



**REQUEST:** Rezoning from Heavy Commercial/Light Industrial (B-3) District to Parks, Recreation and Open Space (P) District

<b>CASE NUMBER</b>	UDP-Z23015	
<b>APPLICANT</b>	City of Fort Lauderdale	
<b>ADDRESS</b>	2600 and 2450 S. Federal Highway	
<b>EXISTING ZONING DISTRICT</b>	Heavy Commercial/Light Industrial (B-3) District	
<b>PROPOSED ZONING DISTRICT</b>	Parks, Recreation and Open Space (P) District	
<b>LAND USE</b>	Commercial	
<b>COMMISSION DISTRICT</b>	4 – Warren Sturman	
<b>NEIGHBORHOOD ASSOCIATION</b>	Harbordale and Poinciana Park Civic Association	
<b>APPLICABLE ULDR SECTIONS</b>	Section 47-24.4 Rezoning Criteria	
<b>NOTIFICATION REQUIREMENTS</b>	Section 47-27.5, Sign Notice prior to meeting Section 47-27.5, Mail Notice	
<b>SECTION 166.033, FLORIDA STATUTES</b>	<b>180-day Expiration Date</b>	<b>Extension Date (s)</b>
	March 30, 2023	Waived by Applicant
<b>ACTION REQUIRED</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
<b>PROJECT PLANNER</b>	Michael P. Ferrera, Urban Planner II	<i>MPF</i>

**PROJECT DESCRIPTION:**

The City of Fort Lauderdale is requesting to rezone 76,273 square feet (1.75 acres) of land located at 2600 and 2450 South Federal Highway from Heavy Commercial/Light Industrial (B-3) District to Parks, Recreation and Open Space (P) District. The property is currently open space with future improvements that include on-street parking, bike racks, benches, and pedestrian pathways. A Location map is attached as **Exhibit 1**. The application, narrative responses to criteria, and sketch and legal description of the property 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 property is currently zoned B-3 and has an underlying land use designation of Commercial which is intended for uses such as government administration (judicial, police, fire and library services), community facilities including schools, marinas and similar uses. The proposed Parks, Recreation and Open Space zoning district is consistent with this land use designation. 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 currently open space. Moving forward with the rezoning will ensure the land will be available as open space and a passive park for surrounding residential neighborhoods and pedestrians. 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.

The property is currently open space, the proposed rezoning will ensure the zoning district is compatible with the existing uses surrounding the area, which is primarily commercial and residential. Furthermore, the proposed rezoning will enhance the existing surrounding neighborhoods by providing open space for residents to enjoy. Therefore, the character of the surrounding area supports the proposed park use.

A general comparison of permitted uses in the current and proposed zoning district is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-6.13, List of Permitted and Conditional Uses; Heavy Commercial/Light Industrial District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Space (P) District. A comparison of current and proposed dimensional standards for each district is provided in Table 2.

**Table 1: Comparison of Zoning District Uses**

<b>Existing Zoning District</b>	<b>Proposed Zoning District</b>
Heavy Commercial/Light Industrial (B-3) District	Parks, Recreation and Open Space (P) District
<u>Automotive</u> Automotive Detailing and Alarm Systems Automotive Sales, Rental, new or used vehicles Automotive Parts & Supplies Store, including installation Automotive Repair Shop including major repair	<u>Parks, Recreation, and Open Space uses and Facilities</u> 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 Sailmaking Watercraft Repair, major repair	N/A
<u>Commercial Recreation</u> Billard Parlor Bingo Hall Bowling Alley	N/A
<u>Food and Beverage</u> Bakery Store Bar, Cocktail Lounge, Nightclub Cafeteria Candy, Nuts Store Convenience Kiosk Convenience Store Delicatessen Food and Beverage Drive-Thru Restaurant	N/A
<u>Light Manufacturing</u> Apparel, Textile, Canvas and Related uses Contractors Yards	N/A
<u>Lodging</u> Hotel	N/A
<u>Public Purpose</u> Bus Terminal, Railroad Station Civic and Private Club Facility Government Administration	N/A

Hospital House of Worship Library	
<u>Retail and Wholesale Sales</u> Antiques Store Apparel/Accessories Store Arts & Crafts Supplies Store Art Galleries, Art Studio Bait and Tackle Store Bicycle Shop Book Store Camera, Photographic Supplies Store Furniture Store Florist Shop	N/A
<u>Services/Office Facilities</u> Auction House Copy Center Check Cashing Store Dry Cleaner Financial Institution Hair Salon	N/A
<u>Storage Facilities</u> <u>Self-Storage Facility</u>	N/A
Accessory Uses, Buildings and Structures	<u>Accessory Uses, Buildings and Structures</u> Concessions, including refreshment stands, pro shops, souvenir shops Police, Fire substation Parks Maintenance and Administration Facility Public Restrooms
Urban Agriculture	Urban Agriculture
	<p>Limitations on Uses</p> <p>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:</p> <ul style="list-style-type: none"> <li>i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.</li> <li>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.</li> </ul>

<u>Conditional Uses:</u> 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	<u>Conditional Uses:</u> Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club
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**Table 2: Comparison of Dimensional Standards**

	Existing Zoning District	Proposed Zoning District
	Heavy Commercial/Light Industrial (B-3) District	Parks, Recreation and Open Space (P) District
<b>Density</b>	N/A	N/A
<b>Building Height</b>	150 Feet	60 Feet*
<b>Building Length</b>	None	N/A
<b>Floor Area Ratio (FAR)</b>	None	N/A
<b>Front Setback</b>	5 feet *	25 Feet*
<b>Rear Setback</b>	25 feet, when contiguous to residential property  None, except when any portion of a structure is greater in height than 100 ft. that portion of the structure shall be set back an additional 1 ft. for each 1 ft. of building height over 100 feet.	25 Feet*
<b>Side Setback</b>	20 feet, when contiguous to residential property  None, except when any portion of a structure is greater in height than 100 ft. that portion of the structure shall be set back an additional 1 ft. for each 1 ft. of building height over 100 feet.	25 Feet*
<b>Lot Size</b>	None	N/A
<b>Landscape Area</b>	Vehicle Use Area Requirements (Varies on lot size)	N/A

\* 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 this property has a future land use designation of Commercial. More specifically, the Commercial land use designation is intended for uses such as government administration (judicial, police, fire and library services), community facilities including schools, marinas and similar uses. 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 associations within 300 feet of the property. A summary of the meeting with the Harbordale and Poinciana Park Civic Associations on October 13, 2023, is attached as **Exhibit 3**. A mail notification requirement to property owners within 300 feet of the property was completed and mailed on November 2, 2023.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Four signs were posted on the property fronting four 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 Property
3. Public Meeting Summary
4. Public Sign Notice Affidavit and Photographs of the Signs