



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#24-0207**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Greg Chavarria, City Manager

**DATE:** March 19, 2023

**TITLE:** Public Hearing – Quasi-Judicial Ordinance Approving a Rezoning from Residential Single Family/Low Medium Density (RS-8) District to Parks, Recreation and Open Space (P) District – South of Ponce De Leon Drive, East of SE 9<sup>th</sup> Avenue, West of SE 11<sup>th</sup> Street and North of SE 11<sup>th</sup> Street – City of Fort Lauderdale – Case No. UDP-Z23012 – (**Commission District 4**)

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**Recommendation**

Staff recommends the City Commission consider an ordinance rezoning 7,354 square feet (0.16) acres of land, located South of Ponce De Leon Drive, East of SE 9<sup>th</sup> Avenue, West of SE 11<sup>th</sup> Street, and North of SE 11<sup>th</sup> Street, from Residential Single Family/Low Medium Density (RS-8) District to Parks, Recreation and Open Space (P) District.

**Background**

The City of Fort Lauderdale is requesting to rezone the land to ensure consistency with the existing use, *Hector Park*, which is a passive park. No amenities or improvements are anticipated at this time. A location map of the subject site is provided as Exhibit 1. The application and narrative responses to the criteria are attached as Exhibit 2, and the sketch and legal description of the property proposed to be rezoned are attached as Exhibit 3.

The rezoning of city-owned properties that are used and maintained as public park space protects those properties in three significant ways. First, rezoning a property to Parks, Recreation, and Open space creates a record of the City's intended use for the property. Second, the zoning district limits the use of the property to those uses typically associated with public parks and open spaces. Lastly, the City's Charter protects lands zoned Park, Recreation, and Open Space by limiting the sale, transfer, or lease of such properties for more than (1) year without a unanimous vote of the entire City Commission.

**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 RS-8 and has an underlying land use designation of Low Medium Residential which is intended primarily for dwellings and other land uses in support of the residential environment. 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 a passive park. Moving forward with the rezoning will ensure the land will be available as a passive park for surrounding residential neighborhoods. If approved, the rezoning will be consistent with the character of development in the area under consideration, which is residential.*

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 a passive park, the proposed rezoning will ensure the zoning district is compatible with the existing uses surrounding the area, which are primarily 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.*

The Planning and Zoning Board (PZB) reviewed the application on December 20, 2023, and recommended approval of the rezoning by a vote of 9-0. The PZB meeting minutes and staff report are attached as Exhibit 4 and Exhibit 5, respectively. The public sign notice and affidavit for the December 20, 2023, PZB meeting are attached as Exhibit 6.

The City Commission shall consider the application, the record and recommendations forwarded by the Department and PZB, and public comments on the application to determine whether the application meets the criteria for a rezoning. If the City Commission determines that the rezoning meets the criteria, the City Commission shall approve the change in zoning as requested in the application, or approve a change to a more restrictive zoning district than that requested in the application if necessary to meet the criteria provided for rezoning and if consented to by the applicant. If the City Commission determines that the proposed rezoning does not meet the criteria in, or if the applicant does not consent to a more restrictive zoning district, the City Commission shall deny the application.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *2024 Commission Priority*, advancing the Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2029 Strategic Plan*, specifically advancing:

- The Public Places Focus Area, Goal 5: Build a beautiful and welcoming community

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatible uses.
- The Urban Design Element
- Goal 1: Promote high-quality and sustainable building design elements which complement the public realm.

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Application and Narrative Responses to Criteria

Exhibit 3 – Sketch and Legal Description of the Property

Exhibit 4 – December 21, 2022, PZB Meeting Minutes

Exhibit 5 – December 21, 2022, PZB Staff Report

Exhibit 6 – PZB Public Sign Notice and Affidavit

Exhibit 7 – Ordinance

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