

**CITY OF HOLLYWOOD, FLORIDA  
DEPARTMENT OF DEVELOPMENT SERVICES  
PLANNING AND URBAN DESIGN DIVISION**

**DATE:** September 6, 2018 **FILE:** 18-PZ-48

**TO:** Planning and Development Board / Local Planning Agency

**VIA:** Leslie A. Del Monte, Planning Manager

**FROM:** Fitz Murphy, Planning Administrator

**SUBJECT:** Broward County requests the rezoning from Medium Intensity Commercial District (C-3) to Government Use (GU); and Site Plan approval for a Communication Tower located at SW 49<sup>th</sup> Court (West Hollywood).

**REQUEST:**

Rezoning from Medium Intensity Commercial District (C-3) to Government Use (GU); and Site Plan approval for a Communication Tower. (West Hollywood).

**RECOMMENDATION:**

Forward a recommendation to the City Commission as follows:

Rezoning: Approval.

Site Plan: Approval, if the Rezoning is granted with a condition that if any trees are proposed to be removed, a Tree Disposition Plan and Landscape Plan shall be submitted in conjunction with demolition and/or construction permitting with full mitigation for total number of inches of hardwood tree DBH proposed to be removed. Landscape Plan to reflect full tree mitigation in addition to new construction City of Hollywood regular landscape code requirements.

**REQUEST**

The subject site is a heavily vegetated vacant lot, located east of Southwest 40<sup>th</sup> Avenue on Southwest 49<sup>th</sup> Court, the property is within the Mapleridge neighborhood and borders the City of Dania Beach. Broward County, is proposing a 300 foot communication tower and accessory structure, a critical component of the new Public Safety Radio System, which includes the City of Hollywood Police and Fire users.

The property has a General Business Land Use which allows for uses such as, utilities, transportation, communication facilities and easements. To better serve the proposed use and potential future needs, the Applicant is requesting to rezone from Medium Intensity Commercial District (C-3) to Government

Use District (GU) allowing for government facilities and uses. Furthermore, the proposed rezoning will allow for greater flexibility by removing some of the detailed restrictions of conventional zoning.

The proposed structure is flanked by a water treatment plant to the south, a vacant medium intensity commercially zoned lot to the north. To the east and west, the proposed communication tower will be positioned in a manner which maintains the greatest distance (approximately 350 feet) from residential Planned Development and Dania Beach. Additionally, the existing vegetation will provide a buffer between the existing homes and the proposed structures.

As determined by the Zoning and Land Development Regulations, the Planning and Development Board makes a recommendation to the City Commission for the Commercial to Government Use Rezoning, Design, and Site Plan.

### **SITE INFORMATION**

|                              |  |
|------------------------------|--|
| <b>Owner/Applicant:</b>      | Broward County                             |
| <b>Address/Location:</b>     | SW 49 <sup>th</sup> Court                  |
| <b>Net Area of Property:</b> | 8,364 sq. ft. (0.192 acres)                |
| <b>Land Use:</b>             | General Business (GBUS)                    |
| <b>Existing Zoning:</b>      | Medium Intensity Commercial District (C-3) |
| <b>Proposed Zoning</b>       | Government Use District (GU)               |
| <b>Existing Use of Land:</b> | Vacant Government                          |

### **ADJACENT LAND USE**

|               |  |
|---------------|--|
| <b>North:</b> | General Business (GBUS)                                |
| <b>South:</b> | Utilities (U) – Dania Beach                            |
| <b>East:</b>  | Low Residential (LRES), Low Medium Residential (LMRES) |
| <b>West:</b>  | Low (5) Residential (L-5) – Dania Beach                |

### **ADJACENT ZONING**

|               |  |
|---------------|--|
| <b>North:</b> | Medium Intensity Commercial District (C-3)                 |
| <b>South:</b> | Industrial Research Office Commercial (IROC) – Dania Beach |
| <b>East:</b>  | Planned Development District (PD)                          |
| <b>West:</b>  | Single Family 6000 (RS-6000) – Dania Beach                 |

### **CONSISTENCY WITH THE CITY-WIDE MASTER PLAN**

The City-Wide Master Plan is a compilation of policy priorities and recommendations designed to improve the appearance, appeal, and economic tax base of the City. It establishes a format for future direction and vision for the City.

The subject property is located in Sub-Area 7, which is geographically defined by 56<sup>th</sup> Avenue to the west, I-95 to the east, Sheridan Street to the south and SR 84 and Broward County Unincorporated areas to the north. This area includes the residential neighborhoods of Emerald Hills, Mapleridge, and Oakridge as well as the industrial/office area of Port 95 Commerce Park.

The proposed request is consistent with City-Wide Master Plan based upon the following:

**Guiding Principle:** *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

**Guiding Principle:** *Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.*

The proposed development and use are consistent with the above policies by promoting the best use of land, while taking into consideration the surrounding properties and making the necessary improvements in order to help mitigate any possible impacts which may occur.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

### ***Land Use Element***

This project is located in the General Business Land Use area which is characterized by retail, business, hotel, parks and utilities, commercial, institutional and residential uses. The goal of the Land Use Element is to *promote a distribution of land uses that will enhance and improve the residential, business, resort, and natural communities while allowing land owners to maximize the use of their property.* The surrounding community has a mix of residential, vacant land and utilities.

**Objective 4:** *Maintain and enhance neighborhoods business, utilities, industrial and tourist areas that are not blighted.*

**Policy 4.5:** *Maintain the City of Hollywood Zoning Map and Zoning and Development Regulations that provide for compatibility of adjacent land uses by rezoning or strengthening buffering requirements between land uses.*

**Objective 13:** *The City of Hollywood shall prioritize infrastructure service improvements to supplement and enhance economic development and redevelopment, and streetscape and aesthetic design.*

The proposed project will allow for a needed public infrastructure to serve the entire community within the City of Hollywood in a manner which enhances existing facilities.

## **APPLICABLE CRITERIA**

**Analysis of Criteria and Findings for Rezoning as** stated in the City of Hollywood’s Zoning and Land Development Regulations, Article 5.

**CRITERIA 1:** That the petition for a change of zoning district will not result in spot zoning or contract zoning.

**ANALYSIS:** One of the purposes of the Government Use (GU) Zoning District is that, *Any land acquired, owned or leased by the city or any other governmental entity/agency may be given a zoning designation of GU by initiating the rezoning process set forth in F.S. §166.041, Article 5 of the Zoning and Land Development Regulations, and this section.* As such, the rezoning will allow for the most adequate use.

**FINDING:** Consistent

**CRITERIA 2:** The proposed change is consistent with and in furtherance of the Goals, Objectives and Policies of the Comprehensive Plan.

**ANALYSIS:** Rezoning the property will promote consistency with the Goals, Objectives and Policies of City of Hollywood Comprehensive Plan, whereas today the current zoning would not allow for the use. The rezoning will be in furtherance of the Comprehensive Plan, as it *Maintain[s] the City of Hollywood Zoning Map and Zoning and Development Regulations that provide for compatibility of adjacent land uses by rezoning or strengthening buffering requirements between land uses.* If approved, the rezoning will allow for new infrastructure and buffered by mature vegetation.

**FINDING:** Consistent

**CRITERIA 3:** That conditions have substantially changed from the date the present zoning district classification was placed on the property which make the passage of the proposed change necessary.

**ANALYSIS:** The proposed rezoning request does fall within the existing land use designation and will be consistent with similar zoning districts. The property has a General Business Land Use which allows for communication facilities.

**FINDING:** Consistent

**CRITERIA 4:** The proposed change will not adversely influence living conditions in the neighborhood.

**ANALYSIS:** The Applicant has placed the structures so as to reduce the impact of the proposed structures on the living conditions in the neighborhood. The communication tower will be positioned in a manner which maintains the greatest distance (approximately 350 feet) from residential Planned Development and Dania Beach and landscaping will serve as a buffer to the substantial improvements while maintaining natural habitats near the neighborhood.

**FINDING:** Consistent

**CRITERIA 5:** That the proposed change is compatible with the development(s) within the same district/neighborhood.

**ANALYSIS:** This facility will provide a necessary service to the City of Hollywood. The surrounding area is a combination of residential, utilities and vacant land. The proposed zoning of the property will allow for a communication tower which will provide a necessary infrastructure to these areas. As such the proposed change is compatible with the development in the neighborhood.

**FINDING:** Consistent

## **SITE PLAN**

Staff finds the proposed Site Plan compliant with all regulations as set forth in Article six of the Hollywood Zoning and Land Development Regulations on. Therefore, staff recommends approval, if Rezoning is granted with the **condition that if any trees are proposed to be removed, a Tree Disposition Plan and Landscape Plan shall be submitted in conjunction with demolition and/or construction permitting with full mitigation for total number of inches of hardwood tree DBH proposed to be removed. Landscape Plan to reflect full tree mitigation in addition to new construction City of Hollywood regular landscape code requirements.**

## **ATTACHMENTS**

|               |                             |
|---------------|-----------------------------|
| Attachment A: | Application Package         |
| Attachment B: | Land Use and Zoning Map     |
| Attachment C: | Existing Zoning Regulations |
| Attachment D: | Proposed Zoning Regulations |