



REQUEST: Rezoning from Irregular Residential - County (RS-6.7) District, Residential Single Family/Low Medium Density (RS-8) District and Community Business (CB) District to Parks, Recreation and Open Space (P) District

CASE NUMBER	UDP-Z22026	
APPLICANT	City of Fort Lauderdale	
PROPERTY ADDRESS	1230 SW 34 th Avenue	
EXISTING ZONING DISTRICT	Irregular Residential - County (RS-6.7) District, Residential Single Family/Low Medium Density (RS-8) District and Community Business (CB) District	
PROPOSED ZONING DISTRICT	Parks, Recreation and Open Space (P) District	
LAND USE	Irregular Residential, 6.7, Low-Medium Residential, Commercial	
COMMISSION DISTRICT	3 – Pamela Beasley Pittman	
NEIGHBORHOOD ASSOCIATION	Melrose Park, Lauderdale West Association	
APPLICABLE ULDR SECTIONS	Section 47-24.4 Rezoning Criteria	
NOTIFICATION REQUIREMENTS	Section 47-27.5, Sign Notice prior to meeting Section 47-27.5, Mail Notice	
SECTION 166.033, FLORIDA STATUTES	The City waives the statutory deadline	
ACTION REQUIRED	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
PROJECT PLANNER	Michael P. Ferrera, Urban Planner II	<i>MPF EP</i>

PROJECT DESCRIPTION:

The City of Fort Lauderdale is requesting to rezone approximately 393,229 square feet (9 acres) of land located at 1230 SW 34th Avenue from Irregular Residential - County (RS-6.7) District, Residential Single Family/Low Medium Density (RS-8) District and Community Business (CB) District to Parks, Recreation and Open Space (P) District, which is the existing *Shirley Small Park*. The location map is attached as **Exhibit 1**. The application, narrative responses to criteria, and sketch and legal description of the properties proposed to be rezoned are attached as **Exhibit 2**.

REVIEW CRITERIA:

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, Rezoning Criteria, an application for a rezoning shall be reviewed in accordance with the following criteria:

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

The properties are currently zoned RS-6.7, RS-8 and CB and underlying land use designations of Irregular Residential, Low-Medium Residential and Commercial. The Irregular Residential 6.7 and Low-Medium Residential land uses are intended primarily for dwellings and other land uses in support of the residential environment. The Commercial land use designation is intended for business, retail, service, office, and other commercial enterprises. The proposed Parks, Recreation and Open Space zoning district is consistent with these land use designations. Please refer to the Comprehensive Plan Consistency section within this report for additional information.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

The property where the proposed rezoning is to take place is an existing park. Moving forward with the proposed rezoning will make the current park use consistent with its zoning designation.

The character of development of the parcel supports the proposed rezoning. If approved, the rezoning will be consistent with the character of development in the area under consideration.

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.

Since the current use of the site is a park, the proposed rezoning will ensure the zoning district is compatible with the existing use. Furthermore, the proposed rezoning will enhance the existing surrounding uses by providing park and open space for residents and visitors to enjoy. The character of the surrounding area supports the proposed park use.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-39.A.11, List of Permitted and Conditional Uses; Irregular Residential - County (RS-6.7) District, Section 47-5.11, List of Permitted and Conditional Uses; Residential Single Family/Low Medium Density (RS-8) District, 47-6.10, List of Permitted and Conditional Uses; Community Business District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Space District. A comparison of current and proposed dimensional standards for each district is provided in Table 2.

Table 1: Comparison of Zoning District Uses

Existing Zoning District	Existing Zoning District	Existing Zoning District	Proposed Zoning District
Irregular Residential - County (RS-6.7) District	Residential Single Family/Low Medium Density (RS-8) District	Community Business (CB) District	Parks, Recreation and Open Space (P) District
Permitted Uses: One-family detached dwelling Community residential facility with adult day care permitted as an accessory use Nonprofit neighborhood social and recreational facilities Golf course Places of Worship Family Day Care Home Home Office Yard Sales Essential Services Outdoor Event	Permitted Uses: Residential Uses Public Purpose Facilities Child Day Care	Permitted Uses: <u>Automotive</u> Automotive Parts & Supplies Store Automotive Service Station	Permitted Uses: Parks, Recreation, and Open Space uses and Facilities Active and Passive Park Facilities Beach Civic Facilities, Cultural Facilities, Educational Facilities Conservation Areas Fishing Pier Indoor and Outdoor Public Recreational Facility
		<u>Boats, Watercraft and Marinas</u> Marine Parts and Supplies Store	
		<u>Commercial Recreation</u> Billiard Parlor Indoor Motion Picture Theater, less than Five Screens Performing Arts Theater, less than 300 seats	
		<u>Food and Beverage</u>	

		Bakery Store Bar, Cocktail Lounge, Nightclub Cafeteria Candy, Nuts Store Convenience Kiosk Convenience Store Convenience Store, Multi- Purpose Delicatessen Liquor Store Restaurant Supermarket	
		<u>Lodging</u> Bed and Breakfast Hotel	Accessory Uses, Buildings and Structures
		<u>Public Purpose Facilities</u> Civic and Private Club Facility Government Administration House of Worship Library Branch Museum	Limitations on Uses Conservation areas. Conservation areas are designated in accordance with the Broward County Land Use Plan Map Series as a means to protect natural resource areas (Broward County Land Use Plan). Uses are limited in conservation areas as follows: i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways. ii. Uses which do not impair the natural environment or disturb the natural ecosystem of the area and which are not in conflict with any applicable contractual agreement or management policies of the federal, state, regional, county, municipal or nonprofit agency which manages the area.
	Urban Agriculture	<u>Retail Sales</u>	Urban Agriculture

		Antiques Shop Apparel/Clothing, Accessories Store Arts & Crafts Supplies Store Art Galleries, Art Studio Bait and Tackle Store Bicycle Shop Book Store Cigar, Tobacco Store Consignment, Thrift Store Department Store Fabric, Needlework, Yarn Shop Flooring Store Florist Shop Furniture Store Hardware Store Hobby Items, Toys, Games Store Jewelry Store Lawn and Garden Center, Outdoor Display Permitted Linen, Bath, Bedding Store Optical Store Paint, Wallpaper Store Party Supply Store Pharmacy Shopping Center	
		<u>Services/Office Facilities</u> Copy Center Check-Cashing Store Dry Cleaner Financial Institution, including Drive-Thru Banks Film Processing Formal Wear, Rental Hair Salon Health and Fitness Center Instruction: Fine Arts, Sports and Recreation, Dance, Music, Theater Medical Clinic Medical/Dental Office Nail Salon Professional Office Personnel Services Tanning Salon Tattoo Artist Travel Agency	

Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures	<u>Accessory Uses, Buildings and Structures</u> Accessory Uses to hotels Catering Services Child Day Care - Corporate/Employee Sponsors when accessory to professional office	
	Conditional Uses: Family Community Residence, less than 1,000' distance separation Transitional Community Residence, more than 4 residents/Family Community Residence, more than 10 residents/Community Residence, no license or certification available	Conditional Uses: Mixed-use Developments	Conditional Uses: Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club

Table 2: Comparison of Dimensional Standards*

	Existing Zoning District	Existing Zoning District	Existing Zoning District	Proposed Zoning District
	Irregular Residential - County (RS-6.7) District	Residential Single Family/Low Medium Density (RS-8) District	Community Business (CB) District	Parks, Recreation and Open Space (P) District
Density	6.7 units per acre	8 units per acre	N/A	N/A
Building Height	2 stories	35 Feet	150	60 Feet*
Building Length	None	None	N/A	N/A
Floor Area Ratio (FAR)	N/A	N/A	None	N/A
Front Setback	25 feet	25 Feet Special minimum front yard setbacks: Coral Isles—15 Feet Nurmi Isles—20 Feet Pelican Isles—20 Feet	5 feet***	25 Feet*
Rear Setback	15 feet	15 Feet 25 ft. when abutting a waterway Special rear yard setbacks in certain locations (15 feet)	15 feet, when contiguous to residential property None, all others	25 Feet*
Side Setback	7.5 feet 15 feet (street side)	5 feet. - up to 22 feet in height Where a building exceeds 22 feet in	10 feet, when contiguous to residential property None, all others	25 Feet*

		height that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height. 25 feet when abutting a waterway Special Side yard setback allowed for certain subdivisions** (7.5 feet)		
Lot Size	7,500	N/A	None	N/A
Landscape Area	As provided in Section 47-39.A.13 of the ULDR	Vehicle Use Area Requirements (Varies on lot size)	As provided in Section 47-21.13 of the ULDR	N/A

**An increase in the maximum dimensional requirements is subject to the requirements of a site plan level III permit.*

***An increase in the maximum FAR or lot coverage may be permitted subject to the requirements of a site plan level III, see Section 47-24.2.*

****Where the height of a building in a business zoning district exceeds nine feet measured from the ground floor elevation, that portion of the building may extend into the front yard area.*

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Parks, Recreation, and Open Space Element, Goal 1, Objective 1.1 – Providing for Park Space, ensuring that the provision of parks, facilities, and programs adequately meets or exceeds the needs and desires of the City's residents.

The City's Future Land Use Map indicates these properties' future land use designations are Irregular Residential, 6.7, Low-Medium Residential, and Commercial. More specifically, the Irregular Residential 6.7 and Low-Medium Residential land uses are intended primarily for dwellings and other land uses in support of the residential environment. The Commercial land use designation is intended for business, retail, service, office, and other commercial enterprises. The proposed rezoning meets the intent of the land use designation.

PUBLIC PARTICIPATION

The proposed rezoning request is subject to the public participation requirements established in the ULDR, Section 47-27.4. This section states that public outreach should include any city-recognized civic association within 300 feet of the property. A summary of the meeting with the Sailboat Bend Civic Association on November 18, 2022, is attached as **Exhibit 3**. A mail notification requirement to property owners within 300 feet of the property was completed and mailed on December 5, 2022.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Three signs were posted on the properties fronting the three street frontages. The Public Sign Notice Affidavit and photographs of the Signs are attached as **Exhibit 4**.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board shall consider the application and make a determination based on the criteria in ULDR Section 47-24.4, Rezoning Criteria.

If the Planning and Zoning Board determines the application meets criteria as provided in this section, the Planning and Zoning Board shall recommend that the rezoning be approved or recommend a rezoning to a more restrictive zoning district than that requested in the application if necessary to ensure compliance with criteria for the rezoning and if consented to by applicant.

If the Planning and Zoning Board determines that the application does not meet the criteria provided for rezoning or if the applicant does not consent to a more restrictive zoning district, the Planning and Zoning Board shall deny the application and an appeal to the City Commission may be filed by the applicant in accordance with ULDR Section 47-26.B, Appeals.

Project narratives outlining how the rezoning complies with the applicable sections of the ULDR are attached as Exhibit 2, to assist the Board in determining if the proposal meets the criteria.

EXHIBITS:

1. Location Map
2. Application, Narrative Responses to Criteria, and Sketch and Legal Description of the Properties
3. Public Meeting Summary
4. Public Sign Notice Affidavit and Photographs of the Signs