



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, OCTOBER 19, 2022 – 6:00 P.M.**

Board Members	June 2022 – May 2023		
	Attendance	Present	Absent
Michael Weymouth, Chair	P	5	0
Brad Cohen, Vice Chair	A	3	2
John Barranco	P	5	0
Mary Fertig	P	5	0
Steve Ganon	P	5	0
Shari McCartney	P	2	3
Patrick McTigue	P	3	0
William Rotella	A	4	1
Jay Shechtman	P	4	1

Staff

Ella Parker, Urban Design and Planning Manager
D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
James Hetzel, Principal Urban Planner
Trisha Logan, AICP, Principal Urban Planner
Michael Ferrera, Urban Design and Planning
Nicholas Kalargyros, Urban Design and Planning
Leslie Harmon, Recording Secretary, Prototype, Inc.

Communication to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Weymouth called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board and Staff members present.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

Chair Weymouth requested a **motion** to approve the minutes of the September 21, 2022 meeting.

Motion made by Ms. McCartney, seconded by Mr. McTigue, to approve. In a voice vote, the **motion** passed unanimously.

Motion made by Ms. Fertig, seconded by Mr. McTigue, to approve with all the facts and findings and conditions and anything else.

In a roll call vote, the **motion** passed 6-0. (Mr. Barranco abstained. A memorandum of voting conflict is attached to these minutes.)

5. CASE: UDP-T22006

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-27.7 – Historic Designations, to Include Additional Noticing Requirements for Historic Designation Applications

APPLICANT: City of Fort Lauderdale

COMMISSION DISTRICT: City-Wide

CASE PLANNER: Trisha Logan, AICP

Trisha Logan, Principal Urban Planner, advised that this Text Amendment addresses Unified Land Development Regulations (ULDR) Section 47-27.7, which pertains to notices for historic designation. The City's Historic Preservation Board has requested this amendment via communication to the City Commission, which authorized Staff to move forward with its preparation.

The amendment provides for an additional sign notification in front of a property prior to a designation application appearing before the Historic Preservation Board (HPB). It also provides for an additional mail notice to a registered agent for a property owned by a limited liability company (LLC) or corporation.

Chair Weymouth asked if the amendment would apply only if the applicant is the owner of the property. Ms. Logan clarified that it would apply in all cases. She further clarified that Code does not permit a separate party, such as a neighbor, to apply for the historic designation of a property that does not belong to them. A designation application may be initiated in the following ways:

- Through a motion by the HPB
- Through a motion by the City Commission
- Through the property owner
- Through a simple majority of property owners within a historic district
- Through a nonprofit organization with a vested interest in historic preservation

Mr. Shechtman asked if, should an application be filed by a party other than the property owner, that owner would be required to keep the signage on the property. Attorney Wallen explained that signs are placed on the property's corner, as required by Code. She further clarified that any nonprofit requesting a historic designation must have existed for five years. A random individual would not be able to request this designation.

Mr. Shechtman requested additional information on which party would be responsible for placement of signage. Attorney Wallen stated that the City would provide the sign to the applicant, who would then be responsible for its placement.

It was asked if a sign placed on a property against the will of the property owner constituted trespass. Attorney Wallen advised that if the applicant is not the property owner, the applicant must post the sign on or as near to the subject property as possible, subject to the permission of the property owner, or within a right-of-way as close to the property as possible if approved by the City.

Mr. Ganon noted that the public may speak at HPB meetings, and asked how the City can reach out to the public to inform them of such a meeting. Attorney Wallen replied that there was no such requirement previously in place regarding historic designation. Ms. Logan added that the signage is currently required prior to City Commission meetings; the proposed Text Amendment adds the requirement prior to the HPB meetings. Newspaper and mail notices are already required.

There being no questions from the Board at this time, Chair Weymouth opened the public hearing. As there were no individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Fertig, seconded by Mr. Shechtman, to approve.

In a roll call vote, the **motion** passed 6-1 (Chair Weymouth dissenting).

6. CASE: UDP-T22007

REQUEST: * Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24.11 to Include an Option to Designate Thematic Historic Districts and to Amend Existing Historic Preservation Criteria and Procedures.

APPLICANT: City of Fort Lauderdale

COMMISSION DISTRICT: City-Wide

CASE PLANNER: Trisha Logan, AICP

Ms. Logan explained that this proposed Text Amendment relates to Section 47-24.11 of the ULDR. It was also initiated by the HPB and would establish the ability to designate a thematic historic district. This type of district differs from a traditional historic district by allowing for the designation of a group of non-contiguous buildings connected by a common theme, such as architecture, architectural style, design, architect, use, or other factors.

This amendment was also sent by the HPB as a communication to the City Commission, which supported the request to move forward with the preparation of the amendment. Staff brought the amendment before the HPB in August 2022 for review. The HPB recommended approval of the proposed amendment.

units are exhausted, there will be no other option except either a Land Use Plan Amendment or applying the County policy for affordable housing. A formula-based unit ratio is applied for the construction of affordable units versus market-rate units. This will show the total units that can be developed for a project. There are also form-based regulations which regulate how much density can be constructed. The properties must be built on certain major corridors or certain land use categories.

Mr. Hetzel continued that there are different categories of affordable units, for which the number of market-rate units that can be constructed per affordable unit varies. He cited the example of one very low-income unit, which permits the developer to construct 19 market-rate units. This process allows for the development of an unlimited number of units.

Ms. Parker advised that there is also the option of an in-lieu fee, which is going through a County amendment process and is proposed to be \$10,000 per unit. The actual allocation of units occurs during Site Plan approval and is done on a first-come, first-served basis.


Mr. Barranco asked if Staff has discussed consideration of securing additional units. Mr. Hetzel confirmed that Planning Staff has discussed this possibility through a Land Use Plan Amendment for specific areas within the City, but has not received direction to proceed at this time.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:06 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.



Chair



Prototype

[Minutes prepared by K. McGuire, Prototype, Inc.]