

ORDINANCE NO. 250-03-110

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING ARTICLE IV OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED “DEVELOPMENT REVIEW REQUIREMENTS” BY SPECIFICALLY ADDING A NEW SECTION 1.3.11 ENTITLED “TRANSFER OF DEVELOPMENT ORDERS OR APPROVALS”; PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER KENNIE HOBBS, JR.).

WHEREAS, it is well established that development approvals for special exceptions, site plans, and variances run with the land, which means that the approvals are attached with the land, not with a particular owner of the land; and

WHEREAS, under Florida law, a landowner cannot transfer development approvals between properties because the approvals are tied to the land; and

WHEREAS, as a condition of approval of development orders, the City prohibited landowners from transferring their development orders/approvals without the consent of the City Commission even upon a change of ownership of land; and

WHEREAS, the consent of the City Commission is not required by law because development approvals run with the land; and

WHEREAS, the City Commission believes that it is in the best interest of the City of Lauderhill to permit the transfer or assignment of development approvals upon the transfer of land ownership to enhance development in the City.

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

SECTION 1. That Article IV of the Land Development Regulations, entitled “Development Review Requirements,” is hereby amended to add a new Section 1.3.11 entitled “Transfer of Development Orders or Approvals” as follows (underline is added; ~~strike through~~ is deleted):

Sec. 1.3.11. Transfer of Development Orders or Approvals.

Development orders or approvals for special exceptions, site plans, and variances run with the property and the ownership of such development orders or approvals may be transferred to another party without the approval of the City Commission notwithstanding any other provision in this Code. The new owner shall provide contact information to the Development Services Department of the City within five (5) days of change of ownership.

SECTION 2. Applicability. This Ordinance or provision shall apply to any unexpired

development orders or approvals for special exceptions, site plans, and variances.

Section 3. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. Severability. Should any section, provision, paragraph, sentence, clause or word of this Ordinance or portion hereof be held or declared by any court of competent jurisdiction to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remaining portions or applications of this Ordinance.

SECTION 5. Codification. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderhill, Florida, and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "section", "article" or such other word or phrase in order to accomplish such intentions.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading this _____ day of _____ 2025.

PASSED and ADOPTED on second reading this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

Approved as to Form

Hans Ottinot, City Attorney

MOTION
SECOND

First Reading

Second Reading

R. CAMPBELL
M. DUNN
D. GRANT

J. HODGSON
S. MARTIN

