

REQUEST: Rezoning from Residential Single Family/Low Medium Density (RS-8) District and Residential Single-Family Duplex/Medium Density (RD-15) District to Parks, Recreation and Open Space (P) District

CASE NUMBER	UDP-Z23008	
APPLICANT	City of Fort Lauderdale	
GENERAL LOCATION	South of the New River and north of SW 5 th Court	
EXISTING ZONING DISTRICT	Residential Single Family/Low Medium Density (RS-8) District and Residential Single Family and Duplex/Medium Density (RD-15) District	
PROPOSED ZONING DISTRICT	Parks, Recreation and Open Space (P) District	
LAND USE	Low Medium	
COMMISSION DISTRICT	4 – Warren Sturman	
NEIGHBORHOOD ASSOCIATION	Riverside Park Residents Association and Sailboat Bend Civic 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	180-day Expiration Date	Extension Date (s)
	November 7, 2023	Waived by Applicant
ACTION REQUIRED	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
PROJECT PLANNER	Michael P. Ferrera, Urban Planner II	<i>CP MPP</i>

PROJECT DESCRIPTION:

The City of Fort Lauderdale is requesting to rezone 93,030 square feet (2.13 acres) of land generally located south of the New River and north of SW 5th Court from Residential Single Family/Low Medium Density (RS-8) District and Residential Single-Family Duplex/Medium Density (RD-15) District to Parks, Recreation and Open Space (P) District. The land is currently vacant. 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 subject lots under consideration for rezoning are currently zoned RS-8 and RD-15 and have 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 lots under consideration for rezoning are currently vacant. Moving forward with the rezoning will ensure the land will be available as open space and will provide public access to

the water. If approved, the rezoning will be consistent with the character of residential development in the area.

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 lots under consideration for rezoning are currently vacant. The proposed rezoning to Park is compatible with the existing residential uses surrounding the area. Furthermore, the proposed rezoning will enhance the existing surrounding residential uses by providing open space for residents to enjoy and access to the New River. 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 47-5.11, List of Permitted and Conditional Uses; Residential Single Family/Low Medium Density (RS-8) District and ULDR Section 47-5.12, List of Permitted and Conditional Uses; Residential Single Family and Duplex/Medium Density (RD-15) District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Space (P) District. A comparison of zoning district uses is provided in Table 1. 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 (RD-15)	Existing Zoning District (RS-8)	Proposed Zoning District (P)
<u>Residential Uses:</u> Single Family Dwelling Single Family Dwelling, Attached: Cluster Single Family Dwelling, Attached: Duplex/Two (2) Family Dwelling Single Family Dwelling: Zero-lot line Community Residence, 3 residents maximum Family Community Residence, 4 to 10 residents; 1,000' distance separation.	<u>Residential Uses</u> Public Purpose Facilities Child Day Care	<u>Permitted Uses:</u> 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>Public Purpose</u> Active and Passive Park Social Service Residential Facility, Level I	<u>Public Purpose</u> Active and Passive Park Social Service Residential Facility, Level I	N/A
<u>Child Day Care Facilities</u> Family Day Care Home	<u>Child Day Care Facilities</u> Family Day Care Home	N/A
<u>Accessory Uses, Buildings and Structures</u>	<u>Accessory Uses, Buildings and Structures</u>	<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
<u>Urban Agriculture</u>	<u>Urban Agriculture</u>	<u>Urban Agriculture</u>
		Limitations on Uses Conservation areas. Conservation

		<p>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> <p>i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.</p> <p>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.</p>
<p><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.</p>	<p><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</p>	<p><u>Conditional Uses:</u> Golf Course Public Marina Public Utility Communication Towers, Structures, and Stations Yacht Club</p>

Table 2: Comparison of Dimensional Standards

	Existing (RD-15) District	Existing (RS-8) District	Proposed (P) District
	Residential Single Family and Duplex/Medium Density District (RD-15)	Residential Single Family/Low Medium Density District (RS-8)	Parks, Recreation and Open Space District P
Density	15 units per acre	8 units per acre	N/A
Building Height	35 Feet	35 Feet	60 Feet*
Building Length	None	None	N/A
Floor Area Ratio (FAR)	N/A	N/A	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	25 Feet*
Rear Setback	15 Feet 25 Feet when abutting a waterway	15 Feet 25 Feet when abutting a waterway	25 Feet*

		Special rear yard setbacks in certain locations (15 Feet)	
Side Setback	<p>5 Feet - up to 22 Feet in height</p> <p>Where a building exceeds 22 Feet in height that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height</p> <p>25 Feet. when abutting a waterway</p>	<p>5 feet. - up to 22 feet in height</p> <p>Where a building exceeds 22 feet in height that portion of the building above 22 feet shall be set back an additional 1 foot per foot of additional height.</p> <p>25 feet when abutting a waterway</p> <p>Special Side yard setback allowed for certain subdivisions** (7.5 feet)</p>	25 Feet*
Lot Size	3,000 square feet to 6,000 square feet	N/A	N/A
Landscape Area	ULDR Section 47-21.13	Vehicle Use Area Requirements (Varies based on lot size)	N/A

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

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 have a future land use designation of Low Medium Residential. This land use designation is intended primarily for dwellings and other land uses in support of the residential environment. Uses permitted in areas designated residential include parks, playgrounds, golf courses, open space, other outdoor recreational facilities, and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site and City approved outdoor events. 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 Riverside Park Residents Association and Sailboat Bend Civic Association on May 17, 2023, is attached as **Exhibit 3**. A mail notification requirement to property owners within 300 feet of the properties was completed and mailed on May 31, 2023.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Two signs were posted on the properties fronting one street frontage. 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