



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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: February 16, 2021

TITLE: First Reading - Ordinance Amending the Noise Ordinance Relating to the Construction of Large or Complex Projects (Transportation and Non-Transportation) Exemption for Time to Comply, Establishing an Alternative Approval Process Through the City Commission for the Approval and Revocation of Special Permits – **(Commission Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends the City Commission consider an Ordinance amending Chapter 17 of the Code of Ordinances of the City of Fort Lauderdale to establish an alternative approval process through the City Commission for the approval and revocation of special permits by authorizing the City Commission to approve extensions for special permits, beyond the authorization of the City Manager.

Background

On November 5, 2020, the City Commission adopted an ordinance amendment to Section 17-10 of Chapter 17 of the Code of Ordinances to permit large transportation and non-transportation projects to start construction outside of the standard hours of construction, as established in Section 17-8, through the approval of a special permit by the City Manager (ordinance C-20-37).

With the adoption of ordinance C-20-37, construction activity is limited to the following:

- Standard Construction Hours - Limited to construction activity between the hours of 8 a.m. and 7 p.m. Monday through Saturday and between 10 a.m. and 7 p.m. on Sunday.
- Special Permit for Expanding Construction Hours Citywide with City Manager Approval – Limited to construction activity between the hours of 6 a.m. and 11 p.m. for a period of 30-days with one 15-day extension, for a total of 45-days when located outside of a Regional Activity Center (RAC), if it is determined by the City Manager that approving the special permit serves the best interest of public health, safety or convenience.

- Special Permit for Expanded Construction Hours When Located Within the Regional Activity Centers with City Manager Approval – The City Manager may approve extensions to the expanded construction hours listed above, however activity is limited to 7 a.m. and 10 p.m. Monday through Saturday and 10 a.m. and 7 p.m. on Sunday if it is determined by the City Manager that approving the special permit serves the best interest of public health, safety or convenience.

The City Manager may revoke a special permit if it is determined that it no longer serves the best interest of public health, safety, or convenience.

The intent of the current ordinance language is to address requests by the development community, to mitigate the length of time large complex projects are under construction and reduce overall impacts to neighbors and surrounding areas.

The language proposed by the described amendment to the ordinance would permit the City Commission to extend the overall time period by which construction activity may occur at their discretion, should the City Commission determine it is in the best interest of public health, safety or convenience, by determining the length of time the special permit is approved, as well as specifying construction hours during the day. This approval may exceed the limitations indicated above by the current ordinance.

Should the City Commission find that the special permit no longer serves the best interest of public health, safety, or convenience the special permit may be revoked.

To review the proposed ordinance amendment, please refer to Exhibit 1.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Create a responsive and proactive business climate to attract emerging industries

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

Attachment

Exhibit 1 - Ordinance

Prepared by: Anthony Greg Fajardo, Sustainable Development – Department Director

Department Head: Anthony Greg Fajardo, Sustainable Development