




**REQUEST:** Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-14, General Aviation Districts, to Comply with Florida Statutes (F.S.), Chapter 333, Airport Zoning, to add Regulations for Obstructions to Airspace such as Structures around Airports and Heliports, and Create Section 47-3.12 entitled "Nonconforming Obstructions" to add regulations for nonconforming obstructions located within the Airport Hazard Area, General Aviation Airport District, or Airport Industrial Park District.

Case Number	PLN-ULDR-20070001
Applicant	City of Fort Lauderdale
ULDR Section	Section 47-3.12, Nonconforming Obstructions Section 47-14, General Aviation Districts
Notification Requirements	10-day legal ad
Action Required	Recommend approval or denial to City Commission
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**BACKGROUND:**

In 2016, the Florida Legislature adopted amendments to Florida State. Chapter 333, Airport Zoning, that require all local governments that have an airport hazard area, identified as any areas where an airport hazard or obstruction might be established, to adopt, administer and enforce airport zoning and land-use compatibility regulations. The regulations are intended to minimize the exposure of adjacent properties to airport hazards and noise, and prohibit incompatible land uses and structures around airports. The City of Fort Lauderdale owns and operates two public-use facilities; the Fort Lauderdale Executive Airport (FXE), located at 6000 NW 21<sup>st</sup> Avenue, and the John Fuhrer Downtown Helistop (DT1), located at 201 SE 2<sup>nd</sup> Street, to which these statutory requirements apply.

The State requirements mandate that local land use and zoning regulations be amended to address land use restrictions, noise, height limitations, locational requirements, permit requirements, administration and enforcement for airport protection zones. The State requirements for airport protection zones correspond with Federal requirements found in Title 14, Code of Federal Regulations (CFR), Part 77, Safe, Efficient Use, and Preservation of the Navigable Airspace. In addition, the State requirements for compatible land uses within specific noise contours correspond with Title 14, CFR Part 150, Airport Noise Compatibility Planning regulations. It is important to note that the proposed amendment does not change aircraft flight paths or noise.

Subsequently, staff prepared amendments to ULDR, Section 47-14, General Aviation Districts to establish compliance with Florida Statutes to minimize the exposure of adjacent properties to airport hazards, noise, and to prohibit incompatible land uses and structures. The proposed regulations include land use restrictions, noise requirements, height limitations, locational requirements, permit requirements, and administration and enforcement for airport protection zones and creating Section 47-3.12 entitled "Nonconforming Obstructions" to add regulations for nonconforming obstructions located within the Airport Hazard Area, General Aviation Airport District, or Airport Industrial Park District. The proposed amendments are provided as **Exhibit 1**.

The amendments were presented to the Aviation Advisory Board (AAB) on March 28, 2019 for review and comment. Most of the comments and questions from the Board were addressed. The AAB minutes are provided as **Exhibit 2**.

**PUBLIC OUTREACH**

Staff presented the proposed amendments to the Council of Fort Lauderdale Civic Associations (CFLCA) on January 28, 2019, to explain the purpose on the proposed changes which were generally well received and supported. Staff also conducted an informational meeting on February 21, 2019, at the Executive Airport and invited all City of Fort Lauderdale homeowner

associations to attend the open forum at which a PowerPoint Presentation was provided to explain the purpose of the proposed changes.

**COMPREHENSIVE PLAN CONSISTENCY:**

The proposed amendments are consistent with the City's Comprehensive Plan, Goal 1, Objective 1.40 Coordination of Land Use and Airport/ Heliport Planning and the following policies:

- POLICY 1.40.1: Areas surrounding existing airports shall be developed or redeveloped to promote compatible land uses consistent with the elements of the City of Fort Lauderdale Comprehensive Plan and affected elements of other local plans.
- POLICY 1.40.2: The City of Fort Lauderdale shall not issue development orders for land uses or structures that are incompatible with airport uses and/or which create a hazard to air navigation.
- POLICY 1.40.3: The recommendations of adopted Part 150 Study Reports shall be taken into consideration during land use decisions affecting airports and their adjacent areas as part of the City of Fort Lauderdale development review process.
- POLICY 1.40.4: The City of Fort Lauderdale shall protect navigable airspace regulated by the Federal Aviation Administration from obstruction.
- POLICY 1.40.5: Post noise contour data and noise abatement information for Fort Lauderdale Executive Airport on the City's website

**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. Amendments to ULDR Section 47-14, General Aviation Districts
2. March 28, 2019 AAM Meeting Minutes