



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

#23-0700

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

FROM: Greg Chavarria, City Manager

DATE: September 5, 2023

TITLE: Public Hearing - Quasi-Judicial Ordinance Approving a Rezoning from Residential Single-Family/Low Medium Density (RS-8) District and Residential Single-Family and Duplex/Low Medium Density (RD-15) District to Parks, Recreation and Open Space (P) District – South of the New River and North of SW 5th Court - City of Fort Lauderdale– Case No. UDP-Z23008 – **(Commission District 4)**

Recommendation

Staff recommends the City Commission consider an ordinance rezoning 93,030 square feet (2.13) acres of land, 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 and Duplex/Low Medium Density (RD-15) District to Parks, Recreation and Open Space (P) District.

Background

The City of Fort Lauderdale is requesting to rezone the land located south of the New River and North of SW 5th Court, which is vacant property, from RS-8 and RD-15 Districts to Parks District. A location map of the subject site is provided as Exhibit 1. The application and narrative responses to criteria are attached as Exhibit 2, and the sketch and legal description of the property is attached as Exhibit 3.

The rezoning of City owned properties that are used and maintained as public park space protects properties used as parks in three significant ways. First, by rezoning a property to Parks, Recreation, and Open space it creates a record of the City's intended use for the property. Second, the zoning limits the use of the property to those uses typically associated with public parks and open spaces. Lastly, the City's Charter provides protection to 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 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.

The Planning and Zoning Board (PZB) reviewed the application on June 21, 2023, and recommended approval by a vote of 8-0. The PZB meeting minutes and staff report are attached as Exhibit 4 and Exhibit 5, respectively. In addition, the public sign notice and affidavit for the June 21, 2023, PZB meeting are attached as Exhibit 6.

The City Commission shall consider the application, as well as the record forwarded by the Department including the recommendations of the 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 for rezoning, 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, 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 *2023 Commission Priority*, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Neighborhood Enhancement
- Goal 4: Build a thriving and inclusive community of neighborhoods
- Objective: Ensure a range of affordable housing options

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 – June 21, 2023, PZB Meeting Minutes

Exhibit 5 – June 21, 2023, PZB Staff Report

Exhibit 6 – PZB Public Sign Notice and Affidavit

Exhibit 7 – Ordinance

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