

ORDINANCE NO. C-13-07

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-25.3, NEIGHBORHOOD COMPATIBILITY REQUIREMENTS, TO REVISE BUFFERYARD REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Unified Land Development Regulations ("ULDR") requires all non-residential uses within 100-feet of a residential use to comply with Section 47-25.3, Neighborhood Compatibility Requirements; and

WHEREAS, Section 47-25.3.A.3.d, Bufferyard Requirements, of the ULDR requires a ten foot wide bufferyard with a five (5) foot high solid wall and landscaping when a non-residential use is contiguous to a residential use; and

WHEREAS, the ULDR defines park, open space and conservation areas as non-residential uses; and

WHEREAS, the City Commission finds that park, open space and conservation areas should be exempt from the bufferyard requirement of Section 47-25.3.A.3.d. because these uses should not be enclosed within solid walls nor is the standard requirement for vegetation necessary in these situations since vegetation tends to be an integral part of the design of these uses;

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

SECTION 1. That Section 47-25.3, Neighborhood compatibility requirements, 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. 47-25.3. Neighborhood compatibility requirements.

A. The neighborhood compatibility requirements are as follows:

...

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions; words, symbols, and letters double underlined are additions added after first reading; words, symbols and letters ~~double-stricken~~ are deletions from the version presented at first reading.

3. Design and performance standards.

...

- d. Bufferyard requirements. ~~When~~ Excluding parks, open space and conservation areas, when a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

...

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 19th day of February, 2013.

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

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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