



**SUMMARY MINUTES
BROWARD COUNTY PLANNING COUNCIL**

JUNE 25, 2020

MEMBERS Mayor Daniel J. Stermer, Chair
PRESENT: School Board Member Patricia Good, Secretary
Brion Blackwelder, via telephone
Commissioner Richard Blattner, via telephone
Robert Breslau, via telephone
Commissioner Felicia Brunson, via telephone
Thomas H. DiGiorgio, Jr., Vice Chair, via telephone
Denise Birdsong Fernandez, via telephone
Mayor Michelle J. Gomez, via telephone
Mary D. Graham, via telephone
Richard Grosso, via telephone
Mayor Rex Hardin, via telephone
Vice Mayor Bernie Parness, via telephone
Jackie Railey, via telephone
Commissioner Nan H. Rich, via telephone
Mayor Michael J. Ryan, via telephone
Commissioner Beverly Williams, via telephone

MEMBERS Chad Maxey
ABSENT: David Rosenof

Also Barbara Boy, Executive Director
Present: Andrew Maurodis, Legal Counsel, via telephone
Henry Sniezek, Director, Broward County Environmental Protection and Growth Management Department
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, June 25, 2020.

The meeting quorum and format were consistent with the State of Florida Governor's Executive Order 20-69 regarding local government meetings utilizing communications media technology in the form of telephonic conferencing. To promote social distancing and avoid risk of additional community spread of the Coronavirus (COVID-19), this Public Hearing was not open to physical attendance by members of the public or the media. Members of the community were able to participate utilizing telephonic conferencing, as well as view the live meeting via webcast.

CALL TO ORDER

The Chair called the meeting to order.

PLEDGE OF ALLEGIANCE

Mr. Henry Sniezek led everyone in reciting the Pledge of Allegiance.

ROLL CALL

Following Roll Call by the Real time Reporter, the Chair declared a quorum present.

PRESENTATION TO HENRY SNIEZEK, DIRECTOR, BROWARD COUNTY ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT (FORMERLY OF THE BROWARD COUNTY PLANNING COUNCIL STAFF 1984 TO 2012)

The Chair acknowledged and congratulated Mr. Henry Sniezek on his retirement and the invaluable contributions he has made to Broward County. Planning Council Resolution 2020-01 was presented to Mr. Sniezek.

CONSENT AGENDA

- C 1 APPROVAL OF FINAL AGENDA FOR JUNE 25, 2020**
- C 2 JUNE 2020 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE**
- C 3 APPROVAL OF SUMMARY MINUTES OF MAY 28,2020**

(Minutes not available.)

- C 4 EXCUSED ABSENCE REQUESTS**
 - Mr. David Rosenof

On motion of School Board Member Good, seconded by Mr. DiGiorgio and carried unanimously, the Planning Council approved the Consent Agenda, C1 through C4.

REGULAR AGENDA

- R 1 COUNSEL'S REPORT**
 - **2020 State of Florida Legislative Summary**

Mr. Maurodis provided a summary of the 2020 Legislative session. The Planning Council was provided a memorandum explaining the bills that were introduced, changes to impact fees, and legislation on property rights with Senate Bill 410. The Chair encouraged the Council to discuss Counsel's memorandum with their city attorneys and managers.



R 2 EXECUTIVE DIRECTOR'S REPORT

• **Proposed Year 2021 Meeting Schedule and Application Deadlines**

Ms. Boy discussed the meeting schedule and application deadlines for the Proposed Year 2021. There were no objections to Item R 2, therefore, the Council adopted the meeting schedule.

• **August 27, 2020 Meeting Date Alternatives**

Ms. Boy stated to the Council that there is a conflict with a County Commission budget workshop and the Planning Council meeting on August 27, 2020. An email poll for three alternative meeting dates will be sent to all members to determine a new date.

Ms. Boy advised the Council that there were no speakers for Items PH 1 and PH 2 and that the local governments had waived the quasi-judicial hearing; no speakers for Item PH 3, but an email from Deerfield Beach to be read into the record and one (1) speaker and another email to be read into the record for Item PH 4.

R 3 CORRESPONDENCE

(No correspondence.)

PUBLIC HEARING AGENDA

As previously indicated that there were no speakers for Items PH 1 and PH 2 and no members asked for the items to be pulled for discussion, the Chair requested for a motion, on motion of School Board Member Good, seconded by Mr. DiGiorgio, the Planning Council recommended approval per Planning Council staff recommendations of Items PH 1 and PH 2. The Chair called for a roll call vote and the motion was approved unanimously with the following votes:

| | |
|---|--------------------------|
| Brion Blackwelder | Yes via telephone |
| Commissioner Richard Blattner | Yes via telephone |
| Robert Breslau | Yes via telephone |
| Commissioner Felicia Brunson | Yes via telephone |
| Thomas H. DiGiorgio, Jr., Vice Chair | Yes via telephone |
| Denise Birdsong Fernandez | Yes via telephone |
| Mayor Michelle J. Gomez | Yes via telephone |
| School Board Member Patricia Good, Secretary | Yes |
| Mary D. Graham | Yes via telephone |
| Richard Grosso | Yes via telephone |
| Mayor Rex Hardin | Yes via telephone |
| Vice Mayor Bernie Parness | Yes via telephone |
| Jackie Railey | Yes via telephone |
| Commissioner Nan H. Rich | Yes via telephone |



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|---------------------------------------|--------------------------|
| Mayor Michael J. Ryan | Yes via telephone |
| Commissioner Beverly Williams | Yes via telephone |
| Mayor Daniel J. Stermer, Chair | Yes |

**PH 1 RECERTIFICATION PCR 20-3
Public Hearing on Recertification of the City of Coconut Creek Future Land Use Element – Map Amendment**

(Previously approved.)

**PH 2 RECERTIFICATION PCR 20-4
Public Hearing on Recertification of the City of Tamarac Future Land Use Element – Map Amendment**

(Previously approved.)

**PH 3 AMENDMENT PCT 20-3
First Public Hearing on Text Amendment to Broward County Land Use Plan Policy 2.16.3 to revise the Affordable Housing Bonus Density**

Ms. Boy gave a brief overview of Items PH3 and PH 4, stating that they were amongst four (4) amendments initiated by the County Commission in November 2019. A workshop was held on all four (4) items in January and the first two (2) amendments were heard by the Council back in February’s Public Hearing relating to an inclusionary housing ordinance and updating the underlying study for the affordable housing policy. PH 3 is an update to the existing bonus density Policy 2.16.3, which was adopted into the County plan. It revises the bonus density formulas for moderate, low, and very low affordable housing and require affordable units to be restricted for a minimum of 30 years instead of the 15 years adopted into policy in 2017.

Ms. Boy reported to the Board that it was recommended to address the unintentional penalty for affordable housing developers by deleting the words, market rate, in the proposed policy. The proposed revision would be bonus density as opposed to bonus market rate density.

Ms. Boy read the email into record from the City of Deerfield Beach, which stated its objections to item PH 3, regarding including areas east of the Intracoastal Waterway and the increase of the affordability period from a 15 to a 30 year timeframe.

Chair Stermer addressed the written correspondence received from municipalities focused on a number of discrete issues to include encroachment into Home Rule authority, uncertainty of funding and funding sources, and data questions.

Ms. Boy provided additional clarification in that the proposed amendment is increasing the bonus density formulas available; however, it is not a requirement but an option for local governments to utilize. Ms. Boy also stated that increased number of correspondence may be due to concerns over change from a 15 to a 30 year timeframe; in addition, the attached correspondence is in



reference to all four (4) affordable housing text amendments initiated by the County Commission, not just PH 3.

Due to the telephonic nature of the meeting, Chair Stermer called the roll to request member comments and the Planning Council members engaged in a discussion regarding the proposed amendment with members offering comments regarding the 30 year timeframe, development east of the Intracoastal and clarification that the Policy is not a requirement but an incentive.

A motion was made by Commissioner Rich, seconded by Mayor Hardin to amend the motion and eliminate the affordability restriction from 15 years to 30 years of Item PH 3. The Chair requested for a motion to bifurcate PH 3 into two separate motions.

A motion was made by School Board member Good, seconded by Mr. DiGiorgio to recommended approval of Item PH 3 per Planning Council staff recommendation, subject to a second Planning Council public hearing, with the following additional recommendations: 1) continuing the exclusion of bonus density in areas east of the Intracoastal Waterway, and 2) clarification in the text that the Policy is optional for local governments. The Chair called for a roll call vote and the motion was approved 16 to 1 with the following votes:

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|---|--------------------------|
| Brion Blackwelder | Yes via telephone |
| Commissioner Richard Blattner | Yes via telephone |
| Robert Breslau | Yes via telephone |
| Commissioner Felicia Brunson | Yes via telephone |
| Thomas H. DiGiorgio, Jr., Vice Chair | Yes via telephone |
| Denise Birdsong Fernandez | Yes via telephone |
| Mayor Michelle J. Gomez | Yes via telephone |
| School Board Member Patricia Good, Secretary | Yes |
| Mary D. Graham | Yes via telephone |
| Richard Grosso | Yes via telephone |
| Mayor Rex Hardin | Yes via telephone |
| Vice Mayor Bernie Parness | No via telephone |
| Jackie Railey | Yes via telephone |
| Commissioner Nan H. Rich | Yes via telephone |
| Mayor Michael J. Ryan | Yes via telephone |
| Commissioner Beverly Williams | Yes via telephone |
| Mayor Daniel J. Stermer, Chair | Yes |

Following, the Chair requested for a motion to maintain the timeframe of 15 years in Policy 2.16.3, on motion of Vice Mayor Parness, the motion died for a lack of a second.



**PH 4 AMENDMENT PCT 20-4
First Public Hearing on Text Amendment to the Broward County Land Use Plan to add Policy 2.16.4 to permit residential density with an affordable housing component within specified areas of the “Commerce” and “Activity Center” land use designations.**

Upon the request of Chair Stermer, Vice Mayor Steve Geller addressed the Council via telephone and gave a presentation and overview of the proposed amendment.

Ms. Boy stated staff’s recommendation of approval of the proposed amendment with the deletion of the reference to, market rate, as to not unintentionally penalize affordable housing developments, as well as the inclusion of all land areas within Activity Centers, due to the nature of the relationship between transportation and the land use designation.

Ms. Boy read the email into record from the City of Deerfield Beach, which stated its objections to item PH 4, regarding including Activity Centers, in-lieu of fee payment going to the County and the entirety of Policy section 2.16.4(9).

The Chair requested that the public speakers be called; via telephone, Peter Schwarz of the City of Oakland Park relayed its general support and stated some concerns about the affordability timeframe and tying to the surtax dollars.

Due to the telephonic nature of the meeting, Chair Stermer called the roll to request member comments and the Planning Council members engaged in a discussion regarding the proposed amendment with members offering comments regarding clarification that the Policy is not a requirement, but an incentive, the potential of in-lieu of fees being shared with local governments, relationship with surtax projects and funding, as well as clarification of the gross floor area definition.

Following, the Chair requested for a motion, a motion was made by School Board Member Good, seconded by Mr. DiGiorgio to recommend approval of Item PH 4 per Planning Council staff recommendation, subject to a second Planning Council public hearing, including expanding the Policy to all lands within Activity Center boundaries, deleting the reference to market rate, and updating the permitted uses section, as well as the following conditions: 1) clarification in the text that the Policy is optional for local governments, 2) continue dialogue with local governments regarding whether funds will remain exclusively in the County trust fund or could be shared with a municipal trust fund or housing authority, and 3) clarification of the gross floor area definition. The Chair called for a roll call vote and the motion was approved unanimously with the following votes:

| | |
|---|--------------------------|
| Brion Blackwelder | Yes via telephone |
| Commissioner Richard Blattner | Yes via telephone |
| Robert Breslau | Yes via telephone |
| Commissioner Felicia Brunson | Yes via telephone |
| Thomas H. DiGiorgio, Jr., Vice Chair | Yes via telephone |
| Denise Birdsong Fernandez | Yes via telephone |



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| Mayor Michelle J. Gomez | Yes via telephone |
| School Board Member Patricia Good, Secretary | Yes |
| Mary D. Graham | Yes via telephone |
| Richard Grosso | Yes via telephone |
| Mayor Rex Hardin | Yes via telephone |
| Vice Mayor Bernie Parness | Yes via telephone |
| Jackie Railey | Yes via telephone |
| Commissioner Nan H. Rich | Yes via telephone |
| Mayor Michael J. Ryan | Yes via telephone |
| Commissioner Beverly Williams | Yes via telephone |
| Mayor Daniel J. Stermer, Chair | Yes |

OTHER BUSINESS

PLANNING COUNCIL MEMBER COMMENTS

The Chair reminded the Council and viewers that facial coverings in public and social distancing will assist in flattening the COVID-19 curve.

NEXT REGULAR SCHEDULED PLANNING COUNCIL MEETING – To be determined

(Later determined to be September 17, 2020)

ADJOURNMENT

Without objection the Chair adjourned this day's meeting at 11:58 a.m.

(A copy of the audio recording of this meeting is available upon request by calling Document Control located in Room 336U, at (954) 357-7297 or on the Planning Council website at <https://www.broward.org/PlanningCouncil/Pages/Meeting%20Archives.aspx>)

