



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**# 18-1065**

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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** November 6, 2018

**TITLE:** Quasi-Judicial Ordinance - Rezoning from Residential Single Family/  
Low Medium Density (RS-8) to Community Business (CB) with 0.25  
Acre of Commercial Flex Allocation and Rescinding Ordinance No.  
C-08-21 - Pier 17 Investments 2014, LLC. - Case No. ZR17007

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**Recommendation**

It is recommended that the City Commission adopt an ordinance rezoning a portion of the site located at 1500 SW 17th Street from Residential Single Family/Low Medium Density (RS-8) District to Community Business (CB) District through the allocation of commercial flexibility and rescinding Ordinance No. C-08-21.

**Background**

Pursuant to criteria outlined in the ULDR Sections 47-24.4.D, Rezoning, and 47-25.2, Adequacy Requirements, the rezoning was reviewed by the Planning and Zoning Board (PZB) on September 17, 2018, and recommended for approval by a vote of 7-1. The location map and corresponding narratives are provided as Exhibit 1 and Exhibit 2, respectively. The PZB staff report and draft meeting minutes are attached as Exhibit 3 and Exhibit 4, respectively.

The applicant is proposing to rezone the Residential Single Family/Low Medium Density (RS-8) portion of the property to Community Business (CB) utilizing commercial flex. The residential portion of the property has an underlying land use of Low-Medium Residential Density. Pursuant to City's Unified Land Development Regulations (ULDR) Section 47-28.1.G.1, Allocation of commercial uses on residential land use designated parcels; the commercial use is permitted if the allocation of commercial flex does not exceed five percent of the total land use area within the flexibility zone that is designated for Residential. Currently, there are 519.6 acres available for commercial flex use. The area to be rezoned is 0.25 acres and if approved, 519.35 acres of commercial flex will remain for commercial flex allocation. The proposed rezoning complies with the requirements for commercial flex allocation.

Below is a list of use categories permitted within each zoning district. A full list of permitted uses for each zoning district have been provided within Exhibit 5.

Table 1 – Use Categories Permitted

<b>Existing Zoning District</b>	<b>Proposed Zoning District</b>
<b>RS-8 ( Residential Single Family/Low Medium Density )</b>	<b>CB ( Community Business )</b>
Residential Uses	Automotive
Public Purpose Facilities	Boats, Watercraft and Marinas
Child Day Care Facilities	Commercial Recreation
Accessory Uses, Buildings and Structures	Food and Beverage Service
Urban Agriculture	Lodging
	Mixed Use Developments
	Public Purpose Facilities
	Retail Sales
	Services/ Office Facilities
	Accessory Uses, Buildings and Structures
	Urban Agriculture

An associated Site Plan to develop a 34-slip Marina for 55 boats containing two buildings on site; a one-story Crew's Club consisting of 1,553 square feet and one-story Storage Building consisting of 2,400 square feet, which is an accessory use to the marina, has been submitted by the applicant and also received approval by the Planning and Zoning Board by a vote of 7-1 on September 17, 2018, subject to 30-day City Commission request for review period.

#### **Review Criteria**

As per Section 47-24.4.D of the City's Unified Land Development Regulations (ULDR), 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 proposed rezoning to CB is consistent with the City's Comprehensive Plan through the allocation of commercial flex. The commercial use is permitted if the allocation of commercial flex does not exceed five percent of the total land use area within the flexibility zone that is designated for Residential. Currently, there are 519.6 acres available for commercial flex use. The area to be rezoned is 0.25 acres and if approved, 519.35 acres of commercial flex will remain for commercial flex allocation. The proposed rezoning complies with the requirements for commercial flex allocation.

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 to CB, in association with the Industrial zoned portion of the property, will allow the entire site to be used and function as a marina. The proposed development is in character with the neighboring properties to the south

which also incorporate marinas and boat related uses along the waterway adjacent to residential neighborhoods.

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 surrounding properties have a Land Use designation of Industrial, Commercial, Park-Open Space, and Low-Medium Residential, with associated zoning classifications of Industrial (I), Heavy Commercial/Light Industrial (B-3), Park and Open Space (P) and Residential Single Family/Low Medium (RS-8), respectively. The proposed rezoning does not introduce a new use into this neighborhood, as there are existing marina uses to the south surrounded by residential. The proposed design of the marina is also compatible with the residential neighborhood to the north, by preserving and enhancing views to the water, thus improving the quality of the neighborhood.

### **Comprehensive Plan Consistency**

The proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.24, Marine Resources, Policy 1.24.2: which encourages design criteria and development standards for marinas and boat yards, as a method to protect and enhance water quality as well as the aesthetic and recreational value of the City's waterways.

The City's Future Land Use Map indicates that the project site has a land use designation of Industrial and Low-Medium Residential. The City's Comprehensive Plan permits commercial uses in residential land use designations through the allocation of commercial flex. Allocation of commercial flex is permitted but shall not exceed five percent of the total land use area within the flexibility zone that is designated for Residential. Currently, there are 519.6 acres available for commercial flex use. The area to be rezoned is 0.25 acres and if approved, 519.3 acres of commercial flex will remain for commercial flex allocation. Table 2 provides a summary of commercial flex allocation to date.

Table 2 – Citywide Flex Zone

	Residential to Commercial Flex Acreage
Total Permitted	519.6
Assigned to Date	0
Pending	.25
Remaining	519.35

### **Public Participation**

The project is subject to the public participation requirements established in ULDR, Section 47-27.4. According to the applicant, several public participation meetings were held with Shady Banks Neighborhood Association and River Oaks Civic Association in

order to offer the neighborhood associations surrounding the property the opportunity to learn about the proposed project and receive feedback. Exhibit 6 contains the public participation summary and sign notification information.

The City Commission shall hold a public hearing to consider the application, the record and recommendations forwarded by the Department of Sustainable Development (DSD) and the PZB, as well as public comment received at the September 17, 2018 PZB meeting. Complete records are available upon request.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging.
- Objective 1: Facilitate a responsive and proactive business climate.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Prosperous*.

### **Attachments**

Exhibit 1 - Location Map, Zoning District Map, and Sketch and Legal Description

Exhibit 2 - Application, Applicant's Narratives and Concept Plans

Exhibit 3 - PZB Staff Report

Exhibit 4 - Draft PZB Meeting Minutes from September 17, 2018

Exhibit 5 - List of Permitted Uses for Each Zoning District

Exhibit 6 - Public Participation Summary and Sign Notification Information

Exhibit 7 - Ordinance

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