

**PLANNING AND ZONING BOARD
CITY OF FORT LAUDERDALE
CITY HALL – 8TH FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA
WEDNESDAY, SEPTEMBER 16, 2015 – 5:30 P.M.**

Cumulative

Board Members	Attendance	June 2015-May 2016	
		Present	Absent
Patrick McTigue, Chair	P	4	0
Leo Hansen, Vice Chair	P	3	1
Theron Clark	P	1	0
Stephanie Desir-Jean (arr. 8:04)	P	4	0
Steven Glassman	A	3	1
Rochelle Golub	P	3	1
Richard Heidelberger	A	1	3
Catherine Maus	P	3	1
James McCulla	P	4	0

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

Staff

D'Wayne Spence, Assistant City Attorney
Eric Engmann, Urban Design and Planning
Karlanne Grant, Urban Design and Planning
Florentina Hutt, Urban Design and Planning
Randall Robinson, Urban Design and Planning
Lorraine Tappen, Urban Design and Planning
Anthony Fajardo, Chief Zoning Administrator
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to the City Commission

~~None.~~

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

~~Chair McTigue called the meeting to order at 6:30 p.m. and all recited the Pledge of Allegiance. The Chair introduced the Board members, and Chief Zoning Administrator Anthony Fajardo introduced the Staff members present. Assistant City Attorney D'Wayne Spence explained the quasi-judicial process used by the Board.~~

~~Mr. McCulla commented that the zoning of the subject area, which has been in place for approximately 30 years, was intended to provide intense resort oriented development, and the question was whether or not the Application meets the spirit and the letter of that zoning, without consideration of whether or not this zoning may change the character of the area.~~

~~Ms. Maus pointed out that ABA zoning encourages high density intense development, but also requires setbacks that are half the proposed height of a building, which is not the case with the Application. She requested an update from Staff regarding similar developments on the beach and whether they meet the setback requirement in Code. Mr. Fajardo replied that setback reductions are not an unusual request, and cited examples of developments that received these reductions.~~

~~Motion made by Ms. Maus, seconded by Mr. McCulla, to approve. In a roll call vote, the motion passed 5-2 (Ms. Golub and Ms. Maus dissenting).~~

~~Chair McTigue advised that the Application would now move forward to the City Commission for approval, which could provide individuals who could not be present at tonight's meeting with an opportunity to be heard.~~

5. **Applicant / Project:** City of Fort Lauderdale
- Request: *** Section 47-24.4.D. Criteria.
Amending the Unified Land Development Regulations to revise the rezoning criteria requirements of Section 47-24.4.D to permit the existing language as stated in criterion 2 as optional where it is currently non-optional as part of the requirements for a rezoning of property within the City for Fort Lauderdale.
- Case Number:** T15003
- General Location:** City-wide
- Case Planner:** Anthony Gregory Fajardo
- Commission District:** All Districts

Mr. Fajardo advised that this Item is a request for an amendment to the ULDR Section 47-24.4, Rezoning Criteria. He recalled that at the January 20, 2015 Planning and Zoning Board meeting, the Board sent a communication to the City Commission requesting that Staff be directed to look at the three criteria currently written into this Ordinance. He read the following three criteria into the record at this time:

1. The zoning district proposed is consistent with the City's Comprehensive Plan;
2. Substantial changes in the character of development in or near the area under consideration support the proposed rezoning;
3. The character of the area proposed is suitable for the uses permitted in the zoning district and is compatible with the surrounding districts and uses.

Staff arrived at the determination that criterion #2 could be made optional, which is the decision before the Board. Mr. Fajardo explained that Staff rewrote the language of the standard requirements in order to allow the Applicant to select one criterion and submit an application under this guideline.

Ms. Golub stated that there should not be an issue with a developer fulfilling one of the two criteria, as they require different analysis. Ms. McCulla added that developers did not seem to be complying with criterion #2, which led to the Board's recommendation that it be removed. Ms. Desir-Jean agreed that this had been the Board's original intent when their communication had been sent to the City Commission.

Motion made by Mr. McCulla, seconded by Ms. Maus, to pass on to the Commission Staff's proposed rewording of the rezoning criteria, with the following amendment: that the Board amend their proposed wording to exclude what is now identified as criterion #1, that being "substantial changes have occurred in the area," and that criterion #2 would now be included within the body of D criterion.

Mr. Fajardo suggested that the Board ask to have the language of criterion #1 removed, and Staff will work with the City Attorney's Office to determine the appropriate method of incorporating it into the criteria before recommending approval to the City Commission. Mr. McCulla and Ms. Maus agreed to **amend** their **motion** and **second** to use the language recommended by Mr. Fajardo.

In a roll call vote, the **motion** passed 7-0.

~~IV. COMMUNICATION TO THE CITY COMMISSION~~

~~None.~~

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

~~Mr. Fajardo read an email from Pamela Adams into the record, noting that as part of the public participation process regarding the City's Parks and Recreation Master Plan update, the consulting team will conduct focus groups and encourage the participation of the City's advisory board members. The Planning and Zoning Board is asked to attend a focus group meeting on September 23, 2015 at 9 a.m. at City Hall in the 8th Floor Conference Room. He concluded that the members are not required to attend this focus group, as it is an attempt to seek input from the Board on the master planning process.~~

~~Ms. Golub stated that she would be willing to participate on a more convenient date when another board is meeting, and requested that the consultant publicize other dates when Planning and Zoning Board members might attend.~~