

ORDINANCE NO. C-13-41

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA TO AMEND THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE CITY OF FORT LAUDERDALE 2008 COMPREHENSIVE PLAN TO INCREASE THE RESIDENTIAL DENSITY WITHIN THE DOWNTOWN REGIONAL ACTIVITY CENTER (RAC) LAND USE DESIGNATION FROM 11,060 DWELLING UNITS TO 16,060 DWELLING UNITS AND AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT THE PROPOSED AMENDMENTS, SUPPORTING DATA AND ANALYSES TO REVIEWING AGENCIES.

WHEREAS, pursuant to Ordinance No. C-08-18 adopted by the City Commission of the City of Fort Lauderdale on May 6, 2008, the City Commission adopted the 2008 Fort Lauderdale Comprehensive Plan for the City of Fort Lauderdale ("Plan"); and

WHEREAS, the Planning and Zoning Board, as the local planning agency, held a public hearing in accordance with Section 163.3174 of the Florida Statutes, at its meeting of July 17, 2013 and reviewed the amendment to the Future Land Use Element to increase the residential density within the Downtown Regional Activity Center (RAC) land use designation from 11,060 dwelling units to 16,060 dwelling units and recommended that the City Commission of the City of Fort Lauderdale approve the proposed comprehensive plan amendments as provided and recommended the amendments be transmitted to the reviewing agencies as identified in Section 163.3184(1)(c) of the Florida Statutes; and

WHEREAS, the City of Fort Lauderdale wishes to adopt the proposed amendments to the City of Fort Lauderdale Comprehensive Plan as provided herein and transmit the proposed amendment to the appropriate reviewing agencies identified in Section 163.3184(1)(c) of the Florida Statutes; and

WHEREAS, the City Commission of the City of Fort Lauderdale held a public hearing on October 1, 2013, which hearing was advertised in accordance with the provisions of Section 163.3184(11) of the Florida Statutes; and

WHEREAS, the City Commission approved this ordinance on first reading at their meeting of October 1, 2013 and the proposed ordinance was sent to the Broward County Planning Council ("BCPC") for review and approval; and

WHEREAS, on December 8, 2015, the Broward County Board of County Commissioners approved the amendment; and

WHEREAS, the City Commission held a public hearing for second reading of this Ordinance on January 20, 2016 which hearing was advertised in accordance with the provisions of Section 163.3184(11) of the Florida Statutes,

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

SECTION 1. That the City of Fort Lauderdale 2008 Comprehensive Plan shall be amended by amending the Future Land Use Element to increase the residential density within the Downtown Regional Activity Center (RAC) land use designation from 11,060 dwelling units to 16,060 dwelling units as provided in the Exhibit attached hereto and made a part hereof.

SECTION 2. That the proper City officials are hereby authorized to transmit the proposed amendment to the appropriate reviewing agencies as identified in Section 163.3184(1)(c) of the Florida Statutes and to the Broward County Planning Council.

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, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force immediately upon its adoption, but the amendment shall not become effective until the completion of the state review process for the adoption of comprehensive plan amendments as provided in Chapter 163, Florida Statutes, and

recertification by the Broward County Planning Council.

PASSED FIRST READING this the 1st day of October, 2013.

PASSED SECOND READING this the 20th day of January, 2016.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

**EXHIBIT
CITY TEXT AMENDMENT**

Downtown Regional Activity Center

General Location: South of Sunrise Boulevard, north of Davie Boulevard,
between U.S. 1 and N.W. 7 Avenue

Density and Intensity of Land Uses:

Increase the floor area ratio (FAR) from 2 to 3 by the year 2000 and to 4 by 2010 consistent with Policy 1.32.2 of the Future Land Use Element. The FAR will not be applied to individual parcels but to the entire DRAC. Thus, individual parcels may exceed the maximum for nonresidential land use, but maintaining the FAR maximum for the DRAC will assure that the City of Fort Lauderdale can provide services.

List of Permitted Uses:

Residential	11,060 <u>16,060</u> dwelling units 5,100 original approval 2,960 flex and reserve added November 20, 2003* 3,000 additional dwelling units added January 18, 2006 (450 of the 3,000 additional dwelling units are restricted to affordable housing as defined by the Broward County Land Use Plan) <u>5,000 additional dwelling units added January 20, 2016 (750 of the 5,000 additional dwelling units are restricted to affordable housing as defined by the Broward County Land Use Plan)</u>
Commercial	FAR - 4
Industrial	FAR - 4
Transportation	no specified limit
Community Facilities, limited to Parks, civic and cultural centers, schools, "schools within businesses" and vocational schools with state approved academic curriculum	no specified limit
Park-Open Space	8.5 acres minimum

*An additional 2,197 residential units (2,000 flexibility and 197 reserve units) were added in November 2003. These units are currently allowed in flexibility zone 49 as identified in the Broward County Land Use Plan (immediately adjacent to the east), shall be allocated north of Broward Boulevard in the area described above as the Downtown Regional Activity Center.

*An additional 763 residential units (750 flexibility and 13 reserve units) were added in November 2003. These units are currently allowed in the flexibility zone 54 as identified in the Broward County Land Use Plan (immediately adjacent to the west), shall be allocated south of Broward Boulevard in the area described above as the Downtown Regional Activity Center.

These allocations will be made subject to compliance and consistency with Objectives 1.14 and 1.15, Policies 1.14.1, 1.14.2, 1.14.3, 1.14.4, 1.14.5, 1.14.6, 1.14.7, 1.14.8, 1.15.1, 1.15.2, 1.15.3 and 1.18.1 as well as the associated implementing Unified Land Development Regulation policies.

Exclusive of easement areas and right of ways Flagler Heights Park, Florence Hardy Park and Southside School sites are restricted to Park-Open Space use. (Ord. C-10- 17)

Comments:

1. Downtown RAC has direct access to a Tri-County Commuter Rail Station and a Broward County Mass Transit Terminal.
2. Downtown Fort Lauderdale was also designated as a Regional Activity Center in order to encourage intense development and bring residential uses back to the downtown area. In 1997, Downtown districts with different permitted uses and development regulations were adopted to foster redevelopment of this area.
3. Chapter 380.06 (2)(e), Florida Statutes (F.S.), and Chapter 28-24.014(10), Florida Administrative Code (FAC), authorize local governments to designate areas as regional activity centers, hereinafter "Chapter 380 regional activity centers", where the local government seeks to encourage higher intensities of development by increasing the threshold of development size required to undergo State review as a Development of Regional Impact (DRI). Additionally, Policy 2.1.12 of the Strategic Regional Policy Plan for South Florida authorizes the designation of "Regional Development Districts" to implement the provisions of Chapter 380.0651(3) (d) (3) and (3) (g) (2), F.S., which provide for the designation of geographic areas highly suitable for increased (DRI review) threshold intensity.

The designation of a specific area and boundaries as a Chapter 380 regional activity center for the purpose of increasing DRI review thresholds does not change the City of Fort Lauderdale Land Use Plan map

designation of any land, nor does it change the uses or intensities of development authorized by the Future Land Use Element of the City's Comprehensive Plan. It only changes the circumstances under which proposed development in the designated area would have to be reviewed through the Chapter 380, F.S., DRI process.

The Downtown-RAC is hereby designated to be a Chapter 380 regional activity center, and, subject to amendment of the Strategic Regional Policy Plan for South Florida by the South Florida Regional Planning Council, as a regional development district (a geographic area specifically designated as highly suitable for increased threshold intensity), for the purpose of increasing DRI thresholds.