



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES
CITY HALL COMMISSION CHAMBERS
100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301
WEDNESDAY, JUNE 15, 2022 – 6:00 P.M.**

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

Staff

D'Wayne Spence, Assistant City Attorney
Shari Wallen, Assistant City Attorney
Jim Hetzel, Principal Urban Planner
Lorraine Tappen, Principal Urban Planner
Nick Kalargyros, Urban Design and Planning
Yvonne Redding, Planner III
Jamie Opperee, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

~~Vice Chair Cohen called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited. He noted that former Chair Jacquelyn Scott has resigned from the Board. The Vice Chair introduced the Board members present.~~

~~**II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM**~~

~~**Motion** made by Mr. Weymouth, seconded by Mr. Rotella, to approve. In a voice vote, the **motion** passed unanimously.~~

~~**III. ELECTION OF BOARD CHAIR / VICE CHAIRPERSON**~~

~~Vice Chair Cohen nominated Michael Weymouth as Chair. Mr. Barranco seconded the nomination. In a voice vote, Mr. Weymouth was unanimously elected Chair.~~

~~Attorney Wallen noted that there is no Resolution associated with Case UDP-V22003, as only a recommendation for approval, including all Staff conditions, is required.~~

~~In a roll call vote, the **motion** passed unanimously (7-0).~~

~~Chair Weymouth requested a motion for Item 2, Case #UDP-V22004.~~

~~**Motion** made by Ms. Fertig, seconded by Vice Chair Cohen, to recommend approval of Case Number [UDP-V22004] that Mike just read, based on the following findings of fact, the facts of the City Staff report, and the testimony heard by the Applicants, and the Board hereby finds that the Application meets the applicable criteria of the ULDR cited in the Staff report; and we recommend the approval of the Application as subject to the conditions included in the Staff report. In a roll call vote, the **motion** passed unanimously (7-0).~~

~~Chair Weymouth requested a motion for Item 3, UDP-P22003.~~

~~**Motion** made by Ms. Fertig, seconded by Vice Chair Cohen, to recommend approval of the case [UDP-P22003] that Mike just read, based on the following findings of fact, the City Staff report, and the testimony heard by the Board; and the Board hereby finds that the Application meets the applicable criteria of the ULDR cited in the report; the Board recommends approval of any Staff recommendations or conditions that were in the report. In a roll call vote, the **motion** passed unanimously (7-0).~~

4. CASE: UDP-L22002

REQUEST: * Amend Comprehensive Plan to Add Utility Use to Employment Center Land Use Designation

APPLICANT: City of Fort Lauderdale

PROPERTY ADDRESS: Citywide

COMMISSION DISTRICT: 1, 2, 3, and 4

CASE PLANNER: Lorraine Tappen

Principal Urban Planner Lorraine Tappen explained that the City's Public Works Department proposes to construct a new water treatment facility on a City-owned property. The Future Land Use designation of that property is Employment Center. Upon review, it was determined that this Future Land Use category does not allow a use for Utilities. Staff proposes amending this element to add Utilities as a permitted use of the Employment Center Future Land Use designation.

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.

Mr. Ganon asked if Staff had considered seeking a waiver or variance rather than changing the Employment Center Future Land Use category for a single site. Ms. Tappen replied that the addition of Utilities as a permitted use under Employment

Center was the simplest solution. Whatever use is chosen for a parcel with this Future Land Use will be required to demonstrate neighborhood compatibility.

Mr. Ganon also noted a grammatical error in the description of the Utilities element. Ms. Tappen confirmed that this will be corrected.

Motion made by Ms. Fertig to recommend approval of the Amendment to the Comprehensive Plan, Case Number [UDP-L22002].

Assistant City Attorney D'Wayne Spence further clarified that the language as modified in the record refers to "utilities, excluding electric power plants."

Mr. Barranco **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously (7-0).

VI. COMMUNICATION TO THE CITY COMMISSION

None.

VII. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE

~~Ms. Fertig requested that the dates of completion of applications be included in future Staff reports. Attorney Spence explained that Florida Statute 166.033 requires that within 30 days of the receipt of an application, a municipality must review the application for completeness and issue a letter indicating that the document includes all required information. If this information is incomplete, a letter is sent to the applicant informing them that they have 30 days in which to address deficiencies and submit the required information. In a normal process, the time frame from which the municipality deems the application to be complete and the time of final action on that application is 120 days. When the process includes a quasi-judicial or public hearing, this time frame is lengthened to 180 days.~~

~~When an application is processed by a certified professional, such as an architect or engineer, the municipality may only review the application for completeness a maximum of three times. After the third review, the application must go forward for final action by the Board. Attorney Spence advised that in such a case, the Board's only obligation would be acting upon a request for deferral, at which time Staff would advise them that without a waiver from the applicant, they must take action on the item or risk violation of Statute 166.033.~~

~~Ms. Fertig reiterated her request that Staff advise the Board of the date of completion of each application that comes before them. She pointed out that this information is not currently included on the materials the Board receives from Staff.~~

~~Ms. Fertig continued that Staff has the ability to agree to extend the completion date so an application may go through the process. Attorney Spence confirmed that an applicant may make a reasonable request for an extension.~~

~~Mr. Barranco stated that he would also like the Board to address this topic the next time they are considering the Comprehensive Plan or future development, as it may be necessary to "start pushing for additional units" in certain zoning districts. He expressed concern that some districts may be taking most of the units for allocation. Mr. Hetzel noted that Code can be nuanced, and reiterated that he could provide an overview of these processes.~~

~~Chair Weymouth requested that a copy of this forthcoming presentation be provided to the Board in advance of their next meeting.~~

~~Mr. Barranco added that he would also like to know how many developers have had units allocated to them for some time, and how long they have held these units without developing them. He wished to ensure that developers are abiding by State regulations.~~

~~There being no further business to come before the Board at this time, the meeting was adjourned at 6:48 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.]