



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

**#16-0844**

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

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

**DATE:** September 7, 2016

**TITLE:** Innovative Development (ID) District Ordinance

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**Background**

The Innovative Development (ID) District Ordinance, part of the City's Unified Land Development Regulations (ULDR), Section 47-37A, was created as a result of public concerns that the former Planned Unit Development (PUD) District Ordinance, ULDR Section 47-37.1, did not contain appropriate criteria for rezoning properties to a PUD, intended to permit development that may not otherwise be permitted under the City's existing code.

Based on these concerns, on April 20, 2011 the City Commission, through Resolution 11-114, formed a Planned Unit Development Zoning District Advisory Committee of various experts and representatives to evaluate the PUD Ordinance and make suggested recommendations, and on May 17, 2011 the City Commission adopted an ordinance establishing a moratorium on the filing or acceptance of applications for rezoning of any property to a PUD, while the committee worked on the recommendations. The effort was undertaken to clearly define the intent of any new regulations, ensure criteria adequately address the concerns expressed as to what were perceived as negative impacts of zoning property to a PUD zoning district, and which included compatibility with surrounding neighborhoods.

The Committee goals included:

- Establishing common denominators of achievements and deficiencies for completed PUD projects;
- Establishing criteria for constructive public input and developer engagement with the impacted community;
- Incorporating academic and other professional involvement regarding the application of the PUD concept in an urban environment; and
- Defining a regulatory framework for evaluation of existing PUD provisions.

The committee worked extensively over a period of 18 months, which resulted in a proposal to create an "Innovative Development" Ordinance with new criteria, while retaining the existing PUD regulations for applications approved prior to the effective

date of the new proposed ID Ordinance.

After reviewing the PUD Committee proposal, the City Commission directed staff to move the new ID Ordinance and revisions to the PUD Ordinance through the adoption process. Subsequently, the Planning and Zoning Board recommended approval of the PUD Ordinance revisions and creation of the new ID Ordinance on July 17, 2013. The subject amendments were then presented for first reading at the September 17, 2013 City Commission meeting, and unanimously approved on October 1, 2013, second reading.

The new Innovative Development Ordinance provided for definition of terms, and criteria including conditions for rezoning, minimum acreage and open space requirements, public outreach criteria, and a review process consisting of a pre-application public outreach component and a super-majority recommendation and approval of the rezoning application.

Table 1. ID Ordinance Timeline

Date	Item
April 20, 2011	City Commission adopted Resolution 11-114 creating the PUD Advisory Committee and providing for the committee's termination on the date the PUD Moratorium terminates.
May 17, 2011	City Commission adopted an ordinance establishing a moratorium on the filing or acceptance of applications for rezoning of any property to a PUD, while the committee worked on recommendations.
September 9, 2011	PUD Advisory Committee conducts first meeting.
May 15, 2012	City Commission found that additional time was necessary to conclude the study associated with the PUD zoning district regulations and approved resolution 12-88 extending the PUD moratorium for 90 days from May 17, 2012.
June 19, 2012	City Commission approved on second reading Ordinance C-12-21 extending the ordinance for an additional 90 days from August 15, 2012 for a total extension of 180 days from the original expiration date. This was followed by one final extension of 90 days to February 13, 2013 which took place at the City Commission meeting on November 6, 2012.
October 1, 2012	City conducts public workshop on the proposed ID Ordinance.
February 8, 2013	PUD Advisory Committee conducts final meeting.
June 18, 2013	City Commission reviewed proposed draft ordinance and directs staff to move item forward for approval.
July 17, 2013	Planning and Zoning Board approves 7-0 with recommendation to remove minimum size requirement and require majority vote plus one for recommended approval by the Board.
September 17, 2013	City Commission Meeting, first reading, ordinance passed with amendment to include minimum size requirements for properties

	in Downtown RAC, and requirement for majority vote plus one for Planning and Zoning Board.
October 1, 2013	City Commission Meeting, second reading, ordinance passed

Planning and Zoning Board minutes from the July 17, 2013 meeting are provided as Exhibit 1. City Commission minutes from the September 17, 2013 meeting are provided as Exhibit 2. The adopted ULDR regulations are provided as Exhibit 3.

### **ID Zoning and Current Development Applications**

Since adoption of the ID Zoning Ordinance, the City has received two Development Review Applications requesting ID rezoning. The applications include the “Live Galleria” project and the “Bahia Mar” project. The “Bahia Mar” project proceeded to the City Commission for approval, but the applicant withdrew the application prior to the City Commission taking final action. The “Live Galleria” project is currently scheduled to be reviewed at the September 21, 2016 Planning and Zoning Board meeting.

The development applications seeking ID zoning have initiated concerns from various members of the public relative to the implementation of the ID zoning regulations and application of the ID criteria.

Staff will provide a brief overview presentation of the ID Zoning Ordinance including history, intent and purpose, and applicability. A copy of the presentation is provided as Exhibit 4.

### **Resource Impact**

There is no fiscal impact associated with this item.

### **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 – July 17, 2013 Planning and Zoning Board Minutes

Exhibit 2 – September 17, 2013 City Commission Minutes

Exhibit 3 – ULDR, Sec. 47-37A, Innovative Development (ID) District

## Exhibit 4 – PowerPoint Presentation

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Prepared by: Jim Hetzel, Principal Planner

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