



REQUEST: Rezoning from Intense Manufacturing/ Industrial (M-3 Broward County Zoning District) & Heavy Commercial/Light Industrial Business District (B-3) to City General Industrial (I) District.

Case Number	PLN-REZ-20050001
Property Owner/Applicant	Robert L. Elmore, Pamela Kay Hayes Trustee
Agent	Deena Grey, Esq., Greenspoon Marder, LLP
General Location	2980 West State Road 84
Property Size	369,419 square feet / 8.48 acres
Current Zoning	Intense Manufacturing/ Industrial (M-3 Broward County Zoning District) and Heavy Commercial/Light Industrial Business (B-3)
Proposed Zoning	City General Industrial (I) District
Existing Use	Vacant
Proposed Use	Industrial uses
Future Land Use Designation	Industrial
Applicable Unified Land Development Regulations (ULDR) Sections	Section 47-24.4 Rezoning Criteria
Notification Requirements	Section 47-27.5, Sign Notice prior to meeting Section 47-27.5, Mail Notice (300-foot radius) 10 days prior to meeting
Action Required	Recommend Approval, Recommend Rezoning to a More Restrictive Zoning District, or Deny
Project Planner	Karlanne Grant, Urban Planner III  

PROJECT DESCRIPTION:

The applicant is requesting to rezone 369,419 square feet (8.48 acres) of land located at 2980 West State Road 84 from Intense Manufacturing/ Industrial (M-3 Broward County Zoning District) and Heavy Commercial/Light Industrial Business (B-3) District to General Industrial (I) District.

The northern portion of the site is zoned B-3 and the central portion of the property is zoned M-3 (Broward County Zoning District). The southern portion of the site is located within the City of Dania Beach jurisdiction. The site is surrounded by General Business (B-2) District to the north and City of Dania Beach Industrial (I-G) to the east, west and south. The applicant is seeking to rezone the portion on the property within Fort Lauderdale's jurisdiction to Industrial to conform with the Unified Land Development Regulations (ULDR) and to unify the zoning on the site.

The property's future land use designation is Industrial. The location map, zoning district map, and sketch and legal description of the property proposed to be rezoned are included as **Exhibit 1**. The application and applicant's narrative responses to applicable criteria are included as **Exhibit 2**.

REVIEW CRITERIA:

Pursuant to the City's 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 has an underlying land use designation of Industrial which is intended to encourage activities that are predominately connected with manufacturing, assembly, processing, or storage of products. The proposed Industrial zoning district aligns with the 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 applicant proposes to rezone the property in order to develop an industrial use on the property. As stated by the applicant, the rezoning contemplated will permit the cohesive development of the overall site that also contains the Dania Beach properties in a manner that will allow for the creation of an operation that will enhance the City and bring activity and employment to the City.

According to the applicant, it has been the intent of the City to expand the depth of industrial uses which promote opportunities for the retention and expansion of economic activities associated with manufacturing, processing, assembly plants and their support enterprises for warehouse, storage, distribution, as well as research and development. As stated by the applicant, the proposed rezoning is intended to not only be consistent with but to forward the intent of the City's redevelopment plans and contribute to the overall improvement and revitalization of this targeted area. The revitalization envisioned will increase the City's tax base and provide for an urban form consistent with the character of development in the surrounding area that will help to stimulate additional development in the area that will improve the economic conditions in the surrounding community and the City as a whole. In addition, the proposed rezoning will bring the property into conformity with the City's industrial zoning district as well as the character of development in the area.

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 proposed Industrial zoning is compatible with surrounding zoning districts and uses. The property is currently zoned M-3 which is the County's intense industrial zoning district. The property also abuts the I-G general industrial zoning district situated within the City of Dania Beach. The rezoning is suitable for the area and consistent with the intent and purposes of the City's Industrial zoning district.

A general comparison of permitted uses in the current and proposed zoning district are provided in Table 1. A comparison of current and proposed dimensional standards for each district are provided in Table 2.

For the complete list of uses, refer to Broward County Code of Ordinances Section 39-308, Permitted Uses at time of annexation from Broward County for M-3 Intense Manufacturing/Industrial, ULDR Section 47-6.13, List of Permitted and Conditional Uses; Heavy Commercial/Light Industrial Business District (B-3) and ULDR Section 47-7.10, List of Permitted and Conditional Uses; General Industrial (I).

Table 1: General Comparison of Zoning District Uses

Existing Zoning District	Existing Zoning District	Proposed Zoning District
M-3 Intense Manufacturing/Industrial (Broward County Zoning District)	Heavy Commercial/Light Industrial Business District (B-3)	Industrial District (I)
<u>Permitted Uses:</u> <ul style="list-style-type: none"> Automotive Boats, Watercraft and Marinas 	<u>Permitted Uses:</u> <ul style="list-style-type: none"> Automotive Boats, Watercraft and Marinas Commercial Recreation 	<u>Permitted Uses:</u> <ul style="list-style-type: none"> Automotive Manufacturing/Processing of Products Public Purpose Facilities Storage Facilities

<ul style="list-style-type: none"> Food Processing, Packaging, and Distribution Service, Retail and Wholesale Light Manufacturing Wholesale Sales and Distribution Storage Yards 	<ul style="list-style-type: none"> Food and Beverage Service, Retail and Wholesale Light Manufacturing Lodging Public Purpose Facilities Retail and Wholesale Sales Service/Office Facilities Urban Agriculture 	<ul style="list-style-type: none"> Wholesale Sales/Rental Services Urban Agriculture
	<u>Accessory Uses, Buildings and Structures</u>	<u>Accessory Uses, Buildings and Structures</u>
	<u>Conditional Uses:</u> <ul style="list-style-type: none"> Car Wash, Outdoor Hand-Wash Communication Towers, Structures, Station Charter and Sightseeing Boat Hotel Marina Marinas Marine Service Station Shipyard Watercraft Sales, Rental, new or used Indoor Firearms Range Social Service Facility Communication Towers, Structures, and Stations Addiction Treatment Center Pain Management Clinic. Adult Gaming Center, Child Day Care Facilities, Large Medical Cannabis Dispensing Facilities 	<u>Conditional Uses:</u> <ul style="list-style-type: none"> Marina Marine Service Station Shipyard Tugboat Service Acid Manufacturing Asphalt Manufacturing Cement and Lime Manufacturing Fertilizing Plants or Fertilizer Mixing Manufacturing of Explosives Manufacturing of Plastics, Rubber Leather Products Meat Packing, Plants, Stock or Slaughter Yards Private Recycling

Table 2: Comparison of Dimensional Standards*

	Existing Zoning District	Existing Zoning District	Proposed Zoning District
	M-3 Intense Manufacturing/Industrial (Broward County Zoning District)	Heavy Commercial/Light Industrial Business District (B-3)	Industrial (I)
Density	n/a	50 units per acre (maximum) Flex unit policy is applied	n/a
Building Height	200 feet (maximum)	150 feet (maximum)	150 (maximum)
Building Length	n/a	n/a	n/a
Floor Area Ratio (FAR)	n/a	n/a	n/a

Front Setback	5 feet	5 feet	5 feet 30 feet when contiguous to residential
Rear Setback		0 feet 25 feet when contiguous to residential	5 feet 30 feet when contiguous to residential
Side Setback		0 feet 20 feet when contiguous to residential property	5 feet 30 feet when contiguous to residential
Lot Size	10,000 square feet	n/a	n/a
Landscape Area		20% of vehicle use area	20% of vehicle use area

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezoning aligns with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.31, Industrial Land Use Category.

The Industrial land use designation encourages activities within land areas predominately connected with manufacturing, assembly, process, and storage of products. Given that the existing zoning designation is industrial but has a County designation of M-3 which is the County's zoning district for intense manufacturing and industrial uses, the rezoning serves to bring the property into compliance with the City's industrial zoning district. Furthermore, the proposed Industrial zoning is intended to provide for the location of industrial uses with accessibility to major trafficways.

PUBLIC PARTICIPATION

The proposed rezoning request is subject to the public participation requirements established in the ULDR, Section 47-27.4. Said section states that public outreach should include any city-recognized civic association within 300 feet of the property. According to the city's official civic association list and map, there are none within 300 feet and therefore, this requirement has been satisfied. However, there is also a mail notification requirement to property owners within 300 feet of the property, which was completed and mailed out on October 8, 2020.

In addition, this request is subject to public sign notification requirements established in ULDR, Section 47-27.4. Two signs were posted on the property fronting Andrews Avenue. The public sign notice affidavit and photographs of the signs are attached as **Exhibit 3**.

PLANNING & ZONING BOARD REVIEW OPTIONS:

If the Planning and Zoning Board determines that the application meets the 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 the criteria for the rezoning and if consented to by the 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 Section 47-26.B, Appeals.

EXHIBITS:

1. Location Map, Zoning District Map, and Sketch and Legal Description
2. Application and Applicant's Narrative Responses to Criteria
3. Public Sign Notice Affidavit Pictures and Photographs