

MINUTES

BROWARD COUNTY PLANNING COUNCIL

OCTOBER 25, 2018

MEMBERS Mayor Daniel J. Stermer, Chair
PRESENT: Thomas H. DiGiorgio, Jr., Vice Chair
Brion Blackwelder
Commissioner Richard Blattner
Robert Breslau
Commissioner Felicia Brunson, via telephone
Commissioner Angelo Castillo
Mary D. Graham
Commissioner Rex Hardin
Commissioner Nan H. Rich
Richard Rosenzweig

MEMBERS Mayor Bill Ganz
ABSENT: Vice Mayor Michelle J. Gomez
School Board Member Patricia Good, Secretary
Richard Grosso
David Rosenof
Mayor Michael J. Ryan
Vice Mayor Beverly Williams

Also Present: Barbara Boy, Executive Director
Andy Maurodis, Legal Counsel
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, October 25, 2018.

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER: Chair Daniel Stermer called the meeting to order.

CHAIR STERMER: Good morning, everybody. And I'd like to call to order the meeting of October 25th, 2018 of the Broward County Planning Council. We're present in Government Center in the County Commission chambers.

PLEDGE OF ALLEGIANCE:

CHAIR STERMER: If we could all please stand for the Pledge of Allegiance. We're going to be led this morning by Mr. -- by Vice -- by Commissioner Angelo Castillo.

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(THE PLEDGE OF ALLEGIANCE WAS LED BY COMMISSIONER CASTILLO.)

MR. ROSENZWEIG: Mr. Chairman, if I may.

CHAIR STERMER: Mr. Rosenzweig.

MR. ROSENZWEIG: Just one of the issues that I've been raising within my Jewish (inaudible) organization, and I bring it before everybody, I think our Pledge of Allegiance needs to be modernized. It was created in 1892 for school children. And in 1942, it was updated and made the national pledge during World War II. In 1954, under God was added by President Eisenhower. And I think our pledge really should be, I pledge my allegiance to the United States of America, our flag, and the Republic for which it stands, one nation under God, indivisible, with liberty, justice, and equality for all. I think the word, equality, needs to be added to our pledge so it brings everybody into focus, because right now, there are many people who don't feel that this pledge affects them, and demonstrate that accordingly. And our women need to be brought into equality as well. This is a couple of areas that we need to address. And thank you for the time.

CHAIR STERMER: My pleasure. If you'd like to start a movement to do so --

MR. ROSENZWEIG: Have started, but trying to get it rolling.

CHAIR STERMER: Understood. Appreciate it.

ROLL CALL:

CHAIR STERMER: Ms. Cavender, can you please call the roll?

THE REPORTER: Yes, sir. Mr. Brion Blackwelder.

MR. BLACKWELDER: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Mr. Robert Breslau.

MR. BRESLAU: Here.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Here.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes, ma'am.

THE REPORTER: Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Here.

THE REPORTER: Mayor Bill Ganz. Vice Mayor Michelle J. Gomez. School Board Member Patricia Good. Ms. Mary D. Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Richard Grosso. Commissioner Rex Hardin.

COMMISSIONER HARDIN: Here.

THE REPORTER: Commissioner Nan H. Rich.

COMMISSIONER RICH: Here.

THE REPORTER: Mr. David Rosenof. Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Here.

THE REPORTER: Mayor Michael J. Ryan. Vice Mayor Beverly Williams. Mayor Daniel J. Stermer, Chair.

CHAIR STERMER: Here.

OATH OF OFFICE:

CHAIR STERMER: At this time, I'd like to call up Commissioner Rex Hardin, who's going to become the newest member of the Broward County Planning Council.

(Applause.)

CHAIR STERMER: Is Commissioner LaMarca (Inaudible.)

MS. BOY: No, I don't think Commissioner LaMarca --

CHAIR STERMER: Okay.

MS. BOY: -- is here.

CHAIR STERMER: Okay. Just checking. Come on over here.

COMMISSIONER HARDIN: Okay.

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CHAIR STERMER: I'll share this with you to make it easy. Please repeat after me, and raise your right hand. I do solemnly swear --

COMMISSIONER HARDIN: I do solemnly swear --

CHAIR STERMER: -- that I will support, protect, and defend --

COMMISSIONER HARDIN: -- that I will support, protect, and defend --

CHAIR STERMER: -- the Constitution and government of the United States --

COMMISSIONER HARDIN: -- the Constitution and government of the United States --

CHAIR STERMER: -- and of the State of Florida --

COMMISSIONER HARDIN: -- and of the State of Florida --

CHAIR STERMER: -- that I am duly qualified to hold office --

COMMISSIONER HARDIN: -- that I am duly qualified to hold office --

CHAIR STERMER: -- under the Constitution of the state --

COMMISSIONER HARDIN: -- under the Constitution of the state --

CHAIR STERMER: -- and the Charter of Broward County --

COMMISSIONER HARDIN: -- and the Charter of Broward County --

CHAIR STERMER: -- and that I will well and faithfully --

COMMISSIONER HARDIN: -- and that I will well and faithfully --

CHAIR STERMER: Perform the duties of --

COMMISSIONER HARDIN: -- perform the duties of --

CHAIR STERMER: -- a member of the Broward County Planning Council --

COMMISSIONER HARDIN: -- a member of the Broward County Planning Council --

CHAIR STERMER: -- on which I am now about to enter --

COMMISSIONER HARDIN: -- on which -- in which I am now about to enter --

CHAIR STERMER: -- so help me God.

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COMMISSIONER HARDIN: -- so help me God.

CHAIR STERMER: Congratulations. Welcome.

(Applause.)

CHAIR STERMER: We're going to go down here and take a picture.

UNIDENTIFIED SPEAKERS: (Inaudible.)

(Picture taken.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR STERMER: Welcome, Commissioner. And if you'd like to say a few words, the floor is yours. Push the button, the one with the face.

COMMISSIONER HARDIN: Oh, got you. Okay, there we go. Well, just excited to be part of the Planning Council, and thank you very much for the warm welcome I've had. I look forward to participating helping move the process forward in our County. And that's it. Thank you very much.

CHAIR STERMER: Appreciate it, and welcome. Where'd Pete go? Pete, can you come stand at the podium, please? We all know Pete Schwarz. This is Pete's last meeting with the Broward County Planning Council.

UNIDENTIFIED SPEAKER: Oh, what the heck?

CHAIR STERMER: Pete has accepted a position with the City of Oakland Park as their Assistant Director of Planning and Zoning and Building --

UNIDENTIFIED SPEAKER: Congratulations.

CHAIR STERMER: -- and this will be his final meeting with us.

UNIDENTIFIED SPEAKER: Wow.

CHAIR STERMER: For those of you that don't know, Pete started with Broward County in 1986 in the Parks Department. He rose through the ranks of Parks, working and going to school to achieve his Bachelor's degree from FAU. Pete made the move to County Planning Division in 2002, where he completed his Master's degree. He was hired at the Planning Council in 2006 because he and the Executive Director had lunch together so often that Henry hired him as an Assistant Planner --

(Laughter.)

CHAIR STERMER: -- as an Associate Planner, I'm sorry. Pete has excelled at the Planning Council, being promoted to Senior Planner, Planning Manager, and ultimately Director of Planning. Pete has been an integral member of our staff. Beyond being a great team member and colleague, Pete is really a really good person, and will do anything for anyone. You're completing 32 years with Broward County. We all want to wish you Godspeed. We want to wish you the greatest success in Oakland Park. We will miss you. Our loss is Oakland Park's clear advantage. And we know from now on if we need to come see you, we'll meet at the Funky Buddha.

(Laughter.)

CHAIR STERMER: We -- maybe we'll just move our meetings there, and, you know, have -- have it (inaudible). Pete, we want to thank you for who you are. Besides planning functions and everything that the Planning Council does, you really -- the best word is you're a mensch. And -- and it really is. You're a sweet person, a good person, a caring person, and a committed person. And I know the staff will miss you. I know we will miss you because we depend upon a lot of the things that you do. Not everybody understands exactly what you -- the depth and breadth of what you do for us. And on behalf of the Planning Council, I want to thank you --

MR. SCHWARZ: Thank you so much.

CHAIR STERMER: -- we want to thank you, and wish you Godspeed. Good luck.

MR. SCHWARZ: Thank you so much.

(Applause.)

CHAIR STERMER: Before we take some pictures, the floor is yours.

MR. SCHWARZ: Well, thank you very much. I was not expecting that. I think Barbara knows that I'm a -- I'm a crier, so she's trying to get me to cry in front of you all.

(Laughter.)

MR. SCHWARZ: But --

CHAIR STERMER: We did talk about that. Don't worry about it.

MR. SCHWARZ: -- it -- it's been a very rewarding time with Broward County, and Broward County means a whole bunch to me, because every opportunity that I've had has been because of Broward County. Started right out of high school at C.B. Smith Park, worked in a bunch of different parks, over the years, worked with great people in Parks and Recreation, and then had the opportunity to work with some really amazing people here in Broward County in planning. Henry Sniezek, Cynthia Chambers, and, of course, Barbara Blake Boy, who is my hero, and I really appreciate everything she's done for me.

The rest of the Broward County Planning Council staff, Deanne, Dawn, Kenneth, Garrett, Terry, Sharon, Kim, are just the greatest co-workers, and I really appreciate it. Thank you so much.

(Applause.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER CASTILLO: So henceforth -- henceforth, he shall be known as Pete the Applicant Schwarz.

(Laughter.)

UNIDENTIFIED SPEAKERS: Kim. Kim.

CHAIR STERMER: She's trying to just hide in the back of the room. She's trying as hard as she can.

UNIDENTIFIED SPEAKERS: (Inaudible.)

(Picture taken.)

CHAIR STERMER: Congratulations.

(Applause.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. BOY: So, sorry, Commissioner LaMarca --

CHAIR STERMER: I'd also like to recognize at this time Commissioner LaMarca.

COMMISSIONER LAMARCA: I don't think I'll be sitting up there any time soon, but I had a good time doing it for eight years. The only reason I came here, I didn't know it was going to be a two-fer and thank Pete for his service. But, you know, with a little more hard work and a little luck, we'll be able to work in Oakland Park together. So he's been great.

I just came here to wish my -- my new appointee good luck, and -- and, publicly, hopefully the new Mayor of Pompano Beach, and look forward to working with -- with Rex. And this guy's doing great things. I knew he would if -- if we could just get him on here. But I -- I'm very proud of all the appointments I've had, but I'm just -- I'm glad that Pompano will have a voice on the Planning Council, or continue to. So I just wanted to wish you good luck.

COMMISSIONER HARDIN: Thank you.

COMMISSIONER LAMARCA: And 12 -- 12 days, buddy.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: Get through it.

CHAIR STERMER: And Commissioner, we want to thank you --

(Applause.)

COMMISSIONER HARDIN: Good luck.

MR. DIGIORIO: Good luck to you.

CHAIR STERMER: -- Commissioner, we also want to thank you for your service to the community. You know what? We're a pretty diverse community, but at the end, and I say this under peril of people throwing things at me, you've always done the right thing. And I appreciate that.

COMMISSIONER LAMARCA: Thank you.

CHAIR STERMER: We might not always agree on every outcome, but you know what? You've always had an open door. You've always been willing to listen. And I appreciate that, and I know members of the community do. In today's ugly time, what I call the noise out there, I know I can pick up the phone and call you and talk to you about an issue. And we might agree to disagree, but at least you're willing to have the conversation in a civil, frank, and forthright manner. So thank you for your service to our community, and good luck.

COMMISSIONER LAMARCA: I appreciate everybody -- body who's here, and, you know, I think the -- the one thing that we can at least be proud of here locally, and hopefully in the -- throughout the State of Florida, but certainly locally -- I'm not sure in the State of Florida after last night's -- after I attended last night's debate, but, you know, we can find something that we agree with -- with and have commonality with in -- in just about anybody.

I know I get plenty of email exchanges with Mary Graham. I've been to many, many veteran and -- and port events with Commissioner Blattner. Angelo and I have -- have had many great discussions. I mean, so I can go down the entire row. And former Commissioner from Deerfield Beach and I were always together at veteran's events. So, look, just find -- I agree with what you said. Find something you work with in common with someone and -- and do that. And with Commissioner Rich, when she was Senator Rich, it was always the kids. Whether it was Broward Children's Center and now with Florida Healthy Kids, and she's got my -- my schedule planned out with -- with the Sadowski issues. But -- but --

(Laughter.)

COMMISSIONER LAMARCA: -- find something that you have in common with folks, and try to work on the -- the positives you have together. And, you know, I don't have to tell you guys that, but hopefully the -- the viewing public, if they view this more and less of the other noise stations out there that are going 24/7, I think that's probably the best thing we can do.

CHAIR STERMER: Appreciate it.

MR. ROSENZWEIG: Commissioner LaMarca --

UNIDENTIFIED SPEAKER: Great job.

MR. ROSENZWEIG: -- Chip, it gives me great pleasure to see you progressing forward. It's an honor that I sit here before you instead of you before me when I was sworn in to the Planning Council and the wonderful words you had to say about me. I have never forgotten, and I thank you for that.

COMMISSIONER LAMARCA: I appreciate your service to this country more than -- more than I probably could tell you, but also your service to the community. But, look, we don't have enough people who put themselves forward, whether it's in, you know, run a Cub Scout or a boy -- Boy Scout or a Girl Scouts troop, or a sports team, or local government, whatever it is. People should just get involved in their community, then find -- they'd find out the neighbor that they hate down the street isn't a bad guy or a gal, and, you know, they can find something in common. So thank you all.

MR. ROSENZWEIG: If you have nothing to do Saturday --

CHAIR STERMER: Commissioner Rich.

MR. ROSENZWEIG: -- we have an honor flight coming in Saturday night into Fort Lauderdale Airport, welcoming 80 veterans back from Washington on an Honor Flight. So 8:00 o'clock Saturday night. So if you if you have nothing else doing.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR STERMER: Commissioner Rich.

COMMISSIONER RICH: Chip -- Chip --

CHAIR STERMER: Commissioner LaMarca, come back. You're not going anywhere so fast.

COMMISSIONER RICH: -- Chip, I just want to say I'm not repeating --

(Laughter.)

COMMISSIONER RICH: -- because we went -- we did this all Tuesday, but it is a perfect example of how people can work together, because Commissioner LaMarca and I have always worked together. We agree to disagree on some things, but we move forward, you know, wherever we can. And I want to just say, it's interesting you mentioned about last night. I did not go to the debate last night. I went to the Bob Dylan concert.

(Laughter.)

COMMISSIONER RICH: And I want to tell you --

MAYOR STERMER: That may have been much better.

COMMISSIONER LAMARCA: I'm not even a fan of Bob Dylan, but I think I would rather have been there.

COMMISSIONER RICH: -- and the point -- and the point -- the point I'm making, it was packed. People of all generations, you know, there representing the diversity of our community. And nobody was thinking about anything but having a good time and listening to someone that they liked and have cared, you know, about for --

COMMISSIONER LAMARCA: It's true.

COMMISSIONER RICH: -- for years. So it was -- it was really a nice relief, actually, from what's going on. So I just wanted you to know.

CHAIR STERMER: Commissioner Castillo.

COMMISSIONER CASTILLO: In deference to my colleagues, I have never agreed to disagree with you. I have always kept a -- an ongoing discussion with you, and respected your point of view, and you've listened to mine. You've acted with class, and I want to thank you for being a regular guy, which is hard to find in this business. Somebody who you can talk to without pretense. And you were always that. You were always sincere, and I appreciated that. And you're going to continue doing that, and I -- and I look forward to working with you again. But we will never agree to disagree. We'll just continue to discuss, because that's what I think we should do.

COMMISSIONER LAMARCA: Well, I appreciate that. I -- I think those who hadn't met her before met my mom the other day, and most of you have met my wife or at least seen her on TV, that's -- that's primarily why I'm a regular guy, because if I -- if I don't continue to act like a regular guy --

(Laughter.)

COMMISSIONER LAMARCA: -- I'll get one at home and I'll get one when I visit Mom.

COMMISSIONER CASTILLO: I know exactly what you mean.

CHAIR STERMER: Smart man.

(Laughter.)

CONSENT AGENDA:

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR OCTOBER 25, 2018

AGENDA ITEM C-3 - APPROVAL OF MINUTES OF AUGUST 23, 2018

AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS

CHAIR STERMER: We're now up to the Consent Agenda. There are additional agenda materials. Item C-2, the trafficways plan plat approval Tuscan Isles plat was sent yesterday via email. And also, just so you know, PH-2, there was a letter from a resident received late yesterday, and that is at your seat this morning.

With regard to excused absences under the Consent Agenda, we have excused absence requests. It's a busy morning for Mayor Ganz, Vice Mayor Michelle Gomez, School Board Member Patti Good, Mayor -- Mr. Richard Grosso, Mr. David Rosenof, Mayor Michael J. Ryan, and Vice Mayor Beverly Williams.

Is there a motion with regard to the Consent Agenda, including all of the requests for excused absences?

MR. DIGIORGIO: I'll move it.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR STERMER: Moved by Mr. DiGiorgio, seconded by Commissioner Castillo --

MR. BLACKWELDER: I propose that the one that we got the letter on, 043-PC-18, will merit some discussion.

MS. GRAHAM: Second.

CHAIR STERMER: I'm sorry, which one?

MR. BLACKWELDER: The second one on the list.

MS. BOY: C -- C-2.

MR. BLACKWELDER: Tuscan Isles.

CHAIR STERMER: It's C-2. Okay. So we'll pull --

MS. BOY: The Tuscan Isles plat.

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MR. BLACKWELDER: Miramar. We have that coming up later.

CHAIR STERMER: That's PH-2; right?

MS. BOY: It's not on the -- it's not on the Public Hearing agenda, but -- but, yeah, it's PH -- it's C-2.

CHAIR STERMER: It's C-2.

MS. BOY: C-2.

CHAIR STERMER: Okay. So we'll pull that -- that item.

MS. BOY: C-2. Okay.

CHAIR STERMER: Is there a motion with regard -- there was a motion by Mr. DiGiorgio and seconded by Commissioner Castillo, taking out the Miramar item at the request of Mr. Blackwelder and Ms. Graham. The motion with regard to the rest of the Consent Agenda, all those in favor, signify by saying aye. All those opposed? Motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM C-2 - OCTOBER 2018 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

CHAIR STERMER: Let's move to that item, Ms. Blake Boy.

MS. BOY: Thank you. Item C-2 is the October 2018 plat review for trafficways plan compliance. And what this report is, is each month, or each meeting date that you have, you're presented with a report of pending plats that are getting ready to come before the County Commission for approval or have been approved. And it's to clarify how much right of way has to be dedicated to comply with the trafficways plan.

In this case, Tuscan Isles is located in the City of Miramar. It's not related to the Miramar amendment that's in your Public Hearing. It's separate from that item. But what the report says is that there is, on Bass Creek Road, up to an 85-foot dedication required to satisfy the trafficways plan. That information moves forward with the plat. As they move through that process, they're required to make that dedication or their plat will not get approved.

So I think Andy would agree that this is a ministerial process, because you are the holders of a trafficways plan documentation. So your role in reviewing that is to determine if it's the appropriate amount of right of way. And that information is provided by Broward County Engineering Department. We receive a report from them each month.

In this case, the property owner of Tuscan Isles will be required to dedicate, from their property on the south side of Bass Creek Road, the entire 85 feet, or whatever is needed to comply, because there may be a few feet of right of way existing. But that's how we determine up to the 85 feet.

Dennis Mele is the agent for the Tuscan Isles property owner. He has some graphics if you're interested in seeing what he has for the information.

CHAIR STERMER: Please do. Mr. Mele.

UNIDENTIFIED SPEAKER: Green button.

MS. BOY: Yeah, the green button.

MR. MELE: Thank you. Dennis Mele, 200 East Broward Boulevard, on behalf of the applicant. This is the location of the property. This is the plat. The outlined -- the area outlined in yellow is the right of way dedication. Along the top is the Bass Creek Road dedication. Along the right-hand side is the 172nd Avenue dedication. All of the right of way necessary for Bass Creek Road is coming off of this property.

This is an exhibit that we showed at the City Commission meeting. The gentleman who wrote you the letter was at that meeting, saw this graphic. We talked about it six different times. He knows that we are not trespassing on the Silver Lakes property. We can't. We don't own it. We can only build the road on the right of way we're dedicating. So I have nothing more to say other than the information that was provided in that letter is false, and the gentleman who wrote it knows that's true.

CHAIR STERMER: Thank you, Mr. --

MR. MELE: We're also doing a traffic circle at the intersection of Bass Creek Road and 172nd, and we're dedicating the right of way for that, too. So all the work will be done in public right of way. And, by the way, he's suggesting we're destroying wetlands. We already have our wetlands permits from the South Florida Water Management District and Broward County EPD, and they include the road rights of way where we're building the roads. If you have any questions, I'll be happy to answer them. Thank you.

CHAIR STERMER: Mr. Blackwelder.

MR. BLACKWELDER: The part of the letter that reflected --

CHAIR STERMER: Please turn your microphone on.

MR. BLACKWELDER: The part of the letter that addressed the wetlands you've mentioned, but you're talking about the conservation, the -- the Local Area Of Particular Concern.

MR. MELE: We're not in an LAPC.

MR. BLACKWELDER: Okay.

MR. MELE: The gentleman is suggesting in the letter, and I've heard him speak at meetings several times, so maybe add some flavor, he is suggesting that we are going to be, when we're building this road, destroying wetlands that are protected in Silver Lakes. So if you look at the side, the wetlands would be north of anything that we're doing. The graphic is showing you, with all the different green and grey and all that, the landscaping and the roadway that all fits within the right of way.

We are not touching any of the wetlands in Silver Lakes for a very simple reason. It's private property. We don't own it. We have no right to be there. And he knows this is the case, but he keeps writing these kinds of letters. And you've never heard me speak this way before, but I'm putting it on the record for a reason.

CHAIR STERMER: Ms. Graham.

MS. GRAHAM: I'm fine.

CHAIR STERMER: Commissioner Rich.

COMMISSIONER RICH: (Inaudible.)

CHAIR STERMER: As everybody will recall, this item appeared before us, and a significant number of residents from Miramar showed up. And we also understand that this process continues to go on also in front of the City of -- the Commission of the City of Miramar. So we did our land use amendment. This is part of a ministerial process. Thank you for the clarification, Mr. Mele.

MR. MELE: Just one thing to add, Mr. Chair. At -- last week, the City Commission approved final adoption, second reading, the Land Use Plan amendment, the rezonings for the property, the plat, the site plan, and all of the same documentation was shown at that meeting.

CHAIR STERMER: Thank you. Is there a motion with regard to Item C-2?

MR. DIGIORGIO: I'll move C-2.

CHAIR STERMER: Moved by Mr. DiGiorgio.

MR. ROSENZWEIG: Second.

CHAIR STERMER: Seconded by Mr. Rosenzweig. All those in favor, signify by saying aye. All those opposed? Motion carries unanimously. Thank you all.

VOTE PASSES UNANIMOUSLY.

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REGULAR AGENDA:

AGENDA ITEM R-1 - COUNSEL'S REPORT

CHAIR STERMER: Mr. Maurodis.

MR. MAURODIS: Yes. As a counsel's report, at the last meeting, the subject of the Planning Council's role in considering compatibility of proposed Land Use Plan amendments came up, and I was asked to provide some guidance on that, and tried to do it in a brief, hopefully understandable, fashion. Compatibility is something that this board is to consider. And, as a matter of fact, you're directed to consider that in Policy 2.10.2. The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Broward County Land Use Plan. So we can start from that. Compatibility is on the table for all amendments that you review.

Now, what I indicated at that meeting, and what I think this memo attempts to do, is compatibility can take several forms depending upon the stage of the review process that it is being applied to. At the local level, and many -- it's been pretty common that we just started with some litigation in Fort Lauderdale about 25, 30 years ago for a municipal code to provide compatibility provisions for site plans and things of that sort. That is a very detailed use-specific and site plan-specific compatibility review. How will this particular building, this particular development, interact with the uses around it. So that we often think of that.

At the Land Use Plan stage, it is somewhat different, because just by the very term, you are looking at land uses, a variety of uses that may be permitted in a particular land use category. Remember, this is the highest level review that you have. You're at the 30,000 feet level at the land use stage. It's a legislative decision.

So the Planning Council focuses on the category of uses and their possible impact upon uses around them. So compatibility is to be -- is to be reviewed, but in a much more general sense than at the lower level. Now, the land development levels of the local municipalities are responsible for taking that compatibility where they wish it to go, within the framework of the law. How much each municipality wants to enter into that compatibility analysis is up to them, again, within the framework of constitutional requirements and state regulations.

So the brief answer is, yes, you consider compatibility. You consider compatibility of the one land use category that it's going through with the other land uses that are around it. But there are times -- and I know there are times when you -- you know, the applicant shows you the type of development they're going to do, just kind of a promotional thing, and to show you what to expect. And getting -- what we say, getting into the weeds of, well, can you put a buffer here and a buffer there, that's not the type of compatibility that is appropriate for this board.

You're a land use board considering the land use categories, and the compatibility comes at that stage in a much broader level than at the city stage. I'll answer any questions, but --

CHAIR STERMER: Any questions for Mr. Maurodis? You've used up your allotment of words for the next year.

MR. MAURODIS: Yeah, I know.

CHAIR STERMER: Just -- Mr. Blackwelder.

MR. MAURODIS: Yeah, yeah, for the calendar year, I'm done; right? Yeah.

CHAIR STERMER: Calendar year, absolutely. For 2019.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. BLACKWELDER: Would you -- could you address Regional Activity Centers, in terms of compatibility?

MR. MAURODIS: Yeah, I -- well, yeah. We -- matter of fact -- Barbara's indicating that -- there's a specific statement in 2.10.2 which indicates that for redevelopment areas aimed at eliminating/reducing blighting and deteriorating areas may appropriately promote the introduction of land use pattern variance from existing land use patterns. So when you're getting into -- into developments like that, obviously, compatibility is still there.

There -- there's no time where I'm going to tell you that compatibility is not an appropriate thing to consider. But when you're getting into redevelopment areas and things of that sort, where you -- where you often find Regional Activity Centers, you're going to be introducing new uses. The fact that you're considering compatibility doesn't mean that everything is frozen, if there's residential here you have to put residential next to it, because then you'd never stop having residential. So the idea is that you look at that, and then it's a cost/benefit analysis. Remember, these -- these are legislative determinations. There's a lot of discretion here.

So you can consider compatibility in Regional Activity Centers. Absolutely. And there's a specific understanding that you're going to be introducing a variety of uses, and not all of those might -- you know, might be existing around there. And it's, in essence, a judgment that you would have to make, whether that can -- that can exist compatibility in the area that it's being done.

MR. BLACKWELDER: Right. Well, my concern is the effects of things like spot zoning, which is -- which I translate into spot planning, which is illegal and improper to be done, although there's a lot of discretion being applied.

So it's like people invest most of their income in their homes, and to put uses that are not

expected by them and introduce those changes, it raises the compatibility. But on a small scale, we see a lot of -- a lot of things sprouting up that you wonder that they can't be grouped in the proper zoning.

This whole County was planned with designations of use and people -- people, developers, and homeowners, and everybody else comes to expect a certain build out will look like what was planned. And this whole compatibility isn't -- is mentioned throughout the Broward Next and the -- and each descriptive activity that's going to go on.

So I -- that's been my concern about the compatibility. It's kind of, oh, yeah, we're going to look at general compatibility. And I'm not proposing, of course, that we get down on the local, local minutia of it, as you mentioned. But it seems like this is in the forefront of my thinking about planning, that people have a reasonable expectation, when they have developed and existed for a period of time, not to be -- not to have to fight off somebody with the development dollars to convince a board like this, or the County Commission, or various permitting people that what they're doing is wholesome and compatible.

It should be a more affirmative review, check off, to give us something other than the general concept, oh, yeah, we've got this overlay of make everything compatible. But do we really have it as a criteria that is a standard by which our staff could say, we find this is not compatible, this plan amendment or whatever's being proposed, is not compatible? Do they really do that?

I don't -- haven't seen it where the staff is recommending against things from compatibility. Yet when we hear at Public Hearings, we tend to hear it from the local people, this shouldn't be a change that you should approve because of compatibility. And our -- and is our staff going in one direction and the neighborhood might be going in the other. So that's -- that's the -- what's smoldering about compatibility, in my thinking.

MR. MAURODIS: Well, you know, there are a lot of efforts to define compatibility. They very often come down to very similar provisions when you see them in codes. And it is applied by human beings who have experiences and sensibilities that may vary from each other. And so there's a lot of room there.

I know the staff does consider the compatibility of uses every -- everything -- every time it comes in. They're familiar, you know. This is the first thing that we looked at with staff when we reviewed it. I think a lot of things go into it. Some of them being changes in -- changes in area, opportunities for redevelopment.

And your Land Use Plan specifically, especially for redevelopment areas, which is going to be where a lot of the action is at in this County in the future -- even for communities out west, that's starting to be an issue -- that when you look at redevelopment, there is the understanding that you're going to be introducing new uses.

And that could be disruptive to some people in the community. I understand that. And

that's where the -- that's where the difficult -- that's why you're paid the big bucks here to be on the Planning Council. That's where you have to make the decisions, and you have to look at is the opportunity for redevelopment here? Can it be done? Can it be done in a manner compatible with the rest of the areas?

Because sometimes the alternative is to allow areas to further deteriorate, and maybe you are actually doing more of a disservice for those residents around the neighborhood than -- than by having approved something and allowing the municipality, which is often the one supporting this type of thing, to -- as the -- as the -- the people that are closest to the situation, to make the determinations as to how to implement that Land Use Plan change. Now, I -- and I'm not telling you it's easy.

MR. BLACKWELDER: Right.

MR. MAURODIS: I'm not telling you it's easy. I'm not telling you there's going to be some choices that you have to make. That's why we have the significant amount of reviews that we do here. These Land Use Plan amendments go through. They go through you twice. They go through Broward County. So that's why a lot of things come out of this review. But it's -- sometimes, it is a difficult choice.

CHAIR STERMER: And, Mr. Blackwelder, I think it's important to note that this County isn't frozen in time.

MR. BLACKWELDER: Right.

CHAIR STERMER: No piece of this County is frozen in time. And compatibility, when we look at it, we are a planning, futuristic council that looks to where communities are going, in relation to where they are today. And the vision of that community is that community's vision. That's why there's 31 cities. There's unincorporated Broward. And people choose to live wherever they live based upon what that city is.

We all know an underlying land use today may permit something that people see in front of them, i.e., -- I can bring it home to me -- a golf course, that it also permits a whole bunch of other noxious uses that, if they close the golf course and put one of those noxious uses, it's going to be what did you do. Now, it's not a public golf course, but it's a private golf course, but not everybody understands what land use is.

Now, spot zoning is not our problem. That is purely -- when it comes to zoning, we are not a zoning organization. That's a local city level. That's a local city issue. But when it comes to the future of where this County is going today and for the next five, ten, 20, 50 years, there is going to be -- compatibility is going to be viewed through the eyes of the beholder. And, generally, that's the local community.

Is there ever probably going to be a hundred percent buy-in to what that is? No. Because there's a fear that, to your point, people bought something today and this is what's behind them, and a change in land use might not bring about a change for ten years in the future,

and they might not be there anymore. So part of it becomes this is about the future. That's why it's the future land use map. That's why the map is called the Future Land Use Map. I mean, that's what this is about. And if we stuck the way Broward County was first developed back 102 years ago, we wouldn't be anything like what we are today.

So there needs to be a balance, and that balance is struck through an application that comes through, generally goes through a local Planning and Zoning Board, goes through a City Commission, comes here, goes to the Broward County Commission, goes to the state for review, and then makes its way through the whole cycle again. So it's not like it's also done under cover of darkness where the public doesn't have an opportunity to participate in that process and speak their mind. But, again, there's a short-term vision and a longer-term vision, and most of what we do is longer-term visioning. So I just put that out there.

MR. BLACKWELDER: Well, I appreciate that point of view, and I agree with a lot of it, but there is such a thing as spot planning, just as there is spot zoning. And we have a planning responsibility. I think we should amplify what we do in our reviews to articulate affirmatively the compatibility analysis more so than -- than I've seen come before us.

CHAIR STERMER: So --

MR. BLACKWELDER: And we're speaking pretty generally, but I think that the -- the Council attorney could probably come up with something that we would have an affirmative review that describes the compatibility under some criteria and --

CHAIR STERMER: Mr. Maurodis --

MR. BLACKWELDER: -- and -- and --

CHAIR STERMER: -- is there a slide rule scale you could make that would accomplish what Mr. Blackwelder's seeking?

MR. MAURODIS: You -- it's a definitional issue. And I believe there is -- there are -- there are applicable definitions for compatibility. Every one of them is going to come down to -- it's -- compatibility is defined by other terms that need to be defined by -- and those terms need to be defined. At some point, you might as well append a dictionary to it. There are attempts to do it. And it's not a -- it's not completely a you'll know it when you see it type of rule, but it -- there's a lot of judgment that goes into it. There's a lot of judgment that goes -- goes into it.

The key thing is -- and I think for Mr. Blackwelder, to his point, I think has some merit, is that it should be kept in your mind that that's one of the elements that you're reviewing, but you're told by the Land Use Plan. There's no -- we're not making that decision. The Land Use Plan is telling you that you consider compatibility. The question -- and there are standards to do it.

And there are -- there are some easy cases on both sides where you -- no problem here. There are some cases in the middle, and that's what I think Mr. Blackwelder's talking about, where it -- where there's more nuance and more difficult than is applied based upon the definition the best you can, and your judgement. That's why a lot of different people have a say in this, as you said.

CHAIR STERMER: Commissioner Castillo.

COMMISSIONER CASTILLO: Yeah, so this is my second tour of duty on this Council, and this has been an issue before I joined it, and certainly it's still an issue now. But the way I was taught the history was that this committee was created by Charter in 1974. And the reason it was created was because we had so many communities that could, through the management of their own roads, landlock another community.

So what we needed to -- and that would be a problem. So what we needed was a board that would look at the County as a whole and ensure that everyone had a fair chance to use the roads, that they had a fair chance at livability and so forth. But the goal was never to look at the -- look at this as a visual art, like a statue or a painting which is preserved and left exactly the way it is, but, rather, more as communities are more organic. They evolve. They -- they are alive. They change.

The golf course example is a good example. You know, we had many, many golf courses in Broward County. In many ways, on TV, golf has never been more popular. But fewer rounds are being played today than we have golf courses for. And so unless we're going to condemn the property or, you know, to become fallow, or force people into bankruptcy, there has to be a reuse for that asset.

Now, I think it's important that we not forget what franchise we were created to do. We were not created to be a super city. Cities have their role in terms of this is something we'd like in our city. And then they -- they are the applicant. They come to us, and they say, we want you now to review it from the perspective of what your franchise is. They've already made -- they are independently elected by the people to represent them in what -- in what they do. They've determined, by majority vote at their City Hall, that this is what they want.

Now our job is to review it against the County's Land Use Plans. So what would compatibility, in my opinion, be at this level? The road simply cannot handle the traffic. There has to be something else, because it -- the two uses cannot coexist. It generates - - it generates a use for water that is -- that exceeds the capacity of water to be provided. It's incompatible. It generates a smell so noxious that no one can live around it. That's incompatible. It -- and there are such uses.

But if a -- but if a thing can coexist with another, and if the city is -- and if the city wishes it to coexist, and if it fits within the guidelines of what -- of what we're doing, to me, that's potentially compatible. Now, I'm not saying they're all compatible that way, but I think that -- I think that we err if we try to become a super city. That's not our franchise. That's not

what we're here to do.

We are here to be the Planning Council of Broward County. We have a consolidated plan that has land use rules that are adopted for the County. And our job is to review applications as against those and provide either a determination or a recommendation to the County Commission, which has then a legislative role. I don't see ours as a legislative role. No one elects us. We're appointed. Our role is to -- is to review applications against the County's Land Use Plan and provide a recommendation.

What I -- what I think we sometimes don't do, you can vote in favor of something and still pass on -- pass on some comments. I think we could do more of that, Mr. Chair. It's my opinion, for example, we could -- we could be in favor of something and say, we approve this, however, we'd like to pass along a comment to the County or to the city. I don't see why we can't do those things. I mean, I don't know if that's inconsistent with our -- with our rules --

MR. MAURODIS: You can -- you can certainly place it as one of your recommendations for the record, so to speak, you know, with -- it's not -- it's not binding. It's not an official action here --

COMMISSIONER CASTILLO: Right.

MR. MAURODIS: -- but it's (inaudible).

COMMISSIONER CASTILLO: An -- a professional observation based on -- based on our review. I don't think that that's -- I don't think that that's outside of the realm of possibility or -- because such comments could be useful.

But for us to just sit here, for example, and just vote no against things because we think that -- you know, that it won't be good for the community, that's not our role. Our role isn't to -- nor is it to hurt the community. Our role is to do what we're -- what we're elected to do within -- within the box of what our responsibility is. And I think that if we cross over and try to become super cities, which is always the temptation, then we create an affront to the cities. And that's not -- that's really not what we're about.

And that's why -- and it doesn't exist right now, but Mayor Stermer and I both recall a time, and I think Commissioner Hardin recalls it, as well, there was a time that the League of Cities wanted to abolish this board. I remember.

UNIDENTIFIED SPEAKER: Uh-huh.

COMMISSIONER CASTILLO: And it was because -- it was because they just felt that we were impertinent to their sovereign authority. And I don't think that that's our role here. We have a very defined role. And I'm thankful for the -- for the presentation and very happy to participate in the discussion.

CHAIR STERMER: Mr. DiGiorgio.

MR. DIGIORGIO: First of all, addressing the memo, thank you very much. I think that clears up a lot from the discussions we've had at the dais, kind of trying to define it on our own. So I appreciate this very much. It really puts us back in a lane of land use and compatibility within a land use. So thank you for doing that.

I will say in comments to Mr. Blackwelder, I think the staff, why we see recommendations as often as we do for approval is because the hard work is done before it gets here. I think when they see the initial plans that come in that may not be in compliance, they work hard with staff, and we don't see things that are going to often be recommended for denial, because the applicants understand what the staff is looking for. They understand the compatibility of what we will review upon. And I believe we have a tremendous staff that does the heavy lifting ahead of time, so when it gets to us, we can then use our best judgment based on land use compatibility. Not saying staff is infallible, not saying they're perfect all the time, but I do think they get the best out of the applicants prior to us seeing it.

So when we say that we'd like to see, you know, more recommendations for -- for -- I don't know if he said denial or more recommendations against certain projects, I think that gets handled at a staff level before it gets to us, but I don't want to speak for staff. But I see all the work you've done where it says in many of the -- especially in the Public Hearing items, where applicant has agreed to, applicant will do this as part of our recommendation. And we then have a choice to even add more recommendations and ask the applicant to do more than staff has -- has put in the backup. But I do think our role sometimes gets confusing when we start looking at -- when people start talking about heights of buildings and landscape buffers and things that aren't in our lane.

And we are sympathetic to the folks that come and speak on -- in favor of or against, and we want to try to accommodate, but I think it's important that we look at this memo that Andy put together for us and really stay within our lane, which is land use. So, again, I'll finish with where I started. Thank you for doing this, because I think it defines clearly what our responsibility is.

CHAIR STERMER: Thank you very much. Ms. Graham.

MS. GRAHAM: Thank you, Chair Stermer. Just to be brief, thank you very much, Mr. Maurodis. This clears up quite a bit, and will be referred to as often as needed.

(Laughter.)

MS. GRAHAM: If I may, thank you.

MR. MAURODIS: (Inaudible) several times.

MS. GRAHAM: Thank you. Developers hire experts and consultants and professionals to advise them, when they want to come before this board, just like the attorneys that come before the board are experienced in these kind of requests. So they're hiring planners, and they're hiring architects and designers to be able to defend what they're asking for.

And I personally have never made height the only issue that I would ever vote against anything, but if you want to develop a property and you've got a height restriction, anyway, the only way you can max it out is then to increase the footprint. As Commissioner Castillo said, there's certain criteria that we have to evaluate. What you did leave out, you mentioned the potable water, but you left out the stormwater. And, I mean --

COMMISSIONER CASTILLO: Agreed.

MS. GRAHAM: -- to me, at this point, that is probably the most important thing, because there's nowhere for the stormwater to go. That's going to be the deciding factor. And I think we've -- we've all awakened to that. But at the same time, some of the requests and the increases in the density of units that are before us is why a no vote is made, at least by me. And I agree with making a comment when you vote yes, but we don't get to make comments when we vote no.

I mean, most of the time, if I'm voting no, it's only because the density is so extreme that there is no way to be able to defend it as a professional, a designer, a planner, an architect, to say, well, yes, this is compatible, and this is why. It's simply driven by the pro forma. I mean, any of us who've been in the development business, the construction business, by the time you buy the land and you look at everything else, you have to have something to show for it when you're all said and done.

And it also has to still balance with being a desirable place where people will spend the kind of money that you're going to be asking for to buy those units, whether it's got a water view or a nature preserve view, or whatever it is. So there's a lot of criteria that gets evaluated by all of us up here. And for those of us that are voting no on some items, I don't get to enumerate three or four reasons why I'm saying no. If someone just understands my history of voting, there's just -- it's not that I don't think the development's not good, it's just too extreme. But I just wanted to have that on the record. Thank you again, Mr. Maurodis.

CHAIR STERMER: Mr. Rosenzweig.

MR. ROSENZWEIG: Mr. Chairman, thank you. As a fairly recent member of this board, I thank all of you for your comments, because this illuminates for me my position on this board, which I really had no background in. Coming out of Commission in a city operation, you have no idea in the County operation what we're looking at.

And so defining these terms -- and, Mr. Blackwelder, I appreciate what you had to say, as well -- to give me some better guidance as I look at these developments, and coming out of Deerfield Beach, we've had a number of these. And every type of development that's

coming forward in us now is fairly new. We are the most northern city in the County, and all development is coming north.

And so we're seeing golf course development. We're seeing redevelopment. We're seeing all kinds of things coming into us. And having sat on the Commission, I saw this but not from the same context or same area that this is bringing to us. So I really appreciate what you had to say. It means a lot to me, and I thank you for your understanding and your -- how you evaluate these projects and things, so it gives you better insight. So thank you.

CHAIR STERMER: Commissioner Blattner.

COMMISSIONER BLATTNER: Well, some of you on this board are planners or have had that background, and some of you are a lot more attuned to what the Planning Council does than I am. But I have to tell you that at the city level, we have issues that have to be addressed that are related to what we're talking about today, including the -- this memo, this package of memo here on review of commerce and commercial residential categories.

We are challenged to produce more affordable housing. That is going to end up being in neighborhoods that don't have affordable housing or that have it by default, just because neighborhoods deteriorate, and they become more affordable or less affordable. So I think that, from the city's perspective, we're challenged. One, we -- thanks to negotiations between the County and the County and the CRA, going to be the reciprocants [sic] -- recipients of over \$50,000,000 over a 15-year period, all devoted to affordable housing.

That is going to put affordable housing where there wasn't any before. That's not a bad thing. But it does address the whole issue of compatibility for a neighborhood that didn't have it before and is now going to be challenged. What this document does here is say if you're going to do those things, and you're going to have a mixed-use community, what does it consist of.

What impresses me about this and is challenging to my colleagues on the City Commission is that residential needs to be a component of any one of these challenges. And it has not been in the past, and it's been bypassed in the past. And it doesn't work if you leave it out. Strip center developments only accelerate putting more traffic on the road. Residential developments do not generally put traffic on the road, to the same extent.

So I think the issue of compatibility in my community, and in many others in the east in particular, is driven by people who say, I've lived here for 50 years and you want to change the character of my community. I don't have a choice, because if I don't exercise some choice, I end up with slum.

COMMISSIONER CASTILLO: That's right.

CHAIR STERMER: Commissioner Rich.

COMMISSIONER RICH: Thank you, Mr. Chair. I knew we'd come around to affordable housing. I was waiting for somebody else --

(Laughter.)

COMMISSIONER RICH: -- and you did it first, so -- but my notes were all here. All right. So I appreciate this document definition, but I'm concerned that, yes, we look at residential, as Commissioner Blattner mentioned, so does compatibility reach to the point where it's an out or an excuse for not building affordable housing? Does it allow NIMBYism to just take control and not -- we have a crisis in Broward County. You know, we need a hundred thousand multi-family units, and it -- and, despite what anyone may say or believe, I believe that our rational nexus study is going to show, you know, the tremendous need in Broward County all across the County.

So we have 31 cities, and I agree with Commissioner Castillo, their -- you know, it's their decision. But what are we doing here if we cannot address a -- someone mentioned about looking at the County, as a whole. And I think that that's true. We have to look at the County, as a whole. And there are needs all over the entire County when it comes to affordable housing, both for workforce, for seniors, for special needs, veterans, just go down the list. So could you just kind of --

MR. MAURODIS: Sure.

COMMISSIONER RICH: -- maybe clarify that for me?

MR. MAURODIS: And I think part of -- fortunately, the Broward Next plan envisioned that and anticipated your concern, I believe. And I can take credit -- no credit for that. But it says it is recognized that approved redevelopment plans aimed at eliminating or reducing blight in deteriorating areas may promote the introduction of land use patterns in variance from existing land use patterns.

And there's also other language in the plan that indicates that compatibility doesn't mean you have to have the same -- it's -- compatibility should not -- and I don't think it's appropriately used as a weapon against affordable housing.

Now, if -- you know, I can envision particular cases where the density variations are such that it could be argued -- even our own definition talks about unduly impacting. So the nature of the housing, the cost of the housing, and things of that sort should not be used as a compatibility club to stop a particular development, and I think there's appropriate authority for that. There may be other issues with regard to density --

COMMISSIONER RICH: Yeah.

MR. MAURODIS: -- and things of that sort --

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COMMISSIONER RICH: That's another issue.

MR. MAURODIS: -- that -- that are thoroughly appropriate. Roads, traffic, and things of that sort.

But just the fact that it's affordable housing, I do not believe there's anything in here that would -- would allow that to be used. And I would caution against using the -- playing the compatibility card, if you will, on a development just because it was affordable housing. I don't think that would be appropriate. Absent --

COMMISSIONER RICH: Yeah.

MR. MAURODIS: -- you know, the other density intensity factors.

COMMISSIONER RICH: Okay. Thank you.

MR. MAURODIS: But, obviously, your own counsel, who I respect immensely, but I think you'll get similar type of counsel from the County Attorney's Office.

COMMISSIONER RICH: Right.

CHAIR STERMER: I think --

COMMISSIONER RICH: Thank you.

CHAIR STERMER: -- I think we -- were you done? I'm sorry.

COMMISSIONER RICH: Yeah.

CHAIR STERMER: Okay. I think we all know, because we've been sitting here long enough, and part of what the public doesn't always understand is normally when there's a Land Use Plan amendment, the applicant brings this pretty picture, which relates to a site plan.

UNIDENTIFIED SPEAKER: Right.

CHAIR STERMER: And in great measure, that pretty picture has nothing to do with the land use amendment. And that's where things get crossways, because the public sees - - and I went through it for 14 months in my city, lived it every day. Don't look at the pretty picture. The pretty picture can change before anything ever happens, and that pretty picture may become a totally different picture. It's the underlying land use we're doing.

And people get caught up in what they think it's going to be, because at that moment in time, that's what the owner, the developer, is proposing, or the city may be proposing, the government may be proposing, when in reality, once the land use is done, an entirely

different project could come to be.

So that's why when I say we get lost in the pretty picture, we don't -- we shouldn't be looking at the pretty picture. We should be looking at what's underneath that picture and is the -- usually the yellow outlined piece of land, the amendment to what that is compatible with what's around it. Not, respectfully, you know, whether there's going to be whatever the use is inside of it. That's a different conversation.

And that pretty picture, honestly, we all know it, but it's tough sometimes for us to do. The public doesn't always get that, and that's what they get hung up on, that picture. So, please, it's difficult, and I think we need to be very mindful of that at all times.

Mr. Maurodis, we want to thank you, because, honestly, it -- you know, listen, our agenda isn't big today, and, honestly, this conversation is one we've had over time. Commissioner Hardin, I hope you know what you got yourself into.

(Laughter.)

CHAIR STERMER: I think that may have been why Commissioner Moraitis ran so quickly. No. All kidding aside, she's got lots of things going on in her life. So we thank you for joining us. And these are conversations we have, and they're applicable, you know, in Pompano and everywhere else, so -- and you guys have some stuff coming forward. You have in the past, and you will in the future, and we go there. So, anybody have anything else on this issue? Mr. Rosenzweig.

MR. ROSENZWEIG: Yeah. I was going to say that this is really an issue on affordable housing that should go before the County Commission. Where I came from in Montgomery County, what we did for affordable housing -- because teachers and firemen and others don't have the monies necessarily to live in the communities that they want to live in because of the cost of the housing. And so what they did with their affordable housing dollars that they had from the developers was they set aside a percentage of the housing being built as set aside as -- a set aside, instead of having to wait and do that.

It just so happens in Deerfield, we had six pieces of property that were vacant, and we now have six properties being worked on to be built for affordable housing in our city. Not every community has the land that's abandoned that they can do that with. But that would be one thought, in my mind, if we could set aside the monies that we give to the County from developments for set aside for affordable housing actually be applied to developments going on, if we can, to at least look at as an option. Thank you.

CHAIR STERMER: Commissioner Rich has nothing to say on that topic.

COMMISSIONER RICH: Yeah. No, well, I --

CHAIR STERMER: Commissioner.

COMMISSIONER RICH: -- want to thank you for bringing that out, because the County Commission is, obviously, looking at that. We have put in money for the first time the last two years, 5,000,000 each, and for next year. And then, hopefully everyone will be voting for the --

UNIDENTIFIED SPEAKER: Number Three.

COMMISSIONER RICH: -- no. It's -- no. No, this is not -- there's no number. It's affordable housing -- Broward County Affordable Housing Trust Fund, which is not a constitutional amendment. It is --

UNIDENTIFIED SPEAKER: A Charter amendment.

COMMISSIONER RICH: -- a Charter. And that will enable us to do some of what you're talking about, to -- whatever resources we come up with, whether it's sunseting CRAs that are, you know, going out of business, or whether it's monies from developers who are building.

And I do want to say I mentioned about the rational nexus study because that is something that is certainly, I believe, something important that we will have to look at, that the Commission will have to look at, and, obviously, it should -- there should be a discussion here and hopefully a recommendation about, you know, what kind of inclusivity, what kind of, you know, options or incentives we provide for building affordable housing. And, certainly, you know, the one that you mentioned is an important one. It's happening all over the country, and we need to be looking at it here as well, so.

CHAIR STERMER: Thank you.

AGENDA ITEM R-2 - EXECUTIVE DIRECTOR'S REPORT

CHAIR STERMER: Ms. Blake Boy.

MS. BOY: Good morning. First, I just want to welcome Commissioner Hardin and congratulate him on his appointment to the Planning Council. It will be a pleasure working with you in the future.

Just a couple more items of business -- well, one's not business. We're doing the United Way fundraiser, so if anyone's interested in buying a square for the Florida/Florida State game, we're selling those. Half the money goes to United Way, and the other half will go to the winners from the Board. So see one of the staff before you leave if you're interested.

Since we were unable to have a committee meeting this morning, and not everyone reviewed the information that was going to be on the agenda, I just wanted to quickly take you through what staff was asking the Land Use/Trafficways and Executive Committees to pursue.

You may recall the Planning Council initiated in March, and then the County Commission reiterated that initiation in April, regarding the review of the commerce and residential categories to try to come up with opportunities for utilizing -- or better utilizing under-utilized commercial properties and parcels along corridors, and then also how do we bring an affordable housing component to that.

So I have a four-pronged approach after having a workshop and getting some comments that I just wanted to make sure that the Council was comfortable with our -- with staff pursuing. And we would end up potentially with four text amendments to the County plan.

The first is a revision of the commerce category. There was a draft in the backup material, and I will send that out attached to the follow up email today since not everyone reviewed it, since you're not all on the committee. So a review of the commerce category, creating a mixed income opportunity with a higher density level for these commerce parcels and commerce corridors. So that would be the first amendment.

The second amendment would be a new category that would be for the smaller kind of mixed-use areas like we saw earlier this year in Pompano Beach. Applied for an activity center, but wasn't really an activity center. Met the minimum criteria, but they're usually between maybe eight and 30 acres. Coming up with developing a new category for that. That would be a second amendment. That would require an amendment to the Broward County Land Use Plan.

So the first would be within the mixed use -- sorry -- within the commerce category, would not require a County Land Use Plan amendment because you're using a mixed income formula and providing for affordable housing opportunities. The second case, you are applying for a County Land Use Plan amendment because you're just going to be demonstrating how you're meeting the affordable housing policy. The third piece of this is a revision to the residential categories to talk about accessory affordable dwelling units. They're currently permitted by Florida statute. We had talked about putting this in the plan back in 2006, and it kind of just went to the wayside, but I think the time is right to provide the opportunity for municipalities for these types of smaller units to be on single-family properties. So we would be pursuing a text amendment to include that criteria in the Land Use Plan. And then the final revision that we're talking about is related to the higher density --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: -- residential categories and how non-residential uses could be permitted there. Currently, they're permitted within the same structure if you're 16, 25, or 50 dwelling units per acre, and we want to look at how they could be permitted on the same property, perhaps not in the same structure.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: So those are the four types of things that we're pursuing. I think all would have

a positive impact to residential and affordable housing opportunities --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: -- throughout the County, add more tools to the toolbox for cities, also.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: So if there's no objection from the Council, we'll continue to pursue those four items.

CHAIR STERMER: Is there any objection to pursuing all four of those items? I think --

COMMISSIONER CASTILLO: I -- I --

CHAIR STERMER: -- they're worthy and necessary.

COMMISSIONER CASTILLO: -- I just had a question. The committee couldn't meet today. I know that those of us that were -- that are on the committee, you know, had an opportunity to prepare for it. Do you want us to move that item today, or do you want to bring it to the committee next time, or what do you --

MS. BOY: Well --

COMMISSIONER CASTILLO: -- want to do?

MS. BOY: -- I think if -- I think if Andy doesn't disagree that --

COMMISSIONER CASTILLO: Is time a factor?

MS. BOY: -- it's without objection, because it's already been initiated. I was just --

MR. MAURODIS: Without objection.

MS. BOY: -- laying out how -- how the items would be proceeding.

CHAIR STERMER: There's been a motion by Commissioner Rich, a second by Commissioner Castillo. All those in favor of what was on the Trafficways/Land Use Committee this morning, signify by saying aye. All those opposed? The motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

COMMISSIONER CASTILLO: I would have recommended it, but I don't know if anyone else would have but --

UNIDENTIFIED SPEAKER: No, it's --

COMMISSIONER CASTILLO: -- I don't have a problem with any of it.

MR. DIGIORGIO: It's --

MS. BOY: Okay.

MR. DIGIORGIO: -- it's excellent, and it's needed. I have one comment.

CHAIR STERMER: Please, Mr. DiGiorgio.

MR. DIGIORGIO: I just had a question on Section 1, because I was looking at that and I was comparing it to what we did with the Transportation Oriented Corridor in --

MS. BOY: Uh-huh.

MR. DIGIORGIO: -- Pompano Beach, in the commerce zone there.

MS. BOY: Uh-huh.

MR. DIGIORGIO: Again, we came back to this board and to the County to get that approved. Are we saying in the future those types of Transit Oriented Corridors wouldn't have to necessarily come back if the city amended --

MS. BOY: No. The --

MR. DIGIORGIO: -- because it's commerce. It was commerce --

MS. BOY: -- right. Because that -- that's really an amendment to the plan to create an Activity Center designation. We are -- what we're talking about here is really utilizing the commerce category for these smaller type areas. So like we saw in Pompano Beach on Federal Highway, it was about nine and a half acres and --

MR. DIGIORGIO: Yes.

MS. BOY: -- they were proposing a residential and a commercial component as well as a marina component. So we were fitting that into the Activity Center box. So a couple ways that could have been accomplished without a County Land Use Plan amendment was it was primarily commerce, so they could have had a mixed income opportunity, and they could have used -- had a residential component there without coming through the County plan. If they didn't have a mixed income opportunity, they could have still come through for a County Land Use Plan amendment, but for the smaller mixed-use area. So it'll provide more flexibility --

MR. DIGIORGIO: Excellent.

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MS. BOY: -- for the cities to make a decision about whether -- how they're pursuing mixed income. If someone's not pursuing mixed income, do they still have an alternative to that. So it's not exactly, but there's an opportunity to utilize it in the plan.

MR. DIGIORGIO: Excellent. Thank you.

MS. BOY: Okay.

CHAIR STERMER: Appreciate it.

MS. BOY: I just have two more things.

CHAIR STERMER: Please.

MS. BOY: One is yesterday we were talking about -- I was talking with Mayor Stermer and Andy about the -- the Rules of Procedure and for meeting cancellation. As you can tell, today we're very close to not making a quorum for today's meeting. Currently, your Rules of Procedure don't allow for the -- like the Chair, in consultation with the attorney, to cancel a meeting if we find out there's not going to be a quorum the day before a meeting. So we thought that it may be appropriate to have a revision to the Rules of Procedure to be able to account for when situations such as that occur. Hopefully, it's not ever going to happen again, but if the Council could initiate it, we could propose some language.

CHAIR STERMER: Here's -- I'd like to do two things. One is authorize the Chair, in consultation with the Executive Director and the attorney, based on specific things like a quorum. To drag everybody down here to find out we can't conduct business is frustrating. It's frustrating for the public. It's frustrating for the members. And there are ways to communicate that, even if it's the night before. Generally, an applicant knows who the leaders are in the community if there's an opposition to something and getting the word out there. Can we prevent everyone from coming here? No. But we can try our hardest.

I think it's also important to -- for us to consider something else. We currently meet -- I think this year we'll meet eight or nine times. We take some months off. And, as we know, our agendas are getting lighter, not heavier. And what I'd like us to consider and commence is for this board to meet six times a year, on every even numbered month or every odd numbered month, take your pick. Because that will make our agendas more fulsome. The development community and the government community will know clearly when we're meeting. And the hope is then by -- we will aggregate our agenda items, because the Executive Director and I now, on a monthly basis, will look at an agenda and say, there's one item on, and does that have to go or can it wait for next month. We go through this exercise every month.

And presentations are one thing. You know, we have folks coming from different places making presentations. We can always move presentations. We've done that a few times

with some of the County offices. And we appreciate their flexibility. But the question becomes to have everybody come here for a one item agenda is time consuming. Not only -- and it costs people time away from their jobs if the public wants to come speak. And to have something like we potentially almost had today with a cancellation is very frustrating to the public.

So what I'd like us to consider is to commence a rules change, a procedure change that would include authorizing the cancel of -- cancellation of a meeting by the Chair, the Executive Director, in consultation with the attorney, for limited issues such as quorum, and, two, to redo the schedule of this board so that it meets six times a year, whether it's odd -- odd months or even months, I don't really care. But I think it's important that we can create more certainty to where things are, and the community would know it, and the development community would know it. I think that's organizationally better. Things have slowed down out there that we get a straggler here, a straggler there. I'd rather aggregate our time. Mr. Rosenzweig.

MR. ROSENZWEIG: Yes.

CHAIR STERMER: Okay.

MR. ROSENZWEIG: I would say -- I would say that that's a great idea. I think it's good. But I'd also like to make an addendum to that in case there's other issues that come up in between that period that require us to come together, that we can call special meetings of the board.

CHAIR STERMER: The rules provide for that already.

MR. ROSENZWEIG: Excellent.

CHAIR STERMER: Yeah. Anybody have any other comments or suggestions on either of the proposals?

MR. BLACKWELDER: On -- on the --

UNIDENTIFIED SPEAKER: You need a motion?

CHAIR STERMER: We're going to.

MR. BLACKWELDER: -- on the other hand, I wonder if people are trying to develop something and trying to get through all the layers that they're -- staff and here and the Commission, and I don't like to hold up projects --

CHAIR STERMER: Uh-huh.

MR. BLACKWELDER: -- for no reason. And a lot of what we are doing is unobjectionable, but it just seems that we should be careful in not meeting if people are relying and

investing and expecting to make a profit someday, to wait another two months, you know, to get an answer like we can --

MR. MAURODIS: What we were looking at, we -- I -- what we would envision the change is to have a schedule of regular meetings, if we wanted to follow through with it, on every other month, with the ability, based upon -- for instance, let's assume you -- there comes a flood of applications and things that are deemed time sensitive, that the -- that the director, in consultation with the Chair, can schedule special meetings throughout.

So we would want to have the flexibility to schedule during those off months, should demand pick up. We -- you know, I would always want to have that flexibility, because I think it's appropriate. If you want to go down that route.

CHAIR STERMER: Is there a motion? Commissioner Blattner.

COMMISSIONER BLATTNER: The motion would be that we meet six times a year --

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR STERMER: We would amend the rules to clarify that the Planning Council would meet six times a year, every other month, and is subject to meeting at the call of the Executive Director, in consultation with the attorney and the Chair, on odd numbered months as necessary.

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR STERMER: As well -- as well as to have the ability of the Chair, in consultation with the -- or the Executive Director, actually, the Executive Director, in consultation with the attorney and the Chair cancel the meeting due to issues related to quorum.

COMMISSIONER BLATTNER: I'll take the short form of that as an affirmative.

CHAIR STERMER: Yes.

MR. DIGIORGIO: I'll second it.

COMMISSIONER CASTILLO: Can I just -- can we do even months? Because July is when we typically break, and that -- we're forever arguing over what to do in --

COMMISSIONER BLATTNER: We break in August, so that's not -- it's not --

COMMISSIONER CASTILLO: Oh, you break in August.

CHAIR STERMER: Yeah --

UNIDENTIFIED SPEAKER: (Inaudible) break in August.

CHAIR STERMER: -- it's half of us. We can make it even. It's fine. And I think what we would do is start this --

MS. BOY: After -- after January?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. BOY: Yeah, we get the rule changes --

CHAIR STERMER: Correct. No, what I'm saying is I would envision conceivably starting this hypothetically next summer.

MS. BOY: Okay.

CHAIR STERMER: I -- because the development community needs to understand where they are today.

MS. BOY: We can revise the schedule. Got you.

CHAIR STERMER: And I don't want to -- to Mr. Blackwelder's point, I'm not looking to put folks who are in a process in a jam. So what I'd want to do is to start it in a future date, so it's clear what's happening, and it could then impact schedules in cities, County Commission schedules and things like that, that I wouldn't envision starting this until, let's say, next June. So there was a motion by Mr. Blattner -- Commissioner Blattner, seconded by Mr. -- oh, Commissioner Rich.

COMMISSIONER RICH: Could we just say -- not specify even or odd months, at this point, but have Mrs. Blake Boy take a look at it and see what makes more sense based on --

COMMISSIONER BLATTNER: The holidays.

COMMISSIONER RICH: -- that things that are going on in the community --

CHAIR STERMER: We could do that.

COMMISSIONER RICH: -- (inaudible).

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. MAURODIS: The schedule adopted --

COMMISSIONER RICH: Yeah.

MR. MAURODIS: -- by the Planning Council each year --

CHAIR STERMER: We could do that.

COMMISSIONER RICH: Right.

MR. MAURODIS: And then what she can do is she can show you a calendar.

COMMISSIONER RICH: Okay.

CHAIR STERMER: That's fine. That's absolutely fine. Okay? All those in favor, signify by saying aye. All those opposed? Motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

COMMISSIONER BLATTNER: Mr. Chair --

CHAIR STERMER: Plan away, Ms. Blake Boy.

COMMISSIONER BLATTNER: -- just a question. I might have missed it because I had to step out. With regard to the potential attendance quorum issues, is there a policy that says within X number of hours of a meeting, or days of a meeting, if you don't have a quorum that you either -- that you cancel it?

MS. BOY: No. That's why we asked for the rules change, so that that could be addressed in the future if we need to.

COMMISSIONER BLATTNER: Okay.

CHAIR STERMER: Yeah.

COMMISSIONER BLATTNER: All right. Thank you.

CHAIR STERMER: Trust me, the Executive Director and I were talking yesterday that if she got a call from someone who couldn't make it at 7:00 o'clock last night, we were going to cancel the meeting at 7:01 last night. That's why we sort of said to -- when you all got an email that had the Executive Director's number on it --

MS. BOY: Which I'm sorry.

CHAIR STERMER: -- no, that we were -- that we were prepared to do that as compared to making people come here to find out we couldn't conduct business. So thank you all for the conversation. Ms. Blake Boy.

PUBLIC HEARING:

AGENDA ITEM PH-1 A - RECERTIFICATION PCR 18-6

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AGENDA ITEM PH-1 B - RECERTIFICATION PCR 18-7

MS. BOY: Okay. Hi. We have two Public Hearing items. Public Hearing Item 1 is the recertification of the City of Tamarac's future land use element text, as well as a corresponding map amendment that corresponded to an Activity Center that was established in the Broward County Land Use Plan in 2010. Planning Council staff finds both items in substantial conformity with the County plan and recommends approval. The City of Tamarac has waived its quasi-judicial proceeding for the item. There is only one speaker on the item, and it's a representative of the city for questions only.

CHAIR STERMER: Is there a motion with regard to PH-1?

COMMISSIONER CASTILLO: So moved.

CHAIR STERMER: Moved by Commissioner Castillo.

COMMISSIONER HARDIN: Second.

CHAIR STERMER: Seconded by Commissioner Hardin. All those -- any further discussion with regard to PH-1? All those in favor, signify by saying aye. All those opposed? The motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-2 - AMENDMENT PCT 19-3

CHAIR STERMER: PH-2.

MS. BOY: PH-2 is in the City of Miramar. They had established an Activity Center back in 2009, and this is an amendment to the text only of the Activity Center. It's really a two-pronged component for what they're proposing for the amendment. One piece is to reduce the office square footage by 500,000 square feet, and the other piece is to maintain the number of dwelling units that was established in 2009 --

COMMISSIONER BLATTNER: Change the mix.

MS. BOY: -- but to change the mix from the very explicit detailed townhome, garden apartment, single-family, mobile homes, those types, to single-family or multi-family. So it is just a change to the unit type. And really what they found in the nine years since it's been adopted is the flexibility, especially within the multi-unit type, that they kind of ran out of some units. So Planning Council --

COMMISSIONER RICH: Yeah, I just want to comment on that, because that's exactly what was found, you know, by the workgroup, the Affordable Housing Workgroup that was created by the Legislature last year, and we saw it in our own statistics here, the change, the shift from homeownership, single-family, to multi-family. So I would want to make sure

that we're not reducing anything but, you know, giving more flexibility to use, you know, these units for -- to use multi-family dwellings.

MS. BOY: Yes. And the city is the one who proposed --

COMMISSIONER RICH: Okay. And they're good.

MS. BOY: -- the streamlining of the unit type.

COMMISSIONER RICH: Okay.

MS. BOY: Planning Council staff recommends approval of the proposed text amendment. There are two speakers signed up to speak on the item. If I -- if it's okay to call them up.

CHAIR STERMER: Please.

MS. BOY: The first speaker is Jose Reyes, followed by Chelsa Arscott.

CHAIR STERMER: Mr. Reyes? Mr. Reyes?

MS. BOY: So maybe he left. Ms. Arscott?

CHAIR STERMER: Ms. Arscott?

MS. BOY: She -- I think she left also.

CHAIR STERMER: Is there anybody else that would like to speak on PH-2? This is the Miramar item.

COMMISSIONER CASTILLO: I'll move the item.

CHAIR STERMER: Moved by Commissioner Castillo.

MR. ROSENZWEIG: Second.

CHAIR STERMER: Seconded by Mr. Rosenzweig. All those in favor, signify by saying aye. All those opposed? Motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

OTHER BUSINESS:

CHAIR STERMER: Anything else before the Planning Council this morning, Ms. Executive Director?

MS. BOY: December 6th is our next Planning Council meeting.

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CHAIR STERMER: Yes.

MS. BOY: I know Commissioner Blattner has noted that he's the chair of the MPO, and he has a conflict that day.

CHAIR STERMER: You should cancel that meeting.

MS. BOY: We have items --

COMMISSIONER BLATTNER: Which one? This one?

MS. BOY: -- on the agenda --

CHAIR STERMER: No. That one.

(Laughter.)

MS. BOY: -- including one in Hollywood. Thank you. Happy Thanksgiving to everyone.

CHAIR STERMER: Happy Thanksgiving. And if you haven't bought a box yet to benefit the United Way, in the back of the room --

MS. BOY: Buy a square.

CHAIR STERMER: -- please go buy a square.

MR. DIGIORGIO: Thank you for our Reeses.

MS. BOY: No problem.

CHAIR STERMER: Or two or three. Have a good holiday, everybody. And welcome, Commissioner Hardin.

MR. DIGIORGIO: Don't leave your Reese's at the table, because I'll grab them.

(The meeting concluded at 11:29 a.m.)