

ORDINANCE NO. C-13-

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-18.31, SOCIAL SERVICE FACILITY (SSF), TO CATEGORIZE SOCIAL SERVICE FACILITY USES AND PROVIDE ADDITIONAL REGULATIONS OF THE USE; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Section 47-18.31, Social Service Facility (SSF), of the Unified Land Development Regulations (hereinafter referred to as "ULDR") of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-18.31. Social service facility (SSF).

Social Service Facility is a ~~A facility providing personal~~ that provides social services as ~~described herein by an eleemosynary or philanthropic entity.~~ Personal services Social services include, but are not limited to ~~is the provision~~ of food, hygiene care, rehabilitative or recovery assistance from any physical, mental, emotional or legal infirmity, or any combination thereof, rehabilitative or recovery programs utilizing counseling, self-help or other treatment or assistance, and day shelter or any combination of same. In addition to ~~personal~~ social services, secondary services such as counseling, education and referral, training, indoor recreational facilities and similar supportive services during the day and evening hours may be provided, but does not include overnight accommodations. Senior citizen centers and child day care facilities may be accessory to an SSF, in which case such use must meet the applicable requirements of the ULDR. Social service facilities shall be categorized according to the number of clients, type of care or service provided and intensity of care provided.

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A. Regulated uses.

1. [Generally.] In the development and execution of this section it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable characteristics, and that may result in adverse secondary effects on adjacent properties, particularly when several are concentrated together or are located in proximity to businesses of a community nature, residential areas and churches and school, or both thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that the location and concentration of these uses will have a minimal negative impact on the surrounding neighborhood. These special regulations are itemized in the following subsections of this section. These regulations are for the purpose of preventing a concentration of these uses in any one (1) area and requiring a distance separation of such uses from each other, residential areas, churches, parks and schools.
2. Purpose. It is the purpose of this Section to regulate social service facilities in order to promote the health, safety, morals, and general welfare of the citizens of the city, to establish reasonable and uniform regulations to prevent the deleterious secondary effects of social service facilities within the city. The provisions of this section have neither the purpose nor effect of restricting or denying any individuals freedom of speech or association.

B. SSFs are divided into three (3) levels based upon number of clients, the care or service provided by the facility or the intensity of care.

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1. Level I: A facility with the principal purpose of which shall be to provide food, hygiene care and day shelter or any combination of the same.
2. Level II: A facility with the principal purpose of which shall be to provide substance abuse counseling and/or rehabilitative services and/or treatment associated with substance abuse or mental illness, with a maximum of eight (8) clients and not more than two (2) on-duty staff.
3. Level III: A facility with the principal purpose of which shall be to provide substance abuse counseling and/or rehabilitative services and/or treatment associated with substance abuse or mental illness, with nine (9) or more clients with staff levels as may be required by HRS.

C. *Regulated uses* shall be permitted subject to the following restrictions:

1. No such Level II social service facility or higher shall be allowed within five hundred (500) feet of another social service facility or social service residential facility;
2. No such Level III social service facility shall be located within five hundred (500) feet of the property line of any existing residentially zoned property, an existing house of worship, an existing school, an existing public park, social service residential facility or another social service facility;
3. The distance provided for in this section shall be calculated by airline measurement from property line to property line, using the closest property lines of the parcels of land involved. The

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term "parcel of land" means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

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

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

PASSED FIRST READING this the ____ day of _____, 2013.

PASSED SECOND READING this the ____ day of _____, 2013.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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