

**RESILIENT ENVIRONMENT DEPARTMENT
URBAN PLANNING DIVISION
STAFF REPORT**

Zoning Code Amendment 23-Z1: Garden Park

I. Item Summary

Commission District	1, 2, 3, 5, 6, 7, 8, 9
Application/Agent	Urban Planning Division
Proposed modifications	<ul style="list-style-type: none"> - Creates Chapter 39, Article XL: Garden Park Districts. - Adds definitions associated with the new Garden Park districts.
Effect of Proposed Change	Makes available a new mixed use zoning district.
Comprehensive Plan Consistency	Consistent: Broward Municipal Services District Element Policies 1.1.8 and 1.1.9.

II. Staff Recommendation

The Broward County Resilient Environment Department, Urban Planning Division (UPD) staff recommends that the Local Planning Agency (LPA) find the proposed ordinance consistent with the Broward County Comprehensive Plan.

III. Background.

On June 14, 2022, the Board directed the Office of the County Attorney to draft an Ordinance amending the Broward County Code of Ordinances, Chapter 39-Zoning to create the Garden Park Districts and add associated definitions.

IV. Description of Amendments.

The proposed zoning code amendment establishes Garden Park zoning districts and creates two new zoning districts:

1. GP-1: Garden Park Neighborhood District,
2. GP-2: Garden Park Corridor District.

The Garden Park zoning districts are not being applied to any property at this time. The Garden Park districts would be applied through the rezoning process which includes public hearings and requires Board of County Commissioners approval.

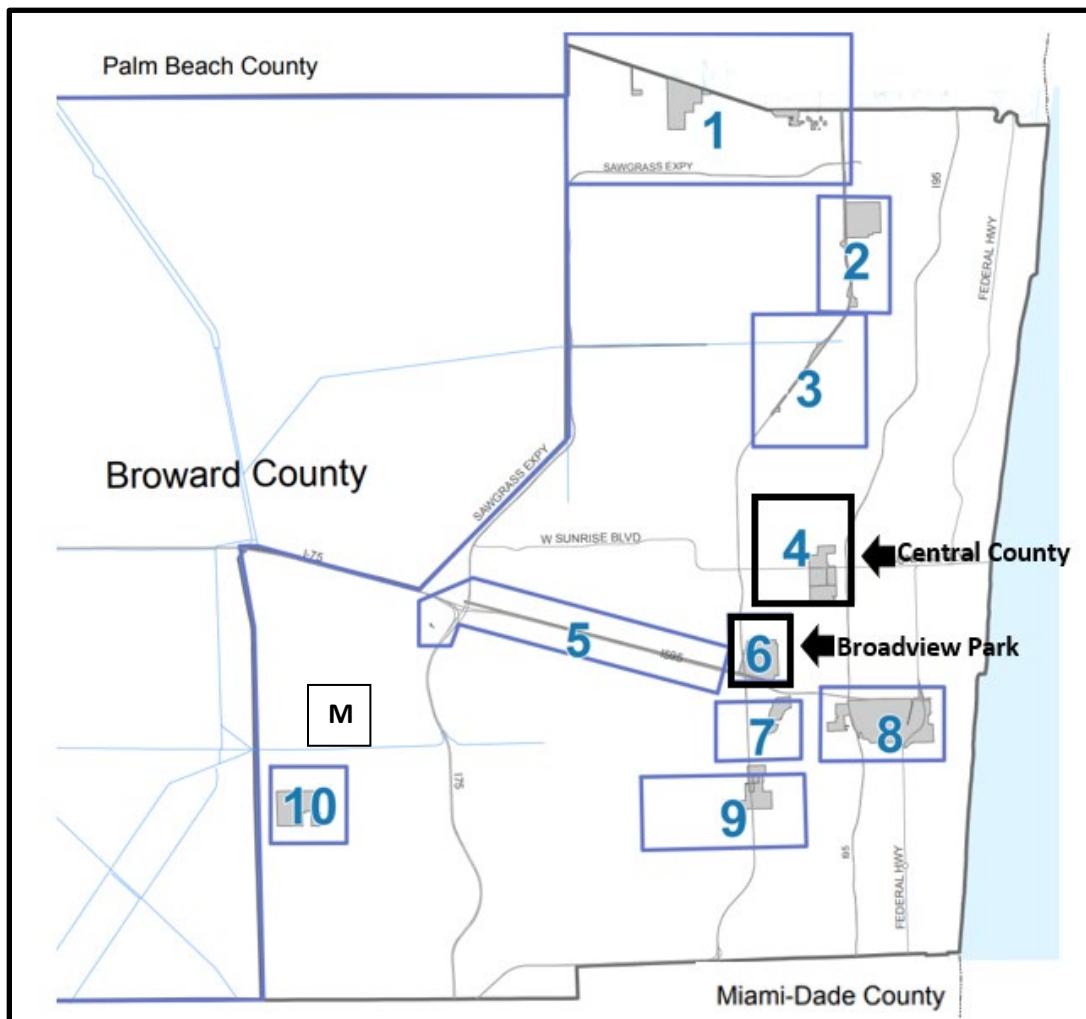
A. Intent. The Garden Park zoning districts are intended emphasize urban form and design. The GP-2 zoning district is intended facilitate mixed uses along major collector and arterial roadways, while the GP-1 zoning district is intended to facilitate multi-family residential development and provide a transition between the GP-2 district and adjacent residential zoning districts.

Both the GP-1 and GP-2 zoning districts have a primary emphasis on urban form and design. Landscaping must be incorporated as much as possible, but it is secondary to urban form.

New development in the Garden Park zoning districts is exempt from the requirements of Article XXXIX: Central County Community Overlay District.

The map below shows the various areas within Broward County that are unincorporated. It is anticipated that the Garden Park Districts would most likely be applied within the Broadview Park and Central County Communities.

Figure 1: Broward Municipal Services District Map



- B. Density.** Residential density is determined through any combination of the following:
- Future land use designations as shown on the Broward Municipal Services District and Broward County Land Use Plan future land use maps.

- The Broward Municipal Services District Future Land Use Map as modified through the application of the Broward County Land Use Plan's Policies 2.16.3 or 2.16.4.
- Administrative allocation of Residential Flexibility Units by the Director as part of an approved site plan. Such site plan must provide for at least two amenities, such as enhanced public space or right-of-way dedications for transit improvements.

Residential Flexibility units that are not used, as well as the site plan, shall expire if a building permit for vertical construction is not issued within one year of an approved site plan. One extension may be granted for a period of six (6) months if progress is being made toward the issuance of a building permit.

- As permitted by Section 125.01055(6) Affordable Housing, Florida Statutes. This statute provides that any parcel zoned for commercial or industrial use, may include residential development, so long as at least 10 percent of the units are affordable and the developer of the project agrees not to apply for or receive funding under Section 420.5087, Florida Statutes, State Apartment Incentive Loan Program.

C. Permitted Uses. Allows residential uses, as well as limited civic/institutional uses and other non-residential uses. Both the GP-1 and GP-2 zoning districts allow community residential facilities, townhouses and villas, and multifamily dwellings with three or more dwelling units. The GP-2 also permits commercial uses. The GP-1 zoning district allows single family detached and two-family dwellings but does not permit commercial uses.

D. Other Uses. References additional standards in Florida Statutes for fuel retailers and zoning code standards for alcoholic beverage and adult entertainment establishment.

E. Development Standards. Establishes development standards, including standards for the following:

- Area,
- Density,
- Building form typology,
- Height and story,
- Setback and build-to line,
- Dwelling unit floor area,
- Building frontage, size, mass, and orientation,
- Services,
- Windows,
- Rooftop equipment,
- Fencing,
- Dumpsters and waste receptacles.

F. Parking. Establishes parking standards, including the following:

- Number of parking spaces by use, including on-street parking,
- Method to request an alternative parking requirement,
- Parking setbacks,
- On-street parking requirements,
- Parking space dimensions,

- Parking offsets for the provision of bicycle racks and on-street parking,
- Location and amount of ground level, understory, and structured parking.

G. Access. Establishes requirements for access by automobiles and pedestrians, including the following:

- Parking,
- Eastbound only traffic flow along NW 1st Street, in instances where the entire frontage to the north and south is being redeveloped and is located between two avenues.
- Curb cuts,
- Delineation of pedestrian entrances to the site and buildings.

H. Landscaping. Establishes requirements for landscaping, including the following:

- Landscape waivers,
- Street trees.

I. Signage. Establishes requirements for signage, including the following:

- Type,
- Location,
- Size.

J. Nonconformities. Establishes requirements for nonconforming structures, including the following:

- Continuance of legal nonconforming uses or structures,
- Repair, alterations, and improvements of legal nonconforming structures provided the square footage is not increased.
- Expansion of nonconforming buildings or structures less than or equal to 30 percent of the square footage at the time it became nonconforming shall not be required to comply with the build-to-line but shall not extend beyond the build-to line.
- Expansion of nonconforming buildings or structures greater than 30 percent of the square footage at the time it became nonconforming shall be brought into compliance with Article XL.-Garden Park Districts.

V. Data and Analysis.

Section 39-24 of Broward County's Zoning Code provides for the Board of County Commissioners to amend the zoning regulations whenever the public necessity, convenience, general welfare, or good planning and zoning practice requires. The proposed amendment is consistent with the following policies of the Comprehensive Plan's Broward Municipal Services District Element:

- POLICY BMSD 1.1.8 In designating lands for future mixed-use development, Broward County shall identify:
 1. Types of uses allowed,
 2. Percentage distribution among the mix of uses or other distribution standards,
 3. Density and intensity of each use, and
 4. Appropriate circulation and mobility options to support the uses.

- POLICY BMSD 1.1.9 Land shall be designated for future land uses that encourage redevelopment.

VI. Attachments

Attachment A: Proposed Amendment