



**REQUEST:** Rezoning from Regional Activity Center – Arts and Sciences (RAC-AS) District to Parks, Recreation and Open Space (P) District

<b>CASE NUMBER</b>	UDP-Z22022	
<b>APPLICANT</b>	City of Fort Lauderdale	
<b>PROPERTY ADDRESS</b>	400 SW 2nd Street	
<b>EXISTING ZONING DISTRICT</b>	Regional Activity Center Arts and Sciences (RAC-AS) District	
<b>PROPOSED ZONING DISTRICT</b>	Parks, Recreation and Open Space (P) District	
<b>LAND USE</b>	Downtown Regional Activity Center	
<b>COMMISSION DISTRICT</b>	2 – Steven Glassman	
<b>NEIGHBORHOOD ASSOCIATION</b>	Sailboat Bend Civic Association	
<b>APPLICABLE ULDR SECTIONS</b>	Section 47-24.4 Rezoning Criteria	
<b>NOTIFICATION REQUIREMENTS</b>	Section 47-27.5, Sign Notice prior to meeting Section 47-27.5, Mail Notice	
<b>SECTION 166.033, FLORIDA STATUTES</b>	The City waives the statutory deadline	
<b>ACTION REQUIRED</b>	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny	
<b>PROJECT PLANNER</b>	Michael P. Ferrera, Urban Planner II	<i>MPF CP</i>

**PROJECT DESCRIPTION:**

The City of Fort Lauderdale is requesting to rezone 57,066 square feet (1.31 acres) of land located at 400 SW 2<sup>nd</sup> Street from Regional Activity Center – Arts and Sciences (RAC-AS) District to Parks, Recreation and Open Space (P) District, which is the existing *Esplande Park*. 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 RAC-AS and has an underlying land use designation of Downtown Regional Activity Center which is intended to encourage development of areas that have regional significance and facilitate a mix of uses, encourage mass transit, reduce the need for automobile travel, and encourage a strong definition of the urban form, promoting a "live, work, play" 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 to take place is an existing park. Moving forward with the proposed rezoning will make the current park use consistent with its zoning designation. The character of development of the parcel supports the proposed rezoning. If approved, the rezoning will be consistent with the character of development in the area under consideration.

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.

Since the current use of the site is a park, the proposed rezoning will ensure the zoning district is compatible with the existing use. Furthermore, the proposed rezoning will enhance the existing surrounding mix of uses by providing park and open space for residents and visitors to enjoy. The character of the surrounding area supports the proposed park use.

A general comparison of permitted uses in the current and proposed zoning districts is provided in Table 1. For the complete detailed list of uses, refer to ULDR Section 47-13.10, List of Permitted and Conditional Uses; Regional Activity Center – Arts and Sciences (RAC-AS) District and ULDR Section 47-8.14, List of Permitted and Conditional Uses; Parks, Recreation and Open Spaces (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
Regional Activity Center – Arts and Sciences (RAC-AS) District	Parks, Recreation and Open Space (P) District
<u>Permitted Uses:</u> <u>Boats, Watercraft and Marinas</u> Watercraft Sales and Rental, new or used, see Section 47-18.36 (restricted to S.W. 7th Avenue and accessory uses in RAC-AS), (only allowed within the NWRAC-MUe and NWRAC-MUe)	<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
<u>Commercial Recreation</u> Indoor Motion Picture Performing Arts Theater, less than 300 seats (unlimited seating permitted in SRAC-SAW zoning district)	
<u>Food and Beverage</u> Bakery Store Bar, Cocktail Lounge, Nightclub Cafeteria Candy, Nuts Store Delicatessen Grocery/Food Store Restaurant	
<u>Lodging</u> Bed and Breakfast Dwelling Hotel	
<u>Public Purpose Facilities</u> Active and Passive Park Civic and Private Club Facility Library Museum and Art gallery Police and Fire Substation Public/Private Recreation	
<u>Residential Uses</u> Coach Homes Multi-family Dwelling Rowhouse	

<u>Retail Sales</u> Antiques Store Apparel/Clothing, Accessories Store Apothecary Art Galleries, Art Studio, Dealer Arts & Crafts Supplies Store Bait and Tackle Store Bicycle Shop Book Store	
<u>Services/Office Facilities</u> Auction House Film Processing Hair Salon Health and Fitness Center Instruction: Fine Arts, Sports Recreation, Dance, Music, Theatre Interior Decorator Mail, Postage, Fax Nail Salon Parking Facility	
<u>Accessory Uses, Buildings and Structures</u> Accessory uses to hotels Catering Services Child Day Care – Corporate/Employee Sponsors when accessory to professional office	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: <ul style="list-style-type: none"> <li>i. Passive outdoor recreational uses such as wildlife sanctuaries and feeding stations, nature centers and trails, outdoor research stations and walkways.</li> <li>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.</li> </ul>
Urban Agriculture	Urban Agriculture

<u>Conditional Use</u> Charter and Sightseeing Boat Hotel Marina Marina Marine Service Station Amphitheater Addiction Treatment Center Food Distribution Center	<u>Conditional Uses:</u> Golf Course Public Marina Public Unity Communication Towers, Structures, and Stations Yacht Club
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*\*Permitted only when contiguous to or separated by no more than a 60-foot public right-of-way from a railroad right-of-way in the RAC-CC, RAC-AS, RAC-UV, RAC-RPO, & RAC-TMU zoning districts.*

**Table 2: Comparison of Dimensional Standards\***

	Existing Zoning District	Proposed Zoning District
	Regional Activity Center – Arts and Sciences (RAC-AS) District	Parks, Recreation and Open Space (P) District
<b>Density</b>	Flex unit policy applies	N/A
<b>Building Height</b>	30 Floors	60 Feet*
<b>Building Length</b>	300 Feet	N/A
<b>Floor Area Ratio (FAR)</b>	N/A	N/A
<b>Front Setback</b>	Varies on street frontage	25 Feet*
<b>Rear Setback</b>	N/A	25 Feet*
<b>Side Setback</b>	N/A	25 Feet*
<b>Lot Size</b>	N/A	N/A
<b>Landscape Area</b>	10% Gross Lot Area	N/A

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

*\*\*Based Upon the Downtown Master Plan*

### **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 Downtown Regional Activity Center. More specifically, the Downtown Regional Activity Center land use designation is intended to encourage development or redevelopment of areas that have regional significance and facilitate a mix of uses, encourage mass transit, reduce the need for automobile travel, and encourage a strong definition of the urban form, promoting a "live, work, play" 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 association within 300 feet of the property. A summary of the meeting with the Sailboat Bend Civic Association on November 18, 2022, is attached as **Exhibit 3**. A mail notification requirement to property owners within 300 feet of the property was completed and mailed on December 5, 2022.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Three signs were posted on the property fronting the three street frontages. The Public Sign Notice Affidavit and photographs of the Signs are attached as **Exhibit 4**.

### **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 Meeting Summary
4. Public Sign Notice Affidavit and Photographs of the Signs