or alteration:

1. Any construction or alteration exceeding 200 feet above ground level; or
2. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes; or
3. 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in 14 CFR 77.9(b) with its longest runway more than 3,200 ft. in actual length, excluding heliports; or
4. 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in 14 CFR 77.9(b) with its longest runway no more than 3,200 ft. in actual length, excluding heliports; or
5. 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in 14 CFR 77.9(b) ; or
6. Any highway, railroad or other traverse way for mobile objects, of a height which, if adjusted upward as defined in 14 CFR 77.9(c) would exceed a standard of 14 CFR 77.9 (a) or (b); or
7. Any construction or alteration located on an airport described in 14 CFR 77.9(d).

The City may not approve a permit for the construction or alteration of an obstruction unless the applicant submits documentation showing both compliance with the federal requirement for notification of proposed construction or alteration and a valid aeronautical

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study. A permit may not be approved solely on the basis that the Federal Aviation Administration determined that the proposed construction or alteration of an obstruction was not an airport hazard in accordance with Section 333.025(8), Florida Statutes, as amended.

- F. Any person or entity proposing to construct, alter, or allow an airport obstruction in an airport or heliport hazard area in violation of the airport or heliport protection zoning regulations adopted herein must apply for a permit. A permit may not be issued if it would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit is made in accordance with Section 333.07(1)(a), Florida Statutes, as amended. Refer to Table 47.24. of the ULDR.

Section 47-14.24.2. – Noise Contour Zones Standards.

- A. Aircraft Noise Control Zones are established as follows: The City has conducted a noise study at the Fort Lauderdale Executive Airport in accordance with 14 CFR Part 150. As such any lands under the noise contours greater than or equal to 65 DNL for the Fort Lauderdale Executive Airport as shown in Figure 7 shall be considered a part of the Aircraft Noise Control Zone.
- B. The City of Fort Lauderdale prohibits certain uses within each of the Aircraft Noise Control Zones. Within the Aircraft Noise Control Zones, the following land uses restrictions and noise level reductions apply as shown in Table 2.

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Note: Original color graphic is available at Fort Lauderdale Executive Airport administrative office.

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Table 2
Land-Use Compatibility with Annual Day-Night Average Sound Levels

Land Uses	Annual Average DNL (decibels)					
	<65	65-70	70-75	75-80	80-85	>85
Residential						
Residential, other than mobile homes and transient lodgings	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Mobile home parks	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Transient lodgings	<u>Y</u>	<u>N (1)</u>	<u>N (1)</u>	<u>N</u>	<u>N</u>	<u>N</u>
Public Use						
Schools/Education Facilities	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Aviation-Related Schools	<u>Y</u>	<u>N (1)</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Hospitals and nursing homes	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>	<u>N</u>
Churches, auditoriums, and concert	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>	<u>N</u>
Governmental services	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>
Transportation	<u>Y</u>	<u>Y</u>	<u>Y (2)</u>	<u>Y (3)</u>	<u>Y (4)</u>	<u>Y (4)</u>
Parking	<u>Y</u>	<u>Y</u>	<u>Y (2)</u>	<u>Y (3)</u>	<u>Y (4)</u>	<u>N</u>
Commercial Use						
Offices, business and professional	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>
Wholesale and retail – building materials, hardware, and farm	<u>Y</u>	<u>Y</u>	<u>Y (2)</u>	<u>Y (3)</u>	<u>Y (4)</u>	<u>N</u>
Retail trade, general	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>
Utilities	<u>Y</u>	<u>Y</u>	<u>Y (2)</u>	<u>Y (3)</u>	<u>Y (4)</u>	<u>N</u>
Communication	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>
Manufacturing and Production						
Manufacturing, general	<u>Y</u>	<u>Y</u>	<u>Y (2)</u>	<u>Y (3)</u>	<u>Y (4)</u>	<u>N</u>
Photographic and optical	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>
Agriculture (except livestock) and	<u>Y</u>	<u>Y (6)</u>	<u>Y (7)</u>	<u>Y (8)</u>	<u>Y (8)</u>	<u>Y (8)</u>
Livestock farming and breeding	<u>Y</u>	<u>Y (6)</u>	<u>Y (7)</u>	<u>N</u>	<u>N</u>	<u>N</u>
Mining and fishing, resource production and extraction	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

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Recreational						
Outdoor sports arenas and spectator	<u>Y</u>	<u>Y (5)</u>	<u>Y (5)</u>	<u>N</u>	<u>N</u>	<u>N</u>
Outdoor music shells, amphitheaters	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Nature exhibits and zoos	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Amusements, parks, resorts, and	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>
Golf courses, riding stables, and water recreation	<u>Y</u>	<u>Y</u>	<u>25</u>	<u>30</u>	<u>N</u>	<u>N</u>

Key for Table 2

Y (Yes) = Land Use and related structures compatible without restrictions.

N (No) = Land Use and related structures are not compatible and are prohibited.

NLR = Noise Level Reduction (outdoor to indoor) is achieved through incorporation of noise attenuation into the design and construction of the structure. Land Use and related structures generally compatible if the stated NLR is achieved.

25, 30, or 35 = Measures to achieve NLR of 25, 30, or 35 dB must be incorporated into design and construction of structure.

Notes for Table 2

(1) For school uses, other than aviation-related schools (i.e., flight training schools), measures must be incorporated to achieve outdoor to indoor NLR of at least 25 dB within the 65-70 annual average DNL. These measures include, but are not limited to, mechanical ventilation and closed windows year-round. For transient lodgings, measures must be incorporated to achieve outdoor to indoor NLR of at least 25 dB within the 65-70 and 70-75 annual average DNL and 30 dB for areas in excess of the 75 annual average DNL. These measures include, but are not limited to, mechanical ventilation and closed windows year-round.

(2) Measures to achieve NLR 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.

(3) Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.

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(4) Measures to achieve NLR 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal level is low.

(5) Land use compatible provided special sound reinforcement systems are installed.

(6) Residential buildings require an NLR of 25.

(7) Residential buildings require an NLR of 30.

(8) Residential buildings not permitted.

C. *Conflict.* This Section shall prevail in the event of a conflict with Chapter 17 of the Code of Ordinances.

Sec 47-14-25. Airport Obstruction Permits.

Generally. Any person or entity proposing to construct, alter, or allow an airport obstruction in an airport hazard area in violation of the airport protection zoning regulations adopted herein must apply for an airport obstruction permit. An airport obstruction permit may not be issued if it would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit is made in accordance with Section 333.07(1)(a), Florida Statutes, as amended. Refer to Table 47.24. of the ULDR.

A. *Applicant.* The owner of property on which the structure or obstruction is being proposed or authorized representative who has provided a notarized letter to the City, executed by all the owners of the property stating that all property owners have consented to the authorized representative's submission of the application, correspondence with the city, and subsequent appearance at any public hearing regarding the subject property.

B. *Application.* An application for an airport obstruction permit shall be submitted to the department. The application shall include the information required in Sec. 47-24.1.F. of the ULDR and the following:

1. Site survey should include site elevation, with an FAA accuracy code of 1A, which certifies the site coordinates and elevations with an accuracy of \pm 20-foot horizontal and \pm 3-foot vertical. All site coordinates must be based on North American Datum of 1983 (NAD 83) and North American Vertical Datum of 1988 (NAVD 88).

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2. Site Plan and Elevation that includes the highest point(s) of any and all structures including but not limited to parapet walls, mechanical/electric rooms, HVAC units, antennae, spires, etc.
 3. Federal Notification Compliance: A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area must submit, documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study in order to obtain a building permit. Notification of proposed construction or alteration of structures must be filed at the FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website located on: www.faa.gov. Upon reviewing the proposed construction/alteration, the FAA will issue a letter of determination, which must be submitted to the City in order to apply for a building permit. If, however, the Notice Criteria Tool does determine that the proposed construction or alteration does not exceed Notice Criteria, a print of such determination must be submitted to the City in order to obtain a building permit in accordance with Section 333.025(8), Florida Statutes, as amended.
 4. Frequency Broadcast Review by the FAA: Any equipment that introduces new radio frequencies being broadcast outside an enclosed structure and within the Airport Hazard Area require frequency analysis by the FAA and a form 7460-1 filing is required. Provide a FAA determination letter that addresses every proposed frequency at every proposed antenna location.
- C. Review Process. The review process for an airport obstruction permit shall be the same as required for a Site Plan Level I-(DRC) approval~~development approval~~, as provided in ~~Table 4 of Section 47-24.1. of the ULDR, Development Permits and Procedures, Generally.~~
- D. Criteria. In determining whether to issue or deny a permit, the City will consider the following, as applicable in accordance with Section 333.07(2), Florida Statutes, as amended:
1. The safety of persons on the ground and in the air.
 2. The safe and efficient use of navigable airspace.

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3. The nature of the terrain and height of existing structures.
4. Permissible land use within the Noise Control Zone.
5. The effect of the construction or alteration on the state licensing standards for a public-use airport contained in Chapter 330, Florida Statutes, as amended, and rules adopted thereunder.
6. The character of existing and planned flight operations and developments at public-use airports.
7. Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.
8. The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.
9. The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.
10. All applicable criteria provided in Sections 47-24 and 47-25.2, Adequacy Requirements of the ULDR. ~~Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements.~~
11. The applicant must demonstrate, and it must be found by the reviewing body that the following have been met:
 - a. The location of the use or structure is not in conflict with the City's comprehensive plan.
 - b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure.
 - c. On-site improvements have been incorporated into the site plan which minimize any adverse impacts as a result of permitting the use or structure.

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- d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is locate.
- e. There are no adverse impacts of the use which effect the health, safety and welfare of adjacent properties.
- E. Marking and Lighting of Obstructions. In issuing a permit under this section, the City shall require the owner of the obstruction to install, operate, and maintain thereon, at his or her own expense, marking and lighting in conformance with the specific standards established by the Federal Aviation Administration in accordance with Section 333.07(3), Florida Statutes, as amended.
- F. Amendment. If the applicant wishes to change an airport obstructions use or development that was approved by the final body to an extent which exceeds the authority of the director to approve amendments as provided in Section 47-24.2.A.5.b.ii of the ULDR, the proposed amendment to the development or use will be required to be reviewed and approved by the planning and zoning board in accordance with the procedures for review and approval of a new conditional use permit by the department and forwarded to the body which gave final approval to the original development permit for its approval.
- G. Acquisition of Air Rights. If a nonconforming obstruction is determined to be an airport hazard and the owner will not remove, lower, or otherwise eliminate it; the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations herein; or it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the City within which the property or nonconforming obstruction is located, or the political subdivision owning or operating the airport or being served by it (City of Fort Lauderdale in this case), may acquire, by purchase, grant, or condemnation in the manner provided by Chapter 73, Florida Statutes, as amended, such property, air right, avigation easement, or other estate, portion, or interest in the property or nonconforming obstruction or such interest in the air above such property, in question, as may be necessary to effectuate the purposes of this section and in so doing, if by condemnation, to have the right to take immediate possession of the property, interest in property, air right, or other right sought to be condemned, at the time, and in the manner and form, and as authorized by Chapter 74, Florida Statutes. In the case of the purchase of any property, easement, or estate or interest therein or the acquisition of the same by the power of eminent domain, the City in

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making such purchase or exercising such power shall, in addition to the damages for the taking, injury, or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility that is required to be moved to a new location as provided in Section 333.12, Florida Statutes, as amended.

- H. Appeals. If the final approving body denies or approves with conditions unacceptable to the applicant, or if the city commission wishes to review an application for an airport obstructions use permit in accordance with the ULDR, the provisions of Section 47-26B of the ULDR, Appeals, shall apply.
- I. Penalties. The City can institute in any court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of Chapter 333, Florida Statutes, as amended or the airport zoning regulations adopted under this section or of any order or ruling made in connection with their administration or enforcement of this section or Chapter 333, Florida Statutes, as amended and the court shall adjudge to the City such relief, by way of injunction, which may be mandatory, or otherwise, as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this section or Chapter 333, Florida Statutes, as amended and of the regulations adopted and orders and rulings made in accordance with Chapter 333, Florida Statutes, as amended.
- J. Jurisdictions Outside of the City of Fort Lauderdale.
1. Generally. Based on Interlocal Agreement, any person or entity proposing to construct, alter, or allow an airport obstruction in a City of Fort Lauderdale airport hazard area located wholly or partly outside the territorial limits of the City of Fort Lauderdale in violation of the airport protection zoning regulations adopted herein must apply for a permit. A Letter of No Objection from Fort Lauderdale Executive Airport may not be issued if it would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction to become a greater hazard to air navigation than it was when the applicable airport protection zoning regulation was adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit is made in accordance with Section 333.07(1)(a), Florida Statutes, as amended.
 2. Applicant. Means the owner of property on which the structure or obstruction is being proposed or authorized representative who has provided a notarized letter to

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the City, executed by all the owners of the property stating that all property owners have consented to the authorized representative's submission of the application, correspondence with the city, and subsequent appearance at any public hearing regarding the subject property.

3. Request for Airport Obstruction Permit Review. A request for an airport obstruction permit shall be submitted to the City's Department of Sustainable Development. The request shall include the following:
- i. A Site survey that is dated no later than six months prior to the date submitted to the City. The site survey must include site elevation, with an FAA accuracy code of 1A, which certifies the site coordinates and elevations with an accuracy of \pm 20-feet horizontal and \pm 3-feet vertical. All site coordinates must be based on North American Datum of 1983 (NAD 83) and North American Vertical Datum of 1988 (NAVD 88).
 - ii. Site Plan and Elevation that includes the highest point(s) of any and all structures including but not limited to parapet walls, mechanical/electric rooms, HVAC units, antennae, spires, etc.
 - iii. Federal Notification Compliance: A person proposing to construct, alter, or allow an airport obstruction in an airport hazard area must submit, documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study in order to obtain a building permit. Notification of proposed construction or alteration of structures must be filed at the FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website located on: www.faa.gov. Upon reviewing the proposed construction/alteration, the FAA will issue a letter of determination, which must be submitted to the City in order to apply for a building permit. If, however, the Notice Criteria Tool does determine that the proposed construction or alteration does not exceed Notice Criteria, a print of such determination must be submitted to the City in order to obtain a building permit in accordance with Section 333.025(8), Florida Statutes, as amended.

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- iv. Frequency Broadcast Review by the FAA: Any equipment that introduces new radio frequencies being broadcast outside an enclosed structure and within the Airport Hazard Area require frequency analysis by the FAA and a form 7460-1 filing is required. The applicant must provide a FAA determination letter that addresses every proposed frequency at every proposed antenna location.
4. Criteria. In determining whether to issue a Letter of No Objection, the City will consider the following, as applicable in accordance with Section 333.07(2), Florida Statutes, as amended:
- i. The safety of persons on the ground and in the air.
 - ii. The safe and efficient use of navigable airspace.
 - iii. The nature of the terrain and height of existing structures.
 - iv. Permissible land use within the Noise Control Zone.
 - v. The effect of the construction or alteration on the state licensing standards for a public-use airport contained in Chapter 330, Florida Statutes, as amended, and rules adopted thereunder.
 - vi. The character of existing and planned flight operations and developments at public-use airports.
 - vii. Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.
 - viii. The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.
 - ix. The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.
 - ~~x. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements.~~

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- xi. The applicant must demonstrate, and it must be found by the reviewing body that the following have been met:
 - a. The location of the use or structure is not in conflict with the City of Ft. Lauderdale's comprehensive plan.
 - b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure.
 - c. On-site improvements have been incorporated into the site plan which minimize any adverse impacts as a result of permitting the use or structure.
 - d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is locate.
 - e. There are no adverse impacts of the use which effect the health, safety and welfare of adjacent properties.

5. Fees. Fees shall be in accordance with the City's most recently adopted Fee Schedule.

Secs. 47-14.26. – 47-14.31. – Reserved.

Secs. 47-14.22 – 47-14.29. – Reserved.

Sec. 47-14.30. – Minimum design standards.

A. Fences and walls.

- 1. Fences and walls located in the GAA and AIP districts and not otherwise required in accordance with the city's bufferyard regulations, shall be constructed of concrete, masonry or metal according to the requirements of Section 47-19.5, Fences, Walls and Hedges. In AIP metal fences shall be of the open weave chain link type. In GAA and AIP, whenever an open weave chain link fence is constructed there shall be an abutting hedge that will screen the fence from the street abutting the property.

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2. ~~Fences and walls shall not exceed ten feet in height.~~
3. ~~Fences and walls shall not be located within the required setback on any street.~~
4. ~~Barbed wire may be on brackets for the top one-quarter of a fence or wall within the maximum height allowed. Barbed wire fencing shall comply with the provisions of Section 47-19.5, Fences, Walls and Hedges.~~
5. ~~A fence or landscaping barrier may be constructed in the required setback area from any street, provided that the height of any such fence shall not exceed three feet as measured in accordance with Section 47-2.2.G.2, Measurements.~~
6. ~~It is the intent of this provision that any such barrier in the form of fences, berms, hedges, trees, reflecting pools or any combination thereof, be integrated as part of the landscaping plan for the total parcel and in no way detract from open space effect required by the applicable provisions of the district.~~

~~B. *Lighting, light pole standards, electrical wiring requirements for the GAA and AIP districts.*~~

1. ~~*Lighting.* All lighting (parking lots, streets, et cetera) shall be so installed as to prevent any nuisance to adjoining residential property, adjoining fixed base operations and to aircraft in flight.~~
2. ~~*Light standards.* All light poles shall be constructed of masonry or metal. No wooden light poles shall be permitted.~~
3. ~~*Electrical wiring.* Electrical wiring shall be placed underground. No exposed electrical overhead wires shall be permitted.~~

~~C. *Parking and loading requirements.* Parking and loading requirements shall be in accordance with the requirements of Section 47-20.~~

~~D. *Sign regulations.*~~

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1. ~~Signs shall be regulated in the GAA and AIP districts in accordance with Section 47-22, Sign Requirements.~~

2. ~~Ground signs. Within the AIP district signs shall be limited to one (1) ground sign facing a public street on the same lot or plot or the business site. Such ground sign shall not exceed one hundred twenty (120) square feet in area, nor shall it extend more than five (5) feet above finished street level. One (1) additional sign may be attached to the main structure. This provision shall not be interpreted to allow signs painted directly on the wall, but are to be constructed with, or constructed and placed on the structure. Such sign shall not extend above the roof level of the wall upon which it is placed, but in no event shall such sign be greater than sixty (60) square feet in size. Signs shall not be illuminated by exposed tubes, bulbs or similar light sources, nor may they be of the flashing, rotating, or animated type. Signs may, however, be illuminated by shielded spotlighting. All signage in the AIP zoning district must first be approved by the department as a site plan level I, as being consistent with the purpose and intent of the GAA district.~~

Sec. 47-14.31. - Additional requirements.

Dimensional requirements for the GAA and AIP districts may be subject to additional regulations, see Section 47-23, Specific Location Requirements, and Section 47-25, Development Review Criteria.

SECTION 4. 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 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. That this Ordinance shall be in full force and effect upon final passage.

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PASSED FIRST READING this 21st day of January, 2021.

PASSED SECOND READING this _____ day of _____, 2021.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI

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