

ORDINANCE NO. C-23-

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 "RDs-15 - RESIDENTIAL SINGLE FAMILY /MEDIUM DENSITY" DISTRICT TO "RM-15 - RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY" DISTRICT, ALL OF LOTS 1 THROUGH 24, BLOCK 25, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 26, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 27, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 69, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 70, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 71, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 24 AND LOT 12 LESS ROAD RIGHT OF WAY AND LOT 13 LESS THE SOUTH 15.00 FEET THEREOF, BLOCK 74, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 73, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 23 AND LOT 12 LESS THE SOUTH 15.00 FEET THEREOF AND LOT 13 LESS THE SOUTH 15.00 FEET AND LESS THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 4162, PAGE 533 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND LOT 24 LESS THAT PORTION OF THE NORTHWEST CORNER LYING WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC WHICH IS TANGENT TO THE WEST LINE AND TANGENT TO THE NORTH LINE OF SAID LOT 24, BLOCK 25, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF NORTHWEST 7TH AVENUE, NORTH OF NORTHWEST 13TH STREET, EAST OF NORTHWEST 9TH AVENUE (POWERLINE ROAD) AND SOUTH OF NORTHWEST 16TH 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, City of Fort Lauderdale, applied for the rezoning of certain property as more particularly described in Exhibit “A” attached hereto and incorporated herein; and

WHEREAS, on November 16, 2022, the Planning and Zoning Board (PZ Case No. UDP-Z22017) recommended that the City Commission of the City of Fort Lauderdale (“City Commission”) approve the rezoning of the lands 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 such lands; and

WHEREAS, the City Clerk provided notice to the public of a public hearing on Tuesday, May 16, 2023 at 6:00 P.M. at Mary N Porter Riverview Ballroom at the Broward Center for the Performing Arts located at 201 S.W. 5th Avenue, Fort Lauderdale, Florida, for the purpose of hearing any public comment on the rezoning; and

WHEREAS, the City Clerk provided notice to the public of a public hearing on Tuesday, June 6, 2023 at 6:00 P.M. at Parker Playhouse located at 707 N.E. 8th Street, 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.

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 of Section 47-24.4. of the Unified Land Development Regulations (“ULDR”) as enunciated and memorialized in the minutes of its meetings of May 16, 2023 and June 6, 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 RD-15 and RM-15 is consistent with the Medium Residential land use and applicable goals, objectives, and policies of the City’s Comprehensive Plan.

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 subject area to RD-15 and RM-15 will not adversely impact the character of development in or near the area under consideration. The property is surrounded by single family residential uses and parcels zoned Residential Single Family/Low Medium Density (RS-8) District, as well as Parks, Recreation and Open Space (P) District across Powerline Road to the west. There are single family and multifamily properties zoned RDs-15 to the north and east and properties zoned Residential Single Family/Duplex/Low Medium Density (RD-15) District to the south. The Thurgood Marshall Elementary School zoned Community Facility (CF) District is located to the south of the subject area. The Central City Redevelopment Plan recommended changes in the existing zoning to attract private developers and incentivize redevelopment. The current RDs-15 zoning does not permit duplex, townhouse, or multifamily housing and the change in zoning to RD-15 and RM-15 will expand opportunities for property owners to redevelop residential properties.

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 intent of the RD-15 zoning district is to permit various types of single-family development that is designed in a manner that is compatible and complementary to the surrounding area. The intent of the RM-15 zoning district is to provide a transition from medium-high and high-density multifamily housing to single family neighborhoods, and shall be limited to locations on or within reasonable proximity to arterial or collector streets or generally near community facilities, office or commercial development. With the arterial Powerline Road to the west, collector NW 13th Street to the south, the area to be rezoned will provide a transition from these roadways as well as Thurgood Marshall Elementary School to the residential development to the north, south, and east. The Central City Redevelopment Plan identified that the residential areas within the CRA need more flexible zoning for additional redevelopment options and that some deteriorated, multifamily housing in the community should be targeted for redevelopment.

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 "RDs-15 - Residential Single Family Duplex/Medium Density" District

to "RM-15 - Residential Multifamily Low Rise/Medium Density" District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

ALL OF LOTS 1 THROUGH 24, BLOCK 25, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 26, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 27, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 69, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 70, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 71, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 24 AND LOT 12 LESS ROAD RIGHT OF WAY AND LOT 13 LESS THE SOUTH 15.00 FEET THEREOF, BLOCK 74, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 73, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 23 AND LOT 12 LESS THE SOUTH 15.00 FEET THEREOF AND LOT 13 LESS THE SOUTH 15.00 FEET AND LESS THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 4162, PAGE 533 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND LOT 24 LESS THAT PORTION OF THE NORTHWEST CORNER LYING WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC WHICH IS TANGENT TO THE WEST LINE AND TANGENT TO THE NORTH LINE OF SAID LOT 24, BLOCK 25, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA

Location: West of Northwest 7th Avenue, north of Northwest 13th Street, east of Northwest 9th Avenue (Powerline Road) and south of Northwest 16th 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 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, be and the same 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.

PASSED FIRST READING this ____ day of _____, 2023.

PASSED SECOND READING this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

SKETCH AND DESCRIPTION

REZONING PETITION FROM "RDS-15" TO "RM-15"

M. D. O. K.

THIS IS NOT A SURVEY



DESCRIPTION: REZONING FROM "RDS-15" TO "RM-15"

LOCATION MAP N.T.S.

ALL OF LOTS 1 THROUGH 24, BLOCK 25, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 26, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 27, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 69, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 70, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 71, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 24 AND LOT 12 LESS ROAD RIGHT OF WAY AND LOT 13 LESS THE SOUTH 15.00 FEET THEREOF, BLOCK 74, TOGETHER WITH ALL OF LOTS 1 THROUGH 24, BLOCK 73, TOGETHER WITH ALL OF LOTS 1 THROUGH 11 AND LOTS 14 THROUGH 23 AND LOT 12 LESS THE SOUTH 15.00 FEET THEREOF AND LOT 13 LESS THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 4162, PAGE 533, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND LOT 24 LESS THAT PORTION OF THE NORTHWEST CORNER LYING WITHIN THE EXTERNAL AREA FORMED BY A 25.00 FOOT RADIUS ARC WHICH IS TANGENT TO THE WEST LINE AND TANGENT TO THE NORTH LINE OF SAID LOT 24, BLOCK 25, "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED BELOW.

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 25; THENCE N 90°00'00" E ALONG THE NORTH LINE OF SAID BLOCKS 25, 26 AND 27, A DISTANCE OF 890.00 FEET TO THE NORTHEAST CORNER OF BLOCK 27; THENCE S 00°00'00" E ALONG THE EAST LINE OF BLOCKS 27, 69 AND 74, A DISTANCE OF 1849.99 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°01'20", FOR AN ARC DISTANCE OF 23.57 FEET TO A POINT OF TANGENCY, SAID POINT BEING 15.00 FEET NORTH OF THE SOUTH LINE OF SAID BLOCK 74; THENCE S 90°00'00" W ALONG SAID LINE THAT IS 15.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF BLOCKS 74, 73 AND 72, A DISTANCE OF 850.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°58'40", FOR AN ARC DISTANCE OF 39.26 FEET TO A POINT OF TANGENCY, SAID POINT BEING ON THE WEST LINE OF BLOCK 72; THENCE N 00°00'00" W ALONG THE WEST LINE OF BLOCKS 72, 71 AND 25 TO THE POINT OF BEGINNING.

ALL SAID LANDS BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 1,659,664 SQUARE FEET OR 38.1006 ACRES MORE OR LESS.

NOTES:

- 1) BEARINGS ARE BASED UPON SAID PLAT, BEARING OF S 90°00'00" W, ALONG THE SOUTH LINE OF SAID BLOCKS 74, 73 AND 72
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY
- 4) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 1 OF 2

I HEREBY CERTIFY THAT THE HEREIN SKETCH AND DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, PREPARED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 472.027.

DATED: SEPTEMBER 14, 2022

MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490
STATE OF FLORIDA

Michael W. Donaldson
9/15/22

CITY OF FORT LAUDERDALE

EXHIBIT A

PLAT BOOK 2, PAGE 18 D.C.R.
BLOCKS 25, 26, 27, 69, 70, 71, 72, 73, 74
ZONING

BY: M.D.

ENGINEERING

DATE: 9/14/22

CHK'D M.D.

DIVISION

DATE: 9/14/22

CAM # 23-0374

DATE: N.T.S.

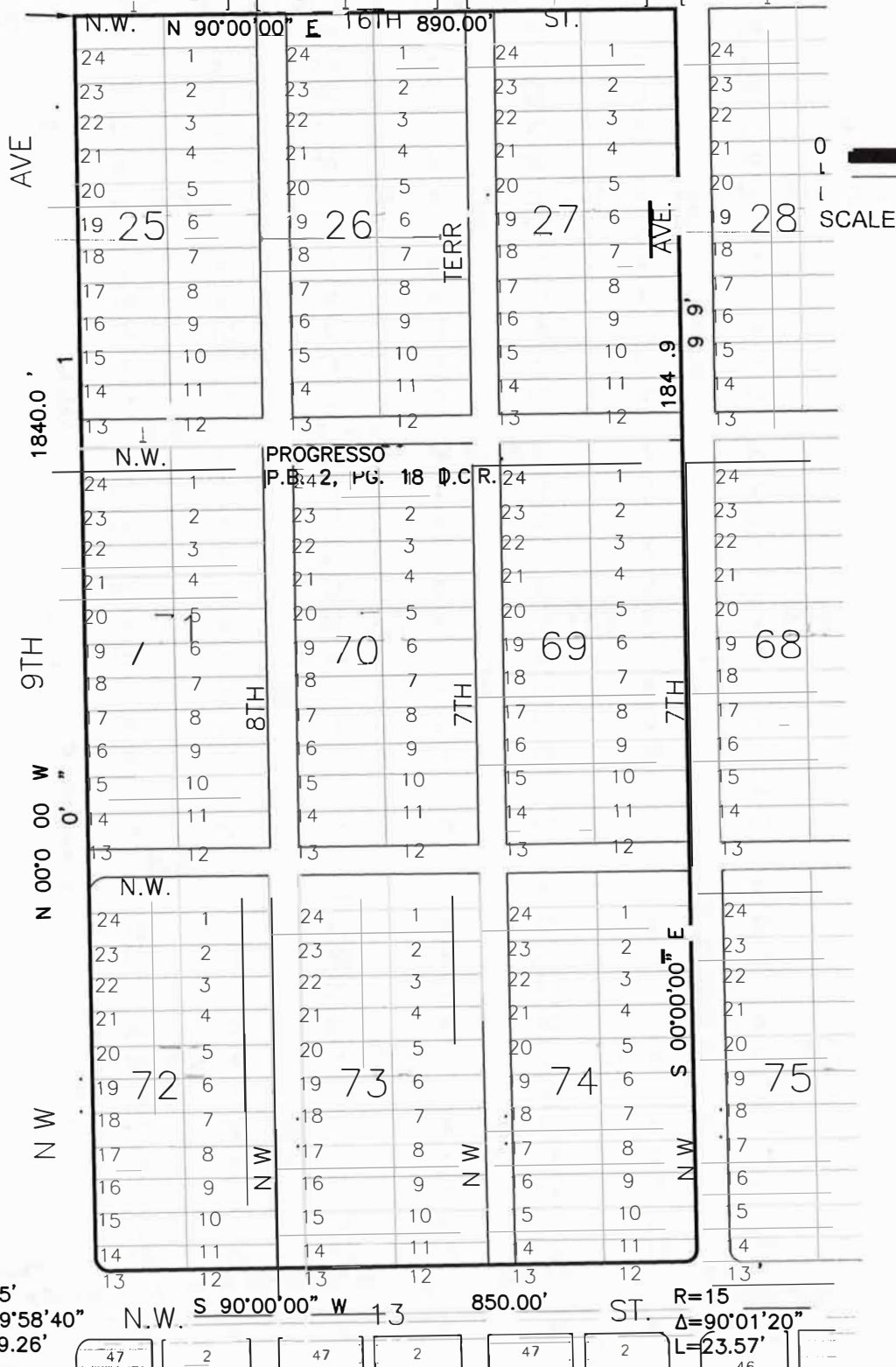
Exhibit "A"

Exhibit 10

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M. E. O. K.

P.O.B.
NW CORNER
BLOCK 25



THIS IS NOT A SURVEY

P.O.B.	DENOTES POINT OF BEGINNING
P.B.	DENOTES PLAT BOOK
PG.	DENOTES PAGE
D.C.R.	DENOTES DADE COUNTY RECORDS
N.T.S.	DENOTES NOT TO SCALE
RDS-15	RESIDENTIAL SINGLE FAMILY/MEDIUM DENSITY
RM-15	RESIDENTIAL MULTIFAMILY LOW RISE/MEDIUM DENSITY
R	DENOTES RADIUS
Δ	DENOTES CENTRAL ANGLE (DELTA)
L	DENOTES ARC LENGTH

~~CITY OF FORT LAUDERDALE~~

PLAT BOOK 2, PAGE 18 D.C.R.
BLOCKS 25,26,27 69,70,71,72,73,74
ZONING

BY: M.D. ENGINEERING DATE: 9/14/22
CHK'D M.D. DIVISION # 23-0374 SCALE: 1"=250'

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