



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

**FROM:** Greg Chavarria, City Manager

**DATE:** June 20, 2023

**TITLE:** Public Hearing - Ordinance Amending the City of Fort Lauderdale Comprehensive Plan Future Land Use Element to Update the Mixed-Use Land Use Designation and Floor Area Ratio - UDP-L22004 - **(Commission District 1)**

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### **Recommendation**

Staff recommends the City Commission adopt an ordinance to amend the text of the City's adopted Comprehensive Plan Future Land Use Element to update the Mixed-Use Residential future land use designation to clarify its intent, criteria, and intensity. The text amendments were submitted in conjunction with the Aura Cypress Creek future land use plan amendment (Case No. UDP-L22003) also scheduled on this agenda, associated with a new mixed-use development project proposed at 400 Corporate Drive.

### **Background**

As required by Chapter 163, Florida Statutes, the amendments were transmitted to the Florida Department of Economic Opportunity (FDEO) and the agencies that review comprehensive plan amendments after the City Commission approved (5-0) the amendments on first reading on January 24, 2023. Per Chapter 163.3184, Florida Statutes, state agencies shall only comment regarding impacts on important state resources and facilities that will be adversely impacted by the amendment if adopted. The state agencies had no comments related to impacts on state resources and facilities, but provided two technical assistance comments.

FDEO's first technical assistance comment recommends including minimum density and intensity standards in the Mixed-Use designation. Florida statutes do not require a minimum density or intensity standard and there are no minimum intensity or density standards proposed in the amendments to the Mixed use future land use designation. Per the City's Comprehensive Plan, residential development projects are permitted a density of up to 50 dwelling units per acre and a maximum floor area ratio (FAR) of three (3).

The second technical assistance comment proposes changes to the mixed-use designation should include a percentage of each use. Chapter 163.3177, Florida Statutes, states that the Future Land Use Element shall include criteria for the implementation of

mixed-use development, including the percentage distribution among the mix of uses. The language in the Mixed Use future land use designation previously reviewed by the PZB and City Commission regarding a minimum percentage of 10% for any one use was struck in the original amendments. This text has been unstruck and is proposed to remain in the Mixed Use future land use designation to meet the Florida statutory requirements.

Following FDEO review, the amendments were reviewed by the Planning and Zoning Board (PZB) on May 17, 2023. The PZB recommended (8-0) that the City Commission approve the amendments with a modification to the language to state that for parcels five acres or less, any one use must be a minimum of 10% of the net site area, and for parcels greater than five acres, any one use must be a minimum 10% of the net floor area. Net site area means the entire acreage of the site located inside the parcel as defined by the Broward County Land Use Plan. Net floor area means the total floor area of all floors of a building, excluding stairwells, elevator shafts, equipment rooms, corridors/hallways, common areas, covered parking, loading areas, and parking garages.

Currently, the future land use designation has not been applied to any parcels within the City. The application is attached as Exhibit 1. The proposed amendments to the Future Land Use Element are attached as Exhibit 2. The May 17, 2023 Planning and Zoning Board staff report and draft meeting minutes are attached as Exhibit 3 and Exhibit 4, respectively. The FDEO letter is attached as Exhibit 5. The Broward County Planning Council recommended recertification (11-0) of the Future Land Use Element on January 26, 2023. Once adopted by the City Commission, the amended Future Land Use Element will be reviewed by Broward County Commission in July 2023.

The Comprehensive Plan amendments were reviewed by the Development Review Committee (DRC) on August 9, 2022. All comments have been addressed and the DRC Case Comment Report is attached as Exhibit 6.

### **Review Criteria**

Per ULDR Section 47-24.8, Comprehensive Plan Amendment, an application shall be submitted to the Development Services Department for review by the Local Planning Agency (Planning and Zoning Board) and for approval and adoption by the City Commission, in accordance with the requirements of Chapter 163, Florida Statutes. The City's Comprehensive Plan must be recertified by the Broward County Planning Council prior to the approval taking effect.

### **Public Participation**

The request is subject to the public participation requirements established in ULDR Section. 47-27.4. According to the applicant, a public participation meeting was held on October 13, 2022 in order to offer the neighborhood association surrounding the property the opportunity to learn about the proposed amendment. The public participation meeting summary and affidavits are provided as Exhibit 7.

### **Comprehensive Plan Consistency**

The amendments support Future Land Use Objective FLU 2.3 regarding encouraging mixed use developments to enhance the livability of the City in order to discourage urban sprawl. The amendments further support Policy FLU 2.3.1 which states that mixed use residential development shall promote an urban form, which creates well integrated land use combinations, balances intensity and density, and promotes the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement. Policy FLU 2.3.3 supports the amendment which states that mixed use areas should include enhancements of the public realm, through open space, urban public plazas and/or recreational areas through development, redevelopment and public investments. The proposed amendment also aligns with Goal 2 of the Future Land Use Element which states uses must be in compliance with the permitted uses of the City Land Use Plan as shown on the Future Land Use Map.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

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 Prosperous.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Neighborhood Enhancement Area
- The Future Land Use Element
- Goal 2: Sustainable Development: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

### **Related CAM**

CAM 23-0563

### **Attachments**

Exhibit 1 – Application

Exhibit 2 – Proposed Text Amendment

Exhibit 3 – Planning and Zoning Board Staff Report, May 17, 2023

Exhibit 4 – Planning and Zoning Board Draft Minutes, May 17, 2023

Exhibit 5 – Letter from the Department of Economic Opportunity

Exhibit 6 – DRC Comments

06/20/2023

CAM #23-0562

Exhibit 7 – Public Participation Meeting Summary and Affidavit  
Exhibit 8 – Ordinance

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