

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

**Rezoning 24-Z4: 178 NW 27th Terrace
Staff Report**

I. Rezoning Description.

A. Rezoning Details.

The proposed rezoning changes the zoning district of a county-owned site from RD-10: Duplex and attached one-family dwelling district to GP-1: Garden Park Neighborhood District. The approximately 6,001 square feet or 0.14 net acre site is located at 178 NW 27th Terrace within the Broward Municipal Services District's Central County Community, (See Figures 1 and 2).

Figure 1: General Location Map

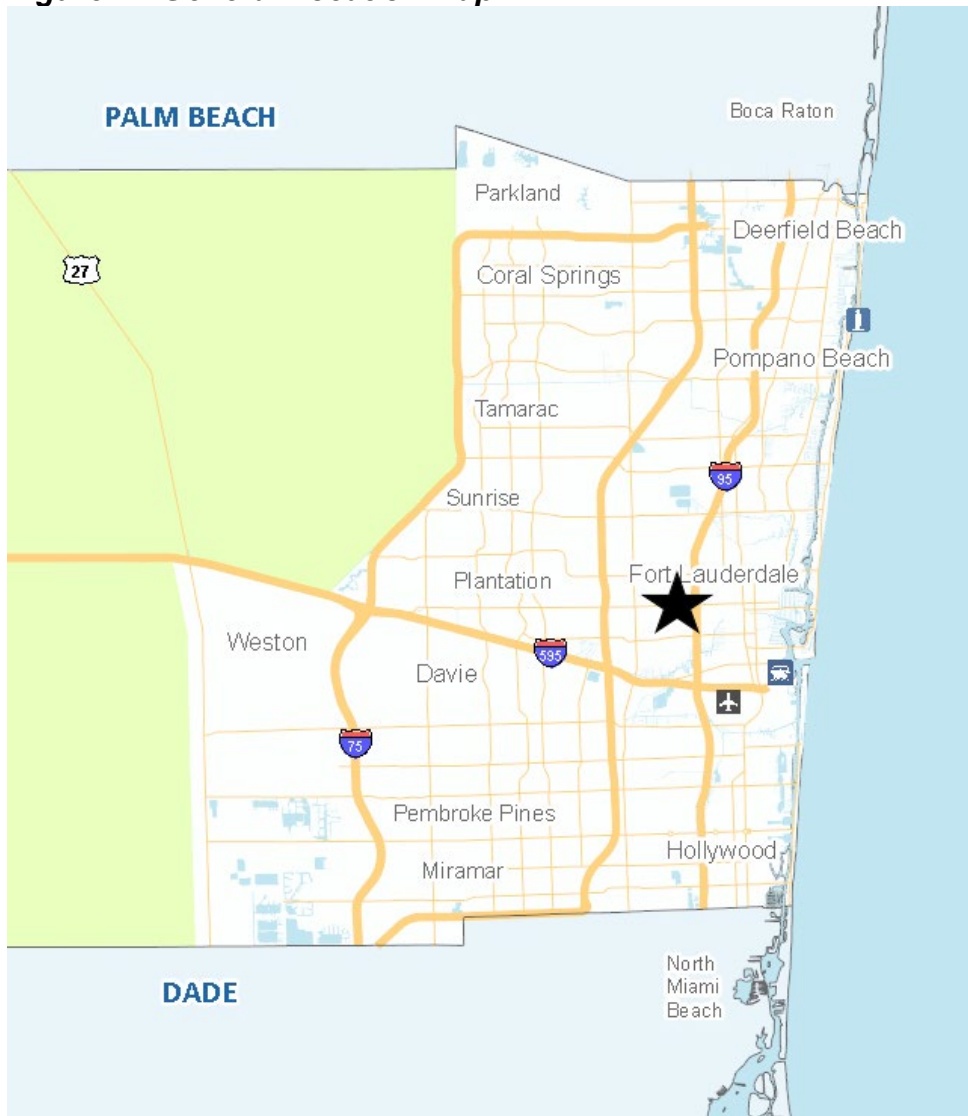


Figure 2: Proposed Rezoning Details

Site Location Map Central County (Attachment A)	178 NW 27 th Terrace.
Effect of Rezoning	Allows up to eight (8) dwelling units consistent with Broward County Land Use Plan Policy 2.16.3 based on gross acreage.
Size	0.14 net acres (0.17 gross acres).
Existing Uses (Attachment B – Aerial Map)	Vacant
Proposed Use	Residential
Current Zoning District (Attachment C)	RD-10: Duplex and attached one-family dwelling district
Proposed Zoning District (Attachment D)	GP-1: Garden Park Neighborhood District
BMSD Future Land Use Designation (Attachment E)	Low-Medium (10) Residential
BCLUP Future Land Use Designation (Attachment F)	Low-Medium (10) Residential
Commission District	District 8: Robert McKinzie
Applicant/Agent	Board of County Commissioners
Property Owner	Board of County Commissioners
Folio Number	504205131670

The rezoning implements Broward County Land Use Plan (BCLUP) Policy 2.16.3 (POLICY). The POLICY provides for allocation of residential density for projects that have an affordability component. (Attachment G). Affordability projects implemented by the POLICY do not require a land use amendment; however, they do require a finding of compatibility by the Broward of County Commissioners. (See Section II.J.) Should the Board approve this rezoning request, any future development shall comply with all provisions of the POLICY.

B. Staff Recommendation

The Resilient Environment Department’s Urban Planning Division recommends that the Board of County Commissioners approve the rezoning, recognize the utilization of Policy 2.16.3, and find the rezoning is compatible with existing and future land uses and the Broward County Zoning Code.

C. Background

The subject site is located in the Boulevard Gardens neighborhood of the Central County Community. (See Figures 3 and 4). Attachment H includes a demographic profile. The proposed GP-1 zoning district is located on a lot that fronts a local road (NW 27th Terrace) and is currently zoned RD-10 and has a land use designation of Low-Medium (10) Residential.

The site is adjacent to an assemblage of ten (10) lots on approximately 1.71-acres (See Figure 3) that is proposed to be developed with an approximately 100-unit, affordable,

senior living, multifamily residential development. The adjacent property was recently rezoned to the GP-1 and GP-2 zoning districts consistent with BCLUP Policy 2.16.3.

Figure 3: Oblique Site View from the East



Source: Broward County Property Appraiser, 2023 Aerials.

Figure 4: Site Photograph



Source: Broward County Property Appraiser, 2023

II. Summary of Evaluation Criteria.

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.

Staff finds that there is not an ambiguity or error.

B. Changing Conditions.

Broward County is nearly fully developed, and population growth is expected to continue (See Figure 5). Both market rate and affordable housing will primarily be achieved through urban infill and redevelopment of new multifamily housing. Development challenges include assembly of small lots with fragmented ownership, higher development costs, and ensuring compatibility with adjacent and nearby land uses.

Figure 5: Projected Additional Population

Broward County Population	1,944,375
Broward County Housing Units	860,329
Broward County Persons per Housing Unit	2.26
Proposed Additional Housing Units	7
Total Additional Population	16

Source: United States Census Bureau, 2020 Decennial Census

The neighborhood was first developed in the 1950s. The buildings are considered antiquated in comparison with present day development. The neighborhood is characterized by single and multifamily housing interspersed by sporadic vacant lots.

The Broward County Affordable Housing Needs Assessment, September 2022, identifies low-income limits by the number of persons in the family:

Figure 6: Fort Lauderdale Metro Area – Low-Income by Persons in Family (80% Annual Median Income)

1	2	3	4	5	6	7	8
\$50,800	\$58,050	\$65,300	\$72,550	\$78,400	\$84,200	\$90,000	\$95,800

Source: HUDuser.gov; FY 2022 Income Limits Summary

According to the 2022 Broward County Affordable Housing Needs Assessment, new multifamily housing development surpassed new single-family housing development between 2011 and 2012. The Study states that Broward County’s housing supply is aging with nearly 70 percent constructed prior to 1990. The study found that the Boulevard Gardens neighborhood, where the proposed rezoning site is located, had 487 housing units in 2020, of which 3.5% were multifamily.

The 2022 Broward County Affordable Housing Needs Assessment also indicates that Broward County has a rental unit supply gap of nearly 75,000 housing units for Low, Very Low, and Extremely Low-Income renter households. The Study further shows that while the South Florida Region gained rental housing in the \$1,250 per month and above cost between 2016 and 2020, it lost rental housing below \$1,250 per month.

The existing development pattern is characterized by small lots, fragmented ownership, and high vacancy rates. This development pattern is obsolete. The Broward County Comprehensive Plan’s Broward Municipal Services District Land Use and Community Planning Element identifies the need to redevelop such commercial corridors. The proposed rezoning site is expected to be combined with the adjacent redevelopment project described above to create a unified development.

Staff finds the proposed rezoning will:

- *Allow urban infill and redevelopment consistent with the intent and purpose of the GP-1 zoning district;*

C. Applicant Testimony.

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

D. Staff Recommendation.

See Section I.B.-Staff Recommendation

E. 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 (GOP), and Policies of the Broward County Comprehensive Plan.

1. Broward Municipal Services District Element

Goal BMSD 1, Policies BMSD 1.1.5, BMSD 1.1.6, BMSD 1.1.7, BMSD 1.1.9, 1.1.10, Goal MSD 2, Objective BMSD 2.1-Planning and Redevelopment, Policy BMSD 2.1.1, Policy BMSD 2.1.7, Policy BMSD 2.1.10, Policy BMSD 2.1.17, Policy BMSD 2.1.28, Policy BMSD 4.1.4, Policy BMSD 4.5.4.

2. Housing Element

Housing Element Goal; Objectives H1, H2; Policies, H1.3, H1.5, H1.7, H2.6. Broward Municipal Services District Element Goal BMSD 1, BMSD 2; Objectives BMSD 1.1, BMSD 2.1; Policies BMSD 1.1.7, 1.1.9, 2.1.1, 2.1.7, 2.1.10, 2.1.17, 2.1.28. BCLUP Policy 2.16.3. (See Attachment I)

Staff advises the Board of the following:

- Pursuant to Broward County Land Use Plan (BCLUP) Policy 2.16.3. regarding bonus residential density, the residential density of the project shall not exceed fifty (50) dwelling units per gross acre.*
- Bonus densities and affordability of the proposed development are subject to the execution and recordation of an agreement with Broward County, acceptable to the County Attorney's Office, which restricts the proposed dwelling units as affordable housing units for a period of 30 years.*
- Projects certified as very low or low-income housing projects are eligible for fee waivers as follows:*
 - *Park impact fees: 100%;*
 - *Transportation concurrency fees: 100%; and*
 - *School impact fees: Up to \$50,000, if approved by the School Board of Broward County. To obtain the fee waiver, a Declaration of Restrictive Covenant for Affordable Housing must be applied to the property that ensures the rental units will be affordable for at least 20 years.*

3. Other Applicable Comprehensive Plan Element Goals, Objectives, and Policies.

- Broward Municipal Services District Element:
 - Policy BMSD 4.3.1 that addresses safe streets.

- Policy BMSD 1.1.10 that provides for protection of historic and archaeological resources.
- b. Historic Preservation Component:
 - Policy HP3.2 that requires the evaluation of impacts to potential and recorded historic and cultural resources.
- c. Recreation and Open Space Element:
 - Objective R3 and Policy R3.2 that address local and regional park level-of-service standards.
- d. Solid Waste Element:
 - Objective 6.3 and Policy 6.3.1 that address solid waste disposal level-of-service standards.
- e. Transportation Element:
 - Policy T1.1.11 that addresses coordinating multi-modal use rights-of-way with appropriate supporting land uses, urban form, and densities necessary to support transit-oriented development.
 - Policy T1.1.4 that addresses compliance of new pedestrian, bicycle, and transit amenities with the American with Disabilities Act.
 - Policy T2.2.4 that addresses:
 - Locating residential densities greater than ten dwelling units per acre with adequate access to major and minor arterials roadways, expressways, and public transit routes.
 - Designating sufficient acreage on the BMSD Comprehensive Plan Map Series to provide a range of housing opportunities and a mix of land uses so that housing opportunities are within a 30-minute commute to employment.
 - Objective T2.4 that addresses analyzing impacts from land use changes based on a context-sensitive methodology.
- f. Water Management Element:
 - Policies WM 3.1 and WM 3.2 that provide for adequate potable water and sanitary sewer facilities.
 - Policy WM 3.14 that provides for the protection of water quality and adequate storm water management.
 - Policy WM 3.15 that requires applications for future land use map amendments in flood prone areas to be served by adequate storm water management and drainage facilities.
 - Policy WM 4.2 that requires Broward County to continue to coordinate the provision of potable water and sanitary sewer facilities through agreement with municipalities.

Staff finds the rezoning is consistent with the goals, objectives, and policies of the Broward County Comprehensive Plan and notes additional applicable goals, objectives, and policies are referenced throughout the comments from the various review agencies.

G. Comprehensive Plan Consistency-Densities, Intensities, and General Uses.

Staff finds the rezoning is consistent with the bonus density provisions set forth in Broward County Land Use Plan Policy 2.16.3 and general uses set forth in the Low-Medium (10) Residential future land use designation of Broward County Comprehensive Plan's Broward Municipal Services District Element.

H. Environmental, Historic, and Archaeologic Resources.

The proposed application was reviewed for impacts to environmental, historic, and archaeological resources. (See Attachments J and K).

Figure 7: Environmental and Historic Resource Conditions

Type	Impact
Contaminated Sites within ¼-mile	The subject site is located within ¼ mile of one (1) contaminated site. Any dewatering requires approval of a Dewatering Plan from the Environmental Permitting Division.
Active Solid Waste Facilities within one (1) mile	The subject site is located within one (1) mile of a solid waste facility that processes class III waste such as construction and demolition debris, commercial waste, industrial waste, and yard trash. All operations occur inside two buildings.
Wetlands	None. Filling does not require a Conceptual Dredge and Fill Report or an Environmental Resource License.
FEMA Special Flood Area Hazard	Yes – Zone VE. The required Case Floor Elevation is 8 feet NAVD. A Broward County Surface Water Management License and Environmental resource Permit is required.
Upland Resources	A Broward County Tree Removal License is required for any tree removal or relocation.
Hazardous Material Facilities/Storage Tanks within ¼ mile	Fourteen (14). Hazardous materials can leak and travel through the soil and underground and contaminate drinking water source.
Wellfield Zone of Influence	No.
SARA Title III Facilities within ¼ mile	One (1)
Air Permitted facilities within ½ mile	One (1)
Facilities with potential odor or noise problems	None.
Specially Designated Areas	None.
Protected Natural Lands	None.
Marine and Riverine Resources	None.
Priority Planning Areas for Sea Level Rise	None.
Water Recharge Capability	No impact (Increase in water recharge capabilities expected to be insignificant)
Historic Resources	None.
Archaeologic Resources	None.

Certain activities may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

Staff encourages the following:

1. Removal of invasive exotic vegetation.
2. Air quality measures are recommended, such as promoting use of transit, ridesharing, alternative fuel vehicles and infrastructure, bikeways and bicycle storage facilities, and pedestrian-friendly designs that include native shade trees.
3. Use Broward County’s preferred lighting standards to minimize sky glow and lighting disturbance of wildlife.
4. Consider recommendation of Broward County’s Climate Change Action Plan throughout the development process.
5. Review of the Future Conditions Map Series (Plate WM 2.1 – Future Conditions Average Wet Season Groundwater Elevation Map, and Plate WM 13.1 – Future Conditions 100-Year Flood Elevation Map), and their use as required by Broward County Code of Ordinances for permitting and design of the proposed site.
6. Coordinate development with the NatureScape Broward Program.

Staff finds that compliance with various environmental licensing and permitting requirements will mitigate any potential negative environmental impacts.

I. Infrastructure Capacity.

The proposed rezoning site is served by the full complement of urban services.

Staff finds that infrastructure capacity is expected to be available to serve the rezoning site.

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 of the proposed use in relation to the surrounding uses.

The Comprehensive Plan’s Broward Municipal Services District Element Policy BMSD 1.1.7 states that “future land uses shall be compatible with adjacent land uses and shall protect existing single-family neighborhoods from incompatible development.”

Figure 8: Site and Surrounding Land Uses

Location	Existing Land Use	Allowed Density	Current Zoning	Current BMSD Future Land Use	Current Future Land Use-BCLUP
Subject Site	Vacant	Ten (10) du/acre	RD-10: Duplex/Attached One-Family	Low-Medium (10) Residential	Low-Medium (10) Residential
North	Duplex	Ten (10) du/acre	RD-10: Duplex/Attached One-Family	Low-Medium (10) Residential	Low-Medium (10) Residential
East	Multi-family 10 to 49 units	Not applicable	B-3: Intense Commercial Business	Commercial	Commerce

South	Vacant	Ten (10) du/acre	GP-1: Garden Park Neighborhood	Low-Medium (10) Residential	Low-Medium (10) Residential
West	Single-family	Ten (10) du/acre	RD-10: Duplex/Attached One-Family	Low-Medium (10) Residential	Low-Medium (10) Residential

The site occupies one lot of an underdeveloped block that is comprised of vacant lots and dissimilar land uses (i.e. auto parts store, restaurant, multi-family, single-family, day care/nursery, office). It fronts NW 27th Terrace, a local road that has a fifty (50) feet wide right of way. The surrounding existing and planned land uses follow a traditional step-down land use pattern, with more intense residential, community facility, and commercial uses located along the primary transportation corridors of NW 27th Avenue and Broward Boulevard. Consistent with this traditional step-down land use pattern, the proposed rezoning applies the GP-1 district along NW 27 Terrace, thus providing a step-down district as a transition to the neighborhood.

The rezoning site is located across the street from an RD-10 District. The RD-10 District allows a height of 35 feet, while the GP-1 District allows a building height of 40 feet. The additional five (5) feet of height is expected to have a minimal impact since development of the site is expected to be separated by approximately 83 feet. The 83 feet separation includes the 50 feet right-of-way for NW 27th Terrace, the 15 feet setback required by the GP-1 district, and the 18 feet setback of the RD-10 district.

Figure 9: Selected Zoning District Requirements

Standard	Zoning District	
	GP-1	RD-10
Height and Stories		
Maximum Height	40'	35'
Minimum Stories	N/A	1
Maximum Stories	N/A	2
Active Roof Top Uses Allowed	Yes	No
Minimum Dwelling Unit Floor Area	400 sq. ft. minimum with average of 600 sq. ft.	800 sq. ft.
Maximum Lot Coverage	40%	40% (65% when Single-family)

Staff finds the proposed rezoning allows a circumstance 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 (See Exhibit 5)

- Attachment A: Site Location Map
- Attachment B: Aerial Map
- Attachment C: Current Zoning Map

- Attachment D: Proposed Zoning Map
- Attachment E: Broward Municipal Services District Future Land Use Map
- Attachment F: Broward County Land Use Plan Future Land Use Map
- Attachment G: Broward County Land Use Plan Policy 2.16.3
- Attachment H: Demographic Profile – Boulevard Gardens
- Attachment I: Housing Comments
- Attachment J: Environmental Resources Comments
- Attachment K: Historic and Archaeological Resources Comments
- Attachment L: Complete Streets – Intergovernmental Coordination Comments
- Attachment M: Recreation and Open Space Comments