

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

**Rezoning 23-Z3 Staff Report  
4425 NW 71<sup>st</sup> Street**

**I. Rezoning Description.**

**A. Rezoning Details.**

Spear Acquisition proposes to rezone a site from A-1: Agricultural Estate to PDD: Planned Development District. The approximately 5.0 acre site is generally located in the Hillsboro Ranches community, east of Lyons Road and north of Hillsboro Boulevard. The applicant proposes a planned development of 15 single-family houses. Figure 1 provides the proposed rezoning details and Figure 2 provides a general location map. Attachment A includes the proposed PDD.

**B. Staff Recommendation.**

Staff reviewed the Zoning Code criteria upon which a rezoning must be based. The role of the Local Planning Agency (LPA) is to make recommendations to the Board of County Commissioners as to whether the proposed amendment is consistent with the Broward County Comprehensive Plan.

Land use in the BMSD is regulated by both the countywide Broward County Land Use Plan (BCLUP) and by the BMSD Future land Use Map (FLUM). Pursuant to the Broward County Charter, amendments to the BMSD FLUM must be in substantial conformity with the BCLUP goals, objectives, and policies (BCLUP GOPs) and future land use map (BCLUP FLUM).

*The Urban Planning Division recommends that the Local Planning Agency (LPA) find the proposed rezoning is not currently consistent with the Broward County Comprehensive Plan. However, a Broward Municipal Services District Future Land Use Map amendment is proposed, which if approved, would cause the proposed rezoning to be consistent.*

**Figure 1: Proposed Rezoning Details**

<b>General Location</b> Hillsboro Ranches	North of NW 71 <sup>st</sup> Street, East of Lyons Road, South of NW 74 <sup>th</sup> Street, West of NW 39 <sup>th</sup> Avenue.
<b>Size</b>	4.99 Net Acres 5.16 Gross Acres
<b>Effect of Rezoning</b>	Allows 13 additional dwelling units
<b>Existing Land Use</b>	Single Family, Vacant (former nursery)
<b>Current Zoning</b>	A-1: Agricultural Estate (Permits one (1) dwelling unit per two (2) net acres)
<b>Current Dwelling Units Allowed</b>	Two (2)
<b>Proposed Zoning</b>	PDD: Planned Development District
<b>Existing Dwelling Units</b>	Single Family, Vacant (former nursery)
<b>Proposed Dwelling Units</b>	Fifteen (15)

<b>BMSD Future Land Use Map Designation</b>	Estate Residential
<b>Commission District</b>	District 2, Mark D. Bogen
<b>Applicant/Agent</b>	Spear Acquisition, LLC
<b>Property Owner</b>	OJ Freedom Realty, Inc.
<b>Folio Numbers</b>	474232010260, 474232010250, 474232010251

Figure 2: General Location Map



### **C. Background.**

The site was formerly part of the City of Coconut Creek.

- On October 10, 2019, the City approved Ordinance 2019-34, contracting its municipal boundaries to exclude the subject site, owned by Alley Farms, LLC, pursuant to Section 171.051, Florida Statutes.
- On October 27, 2021, ownership of the site was transferred from Alley Farms, LLC to SLAM4425NW71, LLC.
- On November 16, 2022, ownership of the subject site was transferred from SLAM4425NW71, LLC to OJ Freedom Realty, LLC.

## **II. Data and Analysis.**

The Broward County Zoning Code, Section 39-30 requires the Board of County Commissioners to consider eleven (11) factors when evaluating a rezoning request. These factors are addressed below:

### **A. Ambiguity/Error.**

The proposed rezoning does not correct an ambiguity or error.

### **B. Changing Conditions.**

#### **1. Development Patterns.**

Development within the surrounding area is changing from a more rural and semi-suburban character to one that is more suburban. Land uses within the vicinity include a mix of low-density single-family homes, community shopping, recreation and open space, and remnant agricultural lands. Cul-de-sac developments of approximately four dwelling units per gross acre are located immediately west and northwest of the site. The proposed PDD is a cul-de-sac development that would allow fifteen dwelling units or approximately three (3) dwelling units per acre.

*Staff finds the proposed rezoning is consistent with adjacent, nearby, and emerging development patterns.*

#### **2. Housing Demand.**

Broward County is nearly fully developed. New residential development is predominantly multiple family projects, generally accomplished through the assembly of urban infill sites and redevelopment of antiquated or derelict land uses and structures. The availability of development sites for new single-family subdivisions is limited; however, there is a continuing demand for single-family homes.

*Staff finds the proposed rezoning will help meet demand for new single-family houses.*

### **C. Testimony of Applicant.**

Verbal and written testimony from the applicant will be considered by the Local Planning Agency and Board of County Commissioners at public hearings.

### **D. Recommendation of Staff.**

See Section I.B.-Staff Recommendation.

**E. Sworn and Unsworn Public Testimony.**

Verbal and written testimony from the public will be considered by the Local Planning Agency and Board of County Commissioners at public hearings.

**F. Consistency with Goals, Objectives, and Policies of the Broward County Comprehensive Plan.**

The proposed rezoning is not currently consistent with the Broward County Comprehensive Plan. However, a Broward Municipal Services District Future Land Use Map amendment is proposed, which if approved, would cause the proposed rezoning to be consistent.

**G. Consistency with Densities, Intensities, and General Uses Set Forth in the Broward County Comprehensive Plan.**

**Figure 3: Site and Surrounding Land Uses**

Location	Existing Land Use	Density	Current Zoning	Current BMSD Future Land Use	Current Future Land Use-BCLUP
Subject Site	Single-family residential, former agriculture (ornamentals)	0.2 du/acre	A-1: Agricultural Estate District	Estate (1) Residential	Estate (1) Residential
North	Single-family residential with agriculture (ornamentals)	One (1) du/acre	A-1: Agricultural Estate District	Estate (1) Residential	Estate (1) Residential
East	Single-family residential	One (1) du/acre	A-1: Agricultural Estate District; A-E: Agricultural Estate (Coconut Creek)	Estate (1) Residential; Residential Estate 1 DU/Ac (Coconut Creek)	Estate (1) Residential
South (Coconut Creek)	NW 71 <sup>st</sup> Street, then shopping plaza	Not applicable	PCD: Planned Commerce District	Commercial	Commerce
West (Coconut Creek)	Single-family residential	Four (4) du/acre	RS-4: Residential Single-Family, 4 DU/Acre	Residential Estate 1 DU/a	Estate (1) Residential

The surrounding area is suburban in character, with a mix of low-density, single-family homes, community shopping, recreation and open space, and remnant agricultural lands. Low density, single-family residential development is located to the north, east, and west ranging in density from one (1) to four (4) units per acre.

The proposed PDD will result in a residential density of approximately three (3) dwelling units per acre. This is consistent with the adjacent and nearby low density residential development.

**H. Protection, Conservation, or Preservation of Environmentally Critical Areas and Natural Resources.**

During review of the proposed BMSD Future Land Use Map amendment application, staff found potential negative environmental impacts will be mitigated through compliance with various permitting and licensing requirements.

**I. Infrastructure Capacity.**

During review of the proposed BMSD Future Land Use Map amendment application, staff found potential negative environmental impacts will be mitigated through compliance with various permitting and licensing requirements.

**J. Compatibility of Existing and Proposed Uses.**

Compatibility is “a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition.” Staff evaluates compatibility based upon the characteristics and the proposed use in relation to the surrounding uses.

The surrounding area is suburban in character, with a mix of low-density, single-family homes, community shopping, recreation and open space, and remnant agricultural lands. Low density, single-family residential development is located to the north, east, and west ranging in density from one (1) to four (4) units per acre. The proposed Low (3) Residential future land use designation is consistent with adjacent and nearby residential developments.

**Figure 4: Housing Stock**

<b>Structure Type</b>	<b>Broward County</b>	<b>North County</b>
Single Family	49.3%	100.0%
Multi-Family	47.9%	0.0%
Mobile Home	2.7%	0.0%
Boat, RC Van, etc.	0.1%	0.0%

Source: United States Census Bureau, 2017-2021 American Community Survey 5-Year Estimates

While the housing stock in Broward County is nearly evenly split between single-family and multi-family housing, the North County area where the proposed amendment site is located is 100% single-family.

Staff finds the proposed rezoning creates a condition in which land uses or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition.

**K. Oceanfront Properties Considerations.**

Not applicable.

**III. Attachments.**

Attachment A: Planned Development District Master Development Plan

Attachment B: Site Location Map

Attachment C: Aerial Map

Attachment D: Current Zoning District Map

Attachment E: Proposed Zoning District Map

Attachment F: Broward Municipal Services District Future Land Use Map

Attachment G: Broward County Land Use Plan Future Land Use Map