CITY OF FORT LAUDERDALE

MEETING MINUTES
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
CITY HALL - CITY COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, JANUARY 15, 2020 - 6:00 P.M.

Cumulative

	June 2019-May 2020		
Board Members	**Attendance**	**Present**	**Absent**
Catherine Maus, Chair	P	7	1
Mary Fertig, Vice Chair	P	7	1
John Barranco	A	6	2
Brad Cohen (arr. 6:04)	P	7	1
Coleman Prewitt	P	8	0
Jacquelyn Scott	P	8	0
Jay Shechtman	P	8	0
Alan Tinter	P	8	0
Michael Weymouth	P	7	1

It was noted that a quorum was present at the meeting.

Staff

Ella Parker, Urban Design and Planning Manager
Shari Wallen, Assistant City Attorney
D'Wayne Spence, Assistant City Attorney
Christian Cervantes , Urban Planner I
Karlanne Grant, -Urban Planner 111
Jim Hetzel, Principal Planner
Tom Lawrence, Project Manager II, Public Works
Trisha Logan, Urban Planner Ill
Mohammed Malik, Zoning Administrator
Jamie Opperlee, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus called the meeting to order at 6:01 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board members, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.

Mr. Shechtman estimated that it has been approximately one year or more since the Board approved the first medical marijuana dispensary in Fort Lauderdale, which has not yet opened. He commented that residents currently have to drive to other cities to access prescribed medication, and asked if the Applicant could indicate that the process of opening this facility would not be unnecessarily lengthy. Ms. Toothaker replied that the Applicant is anxious to open the facility and the Site Plan is complete. With the Board's support, they are prepared to request a building permit.

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

Motion made by Vice Chair Fertig, seconded by Ms. Scott, to approve.

Assistant City Attorney Shari Wallen requested clarification that the **motion** included adoption of the findings of fact included in the Staff Report. Vice Chair Fertig stated that this was part of her **motion.**

In a roll call vote, the **motion** passed 8-0.

2. CASE: **PLN-ULDR-19120001**

REQUEST:*

Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR):

Section 47-24.11., Historic Designation of Landmarks, Landmark Site or Buildings and Certificate of Appropriateness, to Add Section 47-24.11.F., Waivers for Historic Preservation, to Provide Setback and Distance Separation Waivers for Historic Resources ; and

Section 47-24.11., Historic Designation of Landmarks, Landmark Site or Buildings and Certificate of Appropriateness, to Add Section 47-24.11.H., Exemption for Designated Local Historic Resources Used for Certain Commercial or Nonprofit Purposes to Provide an Ad Valorem Tax Exemption of Fifty Percent of the Assessed Value; and

Section 47-24.8., Certificate of Appropriateness and Economic Hardship Exception, to Include a Notice Requirement for a Waiver Application; and

Section 47-3.2., Non-conforming Structure, to Provide a Reference to Section 47-24.11.F. for Waivers for Historic Preservation.

GENERAL LOCATION: City-Wide
CASE PLANNER: Trisha Logan

Trisha Logan, representing Urban Design and Planning, explained that this Item is a continuation of discussion of various text amendments related to a Historic Preservation update. An update of the primary Historic Preservation Code was passed in September 2019. The Item before the Board tonight considers two proposed incentives for historic resources.

The first incentive is a tax exemption, which was recommended for approval by the City's Historic Preservation Board (HPB) in December 2019. The comments from the HPB included a recommendation to include a restrictive covenant or other mechanism that would prevent an owner from demolishing the property after taking advantage of the tax exemption. The Broward County Tax Appraiser's Office has indicated that they would not require a restriction of this nature, as it is not required under the State Statute enabling this exemption.

The proposed tax exemption is a 50% reduction in taxes for commercial properties that are designated as historic landmarks or contributing properties within a historic district. At present, this would result in an annual tax reduction of approximately $60,000 throughout the City. Broward County offers the same tax exemption at the County level.

The second proposed incentive is a historic preservation waiver, which would allow the HPB to grant a waiver to a property owner who has come before them to request a Certificate of Appropriateness . An applicant must demonstrate that they meet certain criteria in order to be granted the waiver.

Two additional amendments are proposed, each of which are necessary due to the proposed incentives. One would adjust noticing requirements, while the second provides a reference in the Nonconforming Structures section of the ULDR to historic preservation waivers.

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

Motion made by Vice Chair Fertig, seconded by Ms. Scott, to approve all four Ordinances.

In a roll call vote, the **motion** passed 8-0.

"Current Capacity Letter Procedure" and is used by the Engineering Division of the Public Works Department. Attorney Spence further clarified that it is not necessary for the Board to make a motion in order to receive this letter as part of their information packets.

Ms. Scott advised that as a member of the City's Infrastructure Task Force, she has learned that the issue is not capacity: rather, it is the age of the infrastructure, particularly pipes. She suggested that for future applications, the Board might consider asking questions of an applicant and/or making recommendations regarding the state of these pipes . Attorney Spence confirmed that these questions would be useful in determining whether or not infrastructure is adequate. Mr. Tinter characterized this as a concern for adequacy rather than capacity, as adequacy takes age, maintenance, and other conditions of infrastructure into consideration.

None.

There being no further business to come before the Board at this time, the meeting was adjourned at 6:39 p.m.

Any written pt tb li e ecmrnents made 4 8 hctirs pricr tc the meetin re ardin9 items discussed during the proceedings have been attached hereto.

Catherine A. Manz

Chair

Brigitte Chiaperta

Prototype

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