

5-17-16
OSR-3
REVISED
ORDINANCE

ORDINANCE NO. C-16-09

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "RMM-25" TO "X-P", INCLUDING APPROVAL OF AN ASSOCIATED SITE PLAN, LOT 31, BLOCK 4, "CORAL RIDGE COMMERCIAL BOULEVARD ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED EAST OF BAYVIEW DRIVE, SOUTH OF NORTHEAST 51ST STREET, WEST OF NORTHEAST 3RD AVENUE AND NORTH OF EAST COMMERCIAL BOULEVARD (NORTHEAST 50TH STREET), IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

WHEREAS, the applicant, WB Devine Investments LLC, applied for the rezoning of certain property as described in SECTION 1 herein from "RMM-25" to "X-P" zoning district; and

WHEREAS, in accordance with the Unified Land Development Regulations ("ULDR"), rezoning to an "X-P" District requires the allocation of commercial flexibility and approval of a site plan which meets the criteria provided in the ULDR; and

WHEREAS, the applicant has submitted a site plan as part of the rezoning application to develop a parking lot on the property to be rezoned as described in this ordinance; and

WHEREAS, the Planning and Zoning Board at its meeting of March 16, 2016 (PZ Case No. ZR15007) did recommend to the City Commission that the site plan reviewed in connection with the rezoning application be approved and that the lands herein described should be rezoned from "RMM-25" to "X-P" and that the Official Zoning Map and Schedule "A" attached thereto should be amended to include such lands; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, May 3, 2016 and Tuesday, May 17, 2016 at 6:00 P.M., in the City Commission

Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any public comment to such rezoning; and

WHEREAS, such public hearing was duly held at the time and place designated after notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations;

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

SECTION 1. That the ULDR of the City of Fort Lauderdale together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning in the respects mentioned, the following lands, situate in the City of Fort Lauderdale, Broward County, Florida, to wit:

REZONE FROM "RMM-25" TO "X-P":

LOT 31, BLOCK 4, "CORAL RIDGE COMMERCIAL BOULEVARD ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

Location: 3025 East Commercial Boulevard

Also depicted in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and date of passage.

SECTION 3. That the site plan submitted for review as part of this rezoning request consists of a 7,932 square foot medical use building and associated parking, as depicted in Exhibit "B" attached hereto, is hereby approved subject to the conditions imposed by the

Development Review Committee, the Planning and Zoning Board and the City Commission. The site plan is also subject to a parking reduction order approved by the Planning and Zoning Board at its meeting of March 16, 2016.

SECTION 4. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

SECTION 5. 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 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 3rd day of May 2016.

PASSED SECOND READING this the ____ day of _____, 2016.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

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Exhibit 8
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Exhibit "B" is Exhibit 2 of CAM 16-0459