



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

**#16-0176**

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

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

**DATE:** March 1, 2016

**TITLE:** Ordinance Amending the Unified Land Development Regulations Revising  
the Criteria for Reviewing and Approving Rezoning Requests

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**Recommendation**

It is recommended that the City Commission adopt an ordinance amending the Unified Land Development Regulations (ULDR) on first reading revising the criteria by which rezoning requests are reviewed and approved.

**Background**

On April 7, 2015 the City Commission directed staff to evaluate the criteria by which rezoning requests are approved based on a communication from the Planning and Zoning Board (PZB). Please see Exhibit 1 for more information.

On September 16, 2015 the PZB recommended approval of staff's draft amendment with modified language to the City Commission. Please see Exhibits 2 and 3 for more information.

At the February 16, 2016 City Commission meeting, the City Commission discussed the PZB recommendation and proposed amendments to Section 47-24.4 of the ULDR regarding rezoning criteria. At this meeting, the City Commission expressed concern with the proposed removal of criterion 2, which currently states:

Substantial changes in character of development in or near the area under consideration support the proposed rezoning.

To allow time to address this, the City Commission deferred the item to the March 1, 2016 City Commission meeting and directed staff to revise the language to maintain character as part of the criteria while still meeting the original intent of the request to address the difficulty of applying criterion 2 as it is currently written.

Staff has revised the proposed draft amendment to include language that acknowledges the character of the surrounding area in which a rezoning is proposed by establishing criteria to directly address the concern of the City Commission. Please see the following

strike and underline version indicating the changes between the proposed draft language from the February 16<sup>th</sup> City Commission meeting and the current proposed draft:

D. *Criteria. An application for a rezoning is defined as an application that proposes to change the zoning designation of land on a request to amend the Unified Land Development Regulations to change a zoning district or boundary as depicted upon the Official Zoning Map of the City of Fort Lauderdale. ~~The~~ An application for a rezoning shall be reviewed in accordance for compliance with the following criteria:*

1. *The zoning district proposed is consistent with the City's Comprehensive Plan.*
2. *~~The rezoning furthers public health, safety and welfare through compliance with Section 47-25, Development Review Criteria.~~ The application for rezoning shall demonstrate that the proposed zoning district does not negatively impact the character of the surrounding area by demonstrating the following:*
  - a. *The lists of permitted and conditional uses for the proposed zoning district are similar in intensity and density to the permitted and conditional uses of adjacent zoning districts or represent a logical increase in intensity and density based upon the development pattern of the subject area; and*
  - b. *The proposed zoning district provides a suitable transition between the neighboring zoning districts; and*
  - c. *The proposed zoning district is consistent with the established development pattern on the area; and*
3. *~~The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.~~ The proposed zoning district complies with Section 47-25, Development Review Criteria.*

The above language is intended to provide standards by which the character of the existing surrounding area can be maintained by demonstrating that the proposed zoning accomplishes the following:

- Establishes compatible uses between it and the surrounding area;
- Furthers a development pattern based on the existing development pattern and trends of the surrounding area;
- Provides for suitable transitions between less intensive to more intensive zoning districts.

To review the entire amendment in strike and underline format, please refer to Exhibit 4.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *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 distinct, complementary, and diverse neighborhoods.
- Objective 1: 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.

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

### **Attachments**

Exhibit 1 – City Commission Communication

Exhibit 2 – PZB Staff Report

Exhibit 3 – PZB Minutes

Exhibit 4 – Draft Ordinance

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