

ORDINANCE NO. C-23-38

AN ORDINANCE AMENDING SECTION 47-1.6.B. OF THE CITY OF FORT LAUDERDALE, FLORIDA. UNIFIED LAND DEVELOPMENT REGULATIONS THROUGH THE REVISION OF THE OFFICIAL ZONING MAP OF CITY OF FORT LAUDERDALE AND SCHEDULE "A" REVISED COMPILATION ATTACHED THERETO AND BY REFERENCE MADE A PART THEREOF, SO AS TO REZONE FROM RESIDENTIAL MULTI-FAMILY MID RISE/MEDIUM HIGH DENSITY ("RMM-25") DISTRICT TO NORTHWEST REGIONAL ACTIVITY CENTER - MIXED-USE WEST ("NWRAC-MUw"), ALL OF LOTS 3, 4, 5, 6, 7 AND 8, "JUNE PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THE EAST HALF OF THE ADJACENT ALLEY TO SAID LOTS VACATED BY CITY ORDINANCE C-89-21, RECORDED IN OFFICIAL RECORDS BOOK 16461, PAGE 101, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED NORTH OF NORTHWEST 6<sup>TH</sup> STREET (SISTRUNK BOULEVARD), EAST OF NORTHWEST 10<sup>TH</sup> AVENUE, WEST OF NORTHWEST 9<sup>TH</sup> AVENUE (POWERLINE ROAD) AND SOUTH OF NORTHWEST 7<sup>TH</sup> STREET, ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, 639 NW 9<sup>th</sup> Avenue, LLC, applied for the rezoning of certain property specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on July 19, 2023, the Planning and Zoning Board (PZ Case No. UDP-Z23004) recommended that the City Commission of the City of Fort Lauderdale ("City Commission") approve the rezoning of the property described in Exhibit "A" attached hereto and also recommended an amendment to the Official Zoning Map of the City of Fort Lauderdale and Schedule "A" referenced in Section 47-1.6.B. of the Unified Land Development Regulations to include the rezoned property; and

WHEREAS, the City Clerk provided notice to the public of public hearings scheduled on Tuesday, September 19, 2023, at 6:00 P.M., at The Parker, 707 N.E. 8<sup>th</sup> Street, Fort Lauderdale, Florida, and Tuesday, October 3, 2023, at 6:00 P.M., at Mary N Porter Riverview

Ballroom at the Broward Center for the Performing Arts, 201 SW 5<sup>th</sup> Avenue, Fort Lauderdale, Florida, for the purpose of hearing any public comment on the rezoning; and

WHEREAS, the public hearings were duly held at the time and place designated after notice was given by publication as required by law, and the City Commission determined that the requested rezoning met the criteria for rezoning in the Unified Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

SECTION 2. The City Commission finds that the application for rezoning meets the criteria in Section 47-24.4. of the Unified Land Development Regulations ("ULDR") as enunciated and memorialized in the minutes of its meetings of September 19, 2023 and October 3, 2023, a portion of those findings are expressly listed as follows:

1. The zoning district proposed is consistent with the City's Comprehensive Plan. Rezoning the property to NWRAC-MUw is consistent with the underlying future land use of Northwest Regional Activity Center.
2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration. The proposed rezoning of the parcels to NWRAC-MUw will not adversely impact the character of development in or near the area under consideration. The Property is surrounded by properties zoned RMM-25 to the north and west, Industrial (I) and Community Business (CB) to the east, and NWRAC-MUw to the south. Rezoning of properties to NWRAC-MUw is in alignment with the neighborhood's goal of supporting redevelopment opportunities and has the potential of increasing housing opportunities and local employment. Housing is needed to support new businesses and ensures higher levels of purchasing power, helping to fortify the economic vitality of existing and future businesses in the neighborhood. A recent project within the same block is "909 Sistrunk" to the south approved in 2019, which included a rezoning

application (Case Number Z18004) and associated site plan application (Case Number R19028) for a mixed-use development.

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 zoning district is intended to promote and enhance the existing mix of uses and character of the area by providing for a wide range of employment, shopping, services, cultural and residential opportunities with a mix of residential and non-residential uses. The NWRAC area generally includes a higher intensity of uses along the corridors which transition to lower densities and intensities of the surrounding neighborhood. The rezoning of the Property to NWRAC-MUw is compatible with the existing and proposed mix of uses in the surrounding area along Sistrunk Boulevard and Powerline Road. The parcels are surrounded by properties zoned RMM-25 to the north and west, Industrial (I) and Community Business (CB) to the east, and NWRAC-MUw to the south. The proposed rezoning of the parcels expands the NWRAC-MUw mixed use zoning northward, consistent with the underlying NWRAC land use. Further, pursuant to ULDR Section 47-13.29, future developments are required to meet the Northwest Regional Activity Center Design Standards, which include but are not limited to building orientation, architectural requirements, open space, vehicular and pedestrian access, building materials, active ground floor uses and facades. Additional standards for parking facilities, landscaping, signage, and streetscapes will also be applied during the development review process at the time of site plan application to further ensure neighborhood compatibility.

**SECTION 3.** That the City of Fort Lauderdale ULDR together with the Official Zoning Map of the City of Fort Lauderdale and revised Schedule "A", describing the lands lying within each zoning district, as approved on June 18, 1997, and described in Section 47-1.6. of the ULDR, are hereby amended by rezoning from "RMM-25 – Residential Multifamily Mid Rise /Medium High Density" District to "NWRAC-MUw - Northwest Regional Activity Center – Mixed-Use West" District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOTS 3, 4, 5, 6, 7 AND 8, "JUNE PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Location: North of Northwest 6<sup>th</sup> Street (Sistrunk Boulevard), east of Northwest 10<sup>th</sup> Avenue, west of Northwest 9<sup>th</sup> Avenue (Powerline Road) and south of Northwest 7<sup>th</sup> Street

More specifically described in Exhibit "A" attached hereto and made a part hereof.

SECTION 4. That the appropriate City officials of the City of Fort Lauderdale shall indicate such zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, upon the records with proper reference to this ordinance and the date of passage.

SECTION 5. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.

SECTION 6. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

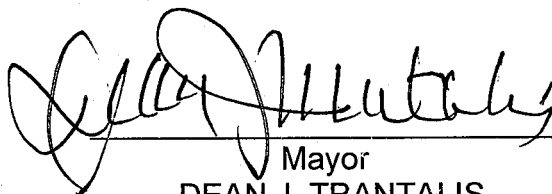
SECTION 7. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. That this Ordinance shall be in full force and effect ten (10) days from the date of final passage.

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PASSED FIRST READING this 19<sup>th</sup> day of September, 2023.  
PASSED SECOND READING this 3<sup>rd</sup> day of October, 2023.

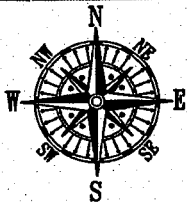


\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:



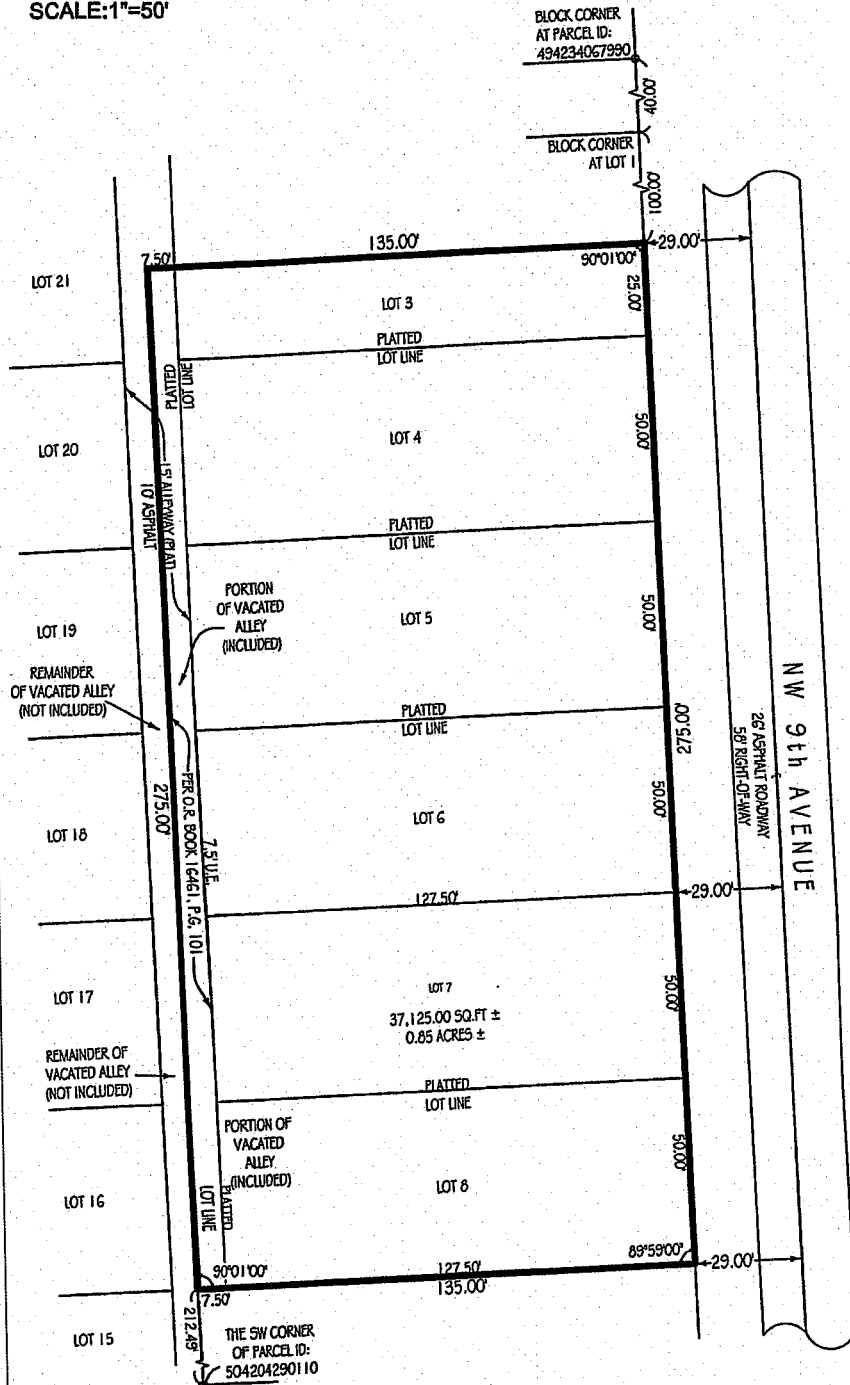
\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN



SCALE: 1"=50'

# SKETCH OF DESCRIPTION

NOTE (PER CLIENT):  
"REZONING FROM RESIDENTIAL MULTIFAMILY MIDRISE/MEDIUM HIGH DENSITY DISTRICT (RMM-25) TO NORTHWEST REGIONAL ACTIVITY CENTER MIXED USE WEST (NWRAC-MUW)"



NW 7TH STREET

THIS SITE

POWERLINE ROAD NW 9TH AVE

CINITY MAP  
(NOT TO SCALE)

## LEGAL DESCRIPTION:

THE LAND HEREIN BELOW IS SITUATED IN THE COUNTY OF BROWARD, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

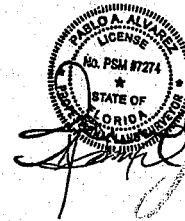
LOTS 3, 4, 5, 6, 7, & 8 OF JUNE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 22, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH THE EAST 1/2 OF PART OF THE VACANT ALLEY LYING WEST OF AND ADJACENT TO LOTS 3, 4, 5, 6, 7, & 8 VACATED BY ORDINANCE NO. C-89-21 RECORDED IN BOOK 16461, PAGE 101, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, FLORIDA, AND CONTAIN 37,125.00 SQUARE FEET OR 0.852 ACRES, MORE OR LESS.

## SURVEYOR'S CERTIFICATION:

## SKETCH OF DESCRIPTION

I HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS OUTLINED IN CHAPTER 5J-17.051 & 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES AS SET FORTH IN CHAPTER 5J-17.062, PURSUANT TO SECTION 472.025, FLORIDA STATUTES.



Digitally signed by Pablo A Alvarez  
DN: c=US, o=Florida, dnQualifier=A01410D000  
00184E2CDD79B000BBB9  
8; cn=Pablo A Alvarez  
Date: 2023.06.16 15:33:17 -04'00'

SIGNED: PABLO ALVAREZ PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION No. 7274 (NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER SHOWN ABOVE) DATE: 6-16-2023

This survey has been issued by the following Landtec Surveying office:

700 West Hillsboro Boulevard, Suite 4-100  
Deerfield Beach, FL 33441  
Office: (561) 367-3587  
Fax: (561) 465-3145  
www.LandtecSurvey.com

## LEGEND:

P.O.B. - POINT OF BEGINNING  
P.O.C. - POINT OF COMMENCEMENT  
P.B. - PLAT BOOK  
P.G. - PAGE

**LANDTEC**  
SURVEYING  
and Lien

LICENSED BUSINESS No. 8507