




**REQUEST:** Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-37A, Innovative Development District; Providing for a New Title for the Zoning District, Additional Public Outreach, Limitations on Density, Maximum Floor Area, and Building Height Requirements, Permitting Certain Public Improvements, Requiring Development Applications for Flexibility Units to be located within the adopted Unified Flex Boundary, Removing Minimum Acreage When Improved Land Contains Existing Uses, and Removing Supermajority Vote for Planning and Zoning Board Approval.

<b>Case Number</b>	T18010
<b>Applicant</b>	City of Fort Lauderdale
<b>ULDR Section</b>	Section 47-37A, Innovative Development (ID) District
<b>Notification Requirements</b>	10-day legal ad
<b>Action Required</b>	Recommend approval or denial to City Commission
<b>Authored By</b>	Jim Hetzel, Principal Planner 

**BACKGROUND:**

The Innovative Development District was created as a result of public concerns that the former Planned Unit Development (PUD) District Ordinance, ULDR, Section 47-37.1, did not contain appropriate criteria for rezoning properties to a PUD when such requests would not otherwise be permitted under the City's existing code. As a result, the City Commission approved Ordinance No. C-13-42 on October 1, 2013, adopted ULDR, Section 47-37A, Innovative Development (ID) District.

Since the adoption of the ID Ordinance, there have been two Development Review Applications requesting a rezoning to an ID District. The applications included the "Live Galleria" project and the "Bahia Mar" project. The "Bahia Mar" project proceeded to the City Commission for approval, but the applicant withdrew the application prior to the City Commission taking final action. The "Live Galleria" project was formally withdrawn, at the request of the applicant.

Both ID applications initiated concerns from various members of the public relative to the implementation of the ID zoning regulations and ID criteria. There was concern that ID zoning applications were not being analyzed to recognize full impacts to the community and that further evaluation of the ID Ordinance was needed.

In response, the City Commission recommended that the former PUD Advisory Committee be re-established as the Innovative Development (ID) District Advisory Committee to review current ID zoning regulations and suggest recommendations to the City Commission. On November 1, 2016, the City Commission adopted Resolution No. 16-192 establishing the ID Advisory Committee, providing for membership qualifications, length of term, and purpose and duties as follows:

- To review existing provisions of the ID zoning district and analyze the application of its provisions to development and identify any impacts that may not have been in the best interest of the City; and
- To review and analyze other cities' zoning regulations permitting development similar to the ID zoning district; and
- To receive input from members of the public interested in development in the ID zoning district regulations; and
- To provide recommendations to the City Commission regarding proposed amendments to the ID zoning district.





The ID Advisory Committee conducted its first meeting on January 27, 2017 and held its last meeting on July 27, 2018. Over the course of eighteen months, the ID Advisory Committee worked extensively to evaluate the ID Ordinance and discussed numerous options to revise the existing ID Ordinance. In addition, the ID Advisory Committee held two public meetings, during evening hours, to ensure there was opportunity for the public to provide input. The first public meeting was held on October 25, 2017, with attendance of 20 community members. Several attendees completed a questionnaire form, which contained questions to gauge public support for providing flexibility in the ULDR and what type of elements should be considered a public benefit (i.e. pedestrian improvements, landscaped promenades and open space, infrastructure and transportation improvements, etc.). The majority of the attendees supported flexibility in the ULDR and concurred with the elements identified for public benefit. The second public meeting was held on May 8, 2018, at which time the ID Advisory Committee presented proposed revisions to the ID Ordinance. Five attendees were present at the meeting.

On June 1, 2018, the ID Advisory Committee finalized their recommendations and voted to approve proposed revisions to the ID Ordinance. In summary, the revisions propose the following:

- Name change from Innovative Development (ID) District to Planned Development District (PDD). The word "planned" is less subjective than "innovative" and is more commonly used by other cities that have these types of regulations;
- Requirement for a public meeting with the community post the Development Review Committee (DRC) meeting. Added clarification that PDD applications are subject to Public Participation requirements as provided in Section 47-27.4;
- Limitations on residential density to a maximum fifty dwelling units per acre and nonresidential intensity of three times the parcel size or floor area ratio (FAR) of three (3);
- Limitations on building height not to exceed one hundred twenty five percent (125%) of the existing height identified in the underlying zoning district for which project is located but in no case shall exceed three hundred (300) feet;
- Recognized public improvements were expanded to include off-site infrastructure improvements and other improvements proposed by the applicant that are not otherwise specified in the code;
- Inclusion of the City's Unified Flex Map for PDD applications requesting flex units, requiring that a proposed PDD site must be located within the boundaries of the Unified Flex Map; and
- The requirement for an affirmative super majority vote by the Planning and Zoning Board has been removed but remains for the City Commission.

The proposed revisions were presented to the City Commission on September 4, 2018, during the Commission Conference Meeting. The Commission directed staff to proceed with an amendment to the ULDR incorporating the amendments. The September 4, 2018, City Commission Conference minutes are attached as Exhibit 1.

The proposed text amendment to Section 47-37A, Innovative Development (ID) District, is attached as Exhibit 2.

**COMPREHENSIVE PLAN CONSISTENCY:**

The proposed amendments are consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.21, Encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities; Objective 1.22, Encourage high quality development and redevelopment; and Objective 1.36, Utilize the



flexibility rules and irregular densities established by the Broward County Land Use Plan in order to facilitate the arrangement of residential densities and commercial acreage to allow the City to respond to changing conditions.

**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. City Commission September 4, 2018 Conference Meeting Minutes
2. Section 47-37A, Innovative Development (ID) District, Proposed Text Amendment



# City of Fort Lauderdale

*City Hall  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301  
www.fortlauderdale.gov*



## Meeting Minutes

**Tuesday, September 4, 2018**

**1:30 PM**

**City Commission Conference Room**

### **City Commission Conference Meeting**

***FORT LAUDERDALE CITY COMMISSION***

***DEAN J. TRANTALIS Mayor - Commissioner  
BEN SORENSEN Vice Mayor - Commissioner - District IV  
HEATHER MORAITIS Commissioner - District I  
STEVEN GLASSMAN Commissioner - District II  
ROBERT L. McKINZIE Commissioner - District III***

***LEE R. FELDMAN, City Manager  
JOHN HERBST, City Auditor  
JEFFREY A. MODARELLI, City Clerk  
ALAIN E. BOILEAU, City Attorney***



~~Commissioner Glassman requested periodic updates from Staff on the impact of the Project. City Manager Feldman asked Mr. Olson about a post construction analysis and frequency. Mr. Olson confirmed FDOT would work with the City to address this request. Mr. Stuart commented on MPO efforts to address measuring performance, noting details and confirming this is done on an annual basis. Discussions ensued on other projects of this type and the timeline should this Project's striping be reverted to its original routing.~~

~~Mr. Stuart confirmed a recent communication from the Project's construction staff stating the widening of the turn lane will be completed within two weeks. However, the turn lane will not be restriped until the entire Project is repaved after construction has been completed.~~

~~Vice Mayor Sorensen commented on his concern about residential neighborhood cut through traffic and a reassessment of the overall Project. Further comment and discussion ensued on addressing this topic, the construction of the bike lane on Bayview Drive from Sunrise Boulevard to Commercial Boulevard and the impact four lane roads on neighborhoods. Further comment and discussion ensued on these topics.~~

**BUS-3** [18-0740](#)

**Innovative Development (ID) Advisory Committee - Proposed Revisions to the Innovative Development (ID) District**

Anthony Fajardo, Director of Sustainable Development, gave a historic overview of Innovative Development (ID) District zoning. He also expounded on the Innovative Development (ID) Advisory Committee's (Committee) proposed revisions. This item's presentation outlines the Committee's recommendations.

Mayor Trantalis recognized Jim Hetzel, Principal Planner - Department of Sustainable Development. Mr. Hetzel gave the presentation, reviewing the Committee's history, timeline, work and recommendations.

***A copy of the presentation is attached to these minutes.***

In response to Mayor Trantalis' question about the Committee's initial denial of the Bahia Mar Project, Mr. Fajardo explained Bahia Mar went on to request what could be done under the current Ordinance.

In response to Mayor Trantalis' question, Mr. Hetzel explained ways to address the maximum height of buildings on the beach.

In response Commissioner Glassman's inquiry about deletions in the

Review Process in Section 47-37(a)10(b), Mr. Hetzel confirmed it was deleted due to its redundancy. The Review Process is addressed in another section of the Code and discusses the appeal process should a project be denied.

In response to Commissioner McKinzie, Mr. Hetzel confirmed the need for Commission guidance on the Committee's recommendation. In response to Commissioner Moraitis, Mr. Hetzel confirmed there are no projects in the pipeline which would be impacted by these recommendations. Further comment and discussion ensued on the process and the next steps. Commissioner Glassman commented that the Committee has completed its responsibilities.

Mayor Trantalis explained ID Zoning and the need for a Commission supermajority for approval. Commissioner McKinzie also commented on this topic.

~~EXECUTIVE CLOSED DOOR SESSION 4:30 P.M. OR AS SOON THEREAFTER AS POSSIBLE~~

[18-0958](#)

~~The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:~~

~~Hinton, Walter, et al. v. City of Fort Lauderdale  
Case No. 07-030358 (26)~~

~~Adderly, Ray, et al. v. City of Fort Lauderdale  
Case No. 11-008499 (26)~~

~~CITY MANAGER REPORTS~~

~~None.~~

**ADJOURNMENT**

~~Mayor Trantalis adjourned the Commission Conference Meeting at 4:22 p.m.~~

**EXHIBIT 2**  
**PROPOSED TEXT AMENDMENT**  
**INNOVATIVE DEVELOPMENT (ID) DISTRICT**

SECTION 47-37A. ~~PLANNED INNOVATIVE DEVELOPMENT (ID) DISTRICT (PDD)~~

Sec. 47-37A.1. - Intent and purpose.

The ~~Planned Innovative Development (IDPDD)~~ zoning district is intended to foster, encourage and provide for development incorporating ~~innovative urban design principles and~~ elements that are not otherwise permitted under the Unified Land Development Regulations zoning districts and development standards. The ~~ID-PDD~~ planning elements shall include the following:

- A. Promotion of development that: (1) demonstrates substantial, significant and recognizable improvements to the neighboring community and city in general; (2) uses land resources more efficiently through compact building forms, infill development, and street design standards that encourage safety, sustainability, and multi-modal connectivity; and (3) promotes the best possible built environment based upon urban design principles resulting in high-quality urban development;
- B. The standards and procedures provided in these district regulations are intended to: (1) Promote flexibility of design and permit diversification and integration of uses with a focus on the relationship of proposed buildings to neighboring properties, streets, and public spaces including massing, scale, façade treatment and articulation, with a particular focus on ground floor activity and the appropriate placement of pedestrian and vehicular entrances, parking and service that limit pedestrian and vehicular conflicts and create an exceptional urban environment, while concurrently establishing limitations and conditions as deemed necessary to be consistent with the City's Comprehensive Plan and to protect the health, safety and general welfare of the public; (2) Encourage and enhance neighborhood and community participation at the earliest pre-design opportunity and throughout the review process to minimize discord among the applicant and the affected neighborhood(s) and community; and (3) assure that adequate attention is given to the review process and the ~~ID-PDD~~ limitations, in order to serve the specific purposes set forth herein and ensure that the ~~ID-PDD~~ intent and purpose is met and benefits derived are balanced by the benefits to be derived by the neighborhood(s) and community.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.2. - Definitions.

For the purpose of this section, the following definitions shall apply:

- A. *Community*. Shall mean the surrounding land area, inclusive of right-of-ways, waterways and other public spaces within .25 miles from the outer boundaries of the proposed development.
- B. *Development plan*. Shall mean the site plan, design plan and any and all conditions approved by ordinance rezoning to an ~~ID~~ PDD.
- C. ~~Innovative Planned~~. Shall mean that the character of the development is such that it utilizes a creative approach that could not otherwise be accomplished under the current ULDR regulations to meet the ~~ID-PDD~~ intent, including specific elements.
- D. ~~ID-PDD (Innovative Planned Development)~~. Shall mean a development on land under unified control as established by a recorded document that meets the criteria for an ~~ID-PDD~~ as described in this Section 47-37A. Upon adoption of an ordinance approving the site plan and design characteristics that become the specific zoning regulations and standards for the land to which the ~~ID-PDD~~ is applicable.

(Ord. No. C-13-42, § 2, 10-1-13 )



Sec. 47-37A.3. - Conditions for ~~ID~~-PDD rezoning.

In addition to the criteria provided in Section 47-24.4.D for a rezoning approval, the following conditions shall apply:

- A. *Minimum area for an ~~ID~~-PDD zoning district.* The minimum land area required for an application to an ~~ID~~-PDD district shall be two (2) acres, with the exception of land designated as Regional Activity Center which shall be a minimum of one-half (½) acre. ~~In determining the minimum acreage, no improved land area shall be included, unless such improvements are to be demolished or submitted to a substantially different use than the existing use of such improvements (e.g. a church, fire station or office building submitted to residential use); provided, however, in consideration of the dedication to the public or, alternatively, the setting aside for the benefit of the residents or occupants of the proposed ID development of twenty (20) percent of the lands within the ID development to be used for general public open space, or an amenity that has significant artistic, cultural or environmental value, maintained by the applicant and not utilized towards meeting the city's park impact fee requirements.~~ The minimum area of two (2) acres may be reduced upon a finding of substantial public benefit or similar benefit over and above the application of the ULDR; No right-of-way vacations shall be considered, for the purpose of calculating the minimum two (2) acre requirement unless acceptable and like alternate pedestrian and/or multi-modal access is provided.

The restrictive covenants applicable to those portions of the lands set aside to achieve such benefits, which are not dedicated to the public, shall be subject to the provisions of subsection 47-37A.12 and any such agreement contemplated therein shall be recorded in the public records and be binding on the lands of the ~~ID~~-PDD development, and the obligation therein provided, if any, shall be fully insured by a bond or other means. The minimum area requirements contained in this section shall not apply to any ~~ID~~-PDD application pertaining to lands located within the Northwest Community Redevelopment Area.

- B. *Consistency with the goals and objectives of plans adopted for the City's Regional Activity Centers.* For properties located in the City's Regional Activity Centers, the proposed development shall be consistent with the principles and guidelines of the respective existing and future master plans.
- C. *Configuration of the ~~ID~~-PDD zoning district.* The tracts of land which comprise the ~~ID~~-PDD zoning district shall be abutting, with the exception of intervening minor streets or alleys.
- D. *Entire tract under unified control.* An applicant must be the owner or owner's agent of the property with fee simple title.

(Ord. No. C-13-42, § 2, 10-1-13)

Sec. 47-37A.4. - Uses permitted.

The uses permitted and combination thereof within the ~~ID~~-PDD district, shall be established at the time of rezoning to ~~ID~~-PDD and shall be consistent with the City's Comprehensive Plan.

(Ord. No. C-13-42, § 2, 10-1-13)

Sec. 47-37A.5. - ~~Pre-application~~Application public outreach.

Prior to the filing of an application, the applicant shall provide an opportunity for input from the property owners of the community as follows:

- A. *Notice.* Such notice shall clearly state that the purpose of the meeting is to introduce the proposed development concept for initial public input.
- B. *Procedure.* At such public meeting, the intended applicant shall introduce the development concept, including a written executive summary explaining in general how the proposed development meets the required conditions and criteria for ~~ID-PDD~~ pursuant to ULDR. After such presentation, members of the public shall be given an opportunity to comment.
- C. *Public Participation.* A PDD application is subject to Public Participation requirements pursuant to Section 47-27.4.
- D. *Development Review Committee (DRC) Meeting.* Applicant shall conduct a community public meeting after the application has been evaluated at a DRC meeting.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.6. - Application requirements.

In addition to the application requirements for a rezoning and a site plan level IV permit in accordance with 47-24.2. and 47-24.4., the following shall be submitted as a part of an application for ~~ID-PDD~~:

- A. A ~~ID-PDD~~ written narrative describing the proposed ~~ID-PDD~~, which includes:
  - 1. The general design concept for the ~~ID-PDD~~ including, but not limited to, the proposed site design, how it integrates and relates to the proposed uses, context and existing development in the surrounding community;
  - 2. Description of the innovative design aspects of the proposed ~~ID-PDD~~ and how the proposed development complies with the intent and purpose of the ~~ID-PDD~~ district described in Subsection 47-37A.1.; and
  - 3. Identification of those aspects of the ~~ID-PDD~~ that are not in compliance with the current zoning requirements, and why the proposal presents a better overall project describing said benefits, and proposed ~~ID's-PDD's~~ innovative characteristics.
- B. A context plan of the surrounding land area, inclusive of right-of-ways, waterways and other public spaces, indicating proposed development and outline of all nearby properties with structures outlined, uses and approximate heights labeled (in floors), including existing setbacks, drive isle(s), and sidewalk(s) dimensions.
- C. The number and type of dwelling units, and square footage of all proposed uses and buildings on site, including dwelling unit per net acre calculations.
- D. A description of how the proposed ~~ID-PDD~~ meets adequacy requirements as provided in Section 47-25.2
- E. A description of the proposed phasing of construction of the ~~ID-PDD~~, if applicable, identifying the general schedule and specific improvements associated with each phase, the estimated start date, an estimated completion date, and shall be in accordance with the provisions for site plan expiration as provided in Section 47-24.1.M. The completion of all public improvements must be secured by a bond to be provided by the applicant, including a demolition bond to permit any unfinished phase to be demolished by the city.
- F. Aerial oblique perspectives of the project in context with adjacent properties and surroundings from opposing views, showing clear and accurate three-dimensional views in context with the surrounding area, and indicating building outlines.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.7. - Performance standards for permitted uses.

- A. The permitted principal and accessory uses, height, bulk, shadow, open space, yards, setbacks, separation between buildings, floor area ratio, density, design concept and standards, signs, landscaping, parking bufferyards, fences and all other development standards for the ~~ID-PDD~~ shall be as established by ordinance approving an ~~ID-PDD~~ based on the criteria provided in this Section 47-37A.
- B. Parking. Off-street parking requirements provided in Section 47-20.2, may be reduced for any use proposed in the ~~ID-PDD~~ subject to the criteria provided in Section 47-20.3.A.5, Reductions and Exemptions criteria. All parking reductions to be granted must be based on an identifiable plan to mitigate all negative impacts which may be associated with such reduction. Parking requirements shall be project-driven and may be reduced proportionally to the degree that shared uses, pedestrian connections, and other modes of transportation provide alternatives to vehicular trips.
- C. Areas proposed for common ownership shall be subject to the required unified control document to be recorded in the public records of Broward County. Restrictive covenants, required easements, dedication of public open space shall be recorded in the public records of Broward County.
- D. Development agreement shall provide for maintenance and other issues with bond assurances.  
(Ord. No. C-13-42, § 2, 10-1-13)

Sec. 47-37A.8. - ~~ID-PDD~~ criteria and limitations.

In addition to the criteria outlined herein, the following additional development criteria and limitations shall apply:

- A. Land uses within the development shall be appropriate in their proposed location, compatible with their relationship to each other, and with uses and activities on abutting and nearby properties; and
- B. While a mix of uses is encouraged, uses that create an inherent negative impact, such as excessive noise, odors, pollution, dust, or similar effects on adjacent uses shall be avoided. Generally, residential, office, hotel, restaurant, retail and other community-serving uses provide opportunities for successful combinations that help to create a vibrant and dynamic living environment with a variety of destinations offering goods and services in close proximity; and
- C. Where a proposed use is of larger scale and mass than existing adjacent uses, the design of the structure shall place significant consideration to transition, architectural articulation, superior lining with habitable space and screening of parking garage structures; effective transition between higher and lower density uses; or allow incompatible adjacent land uses to be developed in a manner that is not possible using a conventional zoning approach; and
- D. Street sections shall provide ample pedestrian access with continuous sidewalks and shade tree canopy balancing parking requirements with other mobility options and promote shared access between properties and uses; and
- E. Street and alley vacations shall not be considered unless the applicant demonstrates no decrease to the pedestrian and functional connectivity previously provided and increases options for pedestrian and/or multimodal connectivity; and
- F. Residential density shall be limited to fifty dwelling units per acre (50 du/ac) or where applicable, the maximum residential density for applications that contains an underlying residential land use designation or portion thereof; and

G. Floor area ratio (FAR) for nonresidential intensity within the PDD shall be limited to a FAR of three (3) times the parcel size; and

H. Building height may be increased by one hundred twenty five percent (125%) of the existing height identified in the underlying zoning district but in no case shall exceed three hundred (300) feet.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.9. - ~~ID-PDD~~ public improvement examples.

The proposed ~~ID-PDD~~ zoning ordinance shall promote development that demonstrates substantial, significant and recognizable improvements and a long-term beneficial effect to the neighboring community and the city as a whole. Examples of the noted public improvements can include:

- A. Preservation/reuse of historically significant structures not otherwise protected;
- B. Provision of a walkable mixed use neighborhood center that can reduce driving requirements for existing residential neighborhoods including incorporation of complete streets criteria in streetscape design; parking requirements may be reduced proportionally to the degree that reduced parking is justified by multi-modal connectivity as an alternative to vehicular trips;
- C. Superior architectural design, placement and orientation of buildings and attainment of Leadership in Energy and Environmental Design - Neighborhood Development (LEED ND) certification for the development or LEED certification of individual buildings and/or other similar state, national or city-recognized programs;
- D. Provision of public facilities and public open space such as plazas, parks, provision for waterfront public access, greenway features, etc. and may include amenities such as playgrounds, special event space, etc. where the quality and programming of the space shall be emphasized over quantity;
- E. Landscaping shall be provided in a manner which maximizes tree canopy, emphasizes native vegetation, improves the aesthetic appearance, and provides opportunities for storm water infiltration;
- F. Preservation or restoration of environmental or natural resources that would not otherwise be protected, including environmental remediation/brownfield redevelopment; and
- G. Other public improvements and benefits that are established as part of the development plan but are not otherwise required of an applicant such as off-site infrastructure improvements.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.10. - Review process.

The review process for a rezoning to ~~ID-PDD~~ district is as follows:

- A. A pre-application conference with the department shall be required prior to submitting an ~~ID-PDD~~ rezoning application. The purpose of the pre-application conference is to allow the applicant and staff to discuss the proposed design concept of the development plan and how it complies with the conditions and criteria specified in this section, as well as the review process.
- B. Rezoning application review. The ~~ID-PDD~~ rezoning application shall be reviewed in accordance with Section 47-24.4.C. As part of the approval of the rezoning, offsite and on-site conditions may be imposed if the condition is necessary to ensure that the development meets the



requirements of Section 47-37A; ensures that the ~~ID-PDD~~ is compatible with the neighborhood; mitigates any adverse impacts which arise in connection with the approval of the rezoning or any continuation thereof. Conditions for approval may relate to any aspect of the development, including, but not limited to, height, bulk, shadow, mass and design of any structure, parking, access, public transit and landscaping requirements. ~~A planning and zoning board recommendation of approval of an ID rezoning application requires an affirmative vote of a majority plus one (1) additional member of the planning and zoning board members present at the meeting at which the vote is taken. Any decision or action by a lower body such as the development review committee, historic preservation board or planning and zoning board with regard to development of an ID which decision or action could be appealed or be subject to city commission request for review shall act as a recommendation and the decision or action shall be considered by the city commission as part of the review of the ID zoning district. Notwithstanding the provisions of Section 47-24, the application shall be subject to two (2) quasi-judicial proceedings in which it will be the burden of the applicant to demonstrate by competent, substantial evidence in the record, compliance with the provisions hereof.~~

- C. No ~~ID-PDD~~ rezoning application shall be approved except on the affirmative vote of a super majority of four (4) members of the city commission.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.11. - Building permits.

No building permits shall be issued prior to the recording of the ordinance rezoning to ~~ID-PDD~~. All building permits issued must be in conformance with the approved ~~ID-PDD~~ zoning district.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.12. - Flexibility units.

~~Flexibility or reserve units may be allocated to an ID-PDD at the time of the ID-PDD rezoning approval subject to the development site being located in the Unified Flex Map. A development site located outside the boundaries of the Unified Flex Map are not eligible for flex units but may be permitted affordable housing flex units.~~

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.13. - Agreements.

The applicant shall execute such agreements, easements and other documents necessary with regard to the implementation of any conditions imposed with regard to the ~~ID-PDD~~. Such documents may include, but are not limited to, contracts, covenants, deed restrictions and sureties and bonds acceptable to the city for completion of the development according to the plans approved at the time of rezoning to ~~ID-PDD~~ and for continuing operation and maintenance of such areas, functions, and facilities including soft and hard landscaping and other amenities which are not proposed to be provided, operated or maintained at public expense.

(Ord. No. C-13-42, § 2, 10-1-13 )

Sec. 47-37A.14. - Effect of ~~ID-PDD~~ zoning.

The ~~ID-PDD~~ site plan and design narrative as provided in Section 47-37A.1.Aa. and Bb., as approved by the city commission including such conditions as necessary to ensure that the development meets the criteria of this section, shall, upon adoption by ordinance, be the specific zoning regulations for the property rezoned thereby and bind the property with the full force and effect of specific zoning regulations. The ordinance rezoning to ~~ID-PDD~~ shall be recorded in the public records of Broward County at applicant's expense. Unless otherwise provided in the approved ~~ID-PDD~~ zoning district ordinance, the provisions of the ULDR with general applicability to development within the city shall apply as requirements of the development of property rezoned to ~~IDPDD~~. Any provision of an approved ~~ID-PDD~~ zoning district shall prevail when any provision elsewhere in the ULDR shall conflict.

(Ord. No. C-13-42, § 2, 10-1-13)

Sec. 47-37A.15. - Amendments to approved ~~ID-PDD~~ development plans.

- A. If the applicant wishes to change to a use that was not approved as part of the ~~ID-PDD~~ zoning district, a new application for rezoning must be approved in accordance with the provisions of this section. If the applicant wishes to amend a site plan or design narrative or any other aspect of an ~~ID PDD~~ previously approved as part of a rezoning to ~~IDPDD~~, such amendment shall be done in accordance with the provisions for amending a site plan level IV, as provided in Section 47-24.2.A.5, Development permits and procedures.
- B. In the event a development has received previous approval, as a PUD, any requests for an amendment to such PUD shall comply with the provisions of the PUD regulations otherwise set forth in Section 47-37A.

(Ord. No. C-13-42, § 2, 10-1-13)

Sec. 47-37A.16. - Expiration and extension.

Unless a phasing plan is approved as part of the ~~ID-PDD~~ approval, the provisions of Section 47-24.1.M.1., 2., 3. and 4 shall apply as to the expiration of the ~~ID-PDD~~ approval. In the event the ~~ID-PDD~~ approval expires, the ~~ID-PDD~~ approval shall be deemed null and void, unless the same shall be extended by the city commission, but only for demonstrable hardship beyond the applicant's reasonable control. Upon expiration of the ~~ID-PDD~~ development plan, the portion of the property not developed prior to the expiration of the ~~ID-PDD~~ approval shall revert to the previous zoning district, without further action and the provision herein shall be included in the adopted ~~ID-PDD~~ ordinance.

(Ord. No. C-13-42, § 2, 10-1-13)

**CITY OF FORT LAUDERDALE**  
**PLANNING AND ZONING BOARD ACTING AS THE LOCAL PLANNING AGENCY**  
**(LPA)**  
**NOTICE OF PUBLIC HEARING**  
**AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR)**

NOTICE IS HEREBY GIVEN that the Planning and Zoning Board acting as the Local Planning Agency (LPA) of the City of Fort Lauderdale, as well as the Planning and Zoning Board, shall hold a public hearing on Tuesday, November 13, 2018, at 6:30 PM or as soon thereafter as the same may be heard in the City Commission Chambers, City Hall, 1<sup>st</sup> floor, 100 North Andrews Avenue, Fort Lauderdale, Florida to amend the City of Fort Lauderdale Unified Land Development Regulations, (ULDR) as follows:

Case T18010 is an amendment to the Innovative Development (ID) Zoning District containing recommendations by the City's ID Advisory Committee.

Specifically:

AMENDING SECTION 47-37A, INNOVATIVE DEVELOPMENT DISTRICT, PROVIDING FOR A NEW TITLE FOR THE ZONING DISTRICT; SECTION 47-37A.2, DEFINITIONS; SECTION 47-37A.3, REMOVING MINIMUM ACREAGE WHEN IMPROVED LAND CONTAINS EXISTING USES; SECTION 47-37A.5, APPLICATION PUBLIC OUTREACH TO CONTAIN ADDITIONAL PUBLIC PARTICIPATION; SECTION 47-37A.8, CRITERIA AND LIMITATIONS, PROVIDING FOR LIMITATIONS ON DENSITY, MAXIMUM FLOOR AREA, AND BUILDING HEIGHT REQUIREMENTS; SECTION 47-37A.9, PUBLIC IMPROVEMENT EXAMPLES, PROVIDING FOR ADDITIONAL IMPROVEMENTS TO BE CONSIDERED PUBLIC IMPROVEMENTS; SECTION 47-37A.10, REMOVING SUPERMAJORITY VOTE FOR PLANNING AND ZONING BOARD APPROVAL; SECTION 47-37A.10, FLEXIBILITY UNITS, REQUIRING ID DEVELOPMENT APPLICATIONS REQUESTING FLEXIBILITY UNITS TO BE LOCATED WITHIN THE ADOPTED UNIFIED FLEX BOUNDARY.

All interested persons may appear at said meeting and be heard with respect to the proposed amendments. Information on this amendment may be obtained from the Department of Sustainable Development, Urban Design & Planning division, 700 N.W. 19 Avenue, Fort Lauderdale, Florida, during normal business hours.

Jeff Modarelli, City Clerk  
City of Fort Lauderdale

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at 954-828-5002, and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.

Publish on **November 2, 2018** as a legal classified ad.

Please provide proof to [nmartin@fortlauderdale.gov](mailto:nmartin@fortlauderdale.gov)

And Affidavit of Publication to: City of Ft. Lauderdale  
100 N. Andrews Ave.  
Fort Lauderdale, FL 33301

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