



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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** June 17, 2014

**TITLE:** Ordinance – Amending Section 47-19, Accessory Uses, Buildings and  
Structures to add subsection 47-19.12, *Transit Shelters (Bus Shelters)*.

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**Recommendation**

It is recommended the City Commission introduce an ordinance on first reading to amend Section 47-19, *Accessory Uses, Buildings and Structures* to add subsection 47-19.12, *Transit Shelters* to define transit shelters and associated elements, and include provisions for the location and placement of transit shelters on private property when associated with mass transit, providing for yard requirements, and establishing a process for review and approval.

**Background**

On May 21, 2014 the Planning and Zoning Board (PZB), acting as the Local Planning Agency (LPA), conducted a review of the proposed amendment and, upon finding it consistent with the City's adopted Comprehensive Plan, unanimously recommended approval of the proposed amendment (case T14005). The PZB staff report and May 21, 2014 draft PZB minutes (approved minutes not available at time of publication) are attached as **Exhibit 1** and **Exhibit 2** respectively.

Through a recent effort involving the Broward County Transit Shelters & Amenities Program, the City will be a recipient of multiple new bus shelters as part of broader improvements and upgrades to over 160 bus stops within the City's boundaries. These shelters are designed to provide an area where mass transit riders can sit in the shade while waiting to board, and may include such associated amenities as bike racks and waste receptacles. Generally, these shelters will be located entirely within a public right-of-way. However, in certain locations where the existing public right-of-way is not sufficient to accommodate a bus shelter, this amendment will provide for an option to place a bus shelter on private property, subject to the property owner's agreement and specific criteria, including sufficient pedestrian access.

Placement of bus shelters on private property will be subject to the following criteria:

- Bus Shelters may be permitted on private property as an accessory or principal structure subject to the written consent of the private property owner;
- Bus Shelters may be located in conjunction with an existing bus stop on an approved mass transit route;
- Bus Shelters may be placed directly adjacent to the property line and located within the yard requirements of the zoning district in which they are proposed, provided sufficient pedestrian access and sidewalk width is maintained;
- Applications for bus shelter locations are subject to a Site Plan Level I (Administrative) development approval;
- Applications for bus shelters on City owned or controlled property shall be subject to an agreement and indemnification.

It should be noted that since the PZB review and recommendation of the proposed ordinance staff has made some additional revisions in an effort to clarify the proposed language. These are not substantial revisions and have no impact on the ordinance in terms of what the PZB reviewed and recommended. The most notable of these revisions is the change from the term Bus Shelter to Transit Shelter. This was done to clearly identify these as shelters for different types of mass transit systems (such as the upcoming Wave Streetcar) and make it clear these are not only intended for use by busses.

To view the original version of the proposed ordinance that was reviewed and recommended to the City Commission by the PZB, please see **Exhibit 3**.

To review the revised proposed ordinance (which includes a double strike and underline of the revisions between the PZB review and recommendation and 1<sup>st</sup> reading by the City Commission), please see **Exhibit 4**.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item corresponds to *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the **Neighborhood Enhancement Cylinder of Excellence**, specifically advancing:

- **Goal 6:** Be an inclusive community made up of district, complementary, and diverse neighborhoods.
- **Objective 3:** Evolve and update the land development code to balance neighborhood quality, character, and livability through sustainable development
- **Initiative 1:** Examine land-use patterns and neighborhood development trends to recommend changes to the Unified Land Development Regulations (ULDR) for optimal neighborhood growth, including parking, landscaping, setbacks, change of use and reuse, etc.

Attachments:

Exhibit 1 – PZB Staff Report

Exhibit 2 – May 21, 2014 draft PZB Minutes

Exhibit 3 – PZB reviews and recommended Ordinance

Exhibit 4 – Proposed Ordinance

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