

ORDINANCE NO. C-97-21

AN ORDINANCE APPROVING THE USE OF PROPERTY AND A SITE PLAN FOR A HOMELESS ASSISTANCE CENTER LOCATED AT 600 WEST SUNRISE BOULEVARD, IN FORT LAUDERDALE, FLORIDA; AND GRANTING RELIEF FROM THE DISPERSAL REQUIREMENT FOR A SOCIAL SERVICE RESIDENTIAL FACILITY PURSUANT TO SECTION 47-47 OF THE CODE OF ORDINANCES, OF THE CITY OF FORT LAUDERDALE, FLORIDA.

WHEREAS, Section 47-47 of the Code of Ordinances of the City of Fort Lauderdale ("Code") authorizes the City Commission to approve plans and locations for uses of land for public purposes in any zoning district within the City of Fort Lauderdale, Florida; and

WHEREAS, an application has been submitted for construction of a social service residential facility ("Center") located at 600 West Sunrise Boulevard, Fort Lauderdale Florida; and

WHEREAS, at its meeting of April 30, 1997, the Planning and Zoning Board recommended denial of the SSRF and Child Day Care Facility as a conditional use and the exception to the dispersal requirement use; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, June 10, 1997, at 5:30 P.M., and Tuesday June 17, 1997 at 11:00 o'clock A.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any objections which might be made to the application; and

WHEREAS, the City Commission has reviewed the application for approval of a Homeless Assistance Center;

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

SECTION 1. That upon review of the application for a Homeless Assistance Center and after public hearing the City Commission hereby makes the following findings:

1. (a) The application for a Homeless Assistance Center includes a request for approval of an SSRF on property located in B-1 and B-2 zoning districts pursuant to Section 47-74.6 of the Code; a request for approval of a child day care facility pursuant to Section 77-74 of the

Code; and approval of an exception to the dispersal requirements for an SSRF pursuant to Section 47-74.7 of the Code. The amended application as submitted to the City Commission for review under Memorandum No. 97-940 dated June 4, 1997, on file with the Planning and Economic Development Department, is incorporated herein as if fully set out and is hereinafter referred to as the "Application".

- (b) The Planning and Economic Development Department has submitted to the City Commission Memorandum No. 97-940 dated June 4, 1997, hereinafter referred to as "Memorandum", and incorporated herein as if fully set out herein.
- (c) The Application meets the requirements provided in Section 47-47(b) of the Code.
- (d) That based on the information included in the Application and Memorandum as well as the information provided during the public hearing there is a need for the Homeless Assistance Center to be located at 600 West Sunrise Boulevard, in the City of Fort Lauderdale.
- (e) The Homeless Assistance Center will meet a valid municipal purpose.
- (f) The location of the Homeless Assistance Center is not in conflict with the City of Fort Lauderdale Comprehensive Plan.
- (g) Off-site and on site conditions exist as shown on the site plan that will address and reduce any impact(s) of permitting the Center at the proposed location.
- (h) As shown on the site plan, on-site improvements have been incorporated into the site plan which minimize any impact as a result of permitting the public use or structure.

- (i) Alternative locations have been identified and reviewed.
- (j) The proposed site is the most feasible for the location of the Center.
- (k) The public purposes to be met by the location of the Center outweigh the application of the zoning regulation prohibiting the Center at this location.

SECTION 2. That based on the findings provided in SECTION 1 of this Ordinance, the City Commission hereby approves the Application and the site plan for development of the Center and is hereby approved subject to its meeting all other regulations of the Code and the conditions provided herein and the proper City officials are authorized to issue the necessary building and use permits.

SECTION 3. The approval of the use and site plan are subject to the following conditions:

- (a) The site plan shall be subject to final DRC Approval.
- (b) If the southeast corner of the block is incorporated into the subject facility, the use shall be limited to parking, landscaping, and an accessory storage building only, subject to administrative review approval by the City's Planning Division.
- (c) Lighting shall be provided in the parking area and along the entire exterior perimeter of the building. Lighting shall be provided to illuminate exterior walls and landscape areas such that an average of 2 foot candles of illumination are displayed throughout the parking lot and along the entire perimeter of the building.
- (d) The Center shall be made available first to serve the City of Fort Lauderdale's homeless, with priority placement given to homeless individuals and families within a two (2) mile radius of the Center.

- (e) The Center's operator shall provide twenty-four (24) hour security both inside the facility and along its perimeter adjacent to Sunrise Boulevard, N.W. 7th Avenue, N.W. 9th Street, and N.W. 6th Avenue, at the expense of the Center operator, as deemed adequate by the City Manager.
- (f) The Center's operator shall provide a curfew policy which will require residents to be within the Center between the hours of (not later than) 8:00 p.m. and 7:00 a.m., except for provisions in the policy allowing for education or employment of the residents, or Center scheduled and structured activities, outside of the Center during these hours as necessary.
- (g) The Center's operator shall provide a complete list of "operational rules" for approval by the City Manager regarding prohibition of alcohol consumption, drug use, and unruly behavior, including an enforcement policy, which shall be available for review by the public during regular business hours.
- (h) The services provided by the Center may include, but not be limited to, case assessment, temporary housing and accessory services (laundry, mail, and phone service), social services, child care, food service, health care, job assistance and training, educational services, and other similar services. Services shall be provided to residents and program participants only. Program participants shall be defined as current residents of the facility and previous residents who are in transitional housing elsewhere and continue to receive services of the Center. Program participants shall not include those on a resident waiting list or walk-in clientele. A person shall not become a program participant by walking up to the Center. A referral shall be required prior to being admitted to the Center and all persons referred to the Center shall be transported to the Center.

- (i) The health care referenced in item (h) shall include a quarantine area within the Center for the separation of those persons for which medical necessity dictates such segregated care.
- (j) The Center shall provide a telephone that shall be staffed 24 hours a day, 7 days a week.
- (k) The County shall seek legislative support and attempt to obtain funding for the purpose of making improvements and enhancements to Sunrise and Sistrunk Boulevards.
- (l) The Center's operator shall provide transportation services for referrals, appointments, and transfer of Center residents. The Center's policy regarding transportation will not preclude normal pedestrian access and egress to bus stops, nearby employment or other sanctioned activity.
- (m) The Center's operator shall establish a "no loitering" policy for residents and program participants to prevent loitering on the outside of the premises, and shall post signage indicating said policy within the premises and along all perimeters.
- (n) The Center shall provide for temporary residential stays only, with the goal to move resident participants into other housing within a period of approximately sixty (60) days.
- (o) The Center may provide for temporary emergency shelter for non-residents at the directive of the City Manager for cold weather, severe storms, or other emergencies.
- (p) The Center shall have trash containers at the entrance to the facility and along its perimeter. Handling and disposal of trash from said containers, shall be as specified in a trash maintenance plan approved by the City Manager.

December 31, 2001, if Broward County has not opened a homeless assistance center with a minimum of two hundred (200) beds outside of the city limits of the City of Fort Lauderdale by that date, and Broward County agrees to cease use of the facility as a homeless assistance center, unless the City Commission extends the date by motion at a City Commission meeting.

SECTION 4. 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 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 11th day of June, 1997.  
PASSED SECOND READING this the 17th day of June, 1997.

  
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Mayor  
JIM NAUGLE

ATTEST:

  
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City Clerk  
LUCY MASLIAH