

ORDINANCE NO. C-16-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE AMENDING SECTION 47-24.4 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REVISE THE REVIEW CRITERIA FOR REZONING APPLICATIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Section 47-24.4 of the Unified Land Development Regulations (ULDR) of the City of Fort Lauderdale establishes criteria for a rezoning request; and

WHEREAS, the City Commission desires to amend Section 47-24.4. entitled "Rezoning (city commission)" of the ULDR so that the criteria for reviewing rezoning applications is consistent with the City's Comprehensive Plan and furthers the public health, safety and welfare of the community; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its meeting of September 16, 2015 (PZ Case T15003), found that the proposed text amendments are consistent with the City's Comprehensive Plan and as the Planning and Zoning Board, did recommend to the City Commission that the amendment to the ULDR is consistent with the City of Fort Lauderdale Comprehensive Plan; and

WHEREAS, notice was provided to the public that this ordinance would be considered at the City Commission meeting to be held on Tuesday, February 16, 2016 and Tuesday, March 1, 2016 at 6:00 o'clock P.M., in the City Commission Room, City Hall, Fort Lauderdale, Florida; and

WHEREAS, the City Commission held a public hearing on Tuesday, February 16, 2016 and by motion continued the hearing on first reading to Tuesday, March 1, 2016;

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

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SECTION 1. That Section 47-24.4 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. 47-24.4. – Rezoning (city commission).

...

D. Criteria. An application for a rezoning is defined as an application that proposes to change the zoning designation of land on the Official Zoning Map of the City of Fort Lauderdale. ~~shall be reviewed for compliance with Section 47-25, Development Review Criteria.~~ In addition, ~~an~~ An application for a rezoning shall be reviewed in accordance with the following criteria:

1. The zoning district proposed is consistent with the city's comprehensive plan.
2. ~~Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.~~ 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 in the area; and

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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.

...

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 \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED SECOND READING this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI

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