



**REQUEST:** Rezoning from Regional Activity Center – City Center (RAC-CC) District to Parks, Recreation and Open Space (P) District

<b>Case Number</b>	UDP-Z22008	
<b>Property Owner/Applicant</b>	City of Fort Lauderdale	
<b>General Location</b>	25 SW 9th Street and 701 S Andrews Avenue	
<b>Property Size</b>	341,909 square feet / 7.8 acres	
<b>Current Zoning</b>	Regional Activity Center – City Center (RAC-CC) District	
<b>Proposed Zoning</b>	Parks, Recreation and Open Space (P) District	
<b>Existing Use</b>	Park	
<b>Proposed Use</b>	Park	
<b>Future Land Use Designation</b>	Downtown Regional Activity Center	
<b>Applicable Unified Land Development Regulations (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>State Statute 166.033 Expiration Date</b>	The City waives the statutory deadline	
<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 EP</i>

**PROJECT DESCRIPTION:**

The City of Fort Lauderdale is requesting to rezone 341,909 square feet (7.8 acres) of land located at 25 SW 9<sup>th</sup> Street and 701 S. Andrews Avenue from Regional Activity Center – City Center (RAC-CC) District to Parks, Recreation and Open Space (P) District to ensure consistency and continuity with the existing use, *Florence C. Hardy Park*. The 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.

These properties are currently zoned RAC-CC and has an underlying land use designation of Downtown Regional Activity Center, which is intended to encourage development or redevelopment of areas that have regional significance and facilitate a mix of uses, encourage mass transit, reduce the need for automobile travel, and encourage a strong definition of the urban form, promoting a "live, work, play" 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 existing use of the properties is a park. The proposed rezoning will ensure the zoning district is consistent with the existing use. The proposed rezoning will not adversely impact the character of development in or near 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 proposed rezoning of the property to Park is compatible with the surrounding mix of uses. Since the current use of the site is park, the proposed rezoning will ensure the zoning district is compatible with the existing use and supports surrounding uses with park and open space.

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 47-13.10, List of Permitted and Conditional Uses; Regional Activity Center – City Center (RAC-CC) District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Spaces (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**

Existing Zoning District	Proposed Zoning District
Regional Activity Center – City Center (RAC-CC) District	Parks, Recreation and Open Space (P) District
<u>Permitted Uses:</u> Automotive Boats, Watercraft and Marinas Commercial Recreation Food and Beverage Sales and Service Lodging Manufacturing Public Purpose Facilities Residential Uses Retail Sales Services/Office Facilities Storage Facilities*	<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
Accessory Uses, Buildings and Structures	Accessory Uses, Buildings and Structures
	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: <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>
	Urban Agriculture
Urban Agriculture	<u>Conditional Uses:</u>

<u>Conditional Use</u> College, University Detention Center, Jail Food Distribution Helistop Hospital, Medical and Public Health Clinic Social Service Facility Self-Storage Facilities	Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club
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*\*Permitted only when contiguous to or separated by no more than a 60-foot public right-of-way from a railroad right-of-way in the RAC-CC, RAC-AS, RAC-UV, RAC-RPO, & RAC-TMU zoning districts.*

**Table 2: Comparison of Dimensional Standards\***

	Existing Zoning District	Proposed Zoning District
	Regional Activity Center – City Center District (RAC-CC) District**	Parks, Recreation and Open Space (P) District
<b>Density</b>	Flex unit policy applies	N/A
<b>Building Height</b>	30 Floors	60 Feet*
<b>Building Length</b>	300 Feet	N/A
<b>Floor Area Ratio (FAR)</b>	N/A	N/A
<b>Front Setback</b>	5 Feet	25 Feet*
<b>Rear Setback</b>	35 feet to centerline of road	25 Feet*
<b>Side Setback</b>	35 feet to centerline of road	25 Feet*
<b>Lot Size</b>	N/A	N/A
<b>Landscape Area</b>	10% Gross Lot Area	N/A

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

*\*\*Based Upon the Downtown Master Plan*

**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 Downtown Regional Activity Center. More specifically, the Downtown Regional Activity Center land use designation is intended to encourage development or redevelopment of areas that have regional significance and facilitate a mix of uses, encourage mass transit, reduce the need for automobile travel, and encourage a strong definition of the urban form, promoting a “live, work, play” environment. 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 Downtown Fort Lauderdale Civic Association on June 17, 2022, is attached as **Exhibit 3**. A mail notification requirement to property owners within 300 feet of the property was completed and mailed on July 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 property 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, and Sketch and Legal Description
3. Public Meeting Summary
4. Public Sign Notice Affidavit and Photographs of the Signs