



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#25-0254

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

FROM: Susan Grant, Acting City Manager

DATE: March 4, 2025

TITLE: Second Reading – Ordinance Amending the City of Fort Lauderdale Code of Ordinances Section 25, Streets and Sidewalks, to Update Sidewalk Installation Requirements - Case No. UDP-T25004 - (**Commission Districts 1, 2, 3 and 4**)

Recommendation

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

Background

In 2022, the City Commission adopted regulations in the Code of Ordinances to address sidewalk installation criteria based on requirements for when sidewalks are required to be installed. The 2022 adopted ordinance included the following amendments:

- Revised criteria for existing sidewalks.
- Requirements for sidewalks associated with new development and site alterations.
- Exceptions for sidewalk installation.
- Process to request relief from sidewalk installation requirements via application to the Board of Adjustment (BOA).

Since the 2022 adoption, City staff have received numerous complaints from neighbors about the process to request relief to install sidewalks associated with new development. The proposed amendments are intended to revise the process to request relief from the requirements to install a new sidewalk by making an application to the Development Review Committee (DRC) in lieu of BOA. If the application is denied by DRC, the applicant can appeal to BOA. Additionally, the exceptions for installing sidewalks will be revised. Current exceptions for installing sidewalks are as follows:

- The proposed location of sidewalk improvements is on a finger island or dead-end street where eighty (80) percent or more of properties do not have sidewalks abutting the property; and
- A neighborhood transportation plan approved by the City Commission clearly indicates that sidewalks are not preferred for the area in which the property is located.

Proposed exceptions to waive the requirement to install sidewalks are as follows:

- The proposed development or site alteration is situated within a peninsula or island that has only one central road and terminates in a dead-end right-of-way.
- The proposed development or site alteration is situated on a dead-end right-of-way where at least 80% of the adjacent properties lack sidewalks.
- Sidewalks are scheduled to be installed at the subject location pursuant to an effective City, County, or State Five-Year Work Program.
- Sidewalks are not required to be installed for a single-family dwelling or single family dwelling - attached; duplex/two family dwelling within single family zoning district (RS 4.4, RS-8, RD-15, RC-15), when the alignment of the sidewalk or the elevation cannot be set within the right-of-way due to space limitations.

Additionally, the proposed regulations will require applicants to demonstrate unique circumstances as well as addressing review criteria that would support precluding the installation of a sidewalk.

Unique circumstances may include, but are not limited to:

- Existing natural topography or trees, as identified on a survey or landscape plans, that prevent the ability to construct a sidewalk.
- Special conditions and circumstances that prevent the ability to construct a sidewalk in a manner that does not interfere with the reasonable use of the property
- The unique circumstance is not self-created by the applicant or his/her predecessors in interest, nor is the unique circumstance created by the disregard for, or ignorance of the provisions of the ULDR.

The following review criteria will apply:

- The lack of sidewalk will not constitute a grant of special privilege inconsistent with the requirements for other properties within City of Fort Lauderdale; and
- The requirement of sidewalk creates an undue hardship beyond that of the requirement of sidewalk elsewhere in the City of Fort Lauderdale; and
- The waiver will not unreasonably diminish the health, safety or welfare of the community neighborhood; and
- The waiver or alternative of a sidewalk is the only reasonable manner to overcome an undue hardship to the subject property.

The proposed regulations are attached as Exhibit 1.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

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

- The Infrastructure and Resilience Area.

- Goal 4: Facilitate and efficient, multimodal transportation network.

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

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

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

Attachments

Exhibit 1 – Ordinance

Exhibit 2 – Business Impact Estimate

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