



CITY OF FORT LAUDERDALE

**CITY OF FORT LAUDERDALE  
PLANNING AND ZONING BOARD MEETING MINUTES  
CITY HALL COMMISSION CHAMBERS**

**100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301**

**WEDNESDAY, AUGUST 18, 2021 – 6:00 P.M.**

<b>Board Members</b>	<b>June 2021-May 2022</b>		
	<b>Attendance</b>	<b>Present</b>	<b>Absent</b>
Jacquelyn Scott, Chair	P	3	0
Brad Cohen, Vice Chair	P	2	1
John Barranco	A	2	1
Mary Fertig (via Zoom)	P	3	0
Steve Ganon	P	3	0
Shari McCartney	P	3	0
William Rotella	P	2	1
Jay Shechtman	P	2	1
Michael Weymouth	A	2	1

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

**Staff**

D'Wayne Spence, Assistant City Attorney  
Shari Wallen, Assistant City Attorney  
Jim Hetzel, Principal Planner  
Karlanne Grant, Urban Design and Planning  
Lorraine Tappen, Urban Design and Planning  
Tedra Allen, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

~~None.~~

**~~I. CALL TO ORDER / PLEDGE OF ALLEGIANCE~~**

~~Chair Scott called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited. The Chair introduced the Board members, and Principal Planner Jim Hetzel introduced the Staff members present.~~

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

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

**~~III. PUBLIC SIGN IN / SWEARING IN~~**

~~Any members of the public wishing to speak at tonight's meeting were sworn in at this time.~~

#### ~~IV. AGENDA ITEMS~~

##### Index

##### Case Number

##### Applicant

- |                           |                                    |
|---------------------------|------------------------------------|
| <del>1. UDP L21001*</del> | <del>City of Fort Lauderdale</del> |
| <del>2. UDP T21008*</del> | <del>City of Fort Lauderdale</del> |
| <del>3. UDP T21009*</del> | <del>City of Fort Lauderdale</del> |
| <del>4. UDP T21002*</del> | <del>City of Fort Lauderdale</del> |

##### ~~Special Notes:~~

~~**Local Planning Agency (LPA) items (\*)** – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).~~

~~**Quasi-Judicial items (\*\*)** – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.~~

#### **1. CASE: UDP-L21001**

**REQUEST:** \* Amend City of Fort Lauderdale Comprehensive Plan to amend the Future

Land Use Element to Incorporate Broward County Land Use Plan Policies and Add a

New Property Rights Element

**APPLICANT:** City of Fort Lauderdale

**GENERAL LOCATION:** City-Wide

**CASE PLANNER:** Lorraine Tappen

Mr. Hetzel noted that there is a correction to Exhibit 2 of Item 1.

Lorraine Tappen of Urban Design and Planning stated that the advance Fort Lauderdale Comprehensive Plan was adopted by the City Commission in late 2020. The Planning and Zoning Board (PZB) had reviewed this document prior to Commission approval. The Comprehensive Plan's update required re-certification by the Broward County Planning Council. Upon review, the Planning Council identified a number of items in the Broward County Comprehensive Plan, known as Broward NEXT, that must also appear in the Fort Lauderdale Comprehensive Plan. The first set of amendments to the Future Land Use element incorporates these policies.

The remaining amendments represent a new element for the City's Comprehensive Plan, which is a Property Rights element. The Florida Legislature approved the addition of this element during the 2020-2021 legislative session, and the Governor signed it into law. This new element states that the City will acknowledge private property rights in its decision-making. It restates much of the Bert J. Harris Private Property Rights Protection Act and goes further in fleshing out these aspects. This addition arises from a concern for mineral rights in other parts of the state.

Vice Chair Cohen addressed a section of the addition which refers to a list of historical sites, requesting clarification of whether the City will construct this list or if it will include individual property owners who wish to designate their properties as historical. Ms. Tappen replied that at present, the City has a map showing historically designated sites, including an archaeologically significant zone and the City's historic districts. The policy is not intended to extend further than what is currently on file with the City.

There being no further questions from the Board at this time, Chair Scott 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 Vice Chair Cohen, seconded by Mr. Rotella, to pass. In a roll call vote, the **motion** passed 7-0.

~~2. **CASE:** UDP T21008~~

~~**REQUEST:** \* Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-2.2, Measurements, to Redefine the Term Grade **APPLICANT:** City of Fort Lauderdale  
**GENERAL LOCATION:** Citywide  
**CASE PLANNER:** Karlanne Grant~~

~~Karlanne Grant of Urban Design and Planning stated that this Item requests an amendment to the measurement section of Code. The basis for this amendment was a communication to the City Commission which was sent by the Board of Adjustment, requesting that Staff consider amendments to the City's Fence Code that could eliminate the need for some variances.~~

~~The communication was sent to the City Commission in November 2020, and the Commission asked Staff to move forward with the amendment process. The issue is the maximum height for accessory structures: if a retaining wall on the property elevates at 3 ft., the fence on the development site may only extend to 3 ft. 6 in. in total. This created the need for variance requests, as well as concerns regarding privacy and safety.~~

~~be opportunities to secure funding for solutions. Mr. Shechtman concluded that his goal was for the City to develop a plan that prioritizes these needed improvements.~~

~~Mr. Hetzel advised that Staff would like to schedule a special meeting of the Planning and Zoning Board to discuss the Police Department Headquarters. He provided the following potential dates:~~

- ~~• September 28, 29, or 30~~
- ~~• October 18 or 25~~
- ~~• October 26~~

~~He added that these dates will also be sent to the members via email. Chair Scott encouraged the Board members to respond to these dates as soon as possible.~~

~~Mr. Shechtman pointed out that the Board's last few meetings have been relatively short, and suggested that instead of scheduling an extra meeting, they add the Police Department discussion to a regular meeting date. Mr. Hetzel replied that Staff will look at the September and October meeting agendas to determine if this could be done. Chair Scott recommended that the Police Department discussion be scheduled as the first item on the agenda if this is added to a regular meeting date.~~

~~There being no further business to come before the Board at this time, the meeting was adjourned at 6:47 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.]