



REQUEST: Rezoning from Residential High Rise Multifamily/Medium High Density (RMH-25) District to Parks, Recreation and Open Space (P) District

CASE NUMBER	UDP-Z22020
APPLICANT	City of Fort Lauderdale
PROPERTY ADDRESS	4201 N. Ocean Boulevard
EXISTING ZONING DISTRICT	Residential High Rise Multifamily/Medium High Density (RMH-25) District
PROPOSED ZONING DISTRICT	Parks, Recreation and Open Space (P) District
LAND USE	Medium High Residential
COMMISSION DISTRICT	1 – John Herbst
NEIGHBORHOOD ASSOCIATION	N/A
APPLICABLE ULDR SECTIONS	Section 47-24.4 Rezoning Criteria
NOTIFICATION REQUIREMENTS	Section 47-27.5, Sign Notice prior to meeting Section 47-27.5, Mail Notice
SECTION 166.033, FLORIDA STATUTES	The City waives the statutory deadline
ACTION REQUIRED	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny
PROJECT PLANNER	Michael P. Ferrera, Urban Planner II

PROJECT DESCRIPTION:

The City of Fort Lauderdale is requesting to rezone 13,356 square feet (0.30 acres) of land located at 4201 N. Ocean Boulevard from Residential High Rise Multifamily/Medium High Density (RMH-25) District to Parks, Recreation and Open Space (P) District to ensure availability of open space on the currently vacant land. Some minor improvements were completed on the property with the installation of a split rail fence along the north and east and addition of a picnic table. No further amenities or improvements are anticipated at this time. 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.

The property is currently zoned RMH-25 and has an underlying land use designation of Medium High 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 property where the proposed rezoning is proposed is currently vacant land. Moving forward with the rezoning will ensure the land will be available as open space. The character of development of the parcel with its landscaping and vegetation supports the proposed rezoning to parks and recreation uses.

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 is compatible with the surrounding residential uses within the area of the subject property. Since the current use of the site is open space, the proposed rezoning will ensure the zoning district is compatible with the existing use. Furthermore, the proposed rezoning will enhance the existing residential uses by providing additional park and open space for neighbors to enjoy. The character of the surrounding area supports the proposed rezoning.

A general comparison of permitted uses in the current and proposed zoning district is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-5.20, List of Permitted and Conditional Uses; Residential High Rise Multifamily/Medium High Density (RMH-25) District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Space (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
Residential High Rise Multifamily/Medium High Density (RMH-25) District	Parks, Recreation and Open Space (P) District
<u>Permitted Uses:</u> Residential Uses Single Family Dwelling Single Family Dwelling, Attached: Cluster Single Family Dwelling, Zero-lot-line Dwelling Single Family Dwelling, Duplex/Two (2) Family Dwelling Single Family Dwelling, Attached: Townhouses Multifamily Dwelling: Coach Home Multifamily use. Community Residence, 3 residents maximum Community Residence, 4 to 10 residents; 1,000' distance separation	<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
Public Purpose Facilities	
Child Day Care Facilities	
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: <ol style="list-style-type: none"> i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways. 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.
<u>Conditional Uses:</u> Community Residence, 4 to 10 residents; less than 1,000' distance separation Community Residence, more than 10 residents/Community Residence, no license or certification available Bed and Breakfast Dwelling Hotel Mixed-use Development House of Worship School Social Service Residential Facility, Level II, III, IV Small and Intermediate Child Day Care Facility Nursing Homes	<u>Conditional Uses:</u> Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club
Urban Agriculture	Urban Agriculture

Table 2: Comparison of Dimensional Standards

	Existing Zoning District	Proposed Zoning District
	Residential High Rise Multifamily/Medium High Density (RMH-25) District	Parks, Recreation and Open Space (P) District
Density	25 units per acre (maximum) Flex unit policy is applied mixed use development 30 sleeping rooms per acre (bed and breakfast and hotel use)	N/A
Building Height	100 feet (maximum)	60 Feet*
Building Length	200 feet (maximum)	N/A
Floor Area Ratio (FAR)	N/A	N/A
Front Setback	25 feet (maximum)	25 Feet*
Rear Setback	20 feet (maximum) <u>When abutting a waterway</u> 15 Feet	25 Feet*
Side Setback	20 feet (maximum)	25 Feet*
Lot Size	N/A	N/A
Landscape Area	Vehicle Use Area Requirements (Varies on lot size)	N/A

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

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 Medium-High Residential. More specifically, Medium-High Residential land use designation is intended primarily for dwellings and other land uses in support of the residential 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 associations within 300 feet of the property. According to the City's official civic association list and map, there are none within 300 feet of the proposal and therefore, this requirement has been satisfied. However, there is a mail notification requirement to property owners within 300 feet of the property, and such mail notice shall be sent at least 10 days prior to the PZB meeting. The mail notices were sent on December 5, 2022.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Two signs were posted on the property fronting one street frontage. The public sign notice affidavit and photographs of the signs are attached as **Exhibit 3**.

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 to Criteria, and Sketch and Legal Description of the Property
3. Public Sign Notice Affidavit and Photographs of the Signs