

ORDINANCE NO. C-23-16

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 "ABA – A-1-A BEACHFRONT AREA" DISTRICT TO "P – PARKS, RECREATION AND OPEN SPACE" DISTRICT, A PORTION OF BLOCK "A", "RE-AMENDED PLAT OF BLOCKS "A" AND "2" OF THE AMENDED PLAT OF LAS OLAS BY THE SEA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THE VACATED PALM DRIVE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 12194, PAGE 448, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF ATLANTIC BOULEVARD, NORTH OF NORTHEAST 5TH STREET, EAST OF SEABREEZE BOULEVARD AND SOUTH OF LAS OLAS BOULEVARD, 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, the City of Fort Lauderdale, applied for the rezoning of the property specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, on December 21, 2022, the Planning and Zoning Board (PZ Case No. UDP-Z22023) 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 of 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 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 in Section 47-24.4. of the Unified Land Development Regulations ("ULDR") as enunciated and memorialized in the minutes of its meetings on May 16, 2023 and June 6, 2023, a portion of those findings are expressly listed as follows:

- A. The zoning district proposed is consistent with the City's Comprehensive Plan. The property is currently zoned ABA and has an underlying land use designation of Central Beach Regional Activity Center which is intended to encourage a mix of uses, promote a strong local economy, integrated with residential, hotel, commercial and recreational uses, a strong waterfront, and marina experience, complemented by a world-class pedestrian environment and open space. The proposed Parks, Recreation and Open Space zoning district is consistent with this land use designation.
- B. 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.

- C. 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 residential and hotel uses by providing park and open space for residents and visitors to enjoy. The character of the surrounding area supports the proposed park use.

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 "ABA – A-1-A Beachfront Area" District to "P – Parks, Recreation and Open Space" District, the following lands, situated in the City of Fort Lauderdale, Broward County, Florida, to wit:

A PORTION OF BLOCK "A", "RE-AMENDED PLAT OF BLOCKS "A" AND "2" OF THE AMENDED PLAT OF LAS OLAS BY THE SEA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH A PORTION OF THE VACATED PALM DRIVE RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 12194, PAGE 448, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

Location: West of Atlantic Boulevard, north of Northeast 5th Street, east of Seabreeze Boulevard and south of Las Olas Boulevard

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 the zoning upon a copy of the Official Zoning Map, and shall indicate an amendment of Schedule "A" accordingly, 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.

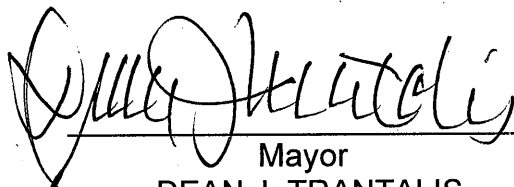
SECTION 6. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 7. The 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.


PASSED FIRST READING this 16th day of May, 2023.

PASSED SECOND READING this 6th day of June, 2023.



Mayor
DEAN J. TRANTALIS

ATTEST:

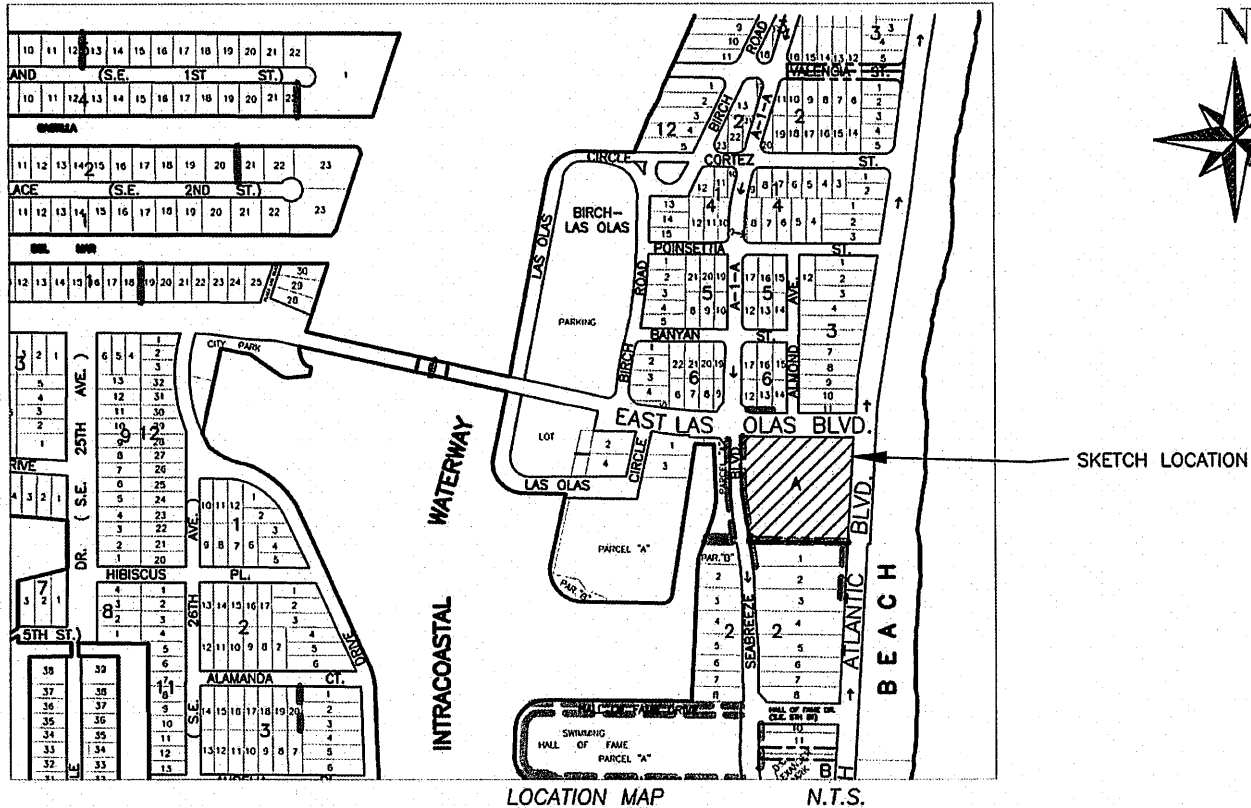


City Clerk
DAVID R. SOLOMAN

SKETCH AND DESCRIPTION

REZONING PETITION FROM (ABA) TO (P)

THIS IS NOT A SURVEY



LOCATION MAP

N.T.S.

DESCRIPTION: LAS OLAS OCEANSIDE PARK

A PORTION OF BLOCK "A", "RE-AMENDED PLAT OF BLOCKS "A" AND "2" OF THE AMENDED PLAT OF LAS OLAS BY THE SEA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH A PORTION OF VACATED PALM DRIVE (PLATTED) RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 12194, PAGE 448, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED BELOW:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF EAST LAS OLAS BOULEVARD AND THE WEST RIGHT OF WAY LINE OF SOUTH ATLANTIC BOULEVARD; THENCE S 01°35'31" W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 349.82 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 10.00 FEET OF THE VACATED PALM DRIVE (PLATTED); THENCE S 88°24'41" W ALONG SAID SOUTH LINE A DISTANCE OF 310.84 TO THE EAST LINE OF A RIGHT OF WAY PARCEL RECORDED AT INSTRUMENT NUMBER 115830268, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID EAST LINE OF THE RIGHT OF WAY PARCEL, THE FOLLOWING SEVEN COURSES AND DISTANCES: N 09°44'52" W, A DISTANCE OF 126.13; FEET THENCE N 05°33'11" W, A DISTANCE OF 61.36 FEET; THENCE N 05°35'14" W, A DISTANCE OF 47.20 FEET; THENCE N 07°36'19" W, A DISTANCE OF 43.93 FEET; THENCE N 06°38'57" W, A DISTANCE OF 37.35 FEET; THENCE N 07°58'46" W, A DISTANCE OF 18.82 FEET; THENCE N 43°50'53" E, A DISTANCE OF 28.46 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST LAS OLAS BOULEVARD; THENCE N 88°58'53" E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 345.41 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 119,503 SQUARE FEET OR 2.7434 ACRES MORE OR LESS.

NOTES:

- 1) BEARINGS ARE BASED UPON A BEARING OF S 01°35'31" W, ALONG THE W. R/W LINE OF S. ATLANTIC BOULEVARD PER INSTRUMENT NO. 112819207.
- 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
- 5) THIS DOCUMENT CONSISTS OF 2 PAGES AND IS NOT VALID OR COMPLETE WITHOUT ALL PAGES.

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: OCTOBER 4, 2022

MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 5490
STATE OF FLORIDA

Michael W. Donaldson
10/19/22

SHEET 1 OF 2

CITY OF FORT LAUDERDALE

EXHIBIT 1

LAS OLAS OCEANSIDE PARK
REZONING FROM (ABA) TO (P)

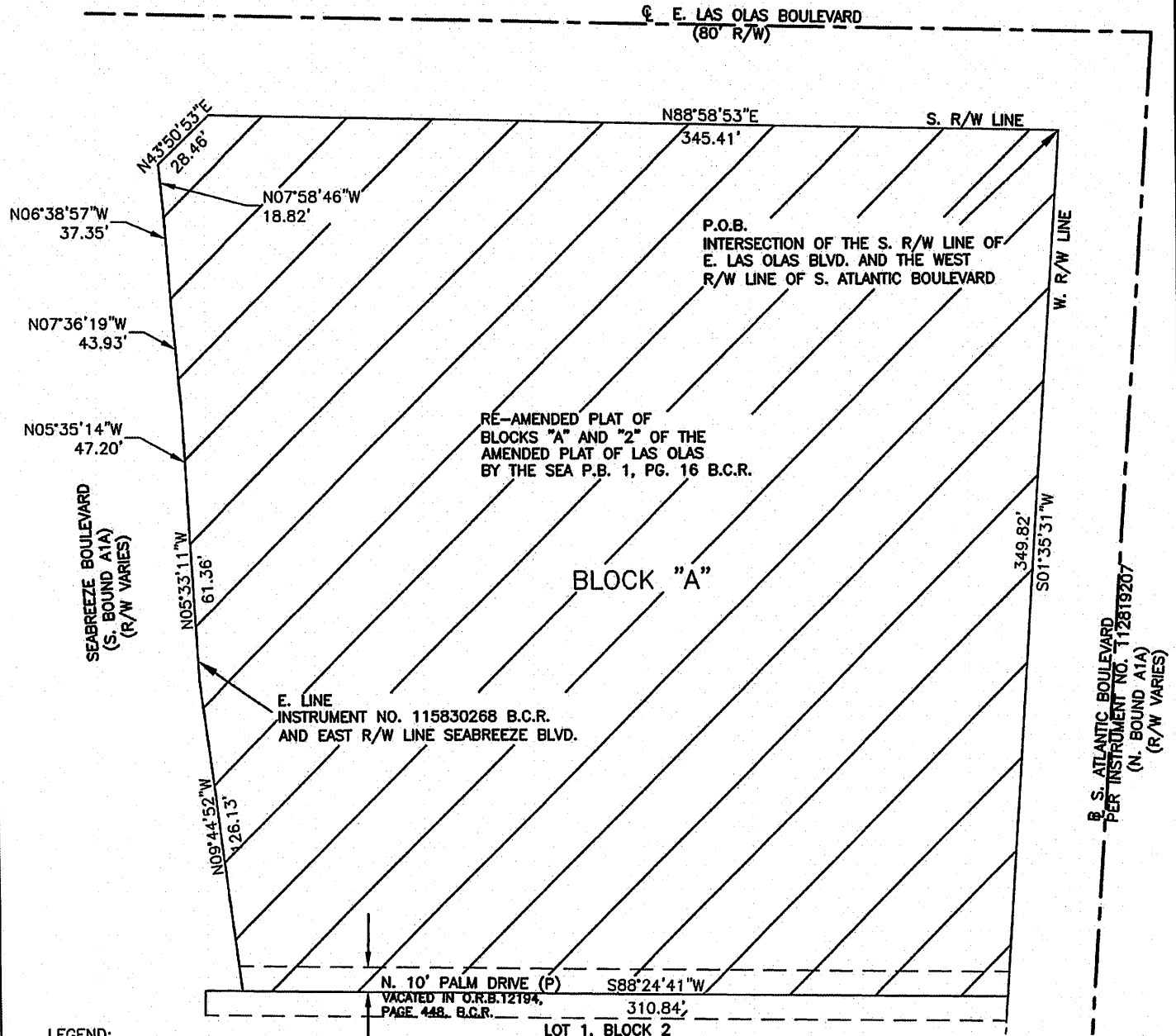
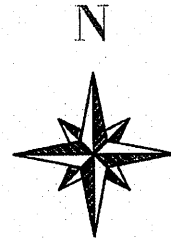
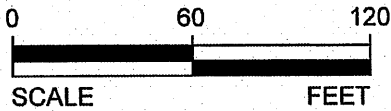
BY: M.D.	ENGINEERING	DATE: 10/4/22
CHK'D M.D.	DIVISION	SCALE: N.T.S.

Exhibit "A"

SKETCH AND DESCRIPTION

REZONING PETITION FROM (ABA) TO (P)

THIS IS NOT A SURVEY



LEGEND:

P.O.B. POINT OF BEGINNING
P.B. PLAT BOOK
PG. PAGE
B.C.R. BROWARD COUNTY RECORDS
R/W RIGHT OF WAY
N.T.S. NOT TO SCALE
ABA A-1-A BEACHFRONT AREA DISTRICT
P PARKS, RECREATION AND OPEN SPACE
O.R.B. OFFICIAL RECORDS BOOK
FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
FPL FLORIDA POWER AND LIGHT
CL CENTERLINE

(P) PLATTED
CL BASELINE

SHEET 2 OF 2

CITY OF FORT LAUDERDALE		
EXHIBIT 1		
LAS OLAS OCEANSIDE PARK		
REZONING FROM (ABA) TO (P)		
BY: M.D.	ENGINEERING	DATE: 10/4/22
CHK'D M.D.	DIVISION	SCALE: 1"=60'