

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SUBSECTION 47-27.7., "HISTORIC DESIGNATION," THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS, BY REVISING THE NOTICE REQUIREMENTS FOR PUBLIC HEARINGS RELATED TO HISTORIC DESIGNATIONS; AND PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Subsection 47-27.7 "Historic Designation," of the City of Fort Lauderdale, Florida, Unified Land Development Regulations, to revise the notice requirements for public hearings related to property being considered for historic designation;

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

SECTION 1. That Subsection 47-27.7. of the City of Fort Lauderdale, Florida, Unified Land Development Regulations is hereby amended to provide as follows:

Sec. 47-27.7. – Historic designation.

A. Public hearing - ~~H~~historic preservation board.

1. Initiation of historic designation application.

- a. Within ten (10) days of a motion by the HPB or city commission to initiate a historic designation application, the development services department shall send first class mail notice to the property owner(s) and registered agents of the property that is the subject of the motion for designation.
- b. Non-profit corporation (mail notice). At least thirty (30) days prior to submission of a historic designation application, a non-profit corporation shall mail a notice, at the applicant's expense, to any property owner(s) and registered agents whose real property is the subject of the application, via the method provided for in Subsection A.2. The mailed notice must include an explanation of the historic designation process which is outlined in Section 47-24.11.C, the designation criteria applicable to the subject property(ies), a draft of the application to be submitted to the city,

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and the non-profit corporation's contact information. Mail notice shall also be provided in accordance with Section 47-27.2.

- i. The non-profit corporation's application shall include a notarized affidavit, attesting that notice was mailed to the property owners and include the name and address of the property owners to whom notice was mailed.
2. Submittal of complete historic designation application. After a complete application for designation or change to designation application has been received by the city, notice shall be given as follows:
 - a. ~~Mail notice. After a complete application for historic designation has been received by the historic preservation board liaison or his/her designee, Upon receipt of a complete application, the city shall send mail notice thirty (30) days prior to the date of the first public hearing before the HPB to the property owner(s) of the property that is the subject of an application for designation or a change to designation in accordance with Section 47-27.2 of the ULDR. Mail notice shall be sent by the city thirty (30) days prior to the date of the first public hearing before the historic preservation board. The applicant shall be responsible for all costs of mailing(s). If the real property that is the subject of the application is owned by a limited liability company or corporation that is registered to transact business in the State of Florida, the city shall send mail notice of an application for designation or a change to designation in accordance with Section 47-27.2 of the ULDR, to the registered agent of the corporation or limited liability company, thirty (30) days prior to the date of the first public hearing before the historic preservation board and the applicant is responsible for the cost of mailing.~~
 - i. Mail notice requirements for applications for landmark(s), landmark site(s), and archaeological site(s). Certified mail notice shall be sent by the city, to the owner(s) of real property under consideration for designation. If the property under consideration for designation is owned by a limited liability company or corporation that is registered to transact business in the State of Florida, certified mail notice shall be sent by the city to the registered agent of a limited liability or corporation.

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- ii. Mail notice requirements for historic district(s). First class mail notice shall be sent to the owner(s) of land under consideration for designation and the president of the civic association(s) that is officially recognized by the City of Fort Lauderdale where properties are located.
 - iii. If the real property that is the subject of the application is owned by a limited liability company or corporation that is registered to transact business in the State of Florida, the mailed notice shall be provided to the registered agent of the corporation or limited liability company.
 - iv. A property owner may waive the mail notice requirement ~~in~~ under subsection a. ~~above~~, by sending an affidavit signed and notarized ~~affidavit signed~~ by each property owner, expressly stating that each property owner hereby waives the mail notice. The affidavit must include the property address, the ~~HPBhistoric preservation board~~ case number, a description of the request in the application, and the date of the ~~HPBhistoric preservation board~~ meeting.
 - v. Failure to receive mail notice shall not invalidate the hearing as notice shall also be given by publication in a newspaper of general circulation within the City of Fort Lauderdale and sign notice.
- b. Newspaper notice. Newspaper notice shall be given at least twelve (12) days prior to the date set for the first public hearing before the ~~HPBhistoric preservation board~~. Newspaper notice and shall comply with the requirements in 47-27.2 ~~of the ULDR~~.
- c. ~~Failure to receive mail notice shall not invalidate the hearing as notice shall also be given by publication in a newspaper of general circulation within the City of Fort Lauderdale as described in subsection b. above and sign notice is also provided.~~
- cd. Sign notice. Sign notice shall be provided in accordance with Section 47-27.2 ~~of the ULDR~~ prior to each public hearing before the ~~HPBHistoric Preservation Board~~. Sign notice shall be posted at least fifteen (15) days prior to the date set for the ~~HPBhistoric preservation board~~ meeting to consider historic designation.

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3. Non-profit corporation (public participation). Public participation notice is required prior to the HPB and shall be given at least ten (10) days prior to the public participation meeting which must be held at least thirty (30) days prior to the HPB meeting. The mail notice, shall be sent by the applicant, at the applicant's expense, via the method provided for in Section 47-27, Mail notice, and shall be sent to property owner(s) and registered agent(s) that is the subject of the application.
4. The applicant shall be responsible for all costs associated with mail, newspaper, and sign notices.

B. Public Hearing - ~~P~~lanning and zoning board.

1. Mail notice. For designation of an historic district which involves less than ten (10) contiguous acres, the city shall send first class mail notice to the owner of the property proposed for designation and owners within three hundred (300) feet of those lands, at least ten (10) days prior to the date set for the first public hearing. This notice may be included in the mail notice of the HPB ~~historic preservation board~~ public hearing. ~~The applicant is responsible for all costs associated with mail notice.~~ Failure to receive mail notice shall not invalidate the hearing.
2. Newspaper notice. For designation of an historic district involving ten (10) contiguous acres or more, newspaper notice shall be given at least ten (10) days prior to the date set for public hearing.
3. Sign notice. Sign notice shall be provided in accordance with Section 47-27.2 prior to the public hearing before the city commission. Sign notice shall be given at least fifteen (15) days prior to the date set for the PZB meeting to consider historic designation or a change in historic designation.
4. The applicant shall be responsible for all costs associated with mail, newspaper, and sign notices.

C. Public hearing - ~~C~~ity commission.

1. Mail notice. The city shall send first class mail notice to the property owner(s) and registered agents of the property at least ten (10) days prior to the date set for the first public hearing that is the subject of an application for designation or

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a change to designation in accordance with Section 47-27.2. and Section 47-27.7.2. ~~Sign notice shall be provided in accordance with Section 47-27.2 of the ULDR prior to the public hearing before the city commission. Sign notice shall be given at least fifteen (15) days prior to the date set for the city commission meeting to consider historic designation or a change in historic designation.~~

2. ~~Newspaper notice. Newspaper notice in a newspaper of general circulation in the City of Fort Lauderdale shall be given at least twelve (12) days prior to the date set for public hearing to consider designation or change to a landmark, landmark site, historic district or historic building. The newspaper notice shall comply with requirements in 47-27.2 of the ULDR.~~
3. Sign notice. Sign notice shall be provided in accordance with Section 47-27.2 prior to the public hearing before the city commission. Sign notice shall be given at least fifteen (15) days prior to the date set for the city commission meeting to consider historic designation or a change in historic designation.
4. The applicant shall be responsible for all costs associated with mail, newspaper, and sign notices.

SECTION 2. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 3. 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 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. That this Ordinance shall be effective immediately upon final passage.

PASSED FIRST READING this ____ day of _____, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

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Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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