



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

#21-0302

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: March 16, 2021

TITLE: Second Reading - Ordinance Amending City of Fort Lauderdale Unified
Land Development Regulations (ULDR) By Creating Article XII., Section 47-
36; Establishing a Transfer of Development Rights Program – Planning and
Zoning Board Case No. PLN-ULDR-20010001 - **(Commission Districts 1,
2, 3 and 4)**

Recommendation

Staff recommends that the City Commission consider an ordinance amending the Unified Land Development Regulations (ULDR) to establish a Transfer of Development Rights (TDR) Program.

Background

On July 10, 2018, the City Commission requested recommendations regarding potential amendments to the City's historic preservation ordinance. In response to mentioned request, staff outlined a three-phased approach to amending the historic preservation ordinance and identified potential incentives to enhance historic preservation efforts.

As part of phase one, staff focused on key amendments to the ULDR that streamline the historic application review and approval process. Such amendments would allow staff to process certain applications administratively, resulting in greater efficiencies and providing applicants with a greater level of clarity regarding individually designated properties or those within a designated historic district. Described amendments were approved by the City Commission on September 12, 2019.

As part of phase two, staff developed several recommendations for historic preservation incentives. An initial incentive, through an amendment to the ULDR, to allow for parking reductions and exemptions for adaptive reuse projects for historic resources was approved by the City Commission on October 1, 2019. Two additional incentives, including a waiver to promote and encourage preservation of historic resources, as well as a tax exemption for commercial properties, were approved by the City Commission on March 3, 2020.

A Transfer of Development Rights (TDR) Program is now being proposed as an additional historic preservation incentive. The TDR program will allow for transfer of unused

development rights which includes floor area or density, from sending sites which are designated historic landmarks, landmark sites, archeological sites, and contributing properties in historic districts to proposed receiving sites. The TDR Program will permit certain developments to obtain additional building height through the transfer of floor area and will permit the transfer of additional dwelling units for density purposes. Authorization of described transfer will be completed through a Certificate of Eligibility and a Certificate of Transfer application. The proposed ordinance is provided as Exhibit 1.

The proposed ordinance was approved on first reading at the regular City Commission meeting held on March 2, 2021.

Prior Reviews

The amendments were presented to the Historic Preservation Board (HPB) at the August 3, 2020, meeting and received unanimous support. The August 3, 2020, HPB meeting minutes are provided as Exhibit 2.

The Planning and Zoning Board (PZB) reviewed the proposed Transfer of Development Rights (TDR) Ordinance on October 21, 2020 and November 18, 2020 and voted to defer the item at both meetings to allow staff to return with responses to requests and suggestions. The October 21, 2020 PZB meeting minutes are provided as Exhibit 3. The October 21, 2020 staff report and exhibits are provided as Exhibit 4. The November 18, 2020 PZB meeting minutes are provided as Exhibit 5. The November 18, 2020 staff report and exhibits are provided as Exhibit 6.

At the PZB meeting in December 16, 2020, the PZB recommended by a vote of 9-0 that the City Commission approve the proposed TDR Program. The December 16, 2020 PZB meeting minutes are provided as Exhibit 7. The December 16, 2020 staff report and exhibits are provided as Exhibit 8.

Public Outreach

City staff sent a memorandum to the Council of Fort Lauderdale Civic Associations informing the community about the proposed amendments on January 17, 2020, July 21, 2020, and on October 30, 2020. Staff reached out the President of the Sailboat Bend Civic Association to offer a presentation by staff on the proposed amendments; however, the offer was declined. Staff followed up with an email concerning the status of the proposed amendments on October 30, 2020. Additional e-mail communications were also provided to interested parties.

In advance of the first reading, a letter was sent to all municipalities that are located within 1000 feet of a proposed TDR "receiving area" in accordance with Broward County Land Use Plan Policy 2.34.1 subsection 8.

Resource Impact

If the TDR ordinance is adopted, application fees to support described program will be proposed as an amendment to the Urban Design and Planning fee schedule to cover costs associated with staff time required to process both application types. The

anticipated proposed fee for the Certificate of Eligibility application will be \$125.00 and Certificate of Transfer application is anticipated be \$500.00.

Strategic Connections

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

- The Neighborhood Enhancement Focus Area
- Goal 4: Build a thriving and inclusive community of neighborhoods.
- Objective: Create a continuum of education services and support

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

Attachments

Exhibit 1 – Ordinance

Exhibit 2 – August 3, 2020, HPB Minutes

Exhibit 3 – October 21, 2020, PZB Minutes

Exhibit 4 – October 21, 2020, PZB Staff Report and Exhibits

Exhibit 5 – November 18, 2020, PZB Minutes

Exhibit 6 – November 18, 2020, PZB Staff Report and Exhibits

Exhibit 7 – December 16, 2020, PZB Minutes

Exhibit 8 – December 16, 2020, PZB Staff Report and Exhibits

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