



**REQUEST:** Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-37A, Innovative Development District; Providing for a New Title for the Zoning District, Additional Public Outreach, Limitations on Density, Maximum Floor Area, and Building Height Requirements, Permitting Certain Public Improvements, Requiring Development Applications for Flexibility Units to be located within the adopted Unified Flex Boundary, Removing Minimum Acreage When Improved Land Contains Existing Uses, and Removing Supermajority Vote for Planning and Zoning Board Approval.

<b>Case Number</b>	T18010
<b>Applicant</b>	City of Fort Lauderdale
<b>ULDR Section</b>	Section 47-37A, Innovative Development (ID) District
<b>Notification Requirements</b>	10-day legal ad
<b>Action Required</b>	Recommend approval or denial to City Commission
<b>Authorized By</b>	Jim Hetzel, Principal Planner

**BACKGROUND:**

The Innovative Development District 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 when such requests would not otherwise be permitted under the City's existing code. As a result, the City Commission approved Ordinance No. C-13-42 on October 1, 2013, adopted ULDR, Section 47-37A, Innovative Development (ID) District.

Since the adoption of the ID Ordinance, there have been two Development Review Applications requesting a rezoning to an ID District. The applications included 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 The "Live Galleria" project was formally withdrawn, at the request of the applicant.

Both ID applications initiated concerns from various members of the public relative to the implementation of the ID zoning regulations and ID criteria. There was concern that ID zoning applications were not being analyzed to recognize full impacts to the community and that further evaluation of the ID Ordinance was needed.

In response, the City Commission recommended that the former PUD Advisory Committee be re-established as the Innovative Development (ID) District Advisory Committee to review current ID zoning regulations and suggest recommendations to the City Commission. On November 1, 2016, the City Commission adopted Resolution No. 16-192 establishing the ID Advisory Committee, providing for membership qualifications, length of term, and purpose and duties as follows:

- To review existing provisions of the ID zoning district and analyze the application of its provisions to development and identify any impacts that may not have been in the best interest of the City; and
- To review and analyze other cities' zoning regulations permitting development similar to the ID zoning district; and
- To receive input from members of the public interested in development in the ID zoning district regulations; and
- To provide recommendations to the City Commission regarding proposed amendments to the ID zoning district.



The ID Advisory Committee conducted its first meeting on January 27, 2017 and held its last meeting on July 27, 2018. Over the course of eighteen months, the ID Advisory Committee worked extensively to evaluate the ID Ordinance and discussed numerous options to revise the existing ID Ordinance. In addition, the ID Advisory Committee held two public meetings, during evening hours, to ensure there was opportunity for the public to provide input. The first public meeting was held on October 25, 2017, with attendance of 20 community members. Several attendees completed a questionnaire form, which contained questions to gauge public support for providing flexibility in the ULDR and what type of elements should be considered a public benefit (i.e. pedestrian improvements, landscaped promenades and open space, infrastructure and transportation improvements, etc.). The majority of the attendees supported flexibility in the ULDR and concurred with the elements identified for public benefit. The second public meeting was held on May 8, 2018, at which time the ID Advisory Committee presented proposed revisions to the ID Ordinance. Five attendees were present at the meeting.

On June 1, 2018, the ID Advisory Committee finalized their recommendations and voted to approve proposed revisions to the ID Ordinance. In summary, the revisions propose the following:

- Name change from Innovative Development (ID) District to Planned Development District (PDD). The word "planned" is less subjective than "innovative" and is more commonly used by other cities that have these types of regulations;
- Requirement for a public meeting with the community post the Development Review Committee (DRC) meeting. Added clarification that PDD applications are subject to Public Participation requirements as provided in Section 47-27.4;
- Limitations on residential density to a maximum fifty dwelling units per acre and nonresidential intensity of three times the parcel size or floor area ratio (FAR) of three (3);
- Limitations on building height not to exceed one hundred twenty five percent (125%) of the existing height identified in the underlying zoning district for which project is located but in no case shall exceed three hundred (300) feet;
- Recognized public improvements were expanded to include off-site infrastructure improvements and other improvements proposed by the applicant that are not otherwise specified in the code;
- Inclusion of the City's Unified Flex Map for PDD applications requesting flex units, requiring that a proposed PDD site must be located within the boundaries of the Unified Flex Map; and
- The requirement for an affirmative super majority vote by the Planning and Zoning Board has been removed but remains for the City Commission.

The proposed revisions were presented to the City Commission on September 4, 2018, during the Commission Conference Meeting. The Commission directed staff to proceed with an amendment to the ULDR incorporating the amendments. The September 4, 2018, City Commission Conference minutes are attached as Exhibit 1.

The proposed text amendment to Section 47-37A, Innovative Development (ID) District, is attached as Exhibit 2.

**COMPREHENSIVE PLAN CONSISTENCY:**

The proposed amendments are consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.21, Encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities; Objective 1.22, Encourage high quality development and redevelopment; and Objective 1.36, Utilize the



flexibility rules and irregular densities established by the Broward County Land Use Plan in order to facilitate the arrangement of residential densities and commercial acreage to allow the City to respond to changing conditions.

**PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendments are consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.

**EXHIBITS:**

1. City Commission September 4, 2018 Conference Meeting Minutes
2. Section 47-37A, Innovative Development (ID) District, Proposed Text Amendment