



CITY OF FORT LAUDERDALE

**PLANNING AND ZONING BOARD MEETING MINUTES  
CITY HALL COMMISSION CHAMBERS**

**100 N. ANDREWS AVE., FORT LAUDERDALE, FLORIDA 33301  
WEDNESDAY, DECEMBER 15, 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	7	0
Brad Cohen, Vice Chair	A	4	3
John Barranco	P	6	1
Mary Fertig	P	7	0
Steve Ganon	P	7	0
Shari McCartney	P	7	0
William Rotella (dep. 7:20)	P	6	1
Jay Shechtman	A	5	2
Michael Weymouth	A	5	2

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

**Staff**

Ella Parker, Urban Design and Planning Manager  
D'Wayne Spence, Assistant City Attorney  
Shari Wallen, Assistant City Attorney  
Karlanne Grant, Urban Design and Planning  
Lorraine Tappen, Urban Design and Planning  
Tyler LaForme, Urban Planner II  
Glen Hadwen, Sustainability Manager  
Mark Williams, Urban Forester  
Laura Tooley, Landscape Inspector  
Porshia Williams, Code Compliance  
Jamie Opperee, 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. Roll was called and the Pledge of Allegiance was recited. The Chair introduced the Board members present, and Urban Design and Planning Manager Ella Parker introduced the Staff members present.~~

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

~~require an Urban Forestry Plan for the City of Fort Lauderdale, and that if that Plan is not required, they remove any provisions for funding from this document.~~

~~It was noted that there was no mention of the term "approval" in the motion.~~

~~Ms. Fertig restated her motion as follows: motion for approval of this with a strong recommendation for an Urban Forestry Plan, that that Plan will incorporate incentives to maintain specimen trees and old growth forestry.~~

~~Urban Forester Mark Williams advised that it was not a good idea to suggest that an Ordinance will include something when this inclusion cannot be guaranteed. He explained that all that can be guaranteed is further discussion of incentives as part of the process.~~

~~Ms. Fertig restated her motion once again: motion to recommend the Ordinance to the City Commission with a strong recommendation to require an Urban Forestry Plan for Fort Lauderdale, and that Plan will include incentives to maintain specimen trees and old growth forestry.~~

~~Attorney Wallen pointed out once more that the motion must include a recommendation for approval.~~

~~Ms. Fertig further restated the motion: and suggest the Urban Forestry Master Plan include incentives for retaining specimen trees and old growth forests. Mr. Barranco seconded the restated motion.~~

~~In a roll call vote, the motion passed 4-2 (Ms. McCartney and Mr. Rotella dissenting).~~

~~Mr. Rotella left the meeting at 7:20 p.m.~~

3. **CASE: UDP-T21011**  
**REQUEST:** \*Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-38.C, Education Mitigation, to update level of service standard.  
**APPLICANT:** City of Fort Lauderdale  
**GENERAL LOCATION:** Citywide  
**CASE PLANNER:** Lorraine Tappen

Lorraine Tappen, representing Urban Design and Planning, explained that this Item's proposed amendments to the ULDR would update the level of service of schools within regulations currently included in the inter-local agreement with the School Board and the Comprehensive Plan's Education element. It addresses 100% gross capacity, including "relocatables," or 110% permanent capacity for those schools with less than 10% of their population in relocatables.

The Broward County School Board, in agreement with the municipalities, has included this level of service in its inter-local agreement, based upon increasing flexibility for schools and their capacities. This prevents boundaries from being easily changed.

Residential development is required to show that they meet school requirements for concurrency. Each residential development must provide the City with a school capacity availability determination letter. Two sections of the ULDR are being amended: a section addressing adequacy will be changed to mention the requirement of this letter on school availability, and the education mitigation section will be updated to reflect the new level of service. This is intended to streamline and clarify the review process and update language in accordance with the inter-local agreement.

Ms. Fertig noted that several Fort Lauderdale schools are currently operating at or over capacity, and asked how the proposed amendment would affect them. Ms. Tappen replied that Staff can review the School Board's capital planning program to determine what their plans are for schools currently over capacity, and forward this information to the Planning and Zoning Board.

Ms. McCartney requested clarification of the distinction between the proposed amendment and the developer concurrency obligations already in existence. Ms. Tappen replied that the inter-local agreements are already in place and developers are already making applications to the School Board for their review of school concurrency. The School Board then takes these level of service standards and applies them to the schools, letting developers know whether or not the school will meet the required level of service. Staff reviews this letter as well.

Ms. McCartney requested more information on what the proposed amendment is intended to accomplish. Ms. Tappen replied that the level of service is already in the inter-local agreement and part of the Comprehensive Plan; however, it must also be included in the ULDR as a requirement of the inter-local agreement with the School Board. The proposed amendment achieves this.

There being no other 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.

Attorney Wallen explained that this Item would need a motion to recommend either approval or denial.

**Motion** made by Mr. Barranco, seconded by Mr. Ganon, to approve recommendation to the City Commission for the modification suggested by Staff. In a roll call vote, the **motion** passed 5-0.

Chair Scott noted that Ms. Fertig had arrived after the Board approved the November 17, 2021 minutes and wished to discuss potential changes to the document. Attorney Wallen



advised that any Board member who had voted to approve the minutes earlier in the meeting may make a motion to reconsider them now.

**Motion** made by Ms. McCartney, seconded by Mr. Barranco, that we reconsider the minutes. In a voice vote, the **motion** passed unanimously.

Ms. Fertig noted that p.11, paragraph 7 attributed a comment to her when Chair Scott had made the comment. Chair Scott confirmed this.

Ms. Fertig also noted that on p.12, paragraph 2, the Attorney's actual comment had indicated that "Staff had been directed to have the Board pass the proposed Ordinance on to the City Commission with a recommendation for either approval or denial." She wished the record to reflect this direction. Attorney Wallen confirmed that this had been the language she used.

**Motion** made by Ms. Fertig, and duly seconded, to approve with corrections. In a voice vote, the **motion** passed unanimously.

~~V. COMMUNICATION TO THE CITY COMMISSION~~

~~None.~~

~~VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE~~

~~Ms. Fertig asked if it would be possible for the Board to receive training on its role as the Local Planning Agency (LPA). Attorney Spence stated that he would be willing to provide this training. It was determined that the Board would meet at 5 p.m. rather than 6 p.m. in January 2022 so training could take place immediately prior to the next meeting.~~

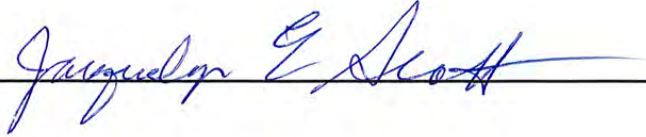
~~Mr. Barranco stated that as an architect, he regularly deals with the City with respect to reading Code. He noted that one recurring issue for designers and developers is that different groups must be satisfied at the City level, including planners, sanitation, engineers, school representatives, landscapers, and others. While most comments relate to the ULDR, engineers can sometimes become bogged down in details that do not affect the outcome of a Site Plan, which slows the process. He wished to encourage Staff to keep these comments simple and provide direction to the City's engineers to streamline the approval process and prevent delays.~~

~~There being no further business to come before the Board at this time, the meeting was adjourned at 7:41 p.m.~~

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

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Chair

A handwritten signature in blue ink, appearing to read "Judge E. Scott", is written over a horizontal line.

Prototype

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