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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** December 17, 2014

**TITLE:** FIRST READING OF ORDINANCE - Rezone properties within the Northwest Regional Activity Center ("NWRAC") future land use category from Residential Low Rise Multifamily/Medium Density (RM-15) District, Community Business (CB) District, General Business (B-2), Heavy Commercial/Light Industrial Business (B-3) District and General Industrial (I) to the new Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MU<sub>ne</sub>), Northwest Regional Activity Center Mixed Use east (NWRAC-MU<sub>e</sub>) & Northwest Regional Activity Center – Mixed Use west (NWRAC-MU<sub>w</sub>) Zoning Districts. - CASE 3Z13 (This CAM is associated with CAM 14-1563 regarding Text Amendment Case T14012)

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**Recommendation**

It is recommended that the City Commission introduce an ordinance on first reading rezoning approximately 130 acres of land located along the Sistrunk Boulevard and NW 7th Avenue corridors within the Northwest Regional Activity Center ("NWRAC") Future Land Use from Residential Low Rise Multifamily/Medium Density (RM-15) District, Community Business (CB) District, General Business (B-2), Heavy Commercial/Light Industrial Business (B-3) District and General Industrial (I) to Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MU<sub>ne</sub>), Northwest Regional Activity Center Mixed Use east (NWRAC-MU<sub>e</sub>) & Northwest Regional Activity Center – Mixed Use west (NWRAC-MU<sub>w</sub>) Zoning Districts.

**Background**

City Staff proposes the establishment of three new zoning districts along the Sistrunk Boulevard and NW 7<sup>th</sup> Avenue corridors. In companion item CAM 14-1563 an ordinance is proposed to amend the Unified Land Development Regulations (ULDR) to create the Northwest Regional Activity Center – Mixed Use northeast (NWRAC-MU<sub>ne</sub>), Northwest Regional Activity Center – Mixed Use east (NWRAC-MU<sub>e</sub>) and Northwest Regional Activity Center – Mixed Use west (NWRAC-MU<sub>w</sub>) zoning districts. The ordinance that is the subject of this CAM rezones property to the new zoning districts and is contingent upon the adoption of the ULDR text amendments.

Pursuant to criteria outlined in ULDR Section 47-24.4.D, Rezoning, an application for a  
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rezoning shall be reviewed in accordance with the following criteria:

1. The zoning district proposed is consistent with the city's comprehensive plan.

The site is currently designated Northwest Regional Activity Center (NWRAC) on the City's Future Land Use Map. The proposed zoning district is consistent with the City's Comprehensive Plan in that the Regional Activity Center land use designation encourages a mix of uses in a compact, high-intensity, multi-use area, which may include retail, office, cultural, hotel, recreational, entertainment facilities and other uses, while encouraging quality development that gives definition to the urban form.

2. Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.

The proposed changes will enhance the area and meet the vision and goals of the community as indicated in the 2006 Sistrunk Boulevard Urban Design Improvement Plan and the 2008 Northwest/Progresso/Flagler Heights Implementation Plan.

A significant amount of analysis of the area took place in the development of these plans. In 2006, a study of the area resulting in the Sistrunk Boulevard Urban Design Improvement Plan, which provides suggestions as to the appropriate land uses and development types for the Sistrunk Boulevard corridor. As a result, the study recommends amending the ULDR to help implement associated changes to the study area identified through the community input .

In 2008 the Northwest/Progresso /Flagler Heights Implementation Plan ("NPF CRA") was created with the intent of being an agent for change in the target area. This area included the boundaries of the community redevelopment area ("CRA"), which is included within the Northwest Regional Activity Center ("NWRAC") land use. The NPF CRA plan set goals to accomplish positive redevelopment opportunities through revitalization of the area, recognition of history and enhancing the general image of the area.

These plans envision a vibrant community, with a successful mix of business and residential uses defined with walkable streets and quality buildings through the creation of guidelines that would enhance the pedestrian realm and give clear intent for an active street level and an exceptional public realm experience.

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 new zoning districts will establish the basis for appropriate uses that will enhance development and redevelopment efforts in the study area, as well as require development sites to meet specific design standards, through

implementation of design standards intended to promote an active urban area, while allowing flexibility and creative design solutions to meet the intent of the ordinance, as has been successfully realized with development projects subject to the Downtown Master Plan area, as well as the South Andrews Avenue Master Plan.

The approach to the Sistrunk Boulevard/NW 6<sup>th</sup> Street planning process was built on a strategy of consensus involving extensive public outreach. The strategy was designed with three major goals in mind:

- To elicit community input & sustain participation throughout the planning process;
- To inform all stakeholders about the steps, progress, and outcomes of the process;
- To achieve community consensus and buy-in regarding the proposed improvements and initiatives.

As part of the implementation process to date, the City has taken action to address some of the issues of concern for the area. Through the CRA, the City has established programs for improvements to certain existing sites. In 2013, the City revised the ULDR to prohibit new liquor and convenience stores within the Northwest Regional Activity Center (“NWRAC”) land use, based on crime statistics that indicated these uses have had a negative impact on the area. In addition, the Fort Lauderdale Housing Authority has recently completed several quality projects in the general area furthering goals of livability, sustainability and sense of community, with additional projects planned in the future.

In addition, as part of the process to adopt the current proposed amendments, the following outreach efforts were incorporated to date:

- March 2013 to November 2013 - completed over 11 Neighborhood Outreach Meetings that included various community workshops, which were attended by residents of the community, stakeholders representing the Midtown Business Association, developers, and realtors.
- January 2014 – Completed Downtown Update: Adoption of Transit Oriented Development (“TOD”) Guidelines, where some stakeholders within the “triangle” area, located west of the FEC tracks and just south of Sunrise Boulevard within the NWRAC Land Use indicated they wanted to be included in the TOD Guidelines, which encourage reduction in parking standards to promote alternative means of transit and support mixed-use development. As a result, the City Commission asked staff to include this area as part of the NWRAC Master Plan initiatives.
- June 19, 2014 – The Urban Land Institute (“ULI”) hosted a Technical Assistance Panel (“TAP”) to review and comment on the Sistrunk Corridor Zoning Code changes.
- September 25, 2014 – Open House Meeting at the Department of

Sustainable Development to present final recommended Zoning Code changes for the NWRAC Master Plan to the community and stakeholders prior to presenting to the Planning and Zoning Board and City Commission.

- October 22, 2014 - Presented to the CRA Advisory Board
- November 4, 2014 – Presented to the Chamber’s Government Affairs Committee

Staff has also been in contact with numerous local churches and other community members on various occasions, offering opportunities for comments and questions. A mailer was provided to all property owners impacted by the proposal within the study area, as well as to those outside the study area within 300-feet, and information is provided on the City’s website regarding the proposed amendments.

In summary, this on-going 12-year effort, which has to date included a significant amount of community outreach and input, is primed for implementation of changes to the built environment that will result in enriched sense of place and successful overall environment. While the proposed recommendations attempt to accurately capture the preferences of both the development community and residents not all voiced requests can always be accommodated. However, staff strongly believes the proposed recommendations strike a suitable balance for all parties, while addressing sound planning principles to meet the larger goals.

The following is a summary of the proposed amendments to the ULDR:

1. **Permitted Uses:** The permitted and conditional uses included in the current zoning districts consist of CB, B-2, B-3, I and RM-15 (please see the existing and proposed Zoning Map in the PZB report that is attached as Exhibit 2). Some of the uses currently allowed in some of these zoning districts are not conducive to the redevelopment of the area. Therefore, in an effort to promote redevelopment of the study area with active urban uses, the proposed zoning districts will include uses as indicated in the CB zoning district, as well as some low-intensity B-2 zoning district uses. All other intensive (quasi-industrial and industrial) uses that are currently permitting in the B-2, B-3 and I zoning districts will be restricted to promote a livable and active urban environment. In addition Pawn Shop will not be permitted within the new zoning districts. Any current use that will become non-conforming may remain subject to Section 47-3, *Nonconforming Uses, Structures and Lots*.
2. **Development Standards:** The recommended criterion includes the following:
  - a. **Reduced Parking:** The recent streetscape improvements along Sistrunk Boulevard created additional on-street parking that adds to the existing parking supply. In addition, the area has struggled with redevelopment due to current parking requirements that can stifle adaptive reuse of existing buildings when additional parking is required. Staff is proposing a reduced parking standard in the area as was successfully done in the

South-RAC. For instance, the proposed parking reduction, exempts non-residential development between 0 and 2,500 gross square feet in area. And, all non-residential development greater than 2,500 gross square feet will be required to provide 60% of the existing parking space requirements for uses as provided in the parking requirements in the ULDR. These recommendations are consistent with parking requirements for the Downtown-RAC Transitional Mixed Use (“TMU”) zoning districts as well. The intent of this recommendation is to encourage existing properties that may not have adequate land area to meet current parking requirements to redevelop and also serves as a redevelopment incentive to focus more on the pedestrian and public realm experience while promoting alternative means of transit.

b. Dimensional Requirements:

The proposed NWRAC-MU zoning districts are intended to standardize dimensional requirements to achieve a consistent form of pedestrian-oriented development within the study area. The intent of these standardized dimensional requirements is as follows:

- Provide a consistent build-to-line (street-edge) to enhance the pedestrian experience.
- Providing delineation of a street-edge through the limitation of space between buildings along the street.
- Enhancing the pedestrian experience through regulation of sidewalk width.
- Providing sufficient light and air through stepback regulations and address transition zones between non-residential abutting residential.

The proposed NWRAC-MU<sub>ne</sub> (FEC tracks west to mid-block of Andrews Avenue, south of Sunrise Blvd.) & NWRAC-MU<sub>e</sub> (located east of NW 7<sup>th</sup> Avenue) will allow a maximum height of sixty-five (65) feet by right and up to ten (10) stories or one hundred ten (110) feet as a Site Plan Level II review with City Commission approval. This allows for more intensive development to occur within Sistrunk Boulevard and NW 7<sup>th</sup> Avenue, which connects the study area to Broward Boulevard, the Downtown and the Arts and Entertainment District (please see Study Area Map attached as Exhibit 1).

The proposed NWRAC-MU<sub>w</sub> (located west of NW 7<sup>th</sup> Avenue) will be lower in height by allowing a maximum height of forty-five (45) feet by right sixty-five (65) feet as a Site Plan Level II review with City Commission approval (please see Study Area Map attached as Exhibit 1).

The height recommendations for this design proposal have been previously studied in the 2008 NPF CRA Implementation Plan, which references the same recommendations in reports by the Marjorie Davis

Charrette (1999) and the Wallace, Roberts and Todd Study (2005).

- 3. Design Standards:** To further implement the proposed NWRAC-MU zoning districts, the proposal includes design standards for the area consisting of clearly-defined graphic examples of what proposed development within the NWRAC-MU districts should consist of. This document is titled the NWRAC-MU: Illustration of Design Standards (“NWRAC-MU Design Standards”) and it provides clear and specific standards for any proposed development within the area through the use of form-based codes and examples of successful design elements. The design standards will offer more certainty in the review and approval process than current requirements. In effect, this will provide a means by which to address “neighborhood compatibility” by offering clear and specific standards that property owners and developers can successfully address, providing for a mix of uses while maintaining the character of neighboring areas.

The proposed design standards for the study area are consistent with principles established by existing master planned areas within the City (Downtown RAC; South RAC; Beach RAC). In addition, they are consistent with the recommendations of the 2006 Sistrunk Boulevard Urban Design Improvement Plan and the 2008 NPF CRA Implementation Plan.

The design standards address such issues as transition zones between proposed development within the study area and existing residential development abutting and outside the study area, by providing criteria for additional yard setback, lower shoulder height and additional tower setback that addresses compatibility; establishes a street cross-section to provide for a consistent street edge through a build-to-line; suitable pedestal and shoulder heights, as well as tower regulations (if towers are proposed where applicable); requirements for on-street parking and street trees; examples of street furniture; and provisions for open space requirements among others.

Please see the NWRAC-MU: Illustration of Design Standards attached hereto as Exhibit 2.

For more information, please see the draft NWRAC-MU text amendment Ordinance, attached as Exhibit 4.

- 4. Development Review Process:** While the creation of form-based codes and design standards offers a more predictable built environment for developers and the broader community, a streamlined development review process is being proposed to further encourage quality development and redevelopment.

The current requirements for development review, depends on a variety of thresholds, which may require a review and approval by various entities. These can include site plan level I, site plan level II (Development Review Committee), site plan level III (Planning and Zoning Board); and site plan level IV (City

Commission), depending on the type of development proposed. The requirements add to the uncertainty of development within the City, as well as adding cost and time to the review process. In order to provide a level of certainty to the development review process, as well as streamline it where appropriate, staff is recommending a similar approach to the Downtown-RAC and the South-RAC, which has proven to be successful.

On November 19, 2014, the Planning and Zoning Board (PZB), acting as the Local Planning Agency (LPA), conducted a review of the proposed rezoning and upon finding they are consistent with the adopted comprehensive plan, recommended approval by a vote of 7-2 for the proposed rezoning (case 3Z13). The PZB staff report and November 19, 2014, draft PZB minutes are attached as Exhibit 2 and Exhibit 3 respectively.

The City Commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the Department and the Planning and Zoning Board (“PZB”) and shall hear public comment on the application when determining whether the rezoning request meets the criteria for rezoning.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This ULDR amendment and rezoning is part of the *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included in the *Infrastructure and Neighborhood Enhancement* Cylinders of Excellence, specifically advancing:

- Goal 6:** Be an inclusive community made up of district, complementary, and diverse neighborhoods.
- Objective 1:** Evolve and update the land development code to balance neighborhood quality, character, and livability through sustainable development.
- Initiative 1:** Examine land-use patterns and neighborhood development trends to recommend changes to the Unified Land Development Regulations (ULDR) for optimal neighborhood growth, including parking, landscaping, setbacks, change of use and reuse, etc.
- Initiative 6:** Amend the Northwest Regional Activity Center (NWRAC) zoning regulations and implement design guidelines.

### Attachments:

- Exhibit 1 – Location Map
- Exhibit 2 – PZB Staff Report
- Exhibit 3 – PZB Draft Minutes
- Exhibit 4 – Draft Text Amendment Ordinance (Case T14012)
- Exhibit 5 – Rezoning Ordinance (Case 3Z13)

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