



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

**#19-0150**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** February 5, 2019

**TITLE:** Quasi-Judicial Ordinance - Rezoning from One-Family Detached Dwelling District (RS-3.52) to Parks, Recreation and Open Space (P) – City of Fort Lauderdale – 2681 Riverland Road - Case No. Z18008

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**Recommendation**

It is recommended that the City Commission adopt an ordinance rezoning the site located at 2681 Riverland Road from One-Family Detached Dwelling District (RS-3.52) to Parks, Recreation and Open Space (P) Zoning District.

**Background**

The applicant, City of Fort Lauderdale, is requesting to rezone 221,911 square feet (5.09 acres) of land located at 2681 Riverland Road. The request is to rezone from One-Family Detach Dwelling District (RS-3.52) to Parks, Recreation and Open Space (P). The property was acquired by the City in 2017 for the purpose of creating a park on the property. A location map depicting the current zoning district, and the sketch and legal description of the property is attached as Exhibit 1.

On May 20, 2015, the Planning and Zoning Board (PZB) denied Robert Black, the property owner of 2681 Riverland Road, and property owner's agent, Palm Cove Estate, an application to re-plat the property for 14 single family homes. After the hearing, Robert Black approached the City regarding the prospect of selling his property to the City for public purpose use.

On July 18, 2016, Commissioner Romney Rogers held a neighborhood stakeholder meeting at City Hall to discuss the prospect of the City buying the property with Cemetery Funds and converting the 2681 Riverland Road property into a cemetery. Those in attendance were opposed to the idea of the property being used as a cemetery. Subsequent to that meeting, staff began evaluating the potential to buy the property with general funds and convert it to a public park.

Staff conducted further research regarding the annexation of the area into the City and if there was a need to amend the annexation agreement. On March 21, 2017, City Commission approved Resolution 17-53 amending the annexation agreement between

Broward County and the City for the Riverland area annexation to allow the City to utilize funds for the creation and acquisition of a public park, which was reserved for certain public improvements associated with the annexation of County land.

Pursuant to criteria outlined in the Unified Land Development Regulations (ULDR), Sections 47-24.4.D, Rezoning, and Section 47-25.2, Adequacy Requirements, the rezoning request was presented to the PZB on November 13, 2018, and recommended for approval by a vote of 8-0. The rezoning application and applicant's narratives are provided as Exhibit 2. The PZB staff report and meeting minutes are attached as Exhibit 3 and Exhibit 4, respectively. A conceptual site plan for the park property is attached as Exhibit 5.

### **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 City's Comprehensive Plan is designed to address the needs and aspirations of the community while addressing the City's requirements for growth. Rezoning of this parcel will enable the City to meet the following goals and objectives of the City's comprehensive Plan.

- Goal 1: Provide levels of service for Parks and Recreation Facilities sufficient to meet the existing and future needs of the City of Fort Lauderdale's population.
- Objective 1.1: The City will provide parkland and open space to meet a Level of Service Standard of 3 acres per one thousand residents.
- Policy 1.1.2 states that all city owned/designated park sites are to be zoned P for Parks, Recreation and Open Space and have a land use designation of Park-Open Space, where appropriate.

2. Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.

Parks and open space serve public recreation needs, not only by providing space for outdoor recreational activities, but also by providing visual relief with open space that is landscaped. The character of development of the parcel with its landscaping and vegetation supports the proposed rezoning by expanding available open space. If approved, the use of this land inclusive of the proposed park amenities, will be consistent with the City's pattern of development for 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 rezoning of the property to Park is compatible with the surrounding Residential uses within the area of the subject property, which consist of One-Family Detached Dwelling District (RS-3.52) Zoning District to the east, south and west, and Residential Single Family/Low Medium Density (RS-8) Zoning District to the north. To mitigate any adverse impacts from the rezoning to Park, a landscaped buffer will be installed along the boundary of the site. The character of the surrounding area, together with the enhancements as proposed, all support that the proposed rezoning is compatible with surrounding districts and uses.

Table 1 provides a comparison of permitted uses in the existing and proposed zoning districts and Table 2 provides a comparison table of primary dimensional requirements under each district.

**Table 1 – Comparison of Uses**

Existing Zoning District	Proposed Zoning District
One-Family Detached Dwelling District (RS-3.52)	Parks, Recreation and Open Space (P)
Permitted Uses: Single Family Dwelling	Permitted Uses: Active and passive parks Beach Civic, Cultural, and Education Facilities Conservation Areas Fisher Pier Indoor and Outdoor Public Recreational Facility
	Accessory Uses, Buildings and Structures
	Urban Agriculture
	Conditional Uses: Golf Course Public Marina Public Utility Communication Towers, Structures, and Stations Yacht Club

**Table 2 – Comparison of Dimensional Requirements**

	Existing Zoning District	Proposed Zoning District
	One-Family Detached Dwelling (RS-3.52)	Parks, Recreation and Open Space (P)
<b>Density</b>	3.52 dwelling units per acre	n/a
<b>Building Height</b>	2 stories	60 feet
<b>Building Length</b>	n/a	n/a
<b>Front Setback</b>	25 feet	25 feet
<b>Rear Setback</b>	15 feet	25 feet
<b>Side Setback</b>	7.5 feet	25 feet
<b>Lot Size</b>	10,000 square feet (min)	n/a
<b>Landscape Area</b>	35% of the gross lot square footage	n/a

### **Comprehensive Plan Consistency**

The proposed rezoning is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.19, in existing neighborhoods, development shall be compatible with present neighborhood density and with specific neighborhoods plans, and Park and Recreation Element, Goal 3, Objective 3.2, Policy 3.2.1, centrally locate new park and recreation facilities in the neighborhood area to be served whenever possible.

The City's Future Land Use Map indicates this property has a future land use designation of Irregular Residential at no more than 3.52 units per acre. This property was annexed into the City from Broward County and has retained the underlying land use designation through the annexation process. The City is currently in the process of updating the Comprehensive Plan and staff has identified the Riverland Parcel as a property to amend the underlying land use designation from Irregular 3.52 to Park and Open Space land use. This designation change will occur as part of the adoption of the Comprehensive Plan.

### **Public Participation**

The proposed rezoning request is subject to the public participation requirements established in Section 47-27.4 of the ULDR. A public participation meeting was held on October 4, 2018, to offer the neighborhood and surrounding properties the opportunity to learn about the proposed rezoning. The public participation affidavit is attached as Exhibit 6.

In addition, this request was subject to sign notification requirements established in Section 47-27.4 of the ULDR. The applicant posted one sign on the property and has submitted a sign affidavit, which is attached as Exhibit 7.

### **City Charter**

The City's Charter, Section 8.21 provides for certain restrictions on City land zoned Parks, Recreation and Open Space (P) Zoning District. Specifically, notwithstanding anything to the contrary in this Charter, the city shall not sell, transfer, or lease for more than one (1) year, any land zoned park in accordance with the City's Unified Land Development Regulations without a unanimous vote of the entire city commission. Additionally, any land zoned park on November 10, 2004, shall require a unanimous vote of the entire city commission to remove such designation.

### **Resource Impact**

There is no fiscal impact associated with this item.

### **Strategic Connections**

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

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.

- Objective 1: Improve access to and enjoyment of our beach, Riverwalk, waterways, parks, and open spaces for everyone.
- Initiative 1: Create playful areas for all ages, considering families, active and passive sports, and pets.

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

**Attachments**

Exhibit 1 – Location Map, Sketch and Legal Description

Exhibit 2 – Rezoning Application and Applicant's Narratives

Exhibit 3 – November 13, 2018, PZB Staff Report

Exhibit 4 – November 13, 2018, PZB Meeting Minutes

Exhibit 5 – Conceptual Site Plan

Exhibit 6 – Public Participation Affidavit

Exhibit 7 – Public Sign Notice and Sign Affidavit

Exhibit 8 – Ordinance

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