



REQUEST: Site Plan Level IV Review: Rezoning from Community Facility-House of Worship (CF-H) District to Community Business (CB) District with 0.274 Acres of Commercial Flex Allocation for a Surface Level Parking Lot

| | |
|-----------------------------|---|
| Case Number | PLN-SITE-20090013 |
| Applicant | First Presbyterian Church of Fort Lauderdale, Inc. |
| Authorized Agent | Stephen Tilbrook, Esq, Akeman LLP |
| Project Name | First Presbyterian Church Rezoning |
| General Location | 401 SE 15th Avenue/ Tarpon Drive |
| Property Size | ±0.419 acres (±0.274 acre portion of property to be rezoned) |
| Current Zoning | Community Facility – House of Worship (CF-H) District |
| Proposed Zoning | Community Business (CB) District |
| Existing Use | Surface Level Parking Lot |
| Proposed Use | Surface Level Parking Lot |
| Future Land Use Designation | Low-Medium Residential |
| Applicable ULDR Sections | 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements 47-28, Flexibility Rules 47-24.4, Rezoning Criteria |
| Notification Requirements | Sec. 47-24.1 Public Participation Sec. 47-27.6 Sign Notice 15 days prior to meeting Sec. 47-27.6 Mail Notice (300 foot radius) 10 days before meeting |
| Action Required | Recommend Approval, Approval with Conditions, or Deny |
| Project Planner | Adam Schnell, Planner II |

PROJECT DESCRIPTION:

The applicant is requesting the rezoning of 0.274 acres of land generally located at 401 SE 15th Avenue, from Community Facility – House of Worship (CF-H) District to Community Business (CB) District with the allocation of 0.274 acres of Commercial Flex acreage to permit public parking on an existing surface level parking lot. The Future Land Use designation is Low-Medium Residential.

The subject property is currently a surface level parking lot, serving the First Presbyterian Church. With the site's proximity to Las Olas Boulevard, the applicant is seeking to provide metered parking to help increase parking opportunities in the area.

Under a previous application approved February 05, 2020, Case Number R19042, the applicant reconfigured and improved the existing parking lot, which incorporated the site directly to the north, integrating streetscape improvements along Tarpon Drive and East Las Olas Boulevard. Based on the underlying Future Land Use of Low-Medium Residential, the proposed rezoning application requires allocation of Commercial Flexibility acreage in order to permit metered parking to serve a business purpose. Site improvements under Case Number R19042 have already been completed, with no proposed modifications as part of the applicant's current request.

A location map and sketch and legal description of the property proposed to be rezoned are attached as Exhibit 1. The applicant's application and site plan are attached as Exhibit 2. Applicant's narrative response to Adequacy and Neighborhood Compatibility Requirements, and Rezoning Criteria are attached as Exhibit 3.

PRIOR REVIEWS:

The Development Review Committee reviewed the proposal on October 27, 2020. All comments have been addressed and are available on file with the Department of Sustainable Development.

REVIEW CRITERIA:

The following criteria apply to the proposed request:

ULDR Section 47-25.2, Adequacy Requirements

ULDR Section 47-25.3, Neighborhood Compatibility Requirements

ULDR Section 47-28, Flexibility Rules

ULDR Section 47-24.4, Rezoning Criteria

ADEQUACY

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. The applicant has met all adequacy criteria. The site was previously improved and there are no proposed site modifications under the current application, and no increased demand on public services and facilities.

NEIGHBORHOOD COMPATIBILITY REQUIREMENTS

The neighborhood compatibility criteria of ULDR Sec 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhood, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, and alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

The subject site is located along Tarpon Drive in close proximity to East Las Olas Boulevard. The surrounding area contains a mixture of bars, restaurants, retail establishments, church facilities and associated parking lots. North of the subject property is a surface level parking lot, abutting East Las Olas Blvd, within the Business Boulevard (B-1) Zoning District which services the First Presbyterian Church and offers public parking during nonservice hours. To the east and southeast is the First Presbyterian Church family campus, with a CF-H and Community Facility- House of Worship and School (CF-HS) Zoning District designation. To the west and southwest is the All Saints Protestant Episcopal Church, located in the CF-H and Residential Single Family Low-Medium Density(RS-8) Zoning District.

Rezoning the site to a CB Zoning District aligns with surrounding uses outlined above and serves to support local businesses without affecting the preservation of neighborhood character. The site has been used as a parking lot for many years and the applicant is seeking to increase the underutilized lot by permitting public parking. The applicant has made site improvements as part of a previous application, Case Number R19042, which included streetscape enhancements, sidewalk improvements, improved stormwater mitigation and the inclusion of trees and other plant materials. Based on the historical use of the property, its proximity to Las Olas Boulevard and existing pattern of development, the rezoning of the property and proposed public parking will have a nominal impact on surrounding properties.

REZONING CRITERIA:

Per the City's Unified Land Development Regulations (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 proposed CB zoning designation is consistent with the pattern of development along and near the commercial corridor of Las Olas and is supported by Objective 1.36: Use of Flexibility and Irregular Density and Objective 1.32: Guiding Growth to Discourage Sprawl and Encourage Transit.

Reference below section, titled Comprehensive Plan Consistency, 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 site has been used as a parking lot for many years and will continue to operate as a parking lot. The uses permitted within the CB zoning district are in alignment with the adjacent B-1 zoning district and would not have an adverse impact on the surrounding neighborhood.

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 CB zoning district is compatible with surrounding uses and zoning districts. The B-1 zoned area to the north consists of parking, retail and restaurants, with Las Olas Blvd approximately 150 feet from the subject site. There are no residential zoned properties that would be adversely affected by the continued use of the site as a parking lot, or any of the uses permitted within the CB zoning district. The sites to the east, west and south consists of CF-HS and CF-H zoning districts and includes church facilities that are primarily owned by the applicant.

Please refer to Table 1 below for a general comparison of permitted uses in the CF-H zoning district and CB zoning district. For a detailed list of permitted uses within the CB zoning district, refer to ULDR Section 47-6.10. - List of permitted and Conditional Uses, Community Business (CB) District.

Table 1: General Comparison of Permitted Uses

| <i>Existing Zoning District</i> | <i>Proposed Zoning District</i> |
|---------------------------------|---------------------------------------|
| CF-H | CB |
| House of Worship | Automotive |
| Public Purpose Facilities | Boats, Watercraft and Marinas |
| Secondary Uses | Commercial Recreation |
| Accessory Uses | Food and Beverage Sales and Service |
| Urban Agriculture | Lodging |
| Conditional Uses | Public Purpose Facilities |
| Addiction Treatment Center | Retail Sales |
| Senior Citizen Center | Services/Office Facilities |
| | Accessory Uses, Buildings, Structures |
| | Urban Agriculture |
| | Conditional Uses |
| | Marina |
| | Mixed Use Development |
| | Social Service Residential Facility |
| | Hospital |
| | Adult Gaming Center |
| | Nursing Home |

Please refer to Table 2 below for a comparison of dimensional requirements.

Table 2: Comparison of Dimensional Requirements

| Requirements | Existing Zoning District | Proposed Zoning District |
|-------------------------------|--------------------------|--------------------------|
| | CF-H | CB |
| Maximum building height (ft.) | 35 Feet | 150 Feet |
| Minimum front yard (ft.): | 25 Feet | 5 Feet |
| Minimum side yard (ft.): | 20 Feet | 0 Feet |
| When Abutting Residential | 20 Feet | 10 Feet |
| Minimum rear yard (ft.): | 20 Feet | 0 Feet |
| When Abutting Residential | 20 Feet | 15 Feet |
| Corner yard(ft.) | 25 Feet | 5 Feet |

COMPREHENSIVE PLAN CONSISTENCY:

The proposed rezoning aligns with the City's Goals, Objectives and Policies, specifically Future Land Use Element, Goal 1, Objective 1.36: Use of Flexibility and Irregular Density Provisions, which supports the use of flexibility rules to "facilitate the arrangement of... commercial acreage to allow the City to respond to changing conditions" and Objective 1.32 Guiding Growth To Discourage Sprawl And Encourage Transit. The existing parking lot is underutilized during non-church serve hours and rezoning the property to permit public parking would help maximize the utility of the otherwise empty parking lot and in return support the local economy. Las Olas has been an economic driver for the City and has grown to serve both visitors and surrounding neighborhoods for dining, shopping and entertainment. As the City continues to grow, additional parking will be required and the use of the property for public parking will eliminate the construction of another parking facility, reducing urban sprawl from the periphery of the commercial corridor into the residential neighborhoods.

The City's Future Land Use map indicates that the subject property has a Low-Medium Future Land Use Designation. In order to permit commercial uses in a residential land use designation, the allocation of flex acreage is required per the City's Comprehensive Plan, Goal 1, Objective 1.36, Use of Flexibility and Irregular Density Provision. The City is required to monitor and track the allocation of flex. The table below provides a summary of allocating 0.274 acres of land and the remaining balance of flex acreage if the project is approved.

Table 3- Flex Acreage

| | Flex Acreage |
|------------------|--------------|
| Total Permitted | 519.60 |
| Assigned to Date | 1.24 |
| Pending | 2.34 |
| Remaining | 516.02 |

PUBLIC PARTICIPATION

The rezoning request is subject to the public participation requirements established under ULDR Section 47-24.1. F.14. According to the applicant, a public participation meeting was held on October 27, 2020, to offer the neighborhood of Colee Hammock Homeowners Association and

surrounding properties the opportunity to learn about the proposed rezone and site plan application.

In addition, this request was subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant posted two (2) signs along the right-ways of the property and has met the requirements of this Section. The required public participation affidavit, mail notification affidavit and sign affidavit are attached as Exhibit 4.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board shall consider the application and make a determination based on the following criteria:

- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements
- ULDR Section 47-28, Flexibility Rules
- ULDR Section 47-24.4, Rezoning

If the Planning and Zoning Board determines that the proposed development and the rezoning application meet the standards, requirements, and criteria of the ULDR and City Commission issuance of the Site Plan Level IV permit, the Planning and Zoning Board shall recommend approval or approval with conditions or recommend a rezoning to a more restrictive zoning district than that requested in the application, to ensure compliance with the ULDR and criteria for the proposed development or use.

If the Planning and Zoning Board determines that the proposed development or the rezoning request does not meet the standards, requirements, and criteria of the ULDR for Site Plan Level IV as stated herein, or the applicant does not consent to a more restrictive zoning district, the Planning and Zoning Board shall recommend denial of the Site Plan Level IV permit to the City Commission and an appeal to the City Commission may be filed by the applicant in accordance with Section 47-26.B, Appeals.

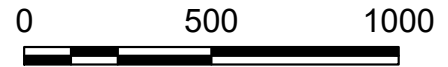
EXHIBITS:

1. Location Map and Sketch and Legal Description
2. Application and Site Plan
3. Narrative Response to Adequacy Requirements, Neighborhood Compatibility Requirements, and Rezoning Criteria.
4. Public Participation Affidavit, Mail Notification Affidavit, and Sign Affidavit



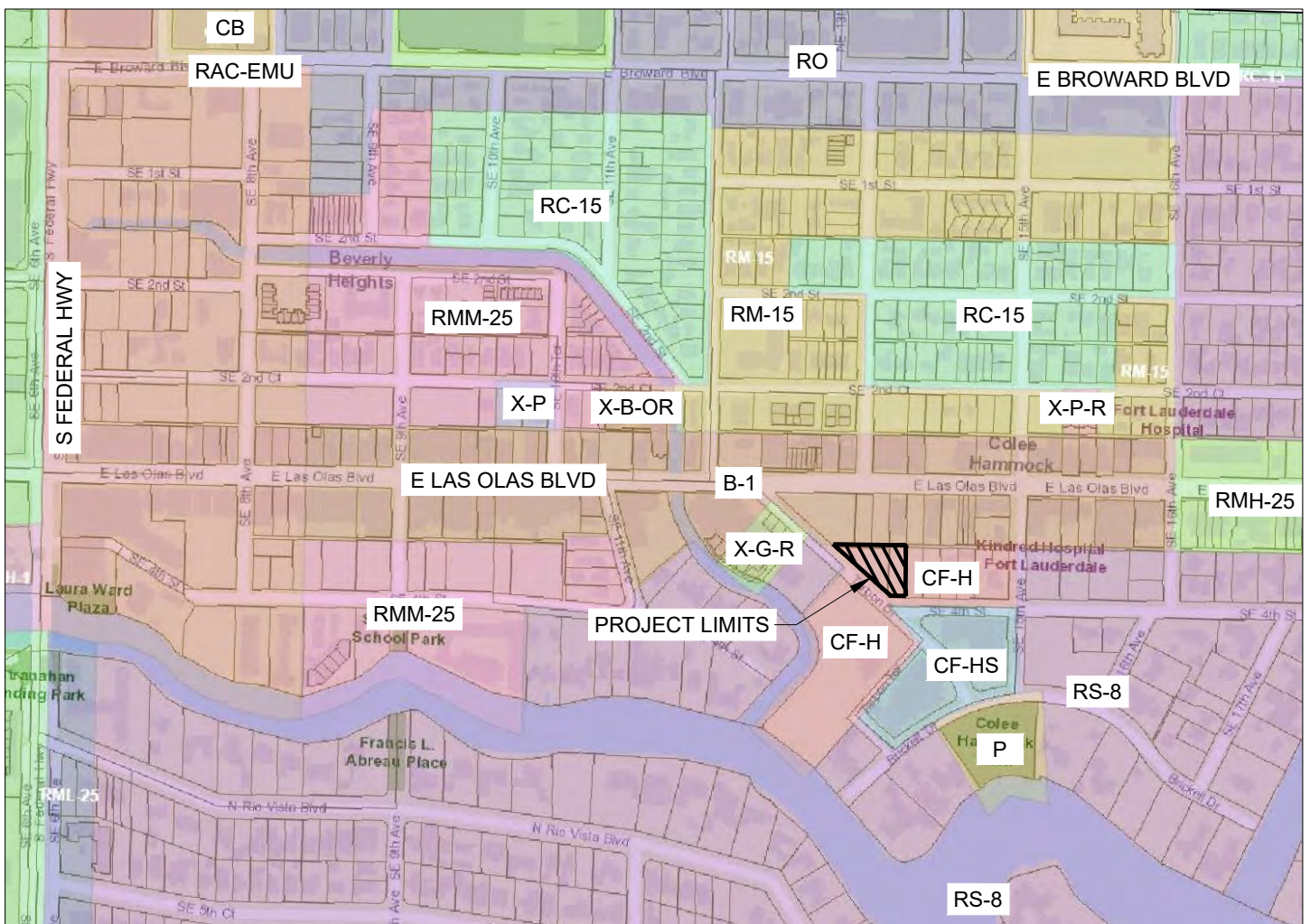
FIRST PRESBYTERIAN CHURCH MAP EXHIBIT: ZONING

GRAPHIC SCALE



SCALE: 1"=500'

NOTE: PRINTED DRAWING SIZE MAY HAVE
CHANGED FROM ORIGINAL. VERIFY SCALE
USING BAR SCALE ABOVE.



M.D.O.K.

SKETCH & DESCRIPTION
LOT 13 & A PORTION
 OF LOT 14, BLOCK 34
 (P.B. 1, PG. 17, B.C.R.)
 CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
 TO REZONE FROM "CF-H" TO "CB"

LAND DESCRIPTION:

Lot 13, Block 34, and the West 6.37 feet of Lot 14, Block 34, COLEE HAMMOCK, according to the Plat thereof as Recorded in Plat Book 1, Page 17 of the Public Records of Broward County, Florida; being more particularly described as follows:

Begin at the Northwest corner of said Lot 13, Block 34, thence N88°46'20"E, along the North line of said Lots 13 and 14, a distance of 164.77 feet; thence S01°06'40"E, along a line that is 6.37 feet East and parallel to the West line of said Lot 14, Block 34, a distance of 145.00 feet; thence N49°49'40"W, along the Southwest lot line of said Lots 13 and 14, Block 34, a distance of 219.26 feet to the **Point of Beginning**.

Said land lying in Fort Lauderdale, Florida, containing 11,945 square feet, 0.2742 acres, more or less.

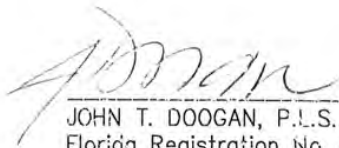
SURVEYOR'S NOTES:

1. Reproductions of this Sketch are not valid without the signature and the original seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this sketch by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are relative to said plat, based on the north line of Lot 13, Block 34 having a bearing of N88°46'20"E.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: B.C.R. = Broward County Records; F.B. = Field Book; L.B. = Licensed Business; P.B. = Plat Book; PG. = Page; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning.

CERTIFICATION:


I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 11/16/2020

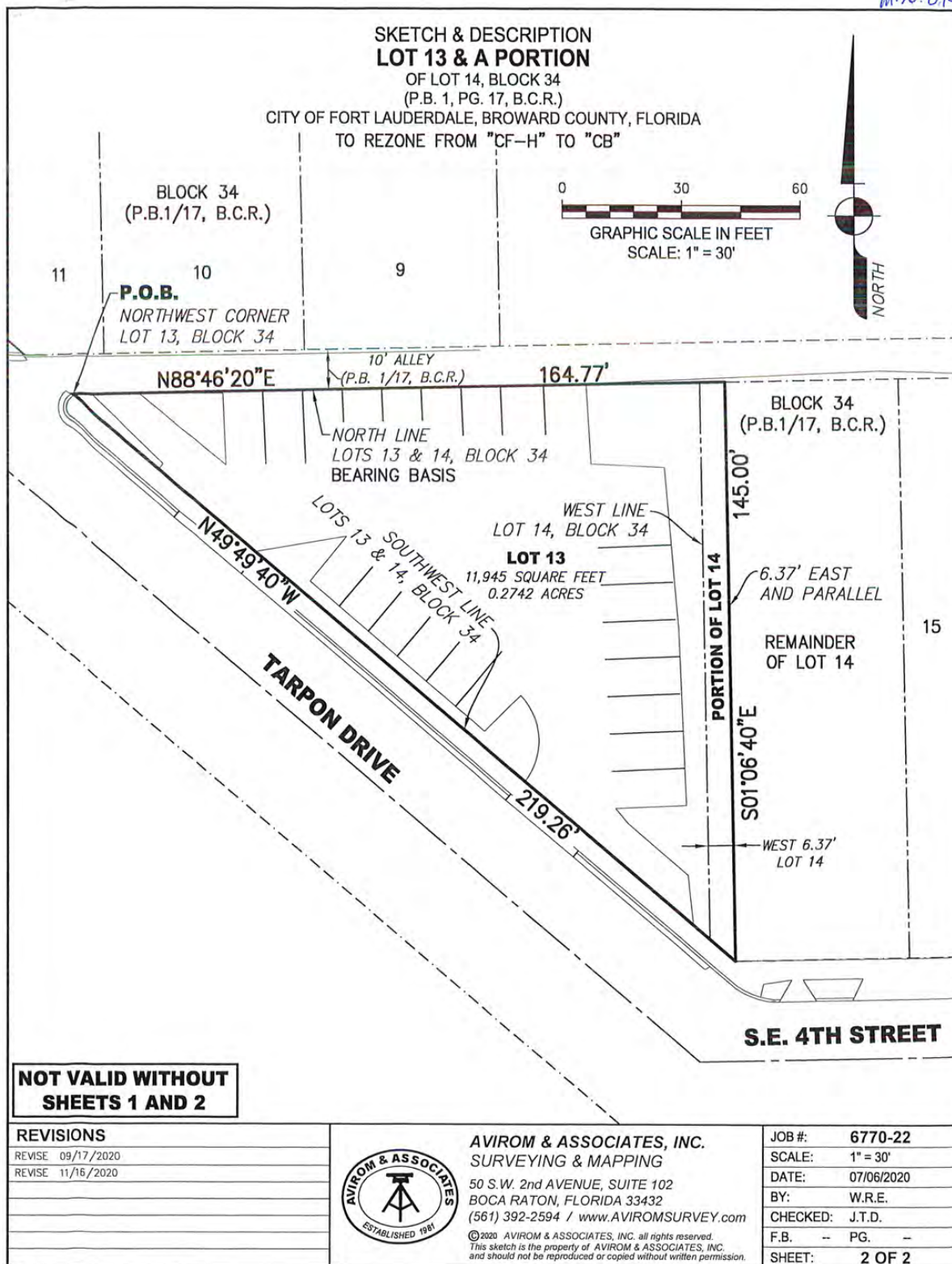


JOHN T. DOOGAN, P.L.S.
 Florida Registration No. 4409
 AVIROM & ASSOCIATES, INC.
 L.B. No. 3300

**NOT VALID WITHOUT
SHEETS 1 AND 2**

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| REVISIONS REVISE 09/17/2020 REVISE 11/16/2020 |  AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com <small>©2020 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.</small> | JOB #: 6770-22 SCALE: 1" = 30' DATE: 07/06/2020 BY: W.R.E. CHECKED: J.T.D. F.B. - PG. - SHEET: 1 OF 2 |
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11-10-016





SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

PLANNING & ZONING BOARD (PZB) SITE PLAN APPLICATION

Rev: 1 | Revision Date: 10/01/2020 | Print Date: 10/01/2020 I.D.
Number: SPA

PLANNING & ZONING BOARD (PZB)

Site Plan Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Required Documentation / Submittal Checklist
Page 3: Sign Notification Requirements & Affidavit
Addendum: PZB Rezone with Flex Allocation <<if applicable>>
Addendum: Parking Reduction Information <<if applicable>>

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

| | |
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| <input type="checkbox"/> Planned Development District (PDD) and Planned Unite Development (PUD) | \$ 9,500.00 |
| <input checked="" type="checkbox"/> Site Plan Level IV and in the RAC | \$ 4,100.00 |
| <input type="checkbox"/> Site Plan Level III and in the RAC | \$ 4,300.00 |
| <input type="checkbox"/> Change of Use | \$ 750.00 |
| Requiring PZB review | |
| <input type="checkbox"/> Parking Reduction In addition to above site plan fee | \$ 900.00 |
| <input type="checkbox"/> Site Plan Deferral | \$ 950.00 |
| <input type="checkbox"/> Appeal of DRC Review | \$ 2,550.00 |

Page 1: PZB Site Plan - Applicant Information Sheet

INSTRUCTIONS: The following information is requested pursuant to the City’s Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.


NOTE: To be filled out by Department

| | |
|----------------------------|--|
| Case Number | |
| Date of complete submittal | |

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

| | |
|----------------------------|---|
| Property Owner’s Name | First Presbyterian Church of Fort Lauderdale, Inc. |
| Property Owner’s Signature | If a signed agent letter is provided, no signature is required on the application by the owner. |
| Address, City, State, Zip | 401 SE 15th Avenue, Fort Lauderdale, FL 33301 |
| E-mail Address | SteveW@FirstPres.cc |
| Phone Number | 954-462-6200 |
| Proof of Ownership | [] Warranty Deed or [X] Tax Record |

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

| | |
|-------------------------------|---|
| Applicant / Agent’s Name | Stephen Tilbrook, Esq., Akerman LLP |
| Applicant / Agent’s Signature |  |
| Address, City, State, Zip | 350 E Las Olas Blvd., Suite 1600, Fort Lauderdale, FL 33301 |
| E-mail Address | stephen.tilbrook@akerman.com |
| Phone Number | 954-331-4132 |
| Letter of Consent Submitted | Yes |

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|--|---|
| Development / Project Name | Church Property Rezoning |
| Development / Project Address | Existing: 1402 SE 4th Street; 325 Tarpon Drive |
| Legal Description | Lots 13 , Block 34, Colee Hammock Plat, PB 1, Pg. 17 Lots 14 , Block 34, Colee Hammock Plat, PB 1, Pg. 17 |
| Tax ID Folio Numbers (For all parcels in development) | 5042 11 01 1930; 5042 11 01 1940 |
| Request / Description of Project | Rezoning property from CF-H to CB Community Business. |
| Applicable ULDR Sections | See narrative |
| Total Estimated Cost of Project | \$ NA (Including land costs) |

NOTE: Park impact fees are assessed and collected at time of permit per each new hotel room and dwelling unit type.

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|---|---|
| Estimated Park Impact Fee | \$ NA Fee Calculator: http://ci.ftlaud.fl.us/building_services/park_impact_fee_calc.htm |
| Future Land Use Designation | Low (5) Residential |
| Proposed Land Use Designation | Low (5) Residential |
| Current Zoning Designation | CF-H |
| Proposed Zoning Designation | CB |
| Current Use of Property | Parking Lot |
| Residential SF (and Type) | 0 |
| Number of Residential Units | 0 |
| Non-Residential SF (and Type) | 0 |
| Total Bldg. SF (include structured parking) | 0 |
| Site Adjacent to Waterway | [] Yes [X] No |

| Dimensional Requirements | Required | Proposed |
|---------------------------------|------------------|---------------|
| Lot Size (SF / Acreage) | 11,945 sf / .274 | 11,945 / .274 |
| Lot Density | NA | NA |
| Lot Width | NA | NA |
| Building Height (Feet / Levels) | NA/NA | NA/NA |
| Structure Length | NA | NA |
| Floor Area Ratio | NA | NA |
| Lot Coverage | NA | NA |
| Open Space | NA | NA |
| Landscape Area | NA | NA |
| Parking Spaces | NA | NA |

NOTE: State north, south, east or west for each yard.

| Setbacks/Yards* | Required | Proposed |
|-----------------|----------|----------|
| Front [] | NA | NA |
| Side [] | NA | NA |
| Side [] | NA | NA |
| Rear [] | NA | NA |

Page 2: Required Documentation / Submittal Checklist

One (1) copy of the following documents:

- ☐ Original Pre-PZB signed-off set of plans and all supplemental documentation (ie. narratives, photos, etc.)
- ☒ Completed application (all pages must be filled out where applicable)
- ☒ One (1) electronic version of complete application and plans in PDF format

Site Plan has already been approved per case number R19042

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24” x 36”
Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12” x 18”

- ☒ **Narrative** describing project specifics, to include but not be limited to: architectural style and important design elements, trash disposal system, security/gating system, hours of operation, dock facilities, etc. Narratives must be on letterhead, dated, and with author indicated.
- ☒ **Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ☒ **Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ☒ **Cover sheet** on plan set to state project name and table of contents.
- ☒ **Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ☒ **NA** Most **current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. **Note: for Change of Use applications, this is not required.**
- ☒ **Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- ☒ **Plans** “A” thru “H”. **Note, for Change of Use applications, items asterisked (*) are only required if proposed changes affect these plans. Otherwise, these items should be obtained from Property Records if showing current conditions.**

A. Site Plan

B. Details*

C. Floor Plans

D. Building Elevations*

E. Additional Renderings*

F. Landscape Plans*

G. Photometric Diagram*

H. Engineering Plans*

- Note:** All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.
- Note:** Plans must be bound, stapled and folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11" and stapled or bound.
- Note:** Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.
- Note:** For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at Urban Design & Planning.

| | |
|--|---|
| Applicant’s Affidavit I acknowledge that the Required Documentation and Technical Specifications of the application are met: | Staff Intake Review For Urban Design & Planning staff use only: |
| Print Name <u>Clark Stephens</u> | Date _____ |
| Signature  | Received By _____ |
| Date <u>01/07/21</u> | Tech. Specs Reviewed By _____ |
| | Case No. _____ |

Page 3: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: _____ BOARD OF ADJUSTMENT
 _____ HISTORIC PRESERVATION BOARD
 _____ PLANNING AND ZONING BOARD
 _____ CITY COMMISSION
CASE NO. _____

APPLICANT: _____

PROPERTY: _____

PUBLIC HEARING DATE: _____

BEFORE ME, the undersigned authority, personally appeared _____, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant

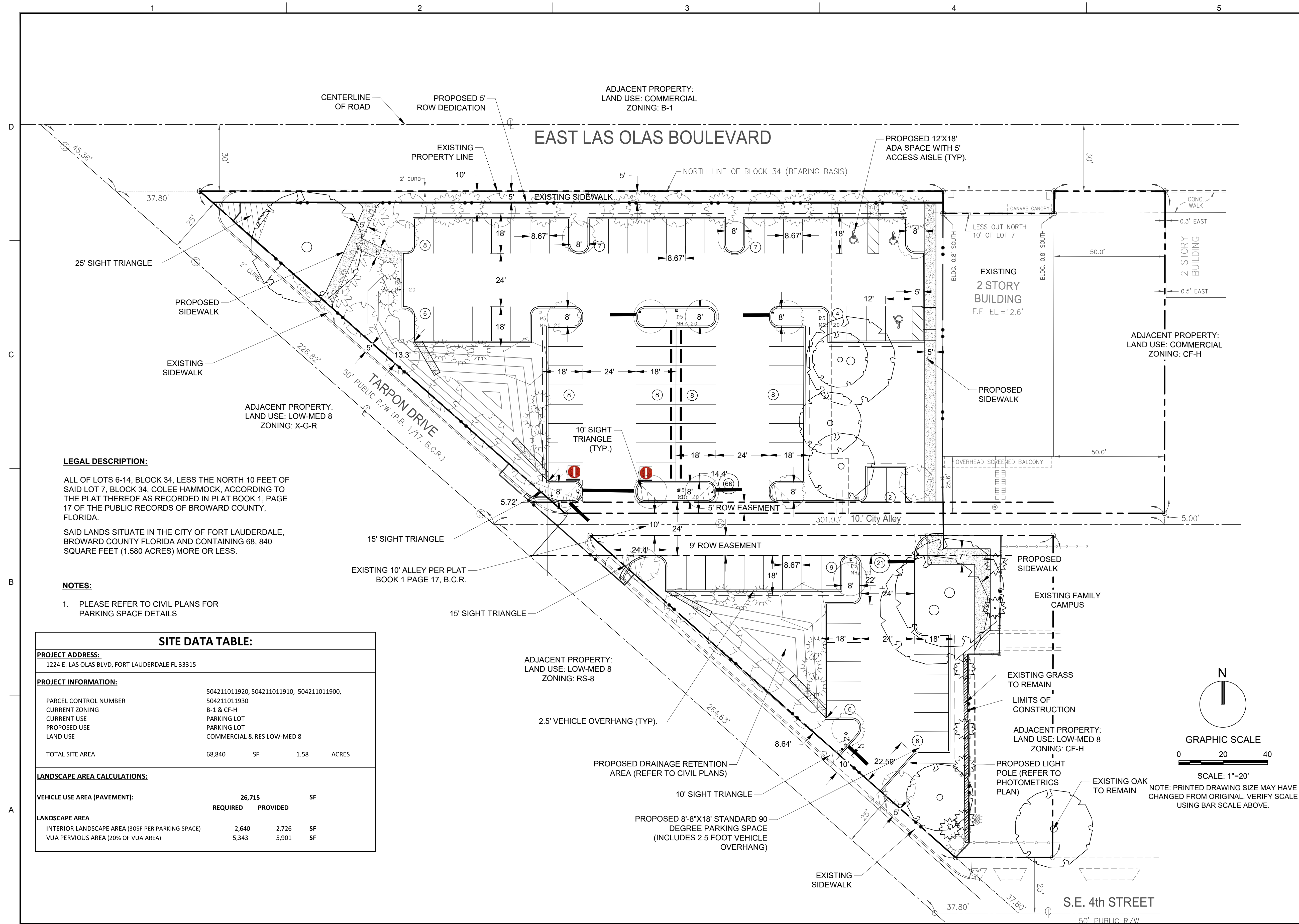
SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this ____ day of _____, 20__.

(SEAL)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____(initial here)

Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)



June 22, 2020

**Rezoning Criteria Narrative, Sec. 47-24.4
First Presbyterian Church of Fort Lauderdale, Inc.
401 SE 15th Avenue, Fort Lauderdale, Florida 33301**

I. The Property. Pursuant to Section 47.24.4. of the City of Ft. Lauderdale (“City”) Unified Land Development Regulations (“ULDR”), First Presbyterian Church of Fort Lauderdale, Inc. (“Applicant”) is seeking to rezone a parcel located on Tarpon Drive in Fort Lauderdale, Florida and more particularly described by the enclosed sketch and legal description (“Property”).

II. General Narrative and Description. The Property is zoned Community Facility- House of Worship with a low residential land use designation and operates as an existing improved parking lot for the Church and adjacent businesses. The application requests to rezone the Property to Community Business (CB) through an allocation of commercial flexibility.

The Property has been operated as a parking lot for over 50 years. The Property is part of a larger parcel that is being constructed as a new and improved surface parking lot that is in full compliance with current code. See the enclosed site plan that has been approved as a site plan level II development. The intended use is for a Church parking lot, but also to permit public parking when not used for church purposes. The zoning administrator has determined that a rezoning is required in order to permit public parking on the Property. Accordingly, the Church has submitted the enclosed application.

III. Rezoning Criteria.

A. An application for a rezoning shall be reviewed in accordance with the following criteria under Sec. 47-24.4.D. of the ULDR:

1. The zoning district proposed is consistent with the City's Comprehensive Plan.

The Property, although located adjacent to commercial uses, has a future land use designation of Low Residential. According to the City’s Comprehensive Plan, areas designated for residential use on the City's Future Land Use Map may accommodate other land uses in support of the residential environment. *City of Ft. Lauderdale Comprehensive Plan Vol. 1, Section IV*. In particular, the comprehensive plan provides for the use of commercial flexibility

in order to facilitate the arrangement of commercial acreage to allow for changing conditions. See in particular:

Objective 1.18: Parcel Assembly: Encourage parcel aggregation to result in larger parcels for use and redevelopment.

Objective 1.36: Use of Flexibility: Utilize flexibility rules to facilitate the arrangement of commercial acreage to allow the City to respond to changing conditions.

The underlying land use of Low Residential is no longer appropriate for the Property due to a changing in conditions over the years, and the actual use as a parking lot for over 50 years. The proposed rezoning to CB is an appropriate use of commercial flexibility and consistent with goals, objectives and standards in the comprehensive plan.

Accordingly, the proposed rezoning to the CB zoning district is consistent with the City's Comprehensive Plan.

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

The Property has been developed and used as a surface parking lot for over 80 years. The parking lot has supported adjacent commercial uses, including the original hotel and retirement home that was located on Las Olas Boulevard adjacent to the Property. Since 1980, the parking lot at the Property has also been used for the First Presbyterian Church of Fort Lauderdale.

In 1997, the City amended its zoning code, adopted the Unified Land Development Regulations, and revised the permitted uses in the residential zoning districts to no longer permit church uses. Instead, the City created the Community Facility - House of Worship zoning category, and the City explained that existing churches would be rezoned to CF-H in order to be consistent with the ULDR. However, although the City rezoned most of the church campus to the CF-HS zoning, it failed to rezone the Property to the CF-H category consistent with the then existing church use. The City's changes to the zoning code and establishment of the ULDR constitute a substantial change of character. In addition, there are no remaining single family uses on or near the Property.

In 2012, the Property was rezoned by the City to X-P zoning in order to support the proposed redevelopment project with surface parking. Due to a variety of factors, including changes in the character of development on Las Olas Boulevard, the Church did not implement the approved site plan, and the site plan expired in 2014. In 2016, the Property was rezoned by the City to the current CF-H zoning in order to accommodate a family campus on the adjacent parcels. The Church's family campus was completed in 2018. The parking lot at the Property requires significant upgrades in order to be compliance with current code. The parking lot will continue to serve the First Presbyterian family campus, but it will also serve public parking when not used for Church purposes.

Based upon all of these changes to the campus of First Presbyterian Church, as well as the ongoing improvement and revitalization of Las Olas Boulevard, the proposed zoning change to support a new and improved parking lot is necessary and warranted.

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 character of the area proposed for rezoning is suitable for a commercial use. The Property is located on Tarpon Drive and abuts an alley adjacent to commercial uses. There is no single family residential use in the vicinity of the Property. The property to the north is Boulevard Business ("B-1") abutting Las Olas Boulevard. The property to the south is CF-HS and includes the First Presbyterian Church sanctuary. The Property is bordered to the east by the family campus for First Presbyterian. The property to the west is bordered by Tarpon Drive, west of which is the All Saints Episcopal Church. Accordingly, given the location of the Property and the character of the Las Olas corridor, the proposed CB zoning is compatible with the surrounding zoning districts and land use.

B. Development Review Criteria. An application for a rezoning shall be reviewed for compliance with Section 47-25 of the ULDR. Accordingly, please see enclosed the following narratives:

C. Adequacy Requirements Narrative for Rezoning, Sec. 47-25.2. Exhibit 1.

D. Neighborhood Compatibility Narrative as for Rezoning, Sec. 47-25.3. Exhibit 2.

IV. Conclusion. The purpose of this request is to amend the zoning district for the Property to a zoning category that permits public parking in an area that has traditionally been used for public parking. Accordingly, the application meets the criteria for a rezoning and the Property should be rezoned to CB so that the overall zoning of the Property will be consistent with the existing and proposed uses.

June 22, 2020

EXHIBIT 1

**Adequacy Requirements Narrative for Rezoning, Sec. 47-25.2
First Presbyterian Church of Fort Lauderdale, Inc.
401 SE 15th Avenue, Fort Lauderdale, Florida 33301**

The following narrative is a written description of the Adequacy Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR), Sec. 47-24-2, for the rezoning of a portion of the First Presbyterian Church of Fort Lauderdale, Inc.'s (the "Applicant") property located on Taron Drive ("Property").

Sec. 47-25.2 Adequacy Requirements.

- A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

Response: *Acknowledged.*

- B. Communications network. Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

Response: *Based on the approved use for a parking lot, there will be no interference with the City's Communication Network.*

- C. Drainage facilities. Adequacy of storm water management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.

Response: *Existing drainage facilities comply with ULDR and code standards.*

- D. Environmentally sensitive lands.

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1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
- b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
- c. Broward County Ordinance No. 84-60.

Response: *The development does not impact environmentally sensitive lands.*

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

Response: *The development does not impact environmentally sensitive lands.*

- E. Fire protection. Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

Response: *The existing fire protection system is designed to comply with all applicable fire and building codes.*

- F. Parks and open space.

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

Response: *Not applicable; the proposed Rezoning does not include new dwelling units or hotel/motel rooms, and thus will not incur any park impact fees required by Section 47-38A.*

- G. Police protection. Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

Response: *The project is designed to comply with all applicable Florida Building Codes and ULDR standards.*

H. Potable water.

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

Response: *The existing development complies with all potable water service requirements, and no new buildings are proposed.*

2. *Potable water facilities.*

- a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
- b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
- c. Where the county is the projected service provider, a similar written assurance will be required.

Response: *There is adequate potable water capacity to service the existing development, and no new buildings are proposed.*

I. Sanitary sewer.

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

Response: *There is adequate sewer capacity to service the existing development, and no new buildings are proposed.*

- J. Schools. For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

Response: *Not applicable, the proposed rezoning does not include residential units.*

- K. Solid waste.

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. Solid waste facilities. Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

Response: *There are adequate solid waste facilities to service the existing development, and no new buildings are proposed.*

- L. Storm water. Adequate storm water facilities and systems shall be provided so that the removal of storm water will not adversely affect adjacent streets and properties or the public storm water facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

Response: *The existing civil drawings comply with all applicable Florida Building Codes and ULDR standards.*

M. Transportation facilities.

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

Response: *Informational and requires no response.*

2. Regional transportation network. The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

Response: *Informational and requires no response.*

3. Local streets. Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

Response: *Informational and requires no response.*

4. Traffic impact studies.

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and
 - (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
 - (i) Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
 - (ii) Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
 - (iii) If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
 - (iv) A further detailed analysis and any other information that the review committee considers relevant.
 - (v) The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
 - (vi) When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

Response: *Informational and requires no response.*

5. Dedication of rights-of-way. Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

Response: *The Property complies with the Broward County Trafficways Plan, the city's comprehensive plan, subdivisions regulations and accepted applicable traffic engineering standards.*

6. Pedestrian facilities. Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

Response: *The pedestrian facilities are designed and installed in accordance with the city engineering standards.*

7. Primary arterial street frontage. Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

Response: *The proposed rezoning complies with all ULDR requirements.*

8. Other roadway improvements. Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

Response: *The proposed rezoning complies with all ULDR requirements.*

9. Street trees. In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

Response: *The proposed rezoning complies with all ULDR requirements.*

June 22, 2020

EXHIBIT 2

**Neighborhood Compatibility Requirements Narrative for Rezoning, Sec. 47-25.3
First Presbyterian Church of Fort Lauderdale, Inc.
401 SE 15th Avenue, Fort Lauderdale, Florida 33301**

The following narrative is a written description of the Neighborhood Compatibility Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR), Sec. 47-25.3, for the rezoning of a portion of the First Presbyterian Church of Fort Lauderdale, Inc.'s (the "Applicant") property located on Tarpon Drive ("Property").

Sec. 47-25.3.A Neighborhood compatibility requirements.

1. Adequacy requirements. See Sec. 47-25.2.

Response: *Please see enclosed adequacy requirement responses.*

2. Smoke, odor, emissions of particulate matter and noise.
 - a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
 - b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
 - c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

Response: *The permitted facility does not generate smoke, odor, emissions of particulate matter or noise.*

3. Design and performance standards.

- a. Lighting. No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
 - (i) Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) foot-candle on any abutting residential property except as provided in subsection iii. of this subsection a.
 - (ii) Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.
 - (iii) In addition to the above, parking lots and garages will be subject to the provisions of Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

Response: *All lighting at the Property complies with the requirements of the ULDR.*

- b. Control of appearance. The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this Sec. 47-25.3.
 - (i) Architectural features. The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:
 - (a) Fenestration such as windows, doors and openings in the building wall; and
 - (b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:
 - (1) Detail and embellishments:

- a) Balconies,
 - b) Color and material banding,
 - c) Decorative metal grates over windows,
 - d) Uniform cornice heights,
 - e) Awnings.
- (2) Form and mass:
- a) Building mass changes including projection and recession,
 - b) Multiple types and angles of roofline, or any combination thereof.
- (c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

Response: *The architectural features of the Property are in compliance with the ULDR.*

- (ii) Loading facilities. Loading and service facilities shall be screened so as not to be visible from abutting residential uses or vacant residential zoned property.

Response: *The loading facilities at the Property are in compliance with the ULDR.*

- (iii) Screening of rooftop mechanical equipment. All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and shall be required to be screened with material that matches the material used for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure.

Response: *The proposed rezoning does not contemplate rooftop equipment.*

- c. Setback regulations. When a nonresidential use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:
 - (i) When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set

back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half (1/2) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

Response: *The proposed rezoning does not contemplate any changes to the existing permitted building setbacks.*

d. Buffer yard requirements. Excluding parks, open space and conservation areas, when a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

(i) Landscape Strip Requirements. A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs, and ground cover as provided in the landscape provisions of Section 47-21. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.

Response: *The permitted facility complies with all landscape requirements under the ULDR.*

(ii) Parking Restrictions. No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

Response: *The permitted facility complies with all parking requirements under the ULDR.*

(iii) Dumpster Regulations. All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in accordance with the Dumpster requirements, as provided in Accessory Use Requirements Section 47-19.

Response: *The permitted facility complies with all dumpster regulations under the ULDR.*

- (iv) Wall Requirements. A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:
- (a) Decorative features shall be incorporated on the residential side of such wall (such as capstones, bands or tile, stucco finishes),
 - (b) Shall be located within, and along the length of the property line which abuts the residential property,
 - (c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
 - (d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in Section 47-19.5, may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

Response: *This application involves a rezoning with no proposed change of use.*

- (v) Application of Existing Uses. Within five (5) years from the effective date of subsections A.3.c and d (effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsections A.3.c and d unless compliance would cause one (1) or more of the following to occur:
- (a) Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsections A.3.c and d;
 - (b) Reduction of required parking spaces;
 - (c) A reduction in the number of parking spaces provided for use of a parcel which would be required if based on the parking requirements of Section 47-20, Parking and Loading Requirements in effect on and applicable to such use on March 6, 1990;
 - (d) Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsections A.3.c and d;
 - (e) Access to the land would be substantially impaired;

- (f) Installation of the wall as provided in subsection iv. would require a modification of the existing vehicular use area, which would impair traffic circulation on the site and a minimum five (5) foot high hedge, fence or other physical barrier is in place along the length of the nonresidential property line which abuts the residential property;
- (g) In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirement of subsections A.3.d.i to install a landscape strip shall be met if an abutting residential property owner agrees in writing that the landscape strip may be placed on his or her property. An agreement in form provided by the department must be executed by the applicant and the abutting property owner. If the abutting property owner removes the landscape strip after it has been installed, there shall be no further requirement to install another landscape strip on the abutting property in connection with the commercial use which existed at the time of the initial installation.

Response: *The permitted facility complies with the requirements of the ULDR.*

e. Neighborhood compatibility and preservation. In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

- (i) All developments subject to this Sec. 47-25.3 shall comply with the following:
 - (a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.
 - (b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed

development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

Response: *The Property is an existing parking lot. All improvements within the site are compatible with the integrity of the surrounding neighborhood. No new buildings are proposed.*

- (ii) All development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district that is greater in density than twenty-five (25) dwelling units per net acre:
 - (a) In addition to meeting the review requirements of subsection A.3.e.i, building sites within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district shall be eligible to apply for additional dwelling units over and above twenty-five (25) dwelling units per net acre, provided such additional dwelling units are available for distribution in the downtown regional activity center. However, in order to obtain such additional dwelling units, a site plan level II permit must be approved. Such approval shall be based upon consideration of the number of additional dwelling units available under the city land use plan, the number of additional dwelling units requested, the impact of the proposed development on abutting residential areas, the proposed residential density of the proposed development, location of the proposed development, the sensitivity to adjacent development of the site design and proposed orientation of the proposed development (including proposed setbacks), pedestrian movements associated with the proposed development, proposed landscaping, and traffic and parking impacts of the proposed development on the

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transportation network. Approval for allocations of any additional dwelling units, hotel rooms or both, for multifamily dwellings, hotels and mixed-use developments shall conform to the city's land use plan and may be granted subject to approval of a site plan level II permit, subject to the considerations for such review as prescribed above. A minimum setback of twenty (20) feet from all property lines for every building used exclusively for residential purposes may be required. Such minimum setback may also be required for mixed use buildings in which residential use exceeds fifty-nine percent (59%) of the total floor area, exclusive of parking garages.

Response: *Not applicable.*

- (iii) All development within any downtown RAC district that is within one hundred (100) feet of residential property that is located outside of any downtown RAC district and all development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district; and all development that is located on land adjacent to the New River within the RAC-AS and RAC-CC which deviates from the New River corridor requirements as provided in Section 47-13, Downtown Regional Activity Center:
 - (a) In addition to meeting the review requirements of subsection A.3.e.i, the setbacks imposed for a development plan may be modified subject to the requirements provided as follows:
 - (1) No structure, or part thereof, shall be erected or used, or land or water used, or any change of use consummated, nor shall any building permit or certificate of occupancy be issued therefore, unless a development plan for such structure or use shall have been reviewed and approved, where applicable, after development review as prescribed in subsection A.3.e.i. In approving such development plan, consideration shall be given to the location, size, height, design, character and ground floor utilization of any structure or use, including appurtenances; access and circulation for vehicles and pedestrians, streets, open spaces, relationship to adjacent property, proximity to New River and other factors conducive to development and preservation of a high quality downtown regional activity center district. No approval shall be given to the setbacks shown on the development plan unless a determination is made that the setbacks conform to all applicable provisions of the ULDR, including the requirements of Section 47-13, Downtown Regional Activity Center Districts, that the safety and convenience of the public are properly provided

for and that adequate protection and separation are provided for contiguous property and other property in the vicinity. Approval of the setbacks of a development plan may be conditioned by imposing one (1) or more setback requirements exceeding the minimum requirements.

Response: *Not applicable.*

(iv) All development that is located on land within the CBA zoning districts; AND All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway; AND All nonresidential development lying east of the Intracoastal Waterway.

(a) In addition to meeting the other applicable review requirements of this subsection 3., it shall be determined if a development meets the Design and Community Compatibility Criteria.

The purpose of the Community Compatibility Criteria is to define objectives for private sector development which either abuts or is readily visible from public corridors. The relationship between private and public sector development must be carefully planned to avoid negative impacts of one upon the other. The city's intent in implementing these objectives is to:

- (1) Protect the investment of public funds in public corridor improvements.
- (2) Improve the visual and functional quality of both public and private development by coordinating the transition between these areas.
- (3) The ultimate goal of these objectives is to integrate buildings, vehicular circulation, pedestrian circulation, open space and site elements into a unique, pedestrian sensitive environment which stimulates revitalization.

Response: *This section, including The Community Compatibility Criteria, and all subparts, does not apply to the Property as it does not lie east of the Intracoastal Waterway.*

- N. Wastewater. Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

Response: *Adequate wastewater services are provided for the needs of the existing buildings.*

- O. Trash management requirements. A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

Response: *The Applicant's trash management plan complies with ULDR requirements.*

- P. Historic and archaeological resources. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

Response: *The Property does not include any identified historic buildings.*

- Q. Hurricane evacuation. If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

Response: *The Property is located west of the Intracoastal Waterway and therefore requires no additional response.*

AFFIDAVIT OF MAIL NOTIFICATION

STATE OF FLORIDA, BROWARD COUNTY

RE: _____ DEVELOPMENT REVIEW COMMITTEE

CASE NUMBER: PLN-SITE-20090013

APPLICANT: First Presbyterian Church of Fort Lauderdale, Inc

PROPERTY: 1401 SE 4th Street; 325 Tarpon Drive

PUBLIC HEARING DATE: October 27, 2020

BEFORE ME, the undersigned authority, personally appeared Clark Stephens, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.
2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Development Review Committee meeting.
3. That the letter referenced in Paragraph two (2) above was mailed at least **twenty-one (21)** days prior to the date of the Development Review Committee meeting cited above.
4. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **ten (10)** days prior to the date of Development Review Committee and if the Affidavit is not submitted, the meeting on this case shall be cancelled.
5. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

Clark Stephens

10/12/2020

AFFIANT

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12th, day of October 2020, 20____
Florida drivers license provided

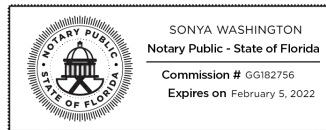
(SEAL)

Sonya Washington

NOTARY PUBLIC Electronic Notary Public

MY COMMISSION EXPIRES: 02/05/2022

Notarized online using audio-video communication



ID Number: DSD.UDP.PP

Page: Page 2 of 3

Pending Approval by: Ella Parker, Urban Design and Planning Manager



Page 3: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
 HISTORIC PRESERVATION BOARD
 X PLANNING AND ZONING BOARD
 CITY COMMISSION

CASE NO. PLN-SITE-22090013

APPLICANT: **First Presbyterian Church of Fort Lauderdale, Inc.**

PROPERTY: **1401 SE 4th St; 325 Tarpon Drive**

PUBLIC HEARING DATE: **February 17, 2021**

BEFORE ME, the undersigned authority, personally appeared **Steve Wofford**, who upon being duly sworn and cautioned, under oath deposes and says:

- Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
- The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
- That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
- Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
- Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
- Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 9 day of February, 2021



NOTARY PUBLIC

MY COMMISSION EXPIRES: 10-21-23

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47-27.3(i) of the City of Fort Lauderdale ULD, I will forfeit my sign deposit. (initial here)
 Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)



AFFIDAVIT OF MAIL NOTIFICATION

STATE OF FLORIDA, BROWARD COUNTY

RE: _____ DEVELOPMENT REVIEW COMMITTEE

CASE NUMBER: PLN-SITE-20090013

APPLICANT: First Presbyterian Church of Fort Lauderdale, Inc

PROPERTY: 1401 SE 4th Street; 325 Tarpon Drive

PUBLIC HEARING DATE: October 27, 2020

BEFORE ME, the undersigned authority, personally appeared Clark Stephens, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.
2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Development Review Committee meeting.
3. That the letter referenced in Paragraph two (2) above was mailed at least **twenty-one (21)** days prior to the date of the Development Review Committee meeting cited above.
4. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **ten (10)** days prior to the date of Development Review Committee and if the Affidavit is not submitted, the meeting on this case shall be cancelled.
5. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

Clark Stephens

10/12/2020

AFFIANT

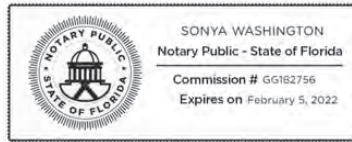
SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12th, day of October 2020, 20____
Florida drivers license provided

(SEAL)

Sonya Washington

NOTARY PUBLIC Electronic Notary Public
MY COMMISSION EXPIRES: 02/05/2022

Notarized online using audio-video communication



ID Number: DSD.UDP.PP

Page: Page 2 of 3

Pending Approval by: Ella Parker, Urban Design and Planning Manager



February 4, 2021

Updated Meeting Notice: Planning and Zoning Board
(Updated Map)

Dear Property Owner:

The City of Fort Lauderdale will hold a public meeting on **Wednesday, February 17, 2021, at 6:00 p.m.** to consider the subject application. The public meeting will be in both a virtual and in-person format in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida. Due to COVID-19 distance requirements, there is very limited seating available, therefore we are encouraging members of the public to participate virtually when possible. A description of the proposed request is provided below.

Case No: PLN-SITE-20090013
Project: First Presbyterian Church Rezoning
Request: Site Plan Level IV Review; Rezoning from Community Facility/House of Worship (CF-H) District to Community Business (CB) District with 0.274 Acres of Commercial Flex Allocation for a Surface Level Parking Lot

General Location: 401 SE 15th Avenue/ Tarpon Drive
Abbreviated Local Description: Colene Hammock 1-17 B LOT 13 BLK 34
Commission District: 4 - Ben Sorensen

To view more information about this item, please visit:
<https://www.fortlauderdale.gov/government/PZB>

The virtual meeting will be accessible through the City's local government access channel FLIV at: www.fortlauderdale.gov/FLIV

Should you desire to speak on this item, please fill out the speaker form available at this link on the City's website: www.fortlauderdale.gov/government/PZB

You may also send comments to: Department of Sustainable Development
Urban Design and Planning Division
Attention: Adam Schnell, Case PLN-SITE-20090013
700 N.W. 19 Avenue
Fort Lauderdale, Florida, 33311

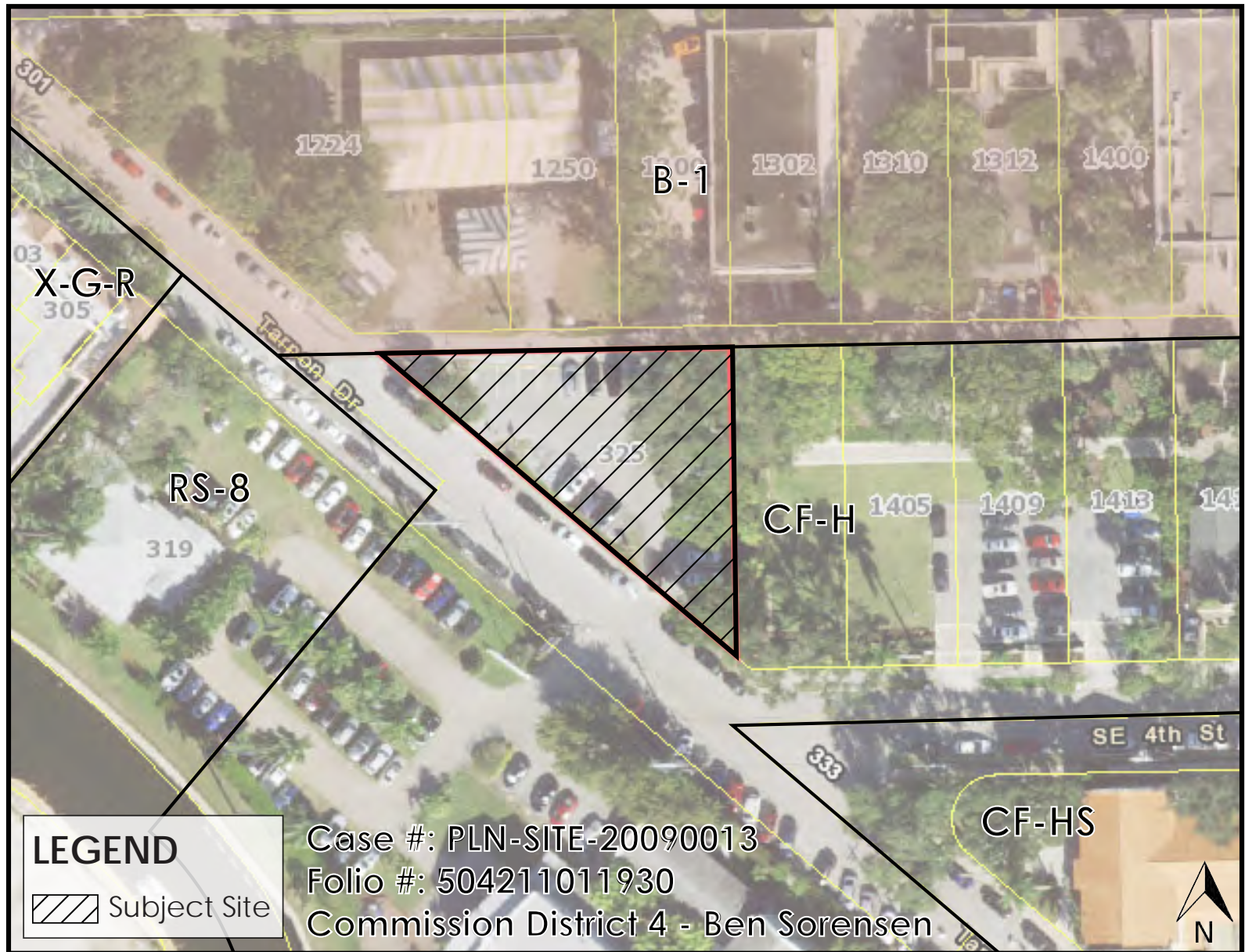
You may also send an email to: aschnell@fortlauderdale.gov

Sincerely,

Adam Schnell, Planner II
Urban Design and Planning Division

If any person desires to appeal any decision made with respect to any matter considered at the public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at (954) 528-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A lanyard video system is also available for your use during the meeting.





CITY OF FORT LAUDERDALE PUBLIC NOTICE

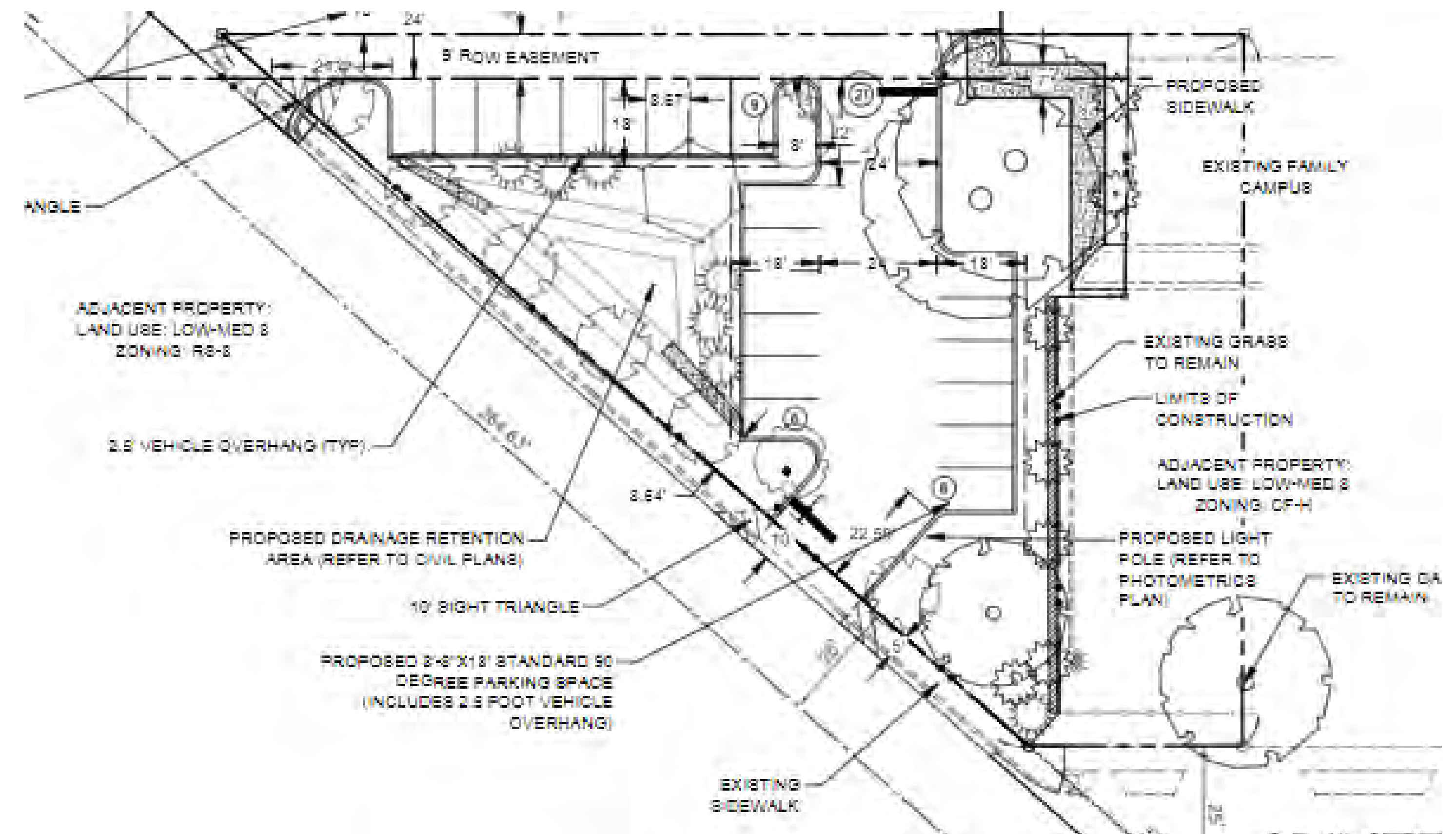
PLANNING AND ZONING BOARD MEETING

DATE: FEBRUARY 17, 2021

TIME: 6:00 P.M.

CASE: PLN-SITE-20090013

REQUESTS: Site Plan Level IV Review: Rezoning from Community Facility-House of Worship (CF-H) District to Community Business (CB) District with 0.274 Acres of Commercial Flex for a Surface Level Parking Lot.



ATTEND VIRTUALLY

WATCH AND LISTEN: www.fortlauderdale.gov/fltv

SIGN UP AND SPEAK: www.fortlauderdale.gov/government/PZB

OR

ATTEND IN-PERSON

CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVENUE
FORT LAUDERDALE, FL 33301

FOR MORE INFORMATION: CONTACT (954) 828-4798



This Notice is the property of the City of Fort Lauderdale. In accordance with City Code Section 16-29, It shall be unlawful for any person to injure, cut, break or destroy in any manner any building or other thing belonging to or under the control of the City. Persons marring or removing the Notice may be subject to fine and/or imprisonment.

