

ORDINANCE NO. C-26-10

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE VII – NOTICE PROCEDURES, MORE SPECIFICALLY SECTION 47-27.4. – NOTICE FOR SITE PLAN LEVEL I, II, III AND LEVEL IV, CONDITIONAL USE, PLATS, AND AMENDMENTS TO SITE PLAN LEVEL III AND IV, SECTION 47-27.5. – REZONING AND CHANGE IN USES, AND SECTION 47-27.6. – VACATION OF PUBLIC RIGHTS-OF-WAY; TO MODIFY THE REQUIREMENTS FOR PUBLIC PARTICIPATION MEETINGS, AND PROVIDING FOR CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend Article VII – “Notice Procedures”, Section 47-27.4. - “Notice for site plan level I, II, III and level IV, conditional use, plats, and amendments to site plan level III and IV”, Section 47-27.5. – “Rezoning and change in uses”, and Section 47-27.6. – “Vacation of public rights-of-way” of the City of Fort Lauderdale, Florida Unified Land Development Regulations (“ULDR”) to revise the public participation requirements; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its meeting of February 18, 2026 (PZ Case UDP-T26001), found that the proposed text amendments for Sections 47-27.4, 47-27.5, and 47-27.6 of the ULDR are consistent with the City’s Comprehensive Plan and the Planning and Zoning Board recommended approval of said proposed text amendments to the City Commission; and

WHEREAS, the City Clerk notified the public of public meetings to be held before the City of Fort Lauderdale City Commission on Tuesday, April 7, 2026, at 6:00 P.M., or as soon thereafter as possible, and on Tuesday, April 21, 2026, at 6:00 P.M., or as soon thereafter as possible, at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom, located at 201 S.W. 5th Avenue, Fort Lauderdale, Florida, for the purpose of hearing any public comment to said amendments to the ULDR;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 47-27.4. – “Notice for site plan level I, II, III and level IV, conditional use, plats, and amendments to site plan level III and IV” of the ULDR is hereby amended as follows:

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Sec. 47-27.4. - Notice for site plan level I, II, III and level IV, conditional use, plats, and amendments to site plan level III and IV.

A. Notice for site plan level II, III and level IV, and amendments to site plan level III and IV development permit application, and conditional use approvals, ~~and plats~~ shall be provided as follows:

1. Sign notice. Sign notice for site plan level II development located within the SRAC-SAe and SRAC-SAw zoning districts shall be required prior to the date of a Development Review Committee (DRC) meeting. Sign notice for site plan level III and level IV shall be required prior to a public hearing by the planning and zoning board and city commission.

2. Public Participation notice. Public participation notice is required to be provided by the applicant as follows:

a. Development permit applications for an amendment to a site plan level III or site plan level IV development permit to increase floor area or height to a proposed or existing building, that does not exceed five (5) percent of the existing or approved floor area or height, any modification to reduce yards or setbacks up to five (5) percent of the existing or approved yard or setback, or other amendments which exceeds the authority of the department to approve amendments and is required to be reviewed and approved by Planning and Zoning Board (PZB) or City Commission which gave the final approval for the original development, notice shall be as follows:

i. Public participation notice shall be provided a minimum of twenty-one (21) days prior to the first scheduled Administrative Review Committee meeting.

ii. Public participation notice of the applicant's public participation meeting. Such notice shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and ~~to~~ no later than thirty (30) days prior to preliminary Administrative Review Committee approval. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.

iii. The applicant of a development that exceeds the authority of the department to approve the amendments shall provide a public participation notice of the

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applicant's public participation meeting prior to the submittal of a development permit application for review before the PZB or City Commission and shall be given at least ten (10) days prior to the public participation meeting which must be held no earlier than six (6) months and at least 30 days prior to the PZB or City Commission meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.

- b. A development permit application for a site plan level II review requires notice be provided as follows:
 - i. The applicant, at the applicant's expense, shall provide notice of the first Development Review Committee (DRC) meeting at which the development application will be reviewed a minimum of twenty-one (21) days prior to the first scheduled Development Review Committee (DRC) meeting.
 - ii. The applicant of a development permit application for a Site Plan Level II review in a RAC zoning district or RAC land use, shall provide a public participation notice of the applicant's public participation meeting. Such notice shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and ~~to~~ no later than thirty (30) days prior to preliminary DRC approval. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.
- c. A development permit application for a site plan level III review, site plan level IV review, conditional use request, parking reduction request, flex allocation, cluster development, modification of yards, waterway use request, public purpose use application, land use amendments, any development in the Regional Activity Centers that requires approval by the Planning and Zoning Board or the City Commission, excluding plat and easement vacation requests, notice shall be as follows:
 - i. The applicant, at the applicant's expense, shall provide notice of the first Development Review Committee (DRC) meeting at which the development

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application will be reviewed a minimum of twenty-one (21) days prior to the scheduled Development Review Committee (DRC) meeting.

- ii. Public participation notice is required prior to the submittal of an application to the Planning and Zoning Board (PZB) and shall be given at least ten (10) days prior to the public participation meeting which must be no earlier than six (6) months and held at least thirty (30) days prior to the PZB meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.

3. Additional notice.

- a. For consideration of an application for alternative screening of a dumpster as provided in Section 47-19.4.H, notice shall be given to the civic or neighborhood association which represents the area within which the subject property is located of the public hearing before the planning and zoning board. The notice shall be mailed to the address on file for the association in the city clerk's office at least ten (10) days prior to the date of hearing. Failure of the notice shall not be grounds to invalidate the hearing as this provision is directory and not mandatory.
- b. For consideration of an application for a conditional use when no portion of a parcel abuts a right-of-way, prior to the planning and zoning board meeting mail notice shall be given to the owners of the land being considered and the owners of land within three hundred (300) feet of the right-of-way closest to the parcel being considered.
- c. A development permit application for an amendment to a site plan level III or IV or site plan level II review requires notice of the first Administrative Review meeting or Development Review Committee (DRC) meeting be provided at the applicant's expense, to the Officially-City Recognized Civic Organizations within three hundred (300) feet of the proposed projection a minimum of twenty-one (21) days prior to the first scheduled meeting.

B. *Appeal*. Sign notice shall be required prior to a public hearing by the planning and zoning board or city commission of an appeal or request for review of a site plan or conditional use.

SECTION 2. That Section 47-25.5. – “Rezoning and change in uses” of the ULDR is hereby amended as follows:

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Sec. 47-27.5. - Rezoning and change in uses.

A. *Type 1.* When the change in zoning is initiated by the city and involves a change in the actual zoning map designation for a parcel or parcels of land involving less than ten (10) contiguous acres, notice shall be given as follows:

1. *Mail notice.*

a. *Planning and zoning board.* Prior to the public hearing before the planning and zoning board mail notice shall be given to the owners of lands under consideration for a change in the zoning map designation and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.

b. *City commission.* Prior to a public hearing by the city commission mail notice shall be given to the owners of lands under consideration for a change in the zoning map designation at least thirty (30) days prior to the date set for public hearing.

2. *Newspaper notice.* Newspaper notice shall be given at least ten (10) days prior to adoption of the ordinance by the city commission changing the zoning map designation.

3. *Sign notice.* Sign notice shall be given prior to the planning and zoning board public hearing.

4. *Public participation notice.* Public participation notice is required prior to the submittal of an application to the Planning and Zoning Board (PZB) and shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and at least thirty (30) days prior to the PZB meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.

B. *Type 2.* When the change in zoning is initiated by the city and involves a change in the actual zoning map designation for a parcel or parcels of land involving ten (10) contiguous acres or more or changes the actual list of permitted, conditional, or prohibited uses within a zoning category notice shall be given as follows:

1. *Newspaper notice.*

- a. *City commission.* Newspaper notice shall be given at least seven (7) days prior to the first public hearing and at least five (5) days prior to the second public hearing. The advertisement shall be no less than two (2) columns wide by ten (10) inches long in a standard size or a tabloid size newspaper and the headline shall be in a type no smaller than eighteen (18) point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be in substantially the form provided in F.S. § 166.041(3)(c).
- 2. *Sign notice.* Sign notice shall be given only for a change in zoning map designation.
- 3. *Mail notice.*
 - a. *Planning and zoning board.* Prior to the public hearing before the planning and zoning board mail notice shall be given to the owners of lands under consideration for a change in the zoning map designation and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.
- 4. *Public Participation notice.* Public participation notice is required prior to the submittal of an application to the Planning and Zoning Board (PZB) and shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and at least thirty (30) days prior to the PZB meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.
- C. *Type 3.* When the change in zoning is initiated by other than the city and is a change to the actual zoning map designation of a parcel or parcels of land, notice shall be given as follows:
 - 1. *Mail notice.*
 - a. *Planning and zoning board.* Prior to the public hearing before the planning and zoning board mail notice shall be given to the owners of lands under consideration for a change in the zoning map designation and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.
 - 2. *Newspaper notice.*

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- a. *City commission.* Newspaper notice shall be given at least ten (10) days prior to adoption of the ordinance changing the zoning map designation.
 - 3. *Sign notice.* Sign notice shall be given prior to the planning and zoning board public hearing.
 - 4. *Public Participation notice.* Prior to the submittal of an application to the Planning and Zoning Board (PZB). Public participation notice is required prior to the submittal of an application to the Planning and Zoning Board (PZB) and shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and at least thirty (30) days prior to the PZB meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.
- D. *Type 4.* When a change in zoning regulations does not involve a change in the actual zoning map designation for a parcel or parcels of land and does not involve a change in the actual list of permitted, conditional, or prohibited uses with a zoning category, notice shall be given as follows:
- 1. *Newspaper notice.*
 - a. *Planning and zoning board.* Newspaper notice shall be given at least ten (10) days prior to the date set for public hearing.
 - b. *City commission.* Newspaper notice shall be given at least ten (10) days prior to adoption of the ordinance by the city commission.
- E. *Appeal of a denial of a rezoning.* If the city commission accepts an appeal of a denial by the planning and zoning board of an application for rezoning filed by other than the city, notice shall be given prior to the city commission meeting in the same manner as notice prior to the planning and zoning board.

SECTION 3. That Section 47-27.6 – “Vacation of public rights-of-way” of the ULDR is hereby amended as follows:

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Sec. 47-27.6. Vacation of public rights-of-way.

A. Notice of a vacation of a right-of-way shall be given as follows:

1. *Mail notice.*

a. *Planning and zoning board.* Prior to the public hearing before the planning and zoning board mail notice shall be given to the owners of lands abutting a street or public place to be vacated and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.

2. *Newspaper notice.*

a. *City commission.* Newspaper notice shall be given at least ten (10) days prior to the public hearing to consider adoption of the ordinance by the city commission vacating a right-of-way.

3. *Sign notice.* Sign notice shall be given prior to the public hearing before the planning and zoning board.

4. *Public participation notice.* Public participation notice is required prior to the submittal of an application to the Planning and Zoning Board (PZB) and shall be given at least ten (10) days prior to the public participation meeting, which must be held no earlier than six (6) months and at least thirty (30) days prior to the PZB meeting. Additional mail notice, via the method provided for mail notice in this Section 47-27, shall be sent by the applicant and at the applicant's expense to property owners whose real property is located within three hundred (300) feet of the development site that is the subject of the application at least ten (10) days prior to the public participation meeting.

B. *Appeal of denial of vacation.* If the city commission accepts an appeal of a denial by the planning and zoning board of an application for vacation of right-of-way, notice shall be given as follows:

1. *Mail notice.* Prior to the public hearing before the city commission, mail notice shall be given to the owners of lands abutting a street or public place to be vacated and the owners of lands within three hundred (300) feet of those lands at least ten (10) days prior to the date set for public hearing.

C. *Vacation of public easements.* Notice shall be given by agenda posting.

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SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or her designee, without the need for a public hearing.

SECTION 5. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be in full force and effect immediately after final passage and adoption.

PASSED FIRST READING this 7th day of April, 2026.

PASSED SECOND READING this ____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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