



CITY OF FORT LAUDERDALE

**HISTORIC PRESERVATION BOARD
CITY OF FORT LAUDERDALE
Virtual Meeting**

**Visit: <https://www.fortlauderdale.gov/government/HPB>
Monday, August 3, 2020 - 5:00 P.M.**

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance 6/2020 through 5/2021</u>	
		<u>Present</u>	<u>Absent</u>
Jason Blank, Chair	P	2	0
Arthur Marcus, Vice Chair	P	2	0
Caldwell Cooper	A	0	2
Barbara Lynes	A	1	1
David Parker	P	2	0
Richard Rosa	P	2	0
Veronica Sazera	P	1	0
Tim Schiavone	P	2	0

City Staff

Shari Wallen, Assistant City Attorney
Trisha Logan, Historic Preservation Planner
Suellen Robertson, Administrative Supervisor
Yvonne Redding, Urban Planner III
Urban Design and Planning Manager
Jamie Opperee, Recording Secretary, Prototype Inc.

Communication to the City Commission

None

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	Review of Proposed Updates to the Unified Land Development Regulations (ULDR)	<u>2</u>

I. Call to Order/Pledge of Allegiance

The meeting of the Historic Preservation Board was called to order at 5:02 p.m.

II. Determination of Quorum/Approval of Minutes

Roll was called and it was determined a quorum was present.

Motion made by Mr. Marcus, seconded by Mr. Schiavone to approve the minutes of the Board's July 2020 meeting. In a voice vote, motion passed 6-0.

III. Public Sign-in/Swearing-In

All members of the public wishing to address the Board on any item were sworn in.

Board members disclosed communications and site visits for each agenda item.

IV. Agenda Items:

No cases

V. Communication to the City Commission

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None

VI. Good of the City

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- a. Review of Proposed Updates to the Unified Land Development Regulations (ULDR); Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) to Create Article XII. - Transfer of Development Rights (TDRs), Section 47-36; to Add Transfer of Development Rights Process and Criteria Intended to Encourage Preservation of Historic Resources.

Ms. Logan provided a background for this item stating that in 2018 the City Commission had requested recommendations for amendments to the Historic Preservation Ordinance. Staff proposed a three phased approach and as part of phase 2, staff had developed several incentives. Ms. Logan Provided a Power Point presentation describing the TDR incentive program.

Mr. Parker asked how a neighborhood was made aware of the use of TDRs and Ms. Logan stated the neighborhoods would be notified if a new development was proposed for the neighborhood. She noted that a new development receiving TDRs must still go through the development review committee process and must comply with all ULDR requirements, including neighborhood compatibility.

Mr. Schiavone stated he had spoken with Courtney Crush, land use attorney, about how this would work. He appreciated that this allowed the owner of a historic property to profit from the transfer of development rights. He felt this was a great idea in concept but felt it needed further discussions with stakeholders regarding how it would work including why a receiving area was needed and why there was an expiration.

Ms. Logan explained that the designated receiving areas were required by the Broward

County Land Use Plan to initiate this type of program. She said they had looked at all zoning districts to determine viable options for the program. Ms. Logan stated the Certificate of Eligibility issued to the historic resource expired after 18 months to ensure there were no zoning changes over that time. Once the Certificate of Transfer was issued, there was no expiration.

Mr. Schiavone asked what happened to the rights once transferred and Ms. Wallen said the rights were owned in perpetuity. She added that the Broward County Land Use Plan stipulated that the TDR receiving area must be considered suitable and preferred for growth and redevelopment by the municipality. It must also be in an area such as Regional Activity Centers designated in the Broward County Land Use Plan and/or identified redevelopment areas approved by Broward County. Currently, there was no recourse specified for the receiver of the rights if for some reason a plan fell through. The Certificate of Eligibility process was intended for the parties to determine what rights would be transferred and if it was financially feasible to do a project.

Mr. Marcus asked if there would be a workshop for the public and Ms. Logan said they had communicated with the Council of Fort Lauderdale Civic Associations but had not been asked to make a presentation. The program would be heard by the Planning and Zoning Board and then have two readings before the City Commission. Mr. Marcus wanted to know how property owners would be made aware of the program and Ms. Logan said they planned to send letters regarding the incentives that had been adopted to owners of historic landmarks.

Mr. Blank asked if any similar sized cities in Florida had implemented such a program. Ms. Logan stated the City of Miami, the City of Coral Gables and the City Miami Beach all had this in their ordinances. When she was a Historic Preservation Planner and TDR coordinator for the City of Miami, she had seen it utilized quite a bit. She noted that the prices of the TDRs were dictated by the market, not by the municipality.

Mr. Blank asked Ms. Logan about negative feedback she had heard and Ms. Logan stated she had heard that in the City of Coral Gables, the market-driven price of the transfer was too high to justify it. Mr. Blank asked about negative feedback from historic property owners because increased density and/or height had a negative impact on historic properties. Ms. Logan had not heard this, and noted that the draft ordinance included the caveat that the transferred height or density could not negatively affect a historic property.

Mr. Blank asked if any member of the public wished to speak and no one responded.

Mr. Schiavone said he was very much in favor of this could be, but felt there should be more input from stakeholders before endorsing it. Mr. Blank recommended making a statement that the Board supports a TDR program and they were encouraged by the draft but they were not taking a direct position on adoption of the draft.

Mr. Rosa asked how receivers would find out about rights available for transfer. Ms. Logan said the City would put information on the website and would maintain a list of properties that had applied for Certificates of Eligibility. Mr. Rosa asked if an owner could assign the rights to be sold by someone else and perhaps aggregated. Ms. Wallen said one must

be an owner or have an affidavit from the owner to engage in the transaction. There was a restrictive covenant on the sending property and a certificate of transfer on the receiving property.

Stephanie Wedgeworth, Sailboat Bend resident, said the Sailboat Bend Civic Association board and members would like to know more about this incentive and invited the City to make a presentation at their meeting.

Motion made by Mr. Marcus, seconded by Mr. Rosa:

The Board is in general support of the TDR concept as an excellent vehicle to promote historic preservation in the City as well as to provide an economic incentive for property owners but the Board wants further clarification about how this process would work. In a voice vote, motion passed unanimously.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:00 p.m.

Attest:


ProtoType Inc. Recording Secretary

Chairman:


Jason B. Blank, Chair

The City of Fort Lauderdale maintains a website for the Historic Preservation Board Meeting Agendas and Results:

<http://www.fortlauderdale.gov/departments/city-clerk-s-office/board-and-committee-agendas-and-minutes/historic-preservation-board>

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