



**REQUEST:** Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-13.20 to establish and define the boundaries of Downtown Character Areas; Amending Section 47-13.10, List of Permitted and Conditional Uses; Amending Section 47-13.20, incorporating by reference Chapter 4 of the Consolidated Downtown Master Plan; Amending Open Space Regulations; Establishing Transition Zones; Amending Downtown Landscape and Tree requirements; Amending Section 47-13.21, Table of Dimensional Requirements for the Regional Activity Center (RAC) District to provide for dimensional requirements for the RAC Character Areas; Amending Section 47-24, Table 1, Development Permits and Procedures; Amending Section 47-25.3, Neighborhood Compatibility Requirements; and removing conflicting requirements.

<b>Case Number</b>	T19013
<b>Applicant</b>	City of Fort Lauderdale
<b>ULDR Sections</b>	47-13.10, List of Permitted and Conditional Uses 47-13.20, Downtown RAC Review and Special Regulations 47-13.21, Table of Dimensional Requirements 47-24, Development Permits and Procedures 47-25.3, Neighborhood Compatibility Requirements
<b>Notification Requirements</b>	10-day legal ad
<b>Action Required</b>	Recommend approval, approval with conditions, or denial to City Commission
<b>Authorized By</b>	Jim Hetzel, Principal Planner

**BACKGROUND:**

The Fort Lauderdale City Commission approved Resolution 03-170 adopting the Downtown Master Plan (DMP) for the Downtown Regional Activity Center (DRAC) on November 18, 2003. The City Commission approved Resolution 07-120 approving amendments to the DMP on June 19, 2007. Since its adoption, the DMP has served as an effective guide for downtown development, resulting in higher quality projects than was previously achieved through existing zoning requirements.

At a special City Commission workshop on December 18, 2018, the City Commission requested that staff initiate an effort to address codification of the DMP. Following the meeting, staff prepared amendments to the City's ULDR to address key DMP design standards that will be incorporated into the City's code to promote positive redevelopment throughout the DRAC. Minutes from the December 18, 2018 City Commission Workshop are provided as **Exhibit 1**.

The proposed amendments were presented to the Planning and Zoning Board (PZB) on October 16, 2019 and the Board recommended denial 7-1. During the meeting, PZB members expressed general concerns regarding impact to property owners based on proposed changes, need to evaluate character area boundaries, and need for further discussion with the community. Minutes from the October 16, 2019 PZB Meeting are provided as **Exhibit 2**.

Since that time staff performed additional public outreach and received a variety of comments including requests to re-evaluate the character area boundaries. Based on the stakeholder feedback, staff revised the character area boundaries, tweaked the transition area boundaries and made some corrections.

If approved, the revised Downtown Character Areas and Transition Areas will be incorporated into the City's code through associated amendments to the City's Official Zoning Map. Accompanying amendments to adopt DMP Character Areas are scheduled on this agenda as

Case #PLN-ULDR-20080002 and amendments to adopt the DMP Transition Zones are scheduled on this agenda as Case #PLN-ULDR-20080001.

### **ULDR AMENDMENTS:**

Under the current requirements the DMP is only applicable to residential projects or projects with a residential component. The City has been successful in applying the DMP design guidelines to all types of development in the downtown area by working with individual applicants, however this amendment will apply to all development to create consistency between the requirements and result in a higher quality and more predictable development pattern.

The DMP includes design guidelines that are both qualitative, which promote creative design solutions based on the context of each development site and quantitative, which include more definitive dimensional standards. The proposed ULDR amendments focus on the quantitative elements that guide the form of buildings and design of streets. Below is a detailed summary of each proposed ULDR amendment section, including intent and a description of section content. The proposed ULDR Amendments are provided as **Exhibit 3**.

### ***Section 47-13.10, List of Permitted and Conditional Uses***

Intent: Address existing automotive use and motion theater restrictions.

Description: Automotive sale, rental, of new or used vehicles in the Regional Activity Center – City Center (RAC-CC), Regional Activity Center – Urban Village (RAC-UV) and Regional Activity Center – Transitional Mixed Use (RAC-TMU) districts is currently only permitted when abutting Federal Highway. The criteria will now also include abutting the Florida East Coast Rail Road.

Currently indoor motion picture theaters must have fewer than five screens in the Regional Activity Center – Urban Village (RAC-UV), South Regional Activity Center – South Andrews East (SRAC-SAE), Northwest Regional Activity Center Mixed Use North-East (NWRAC-MU<sub>NE</sub>), Northwest Regional Activity Center Mixed Use East (NWARC-MU<sub>E</sub>) and Northwest Regional Activity Center Mixed Use West (NWRAC-MU<sub>W</sub>) zoning districts. The restriction to limit theaters to five screens has been removed.

### ***Section 47-13.20, Downtown RAC Review and Special Regulations***

Intent: Establish building and site design regulations and provide predictability in site development and public realm enhancements.

Description: This section identifies specific dimensional standards for buildings, contains regulations specific to open space provisions, streetscape design elements including street trees, introduces building height transition zones, and application of the standards to residential and nonresidential development. In addition, it removes vague criteria and conflicting language that is difficult to apply, making the code more prescriptive and less difficult to administer.

Downtown Master Plan Design Guidelines: The guidelines contained in Chapter 4 of the Consolidated DMP as accepted by the City Commission on November 18, 2003 and updated revisions approved by the City Commission on June 19, 2007 are incorporated and referred to as DMP Design Guidelines. The DMP Design Guidelines are form-based, graphic guidelines intended to guide development within the Downtown Regional Activity Center zoning districts and to illustrate the methods by which the intent of the plan can be met.

Downtown Character Areas:

This section was added to define geographical boundaries of the Downtown Character Areas as the "Official Downtown Character Area Map of the City of Fort Lauderdale" to address unique urban form characteristics in each area and apply DMP design standards.

The character areas are defined by geographic boundaries and are based on the existing street grid, development patterns, walking distances, and other factors that reinforce existing and emerging development patterns to ensure a variety of urban experiences throughout the Downtown, each area exhibiting unique urban form characteristics. The code will address dimensional requirements to guide building size and building form reflective of the three character areas. The Downtown character areas include:

- The *Downtown Core* character area, which is the "central business district", is characterized by vertical slender towers with minimum step-backs, and includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
  - a) *Regional Activity Center – City Center (RAC-CC)*
  - b) *Regional Activity Center – Arts and Sciences (RAC-AS)*
  - c) *Regional Activity Center – West Mixed Use (RAC-WMU)*
- The *Near Downtown* character area is an intermediate scale area characterized by buildings that frame the street with a defined building shoulder height and towers stepped back above, and includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
  - a) *Regional Activity Center – City Center (RAC-CC)*
  - b) *Regional Activity Center – Urban Village (RAC-UV)*
  - c) *Regional Activity Center – West Mixed Use (RAC-WMU)*
  - d) *Regional Activity Center – East Mixed Use (RAC-EMU)*
  - e) *Regional Activity Center – South Mixed Use (RAC-SMU)*
  - f) *Regional Activity Center – Arts and Sciences (RAC-AS)*
- The *Urban Neighborhood* character area is characterized by a compact urban form of lower scale buildings with a strong neighborhood feel and is defined by lower podium heights and occasional towers stepped back above. It includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
  - a) *Regional Activity Center – Urban Village (RAC-UV)*
  - b) *Regional Activity Center – Residential and Professional Office (RAC-RPO)*
  - c) *Regional Activity Center – Arts and Sciences (RAC-AS)*
  - d) *Regional Activity Center – East Mixed Use (RAC-EMU)*
  - e) *Regional Activity Center – West Mixed Use (RAC-WMU)*
  - f) *Regional Activity Center – South Mixed Use (RAC-SMU)*

The Downtown Character Area Map with proposed revisions based on stakeholder input is provided as part of Case #PLN-ULDR-20080002. The updated DMP Pages which reference the revised character areas are provided as **Exhibit4**.

*Density, Development Permit, Effective Date of Approval and Existing Site Plans:*

This section was cleaned up to remove confusing references of different criteria applying to different residential unit pools. Density within the Downtown Regional Activity Center zoning districts is limited in accordance with the number of units as

provided in the City of Fort Lauderdale Comprehensive Plan, as amended from time to time, and as per Section 47-28, Flexibility Rules, and any other applicable provisions in the ULDR.

For ease of reference and application, this section will also incorporate existing language from Section 47-25.3, Neighborhood Compatibility regarding density in the Regional Activity Center – Transitional Mixed Use (RAC-TMU) Districts (RAC-EMU, RAC-SMU and RAC-WMU). The language references additional criteria applying to development greater in density than twenty-five (25) dwelling units per net acre, based on location of the proposed development and sensitivity to adjacent development. Approval for allocation of any additional dwelling units may be granted subject to the considerations prescribed and a minimum setback of twenty feet from all property lines for every building used for development with a residential component.

This section also incorporates existing language for development within the RAC-RPO district that is greater in density than thirty-five (35) dwelling units per net acre and up to fifty (50) dwelling units per net acre and stipulates that such development shall be reviewed subject to the requirements of Section 47-24.3., Conditional Use.

This section also addresses and cleans up language regarding the effective date of a development permit, which shall not take effect until a 30-day City Commission Request for Review (CCRR) has expired, or sets effective date as the day of City Commission action should an application be reviewed by the City Commission, and addresses existing and approved development applications.

*Streetscape Design:* Building setbacks are regulated with minimum and maximum distances fronting streets pursuant to the DMP streetscape design guidelines to ensure building frontages are not consumed with asphalt parking lots and formless streetscapes. The proposed streetscape designs are based on the context and type of street. They encourage building presence along streets, accommodation for appropriate street trees, wide sidewalks, and continuous form so that when all buildings along a street follow the same standards, the streets become more harmonious and form well-defined continuous corridors that encourage walkability, activity and a neighborhood feel. Alternative streetscape designs may be considered if conflicts with existing utilities prevent placement of street trees which may result in the building being placed more than seven feet away from the build to line as prescribed by the street cross sections of the design guidelines.

*Open Space:* As proposed, open space is required for development that contains residential uses and is calculated based on total number of units in the development project. There is a three-tiered category structure for determining the amount of open space and in no case can the minimum total square footage provided be less than the maximum square footage of the tiered category that proceeds it.

In the Downtown Core and for nonresidential uses, where there is currently no requirement, a new ten percent of gross lot area requirement is proposed. Up to fifty percent credit towards the required landscaping as defined in Section 47-13.20.E for landscaping improvements proposed in the right-of-way may be applied if approved by the agency with jurisdictional control of the subject right-of-way. For development sites of 1.5 acres or less, up to seventy-five percent credit may be applied towards the required landscaping as defined in Section 47-13.20.E for landscaping improvements proposed in the right-of-way, if approved by the agency with jurisdictional control of the subject right-of-way.

**RAC Streetscape Design and Landscape:** Streetscape improvements are required to be made as a part of a development in accordance with the DMP design standards applicable to the abutting right-of-way. Some modifications may be permitted based on the preservation of natural barriers, avoidance of interference with utility lines or other obstructions based on an alternative design found to achieve the underlying intent of the streetscape design. Streetscape improvements will address street trees and sidewalk improvements with specific dimensions and standards.

**Definitions:** This section adds definitions that clarify new design standards, i.e. floorplate, pedestal, shoulder, stepback, streetwall, etc.

**Transition Zones:** Proposed changes in this section incorporate revised residential and commercial transition zones to ensure a suitable transition from those more intensive zoning districts within the Downtown Regional Activity Center to those less intensive zoning districts outside of the Downtown Regional Activity Center.

The Downtown Transition Zones Map with proposed revisions based on stakeholder input is provided as part of Case #PLN-ULDR-20080001. The updated DMP Pages which reference the revised transition areas are provided as **Exhibit5**.

#### **Section 47-13.21, Table of Dimensional Requirements**

**Intent:** Codify DMP building form guidelines.

**Description:** Existing DMP dimensional guidelines will be codified standards which include: maximum building height, maximum building streetwall length, maximum gross square footage of building tower floor plate size, maximum building podium height, minimum building tower step-back, and minimum separation between building towers. The dimensional standards will be applied based on three distinct character areas as identified herein. Each character area has a particular quality and character based on block structure and development pattern distinguished by varying building types, while sharing common themes relating to streetscape design. Table 1 summarizes the new dimensional requirements.

**Table 1: Summary of Downtown Master Plan Dimensional Requirements**

<b>Requirement</b>	<b>Downtown Core</b>	<b>Near Downtown</b>	<b>Urban Neighborhood</b>
<b>Maximum Building Height*</b>	None (as determined by FAA restrictions)	30 Floors**	6 Floors 12 Floors **
<b>Maximum Building Streetwall Length</b>	300 Feet	300 Feet	300 Feet
<b>Maximum Gross Square Footage of Building Tower Floor Plate Size</b>	Residential: 18,000 up to 15 Floors / 12,500 up to 37 Floors Non-residential: 32,000	Residential: 18,000 up to 15 Floors, 12,500 up to 30 Floors Non-residential: None up to 9 Floors, 32,000 up to 30 Floors	Residential: 10,000 Non-residential: 16,000
<b>Maximum Building Podium Height</b>	9 Floors	7 Floors	6 Floors
<b>Minimum Building Tower Step Back</b>	None	15 Feet	12 Feet
<b>Minimum Separation between Building Towers</b>	60 Feet 30 Feet minimum on subject property if adjacent to abutting lot under separate ownership	60 Feet 30 Feet minimum on subject property if adjacent to abutting lot under separate ownership	60 Feet (above 6 Floors) 30 Feet minimum on subject property if adjacent to abutting lot under separate ownership

\* Apply Transition Criteria.

\*\* Heights above 6 Floors and up to 12 Floors in the RAC-UV and RAC-RPO zoning districts shall be reviewed subject to Conditional Use Permit, except parcels abutting Andrews Avenue and Federal Highway.

## **Section 47-24, Development Permits and Procedures**

Intent: Establish process for approval for development applications seeking alternate design solutions.

Description: This is an amendment to the List of Development Permits, which identifies the development permit type and approval process including the approving body for development projects in the Downtown. Development applications that deviate from the DMP Standards, as identified in Section 47-13.20.B will be subject to review and approval by the City Commission.

## **Section 47-25.3, Neighborhood Compatibility Requirements**

Intent: Remove conflicting requirements. Move RAC-TMU density criteria to Downtown RAC code section for ease of reference.

Description: This section is listed in a different section of the code which makes it cumbersome to administer. In addition, it contains vague, general language that is difficult to apply. The proposed Transition zones will address these requirements. The remaining section addressing RAC TMU density will be moved under Section 47-13.20. D, Downtown RAC Density for ease of reference and application.

### **DOWNTOWN MASTER PLAN DOCUMENT:**

The DMP is designed to support the ULDR text amendments by providing illustrations for the design requirements described in the ULDR. In addition, the document functions as a “blueprint” or “roadmap” to achieving the overall master plan vision. The DMP Chapter 4 Design Guidelines are organized in the following manner:

1. Principles of Street Design
2. Street Design Examples
3. Principles of Building Design
4. Quality of Architecture
5. Principles of Storefront Design
6. Character Area Guidelines
7. Neighborhood Transition Areas
8. Thematic Planning Districts
9. Principles of Riverfront Design
10. Implementation

The DMP Chapter 4 Design Guidelines are provided for reference as **Exhibit 6**.

### **COMPREHENSIVE PLAN CONSISTENCY:**

The City's Future Land Use Map indicates that the underlying land use is the Downtown Regional Activity Center (Downtown RAC). The Regional Activity Center land use designation is intended to encourage development or redevelopment of areas that are of regional significance and to facilitate mixed-use development, encourage mass transit, reduce the need for automobile travel, provide incentives for quality development, and give definition to the urban form. The City's Comprehensive Plan requires the City track development in the Downtown RAC and monitor the uses allocated to projects. This tracking requirement is also applicable to the use of flex units per the Comprehensive Plan. Monitoring is reported to Broward County.

The proposed amendments are consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.14: Use of design guidelines for Downtown RAC, which states to continue to utilize design guidelines and land development standards unique and specific to Downtown RAC area to promote quality development of a desirable nature in the City's Downtown; and Objective 1.15: Transition zones for Downtown RAC, which states to continue to utilize transitional zones between the Downtown

RAC and adjacent established neighborhoods to protect against incompatible uses. The proposed amendments include design principles that promote a livable, high-quality "live, work, play" environment.

#### **PUBLIC OUTREACH:**

To date, staff has presented the proposed changes to various stakeholders, including the Council of Fort Lauderdale Civic Associations, the Downtown Development Authority, Downtown Civic Association, Rio Vista Civic Association Board, Victoria Park Civic Association Board, Tarpon River Civic Association Board, Sailboat Bend Civic Association Board, Flagler Village Civic Association, Downtown Council, and the Broward Workshop Urban Core Committee.

An initial open house was held on June 5, 2019 to present the proposed codifications and obtain public input, where one hundred and twenty-three attendees participated. Comments received at the open house varied from requesting additional focus be placed on building height, separation requirements and transition zones, open space provisions as well as general agreement with proposed changes and a need to allow a process to request deviation or flexibility from an adopted standard in certain circumstances.

Some of the feedback that requires specific policy direction is also highlighted below. Staff received multiple requests to revise the Downtown Character Area Boundaries. The requests generally indicated the need to update area boundaries at multiple locations to reflect changes in development patterns and address compatibility with existing development outside of the boundary area, since the adoption of the original boundaries in 2003. The following comments were expressed about the character and transition areas:

- Comments expressed by representatives from Victoria Park included a request to change the "Near Downtown" character area adjacent to Victoria Park, along NE 7<sup>th</sup> Avenue, to the "Urban Neighborhood" character area;
- Among Tarpon River Neighborhood Association's comments was the request to change the character area from "Near Downtown" to "Urban Neighborhood" east of SW 4th Avenue to SW 3rd Avenue and from SW 5th Street to SW 7th Street along portions of the transition zone;
- Interests by various entities have also been expressed to change the "Near Downtown" character area to "Downtown Core" within the City's core and along the Broward Boulevard corridor;
- In meetings with the property owner of the area included in the proposed transition zone located south of E. Las Olas Boulevard and north of SE 4th Street, it was pointed out that this site currently contains surface parking lots which abut and are under unified ownership for the blocks inside and outside the proposed transition zone. It was therefore recommended that this area be removed from the transition zone since it would result in a transition that is against the applicant's own property and since potential future development here may not have same impacts on neighboring residential properties as it already abuts a main commercial corridor which permits a certain character and intensity;
- Some industry professionals also expressed that existing code language includes some confusing and potentially conflicting terminology when referencing requirements for open space, pervious area, and landscaping. In analyzing the information staff concurs that a subsequent effort to explore the percent of open space required, and define criteria that have more meaningful results is appropriate, with supplemental graphics that reinforce the intent of open space requirements to the public, reviewing bodies and elected officials;

- The Rio Vista Civic Association indicated general support for the Downtown Master Plan codifications and requested an analysis and implementation of a minimum residential unit size requirement for Downtown, where one currently does not exist.
- The Downtown Civic Association indicated general support for the Downtown Master Plan codifications, but voiced that residents had additional comments that were not incorporated, including exemption for parking in the RAC-CC zoning district, where the association believes a minimum of one parking space per unit should be incorporated in this zoning district. The Association also requested implementation of a minimum residential unit size requirement of 400 square feet for Downtown, consistent with the existing minimum standard for an efficiency unit.

If supported and based on the Board's recommendation and City Commission directive, staff could potentially move forward with a code amendment to adopt a minimum unit size of 400 square feet.

A complete summary of public comments submitted to date is included as **Exhibit 7**.

Table 2 provides a summary of the public participation that has occurred to date. In addition, pursuant to the ULDR, Section 47-24.8, a newspaper advertisement was published ten days prior to the Planning and Zoning Board meeting, providing general public notice of the proposed amendments, and signs have been voluntarily posted around the boundary of the DRAC.

**Table 2: Summary of Public Participation and Meetings**

<b>Date</b>	<b>Stakeholder Meeting</b>	<b>Location</b>
January 10, 2019	Downtown Development Authority	Broward Center
March 12, 2019	CFLCA General Meeting	City Hall
March 13, 2019	Economic Development Advisory Board	City Hall
March 21, 2019	Rio Vista Civic Association Board Meeting	Rio Vista Church
April 4, 2019	Tarpon River Civic Association Board Meeting	Southside Center
April 25, 2019	Downtown Civic Association	Florida Atlantic University
May 8, 2019	Downtown Council	Southside School
May 17, 2019	Broward Workshop - Urban Core Committee	Broward Center
June 3, 2019	District 1 Pre-Agenda Meeting	Beach Community Center
June 5, 2019	Community Open House	City Hall 8th Floor Cafeteria
June 13, 2019	Downtown Development Authority	Broward Center
August 6, 2019	Chamber; Government Affairs Committee	512 NE 3rd Avenue
August 6, 2019	Tarpon River Civic Association	700 NW 19 Ave
September 18, 2019	Planning and Zoning Board Intro Presentation	City Hall
October 16, 2019	Planning and Zoning Board Meeting	City Hall
November 14, 2019	Downtown Development Authority	Broward Center
February 26, 2020	Fort Lauderdale Forum	Broward College
July 14, 2020	Downtown Development Authority Director	<i>virtual meeting</i>
July 14, 2020	Downtown Civic Association Board Meeting	<i>virtual meeting</i>
July 16, 2020	Rio Vista Association Board Meeting	<i>virtual meeting</i>
July 23, 2020	Sailboat Bend Association Board Meeting	<i>virtual meeting</i>
August 5, 2020	Flagler Village Association Meeting	<i>virtual meeting</i>
August 20, 2020	Victoria Park Association Board Meeting	<i>virtual meeting</i>



**PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board, in its capacity as the Local Planning Agency, shall determine whether the proposed amendments are consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval, approval with conditions, or denial of the proposed amendment to the City Commission.

**EXHIBITS:**

1. December 18, 2018 City Commission Workshop Minutes
2. October 16, 2019 Planning and Zoning Board Minutes
3. Proposed ULDR Amendments
4. Updated Downtown Master Plan Character Area Pages
5. Updated Downtown Master Plan Transition Zone Pages
6. Downtown Master Plan Chapter 4 Design Guidelines
7. Public Comments Summary