

ORDINANCE NO. C-26-16

AN ORDINANCE AMENDING SECTION 47-1.6.B OF THE CITY OF FORT LAUDERDALE, FLORIDA, UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY ("RM-15") DISTRICT TO COMMUNITY BUSINESS ("CB") DISTRICT, THROUGH THE ALLOCATION OF 0.14 ACRES OF COMMERCIAL FLEXIBILITY, LOT 1, BLOCK 21, "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND THE NORTH HALF OF THE 10 FOOT ALLEY (VACATED BY ORDINANCE NO. 902, DATED 2/15/1938) LYING BETWEEN LOT 1 AND 16 OF BLOCK 21 OF "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND APPROVAL OF THE ASSOCIATED SITE PLAN LEVEL IV DEVELOPMENT PERMIT FOR A WATERWAY USE WITH LANDSCAPED YARD REDUCTION AND A PARKING REDUCTION FOR THE DEVELOPMENT OF 20,337 SQUARE FEET OF RETAIL USE AND 11,816 SQUARE FEET OF OFFICE USE, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, Four Ten Properties, LLC, applied for a rezoning of certain property as more particularly described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, in accordance with the City of Fort Lauderdale, Florida Unified Land Development Regulations ("ULDR"), rezoning to a Community Business ("CB") District requires the allocation of commercial flexibility and approval of a Site Plan Level IV development permit which meets the criteria provided in the ULDR; and

WHEREAS, the applicant's Site Plan Level IV development permit application, which includes additional adjacent land as part of the development site that is not subject to the rezoning, requests a waterway use with landscaped yard reduction and an associated parking

reduction, as more fully set forth in Commission Agenda Memorandum No. 26-0523 ("CAM"), for development of 20,337 square feet of retail use and 11,816 square feet of office use; and

WHEREAS, on April 15, 2026, the Planning and Zoning Board (PZ Case No. UDP-RS25001) recommended to the City Commission of the City of Fort Lauderdale ("City Commission") that certain lands herein described should be rezoned from "RM-15" to "CB" and that the Official Zoning Map and Schedule "A" attached hereto should be amended to include such lands, and recommended to the City Commission that the Site Plan Level IV development permit should be approved; and

WHEREAS, the City Clerk notified the public of public hearings to be held before the City Commission on Tuesday, May 19, 2026, at 6:00 o'clock P.M., or as soon thereafter as possible, at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom, 201 Southwest 5th Avenue, Fort Lauderdale, Florida, and on Tuesday, June 2, 2026, at 6:00 o'clock P.M., or as soon thereafter as possible, at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom, 201 Southwest 5th Avenue, Fort Lauderdale, Florida, for the purpose of hearing any public comment relating to such rezoning and Site Plan Level IV development permit; and

WHEREAS, such public hearings were duly held at the time and place designated and due notice of same was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for amending the zoning regulations, and the requested Site Plan Level IV development permit met the standards and requirements of the ULDR;

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

SECTION 1. That each WHEREAS clause set forth above is true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission finds that the application for rezoning meets the criteria of Section 47-24.4 of the ULDR as enunciated and memorialized in the minutes of its meetings of May 19, 2026, and June 2, 2026, a portion of those findings expressly listed as follows:

1. The zoning district proposed is consistent with the City's Comprehensive Plan. The underlying land use is Medium Residential. The proposed rezoning is consistent with the underlying land use, subject to allocation of

commercial flex acreage on the residential land use portion of the property.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration. The proposed rezoning is consistent with the character of development on the East Las Olas Boulevard corridor which includes commercial uses such as restaurants, retail, and hotels. The character of development of properties to the north includes predominantly single-family and multi-family residential properties. The general intensity of the surrounding area ranges from medium to high residential on the north side of SE 2 Court and directly to the east of the subject parcels which is zoned a mixture of Residential Single Family and Cluster/Medium Density (RC-15) and Residential Medium Density (RM-15). Directly to the west is Exclusive Use Business with Optional Residential (X-B-OR) and to the south the Intensity along both sides of East Las Olas Boulevard is commercial. The proposed project is similar to existing commercial uses along the East Las Olas Boulevard corridor.
3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses. The proposed rezoning will permit uses suitable and similar to those uses existing in the area. The properties to the south are zoned B-1 and contain existing commercial uses with residential development south of the B-1 zoning area. Properties to the west are zoned X-B-OR and contain a residential condominium building. Properties to the north and east are zoned RC-15 and RM-15 with a range of residential density from single family lots to multifamily development. The proposed rezoning is compatible with surrounding districts and uses.

SECTION 3. That the City of Fort Lauderdale ULDR together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6 of the ULDR, be amended by rezoning from Residential Multifamily Low Rise/Medium Density "RM-15" District to Community Business "CB" District, through the allocation of 0.14 acres of commercial flexibility, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

LOT 1, BLOCK 21, "BEVERLY HEIGHTS", ACCORDING TO THE
PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 30, OF
THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

AND THE NORTH HALF OF THE 10 FOOT ALLEY (VACATED BY ORDINANCE NO. 902, DATED 2/15/1938) LYING BETWEEN LOT 1 AND 16 OF BLOCK 21 OF "BEVERLY HEIGHTS", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Location: North of East Las Olas Boulevard, east of Southeast 10th Terrace, west of Southeast 12th Avenue and south of Southeast 2nd Court.

More specifically described in Exhibit "A" attached hereto and made a part hereof.

SECTION 4. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this Ordinance and date of passage.

SECTION 5. That in accordance with Section 47-28.3 of the ULDR, the allocation of 0.14 acres of commercial flex, as more fully set forth in the CAM, is hereby approved.

SECTION 6. That the City Commission finds that the application for a Site Plan Level IV development permit, including a waterway use with landscaped yard reduction and an associated parking reduction, for development of 20,337 square feet of retail use and 11,816 square feet of office use, as more fully set forth in the CAM, meets the criteria of Sections 47-20.3, 47-23.8, 47-25.2, and 47-25.3 of the ULDR as enunciated and memorialized in the minutes of its meetings of May 19, 2026, and June 2, 2026.

SECTION 7. That the Site Plan Level IV development permit, including a waterway use with landscaped yard reduction and an associated parking reduction, for development of 20,337 square feet of retail use and 11,816 square feet of office use, as more fully set forth in the CAM, is hereby approved, subject to the modifications and conditions imposed by the City Commission; including and not limited to Staff conditions in the CAM and any conditions imposed at the June 2, 2026 City Commission meeting.

SECTION 8. That pursuant to the provisions of the City of Fort Lauderdale, Florida ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits.

SECTION 9. Amendments to the Site Plan Level IV development permit approved by this Ordinance may be approved in accordance with the provisions for amending a Site Plan Level IV development permit, as provided in Section 47-24.2.A.5, Development permits and procedures. Any amendment required to be reviewed or approved by the City Commission may be approved by resolution of the City Commission and shall not require the amendment of this ordinance.

SECTION 10. Issuance of a development permit or amendment to a development permit by a municipality does not in any way create any right on the part of an application to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 11. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 12. 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 13. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 14. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

PASSED FIRST READING this 19th day of May, 2026.

PASSED SECOND READING this ____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

M D O.K.

EXHIBIT "A"

LEGAL DESCRIPTION: Rezoning from Residential Multifamily Low Rise/Medium Density District (RM-15) to Community Business (CB)

PARCEL 1

Lot 1, Block 21, BEVERLY HEIGHTS, according to the Plat thereof, recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida.

AND

The North 1/2 of the 10 foot alley (vacated by Ordinance No. 902, dated 2/15/1938) lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, more particularly described as:

The North 1/2 of the 10 foot alley (vacated by Ordinance No. 902, dated 2/15/1938) lying between Lot 1 and 16 of Block 21 of BEVERLY HEIGHTS, according to the Plat thereof recorded in Plat Book 1, Page 30, of the Public Records of Broward County, Florida, which is more particularly described as follows:

A tract of land bounded on the south by a line parallel to and equidistant from the North boundary of said Lot 16 and the South boundary of Lot 1 of said Block 21, on the East by the extended East boundary of said Lot 1, on the North by the South boundary of said Lot 1, and on the West by the East boundary of the drainage canal.

SURVEYOR'S NOTES:

- This site lies in Section 11, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.
- All documents are recorded in the Public Records of Broward County, Florida unless otherwise noted.
- Bearings hereon are referred to an assumed value of S 01°30'33" E for the West right of way line of S.E. 12th Avenue.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Lands shown hereon containing 5,880 square feet, or 0.135 acres, more or less.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2025-046.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on July 14, 2025, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and original raised seal or a digital signature of the Florida Licensed Surveyor and Mapper shown below"

FORTIN, LEAVY, SKILES, INC., LB3653

By: 
Daniel C. Fortin Jr., For The Firm
Professional Surveyor and Mapper, LS6435
State of Florida.

Digitally signed by Daniel C Fortin Jr
DN: c=US, o=Unaffiliated,
dnQualifier=A01410D0000019C7228
C0D5000212C5, cn=Daniel C Fortin Jr
Date: 2026.03.09 15:59:15 -04'00'

Drawn By	MAP
Cad. No.	250467
Ref. Dwg.	2025-046
Plotted:	7/14/25 12:16a

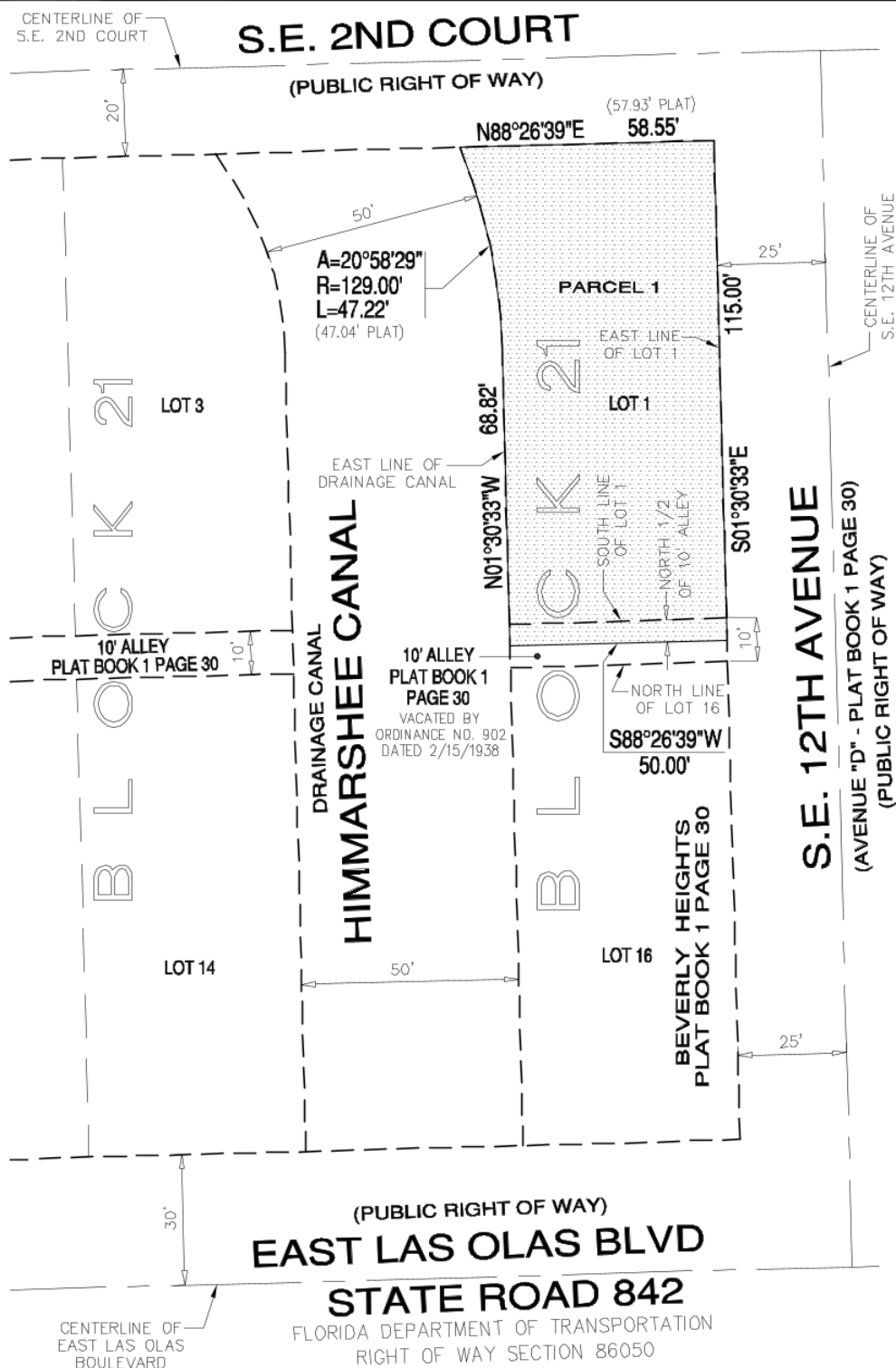
LEGAL DESCRIPTION, NOTES & CERTIFICATION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th. Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Email fls@flssurvey.com

Date	7/14/25
Scale	NOT TO SCALE
Job. No.	250467
Dwg. No.	1025-052-1
Sheets	CAM # 26-0523 3
	Exhibit 12

M D O.K.

EXHIBIT "A"



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

Drawn By	MAP
Cad. No.	250467
Ref. Dwg.	2025-046
Plotted:	7/14/25 12:16a

SKETCH OF DESCRIPTION

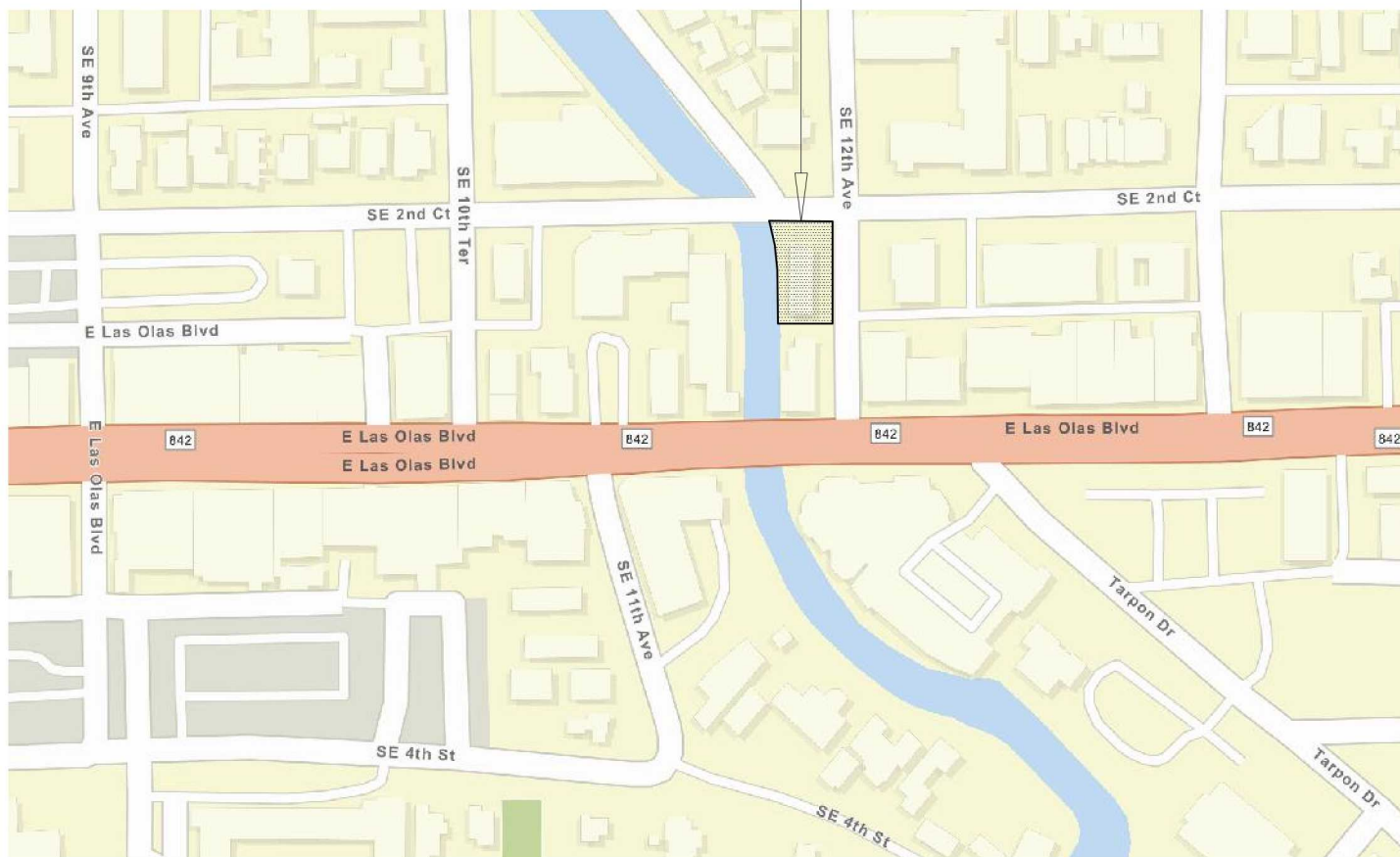
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Date	7/14/25
Scale	1"=40'
Job. No.	250467
Dwg. No.	1025-052-1
SheCAM #	26-0523 3
Exhibit	12

M D O.K.

EXHIBIT "A"

SITE



Drawn By	MAP
Cad. No.	250467
Ref. Dwg.	2025-046
Plotted:	7/14/25 12:16a

LOCATION SKETCH

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