



CITY OF FORT LAUDERDALE

DRAFT
MEETING MINUTES
CITY OF FORT LAUDERDALE
PLANNING AND ZONING BOARD
WEDNESDAY, SEPTEMBER 16, 2020 – 6:00 P.M.

Board Members	Attendance	Present	Absent
Catherine Maus, Chair	P	3	0
Mary Fertig, Vice Chair	P	3	0
John Barranco	P	3	0
Brad Cohen	P	3	0
Coleman Prewitt	P	3	0
William Rotella	P	3	0
Jacquelyn Scott	P	3	0
Jay Shechtman	P	3	0
Michael Weymouth	P	3	0

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

Staff

D'Wayne Spence, Assistant City Attorney
 Shari Wallen, Assistant City Attorney
 Ella Parker, Urban Design and Planning Manager
 Jim Hetzel, Principal Urban Planner
 Karlanne Grant, Urban Design and Planning
 Nicholas Kalargyros, Urban Design and Planning
 Trisha Logan, Urban Design and Planning
 Benjamin Restrepo, Transportation and Mobility
 Igor Vassiliev, Public Works
 Brigitte Chiappetta, Recording Secretary, ProtoType, Inc.

Communications to City Commission

Motion made by Vice Chair Fertig, seconded by Mr. Cohen, to communicate to the City Commission a request for a presentation from Public Works, to understand the process of the City's infrastructure capacity analysis and how it relates to the quality of the City's waterways. In a voice vote, the **motion** passed unanimously.

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Maus called the meeting to order at 6:02 p.m. Roll was called 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.

II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM

~~Attorney Spence asked if City Staff may note that the primary issue for the Board was the proposed sports management school at the Inter Miami Stadium and not any other possible issues. Chair Maus confirmed this. Attorney Spence added that he would speak further with Ms. Toothaker and her client(s) regarding the proposed Ordinance and its effects and impacts on the school at Inter Miami Stadium. They would discuss the possibility of amended language that could address these concerns.~~

~~It was determined that Items 6, 7, and 8 would be presented together and voted upon separately.~~

6. CASE:

T19013

REQUEST: *

Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR); Amending Section 47-13, "Regional Activity Center Districts," to guide development within the Downtown Regional Activity Center zoning districts; Providing for maximum building height, maximum building tower setback, maximum building podium height, maximum building tower floorplate size, maximum streetwall length, minimum distance for building tower separation; Establishing open space requirements; Amending Downtown street design, landscape and street tree requirements; Amending Section 47-13.21, Table of Dimensional Requirements; Amending review process for development permits; Amending Section 47-24, Table 1, Development Permits and Procedures; Amending Section 47-13.2.1.J, Definitions; Amending Section 47-25.3, Neighborhood Compatibility requirements, removing conflicting requirements.

APPLICANT:

City of Fort Lauderdale

GENERAL LOCATION:

Downtown Regional Activity Center

COMMISSION DISTRICT:

2 - Steven Glassman, 3 - Robert L. McKinzie, 4 - Ben Sorensen

CASE PLANNER:

Jim Hetzel

7. CASE:

PLN-ULDR-20080002

REQUEST: *

Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR); Amending Section 47-13, "Regional Activity Center Districts," to establish Downtown Character Areas: "Downtown Core", "Near Downtown", "Urban Neighborhood".

APPLICANT:

City of Fort Lauderdale

GENERAL LOCATION:

Downtown Regional Activity Center

COMMISSION DISTRICT:

2 - Steven Glassman, 3 - Robert L. McKinzie, 4 - Ben Sorensen

CASE PLANNER:

Jim Hetzel

**8. CASE:
REQUEST: ***

PLN-ULDR-20080001

Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR); Amending Section 47-13, "Regional Activity Center Districts," to establish Downtown Transition Zones, adjacent to Residentially and Commercially zoned properties to address building height at the boundaries of the Downtown Regional Activity Center.

APPLICANT:

City of Fort Lauderdale

GENERAL LOCATION:

Downtown Regional Activity Center

COMMISSION DISTRICT:

2 - Steven Glassman, 3 - Robert L. McKinzie, 4 - Ben Sorensen

CASE PLANNER:

Jim Hetzel

Mr. Weymouth advised that he would recuse himself from voting upon Items 6, 7, and 8 due to a conflict.

Jim Hetzel, Principal Urban Planner, noted that the Board members received an email from Ms. Parker regarding corrections to language in Exhibit 3, p.7. He added that while the presentation was first made to the Board in October 2019, new elements have been added, and Staff felt it would be best to provide an overview of the entire presentation due to the length of time since the previous presentation.

Mr. Hetzel explained that the Downtown Master Plan was first adopted in 2003, with updates occurring in 2007. In 2018, the City Commission asked Staff to codify updates to this Master Plan once more. The proposed 2020 updates include:

- Additional public outreach extending through September 16, 2020
- Changes to character area boundaries and patterns of development
- Changes to building height, tower separation, and transition zones
- Providing flexibility to applicants on a case-by-case basis
- Applicability of the Downtown Master Plan to both residential and non-residential development going forward

Staff also received comments on which they are awaiting additional policy direction, including:

- Implementing minimum residential unit size for the Downtown area
- Discussion of residential parking
- Discussion of more open space and landscaping

One element of the Downtown planning framework is character areas, which establish a particular built form depending upon a project's location. The most dense character area is the Downtown Core, which is an essential business district with taller buildings. The Near Downtown area is less dense and has lower requirements for building shoulder

heights and towers. The Urban Neighborhood character area provides more of a neighborhood scale, with less intense building height and residential units including town homes, apartments, and walk-up units.

The following changes are proposed to the character area boundaries:

- The Downtown Core would be expanded to NW 4 Street and westward along Broward Boulevard
- The Near Downtown would expand northward to 6 Street, with a sliver extending along Federal Highway
- The Urban Neighborhood area would change where it is adjacent to the neighborhoods of Victoria Park, Tarpon River, and Sailboat Bend

Mr. Hetzel reviewed these changes in greater detail, noting that the sliver of Near Downtown along Federal Highway can be widened to accommodate development. This would bring a portion of Urban Neighborhood under the designation of Near Downtown. Another sliver of Near Downtown near Victoria Park, Tarpon River, and Sailboat Bend would change to Urban Neighborhood.

The purpose of transition zones is to provide additional compatibility requirements for parts of the Downtown Regional Activity Center (RAC) that are adjacent to residential neighborhoods. Staff proposes both residential and commercial transition zones on Federal Highway and in the Sailboat Bend areas. These zones address the maximum building height based upon proximity to the RAC boundary.

Mr. Hetzel reviewed some of the changes found between Downtown character areas, pointing out that floor plate sizes in these areas are based on use as well as density. Tower separations on the same lot or on adjacent parcels must be maintained at 60 ft. Additional changes are planned for building street wall lengths, which have a maximum of 300 ft. Building articulation, treatment, and design can break up this length and improve the pedestrian experience.

Podium heights also vary based upon character areas, with no maximum established for the Downtown Core. Because building podiums are also often parking podiums, Staff seeks for these podiums to be screened and lined without exceeding the height established by the Downtown Master Plan.

Another part of codification is the adoption of streetscape design. While the City does not have jurisdictional control over all Downtown streets, they hope to promote coordination with FDOT and Broward County to ensure that street cross-sections reflect the Downtown Master Plan.

The review and approval processes for most Downtown development applications are Site Plan Level II, which requires DRC approval. Once the DRC has conducted technical review, an application is sent to the City Commission for call-up. In some situations, Site

Plan Level III review may be required of Downtown developments due to considerations such as building height.

Staff proposes to ~~codify~~ amend the criteria by which the City Commission can call up an item. There is also a proposal that an applicant be permitted to request relief of the City Commission. Mr. Hetzel concluded that after the Board's review of today's Items, they will advance to the City Commission for further consideration.

Chair Maus noted that the Staff Report is already incorporated into the record for Items 6, 7, and 8.

There being no questions from the Board at this time, Chair Maus opened the public hearing.

Dan Lindblade, president and CEO of the Greater Fort Lauderdale Chamber of Commerce, recalled that the Chamber's Government Affairs Council also saw a presentation from City Staff on the Downtown Master Plan approximately one year ago. They had expressed concern at that time with the lack of comprehensive economic analysis in relation to non-residential real estate, and do not feel that these concerns have yet been addressed.

The Chamber feels that without significant review of the economic impact of the proposed codifications on non-residential real estate, it is too risky to proceed with the changes at this time. They would like to see non-residential development removed from any recommendation the Board makes to the City Commission.

Chair Maus observed that the proposed Downtown Master Plan amendments have been in process for approximately two years, and asked if the Chamber has prepared any information regarding economic impact that could be helpful to the process. Mr. Lindblade replied that the Chamber feels this is a City obligation and has not been asked to provide this information.

Vice Chair Fertig requested clarification of Mr. Lindblade's request. Mr. Lindblade replied that the Chamber would like to see all non-residential development removed from the proposed codification, in addition to the aforementioned economic impact analysis.

Mr. Prewitt commented that the Chamber's request for an economic impact study suggests that commercial industries have expressed concern with certain aspects of the proposed amendments, and requested additional information on what the commercial development community found to be problematic. Mr. Lindblade advised that he could not provide specific information at this time, but reiterated that the Chamber is concerned with the lack of economic analysis of non-residential development in the Downtown area.

Mr. Prewitt stated that he would expect the development community to cite examples of any problematic provisions in the amendments, and the lack of detail is not helpful to any recommendations made by the Board.

Alison Foster, president of the Tarpon River Civic Association, noted that Staff has worked closely with this organization to address their concerns and questions. She noted that there are two key points of importance to the Association:

- Transition zones: the Association asks that these zones begin in the middle of the street for purposes of consistency
- Character areas: the Association supports what Staff has submitted regarding the change of the Tarpon River area from Near Downtown to Urban Neighborhood

Ms. Foster continued that the Association is asking Staff to explore a minimum unit size of 400 sq. ft. for Downtown in general. This size is the minimum efficiency unit standard.

Mr. Hetzel advised that Staff is requesting additional policy direction from the City Commission on a number of issues, based upon public comment. Unit size is one of these issues on which they have asked for direction.

Mr. Hetzel continued that the transition zones are currently measured from the zoning district line or boundary line of the RAC from the adjacent zoning district. While most of these lines are located in the middle of the street, as Ms. Foster had recommended, their locations can vary from one area to another.

Janet Scraper, Board member of the Tarpon River Civic Association, commented that while there may be the need for additional improvements, the City should attempt to pass and codify these standards in order to have regulations on the books. She added that she was supportive of the changes to transition zones and character areas as described by Mr. Hetzel, although she felt the Tarpon River character area should extend farther north.

As there were no other individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Vice Chair Fertig commented that she hoped the Board would provide some policy direction by way of amendments addressing unit size and minimum residential parking requirements, as well as the measurement of transition zones from the center lines of roadways, as requested by the Tarpon River Civic Association. She also asked if Staff has reached out to the community for additional input since October 2019.

Mr. Hetzel confirmed that Staff has held numerous public outreach meetings since the amendments were first proposed to the Board in 2019. These include meetings of civic associations, the Chamber of Commerce, Fort Lauderdale Forum, and other public entities. A number of these meetings were virtual, as they were held after the onset of the COVID-19 pandemic.

Chair Maus asked if the Chamber of Commerce's position on non-residential development was the same in 2019 as stated at tonight's meeting by Mr. Lindblade. Mr. Hetzel pointed out that two recent non-residential projects have reached out to Staff voluntarily, stating that they wished to follow the proposals of the Downtown Master Plan. He added that an economic analysis was not part of the directive with which Staff was tasked regarding this Plan.

Motion made by Vice Chair Fertig to recommend to the City Commission that they amend this Plan to include a minimum residential parking requirement and unit size, and measuring from the center line as in the Tarpon River [document] which reads "the right-of-way will not be counted as part of the transition zone and the zone depth [to] begin at the property line."

Attorney Wallen stated that **motions** to approve Items 6, 7, and 8 must be made separately from one another.

Chair Maus requested that Vice Chair Fertig make all of her comments regarding changes to the Items at this time.

Vice Chair Fertig requested more information regarding tower separation. Mr. Hetzel clarified that Staff is not proposing any changes to the Downtown Master Plan regarding the minimum 60 ft. tower separation. This separation would be reduced to 30 ft. on an individual parcel: the developer would be required to maintain a distance of 30 ft. from the tower to the property line. If an adjacent parcel also proposes a tower, they would be required to follow the same guideline, resulting in 60 ft. separation of the two towers. A developer is only responsible for their own 30 ft. separation from an adjacent lot.

Vice Chair Fertig asked how Staff determined a minimum of 10% open space on a lot as opposed to specific dimensions. Ms. Parker explained that the RAC-CC, or urban core district, is typically more built out than other areas such as urban neighborhoods. The additional 10% requirement is not proposed for non-residential development. Upon hearing feedback from the urban development community, Staff's intent was not to remove any existing open space provisions in Code. This issue may be addressed at greater length in the future, possibly through a Downtown Master Plan amendment.

Vice Chair Fertig addressed the boundaries of character areas, asking what notifications were given to property owners in these areas. Ms. Parker replied that Staff provided the required newspaper notice and voluntarily posted signs providing notice of public meetings at major intersections in the Downtown area. Mr. Hetzel estimated that this was done approximately 15 days in advance of the meetings.

Mr. Prewitt addressed the 400 sq. ft. minimum unit size, recommending that the Board keep the City's need for affordable housing in mind. He expressed concern that requirements of this nature could make it more difficult for developers to build affordable housing in the future. Mr. Hetzel replied that Staff is working toward a separate City-wide

Plan for affordable housing. Most of the City's residential growth is occurring along the RACs and corridors that align with flex policy.

Mr. Hetzel continued that all zoning districts outside the Downtown RAC have a minimum residential unit size of 400 sq. ft. While this requirement has been part of Code for some time, recent trends toward "micro-units" have taken root in other U.S. cities. These smaller units are typically offset by communal space, such as amenity decks, to make the developments more livable. The City continues to hear input from the public and the development community and monitor national trends regarding minimum space requirements.

Motion made by Vice Chair Fertig, seconded by Mr. Barranco, to approve [Item 6] with the amendments previously proposed.

It was clarified that the amendments Vice Chair Fertig intended to include for Item 6 addressed minimum unit size, minimum residential parking requirement, measurement for transition zones beginning in the center of the right-of-way, and tower separation of 60 ft.

In a roll call vote, the **motion** passed 8-0. [Mr. Weymouth abstained. A memorandum of voting conflict is attached to these minutes.]

Motion made by Vice Chair Fertig to approve [Item 7] including previous amendments where relevant.

Ms. Parker pointed out that the amendment addressing transition zones would apply to approval of Item 8. All four amendments brought forward by the Vice Chair were applicable to Item 6. It was clarified that no amendments or conditions would be attached to approval of Item 7.

Mr. Prewitt **seconded** the **motion**.

In a roll call vote, the **motion** passed 8-0. [Mr. Weymouth abstained. A memorandum of voting conflict is attached to these minutes.]

Motion made by Vice Chair Fertig, seconded by Mr. Prewitt, to approve or adopt [Item 8], with the amendment that the right-of-way will not be counted as part of the transition zone [and] that the zone does begin at the property line; that the zoning district boundary should be changed from the middle of the street between zoning districts and start at the property line and the transition zone.

In a roll call vote, the **motion** passed 8-0. [Mr. Weymouth abstained. A memorandum of voting conflict is attached to these minutes.]