



REQUEST: Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24.4, Notice Requirements to Notify Property Owners within One-hundred (100) feet via Mail Notice of a Proposed Development of the Date and Time of the Presentation to the Planning and Zoning Board

Case Number	T19003
Applicant	City of Fort Lauderdale
ULDR Section	Section 47-27.4 – Notice Requirements
Notification Requirements	10-day legal ad
Action Required	Recommend approval or denial to City Commission
Authored By	Karlanne Grant, Planner III <i>hg el</i>

BACKGROUND:

At the February 20, 2019, PZB meeting, motions were passed for Communication to the City Commission. A motion was made by Ms. Fertig, seconded by Mr. Cohen, that in the interest of providing additional notification to neighbors, requested the City Commission direct the City Manager for staff to modify the Public Participation ordinance to include mail notice by the applicant to property owners in the immediate proximity of a proposed development; which could be specified as adjacent to, contiguous to, or immediately north, south, east and west of the subject development, to be notified by mail of the date, time and place of the project presentation to the Planning and Zoning Board. The motion passed 9-0.

AMENDMENT SUMMARY:

The proposed amendment will require an applicant to send mail notice to all real property owners located within one-hundred (100) feet of a proposed development project. The notice will inform the civic association(s) and property owners of the date, time and place of applicant's project presentation to the Planning and Zoning Board.

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

PUBLIC OUTREACH

A communication outlining the proposed amendment was sent to the Council of Fort Lauderdale Civic Associations (CFLCA) on March 22, 2019, attached as **Exhibit 2**.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed amendment is consistent with the City's Comprehensive Plan. Specific Goals, Objectives and Policies are addressed as follows:

- ELEMENT: Future Land Use Element
- GOAL: Goal 1: Promote the distribution of land uses that will preserve and enhance the character of Fort Lauderdale by establishing land development guides designed to promote environmental protection, meet social and economic needs, provide for adequate services and facilities, conserve natural resources, and ensure compatibility of land uses.
- OBJECTIVE: Objective 1.1: The City shall continue to maintain a comprehensive planning program through the year 2018.

POLICY: Policy 1.1.5: The City Commission shall adopt public participation procedures for inclusion in the Unified Land Development Regulations (ULDR), and update them as necessary.

This ULDR amendment is part of the *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the *Neighborhood Enhancement Cylinder of Excellence*, specifically advancing:

Goal 1: Be an inclusive community made up distinct, complementary, and diverse neighborhoods.

Objective 2: Evolve and update the land development code to balance neighborhood quality, character, and livability through sustainable development.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendment is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendment to the City Commission.

EXHIBITS:

1. Proposed Text Amendment
2. March 22, 2019, Communication to CFLCA

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

- A. Notice for site plan level III and level IV development approvals, site plan level II approval in the SRAC-SAE and SRAC-SAW zoning districts conditional use approvals and plats shall be as follows:
1. *Sign notice.* 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. *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. For consideration of site plan level III, site plan level IV, conditional use approvals, parking reduction requests, flex allocation, cluster developments, modification of yards, waterway use approvals, rezoning requests, right-of-way vacation requests, public purpose sue, land use amendments, any development in the Regional Activity Centers that require approval by the planning and zoning board or the city commission, and excludes plat and easement vacation requests:
 - i. A minimum of twenty-one (21) days prior to the first scheduled development review committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organizations(s) within three hundred (300) feet of the proposed project, notifying of the date, time and place of the DRC meeting.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions;

- ii. Prior to submittal of application to the planning and zoning board (PZB), a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within three hundred (300) feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting. In addition, the applicant shall send notice by regular mail to all civic associations officially recognized by the City and located within one hundred (100) feet of the proposed project and all property owners whose real property is located within one hundred (100) feet of the proposed project, at the applicant's sole expense, notifying the civic association and property owners of the date and time of the project presentation at the PZB meeting. Failure to receive email or mail notice shall not be grounds to invalidate the hearing.
 - 3. 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.
- 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.

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From: Karlanne Grant
To: [Colleen Lockwood \(colleenlockwood1@icloud.com\)](mailto:Colleen.Lockwood@icloud.com)
Cc: [Anthony Fajardo](#); [Christopher Cooper](#); [Ella Parker](#)
Subject: Proposed Public Participation Text Amendment and Planning and Zoning Board Time Change
Date: Friday, March 22, 2019 4:49:00 PM
Attachments: [image001.png](#)

Good afternoon, Ms. Lockwood.

Please disregard the previous email sent for this subject matter.

This memo intends to provide an update to the Council of Fort Lauderdale Civic Associations regarding current code amendments undertaken by the Department of Sustainable Development. The City welcomes any comments or suggestions you may have.

Proposed Text Amendment: Update the Public Participation ordinance to include mail notice by the applicant to the civic association(s) and property owners in the immediate proximity of a proposed development informing the public of the date, time and place of the Planning and Zoning Board (PZB) meeting.

Background

At the February 20, 2019, PZB meeting, motions were passed for Communication to the City Commission. A motion was made by Ms. Fertig, seconded by Mr. Cohen, that in the interest of providing additional notification to neighbors, the City Commission direct staff to modify the Public Participation ordinance to include mail notice by the applicant to property owners in the immediate proximity of a proposed development; which could be specified as adjacent to, contiguous to, or immediately north, south, east and west of the subject development, to be notified by mail of the date, time and place of the development presentation to the Planning and Zoning Board. The motion passed 9-0.

A Motion was also made by Mr. Weymouth, seconded by Mr. Elfman for the City Commission to direct staff to modify the time of PZB meetings, which currently commence at 6:30 P.M., to begin at 6 P.M. since they often run later into the evening. In a roll call vote, the motion passed 9-0.

Amendment Summary

Section 47-24.4. – Notice for site plan level II, III and level IV, conditional use and plats.

The proposed amendment will require an applicant to send mail notice to all real property owners located within one-hundred (100) feet of a proposed project. The notice will inform the civic association(s) and property owners of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting.

Next Steps

The Public Participation text amendment is proposed to be heard at the April 17, 2019, PZB meeting and a resolution to address the PZB meeting time change is proposed to be heard at the April 16, 2019, City Commission meeting.

Karlanne Grant, Planner III

City of Fort Lauderdale | Urban Design and Planning Division

700 NW 19th Avenue | Fort Lauderdale FL 33311

P: (954) 828-6162 | E: kgrant@fortlauderdale.gov



DEPARTMENT OF
**Sustainable
Development**

Under Florida law, most e-mail messages to or from City of Fort Lauderdale employees or officials are public records and may be subject to public disclosure. Please consider the environment before printing this e-mail. Thank you.

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 Wednesday, APRIL 17, 2019 at 6:30 PM or as soon thereafter as the same may be heard in the City Commission Chambers, City Hall, 1st floor, 100 North Andrews Avenue, Fort Lauderdale, Florida to amend the City of Fort Lauderdale Unified Land Development Regulations, (ULDR) as follows:

Case T19003 is an amendment to revise the public participation ordinance to include mail notice by the applicant to property owners and civic association(s) within 100 feet of the proposed development to be notified of the time and place of the development presentation to the Planning and Zoning Board.

Specifically:

AMENDING, SECTION 47-27.4. ENTITLED "NOTICE FOR SITE PLAN LEVEL II, III, AND LEVEL IV, CONDITIONAL USE AND PLATS," TO REQUIRE APPLICANTS TO SEND MAIL NOTICE OF PROJECT PRESENTATIONS TO THE PLANNING AND ZONING BOARD TO PROPERTY OWNERS AND CIVIC ASSOCIATIONS WITHIN 100 FEET OF THE PROPOSED DEVELOPMENT PERTAINING TO SITE PLAN LEVEL III, SITE PLAN LEVEL IV, CONDITIONAL USE APPROVALS, PARKING REDUCTION REQUESTS, FLEX ALLOCATION, CLUSTER DEVELOPMENTS, MODIFICATION OF YARDS, WATERWAY USE APPROVALS, REZONING REQUESTS, RIGHT-OF-WAY VACATION REQUESTS, PUBLIC PURPOSE SUE, LAND USE AMENDMENTS, AND ANY DEVELOPMENT IN THE REGIONAL ACTIVITY CENTERS THAT REQUIRE APPROVAL BY THE PLANNING AND ZONING BOARD OR THE CITY COMMISSION.

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 **April 1, 2019** as a legal classified ad.

Please provide proof to nmartin@fortlauderdale.gov
And Affidavit of Publication to: City of Ft. Lauderdale
100 N. Andrews Ave.
Fort Lauderdale, FL 33301

cc: City Clerk
Finance AIP
Planner
Case File