

MINUTES

BROWARD COUNTY PLANNING COUNCIL

March 23, 2017

MEMBERS PRESENT: Mayor Daniel J. Stermer, Chair
Thomas H. DiGiorgio, Jr., Vice Chair
School Board Member Patricia Good, Secretary
Brion Blackwelder
Commissioner Richard Blattner
Commissioner Felicia Brunson
Commissioner Angelo Castillo
Neal R. de Jesus
Charles Fink
Mayor Bill Ganz
Commissioner Michelle J. Gomez
Mary D. Graham
Richard Grosso
Robert McColgan
Commissioner Michael Udine
Commissioner Beverly Williams

MEMBERS ABSENT: Mayor Michael J. Ryan

ALSO PRESENT: Barbara Boy, Executive Director
Andy Maurodis, Legal Counsel
James White, Esq. of
Weiss, Serota, Helfman, Cole, and Bierman, P.L.
Anne Castro, Former Planning Council Chair
Stefan Hoyer, Hoyer Homes
Debbie Thomas, Town of Davie
Peter Dokuchitz, City of Plantation
Jonathan Roberson, BCT
Jill Harwitz, Broward County EDCRD
Robert Johnson, City of Tamarac
Maribel Felwin, PDMD
Sara Forelle, PDMD
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, March 23, 2017.

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

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

CHAIR STERMER: Ladies and gentlemen, good morning.

UNIDENTIFIED SPEAKER: Good morning.

CHAIR STERMER: Ladies and gentlemen, good morning, and welcome to the March 23rd, 2017 meeting of the Broward County Planning Council.

ROLL CALL:

CHAIR STERMER: Madam Clerk, 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: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Here.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Here.

THE REPORTER: Mr. Neal de Jesus.

MR. DE JESUS: Here.

THE REPORTER: Mr. Thomas DiGiorgio.

MR. DIGIORGIO: Here.

THE REPORTER: Mr. Charles Fink.

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MR. FINK: Here.

THE REPORTER: Mayor Bill Ganz.

Commissioner Michelle J. Gomez.

School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham.

Mr. Richard Grosso.

MR. GROSSO: Here.

THE REPORTER: Mr. Robert McColgan.

MR. MCGOLGAN: Here.

THE REPORTER: Mayor Michael J. Ryan.

Commissioner Michael Udine.

Commissioner Beverly Williams.

COMMISSIONER WILLIAMS: Here.

THE REPORTER: Mayor Daniel J. Stermer, Chair.

MAYOR STERMER: Here. And good morning.

PLEDGE OF ALLEGIANCE:

CHAIR STERMER: And if we could all please rise. And I've asked Mr. Blackwelder to please lead us in the Pledge of Allegiance.

(THE PLEDGE OF ALLEGIANCE WAS LED BY BRION BLACKWELDER.)

CHAIR STERMER: Thank you and good morning. Understanding we have a number of guests in the audience this morning, the only thing I would request of you is, one, if you haven't completed a comment card and you'd like to speak on an item, please do so and hand it to Ms. Blake Boy, our Executive Director. Secondly, if you are in possession of a cell phone or some other device, which most of you probably are, I'd ask that you, as well as the members of the dais just make sure it's on silent.

And I'd also remind everybody that we are being streamed live, so if you'd like to speak on an item, just please ensure that your microphone is on when you speak. That way, the audience watching us online can hear you, and Ms. Cavender can make sure she hears your words clearly. I'd also just like the record to reflect that Mayor Ganz has joined us, and Mary Graham has joined us. Good morning.

MS. GRAHAM: Good morning.

CHAIR STERMER: I'd also like to just -- to mention that Commissioner Gomez has been reappointed by the -- by the Broward County Commission effective at the last meeting last week. So congratulations to Commissioner Gomez on her reappointment. I'd like --

MS. BOY: She's running a few minutes late.

CHAIR STERMER: It happens. Sometimes the trains outside get in the way.

ELECTION OF OFFICER: SECRETARY:

CHAIR STERMER: At this time, as everybody's aware, based on some appointments and reappointments, Commissioner Long is no longer with us, and that was announced to you all at the end of our last meeting. Based on that happening, Mr. DiGiorgio moved from Secretary to Vice Chair, which then opens up the position of Secretary. As we know, it's up to the Board to determine how to fill that position. At this time, are there any motions with regard to the position of Secretary?

MR. DIGIORGIO: I'll move Patricia Good for Secretary.

MR. DE JESUS: Second.

CHAIR STERMER: There's been a motion and a second. Are there any other nominations for Secretary?

COMMISSIONER CASTILLO: Motion to close nominations.

CHAIR STERMER: There's been a motion to close nominations.

COMMISSIONER CASTILLO: Second.

CHAIR STERMER: All those in favor of the motion to close nominations, signify by saying aye. All those opposed?

VOTE PASSES UNANIMOUSLY.

CHAIR STERMER: And now on the main motion, all those in favor of the motion, signify by saying aye. All those opposed? The motion carries unanimously. Congratulations and welcome.

MR. DIGIORGIO: Congratulations and welcome.

(Applause.)

VOTE PASSES UNANIMOUSLY.

CHAIR STERMER: The record should also reflect that Commissioner Udine has joined us.

Good morning, Commissioner. How are you this morning?

PRESENTATION: ANNE CASTRO, PREVIOUS PLANNING COUNCIL CHAIR:

CHAIR STERMER: At this time, I'd like to welcome Anne Castro to the podium to please join us for a presentation.

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR STERMER: Come stand over here, please. Members and community, good morning. We have the pleasure this morning of recognizing Anne Castro. As many of you know, Chair Castro chaired this august body for a number of years, but has had a long and really committed life of public service to our community.

By way of background, Ms. Castro was first appointed to the Planning Council in 2006, when she was a Commissioner and Mayor in Dania Beach, by Commissioner Rodstrom. She was then reappointed by Commissioner Ryan as an elector from 2012 to 2017. Ms. Castro served as the Secretary, Vice Chair, and then served as the Chair of this body from 2000 -- between 2013 and 2017.

As part of her responsibilities, she sat and chaired the Land Use and Trafficways and the Executive Committees. But, more importantly, as we know, we all for the past over two years went through the Broward Next project, and Ms. Castro chaired not only this body, but the entire Broward Next project. She also provided recommendations to approximately 185 map or text amendments during her time on the Planning Council. No small feat.

MS. CASTRO: For free.

CHAIR STERMER: For free.

(Laughter.)

CHAIR STERMER: Some of the highlights, including things that are important to some of the members sitting here this morning, golf course policies, open space policies, mixed use areas such as the downtown Fort Lauderdale RAC, as -- like I said, as well as the Broward Next project.

This morning and in the past, we've normally recognized folks, who leave this -- who left this body, with a plaque, and we've sort of done away with the plaque issue. But for Ms. Castro, we've done something really different and gotten her a vase, to which it reads: "Thank you for your dedication and service, the" -- Broward Planning -- "Broward County Planning Council 2006 to 2017," and we present this to you, Ms. Castro.

MS. CASTRO: Thank you.

CHAIR STERMER: Let me say this before I turn the podium over to you. You have been passionate about what goes on at this body, but that passion can't be matched for what you do in the community. Your passion for, when you were an elected official and today, on the issue of affordable housing is truly remarkable. We know there's a summit next week. I'm sure you're going to be at it. And Dania Beach, through their Housing Authority, is lucky to have you as their Executive Director.

There aren't many of us who serve in public life that literally commit the way you did, and it's a testament to your caring and your passion, being a south Floridian, that you've done so. We miss you. The County misses you. And we hope that you stay engaged from out there, even in your new home. Regardless of, you know, moving from Dania Beach to Fort Lauderdale, your passion for what goes on in this County won't change.

So on behalf of all of us to you, we want to thank you. We also want to thank your husband and your family --

MS. CASTRO: Thank you.

CHAIR STERMER: -- for the time they've allowed you to spend with us. And we wish you Godspeed taking care of your mom.

MS. CASTRO: Thank you.

(Applause.)

CHAIR STERMER: The podium is yours.

MS. CASTRO: Thank you. Thank you. Thank you. I'm going to try to be brief today. First of all, I see faces coming back that I used to serve with up here a few years ago, so it's nice to see that, because that means someday maybe I have an opportunity to come back as well.

As life takes you on your twists and turns, family first, so I'm addressing that right now, which is important to us, and I appreciate everything everybody here has done with that regard. It's been a pleasure, as I've said many times, serving with all of you and your predecessors. I learned more on this council than any other position I've had in government, and I really love the collegial body, the debate, the intelligence, the different points of view, and yet we still come out professionally and we come up, hopefully, with a good product that will see Broward County into the next century and beyond.

I want to acknowledge staff again, including Mr. Maurodis. By far, one of the best government staffs I've ever encountered. And whether Henry was here or Barbara was here, you never missed a beat, and that's because it's a testament to the team that they support, they manage.

I think the County has an important role in land use. I hope they'll maintain it. I hope all of you will keep being the great stewards that you are. If you ever need anything, feel free to call me. I'm there for you. If you just want to vent or, you know, tell a joke, I'll be there for you. And it's been my pleasure and my honor, and I gratefully accept this. It's absolutely beautiful. And I wish you nothing but the best. Thank you.

(Applause.)

(Pictures taken.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

CONSENT AGENDA

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR MARCH 23, 2017

AGENDA ITEM C-2 - MARCH 2017 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3

A. APPROVAL OF MINUTES OF JANUARY 26, 2017 AND FEBRUARY 23, 2017

AGENDA ITEM C-4 - EXCUSED ABSENCES

CHAIR STERMER: Is there any items that any members of the dais would like to pull from the Consent Agenda? All right. Are there any items from the Consent Agenda that any member of the public would like to pull? Seeing none, is there a motion with regard to the Consent Agenda?

COMMISSIONER UDINE: Motion to approve.

CHAIR STERMER: Moved by Commissioner Udine –

MS. GOOD: Second.

CHAIR STERMER: -- seconded by School Board Member Good. All those in favor, signify by saying aye. All those opposed? The Consent Agenda passes unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - REQUEST FOR FORMAL INTERPRETATION OF THE BROWARD COUNTY LAND USE PLAN PLATTING REQUIREMENTS FROM THE CITY OF DEERFIELD BEACH

CHAIR STERMER: We are now on the Regular Agenda. We are now at Item R-1, a request for formal interpretation of the Broward County Land Use Plan platting requirements from the City of Deerfield Beach. Mr. Maurodis.

MR. MAURODIS: Just one point of information and disclosure to the Council. This is an appeal of an administrative determination made by Broward County Planning Council staff (inaudible). It's appealed by the city -- it's an appeal by the City of Deerfield Beach, which puts me in an interesting position.

So I have arranged for outside counsel, Mr. James White, from the firm Weiss, Serota, to sit on this particular item, because the City of Deerfield Beach is the actual appellant in this matter, and I didn't think it would be appropriate for me to sit on an appeal of our own decision. Obviously, totally inappropriate. So we're having Mr. White sit in my chair.

CHAIR STERMER: Thank you, Mr. White. Thank you, Mr. Maurodis. Mr. White, good morning.

MR. WHITE: Good morning, Mayor.

CHAIR STERMER: And just for the Board's edification, I did prepare and submit for the file, as well as a copy to Mr. Maurodis, the conflict waiver with regard to this item. Weiss, Serota does provide outside special counsel services to the City of Deerfield Beach, unrelated to this item, and they have no conflict with regard to sitting here for this. And part of the reason they're sitting here is, pursuant to Mr. Maurodis's agreement with the Planning Council, if there are issues with any item that comes before us, there is a certain list of pre -- pre-approved counsels that are viewed in line, and Weiss, Serota is that firm. So they sit here this morning. Good morning, Mr. White. Ms. Blake Boy, on the item. Hi.

MS. BOY: Good morning. The staff made what we call an informal determination when this was submitted, as requested by the South Florida Land Community Trust. It's for five parcels of -- six parcels of land in the City of Deerfield Beach.

And by the existing rules that the Council adopted in 2008, it spurred a requirement for platting, because of the distance between the lots. So our determination, which is

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included in your backup materials, stated that the applicant could construct two dwelling units at one time, would have to wait a period of 12 months for the other two, and then for -- a delay also for the -- for the sixth lot. So that doesn't -- that math didn't work, but there was going to be a significant delay because of the shared ownership of all the properties.

So the -- they submitted -- the city asked for a formal interpretation, which is what is in your file as part of R-1, and we have given you an outline. We've given you all the information, staff's informal interpretation, a request for a formal interpretation, which our recommendation is always the pleasure of the Council.

To help give some guidance with this, Planning Council staff went the extra step to say we would have no objection for a platting interpretation exemption for single family dwelling units that were going to be for infill development and for affordable housing for a minimum period of 15 years.

So we just wanted to try to help kind of frame the -- frame the item. We have the representative of the South Florida Land Community Trust here if you have any questions of the property owner.

CHAIR STERMER: Any questions from any members on the Council? Commissioner Blattner.

COMMISSIONER BLATTNER: Thank you. I was just going -- I was going to bring this up when the -- when the item itself came up, but I'd like to compliment the City of Deerfield Beach -- first of all, Mayor, welcome as the Mayor.

MAYOR GANZ: Thank you.

COMMISSIONER BLATTNER: Congratulations. Because they not only -- according to what I read, they already met the affordable housing requirement that they established for themselves in Deerfield Beach, but they extended it by this agreement to build more. And I think that is noteworthy and they are to be commended.

And then on top of it, if I'm correct, they've made a contribution to the Housing Trust Fund, or to the appropriate agency. Maybe you want to address that. I think it's really significant, and I want to compliment the City of Deerfield Beach.

CHAIR STERMER: Commissioner -- Mayor Ganz. Sorry.

MAYOR GANZ: No, I -- I think the -- I think the statements here stand for themselves. I'll leave it at that.

CHAIR STERMER: Any other -- Commissioner Castillo.

COMMISSIONER CASTILLO: Yeah, I -- this just goes to show how even the best crafted rule, there can be an exception that comes up that just makes common sense. And I'm all for it. I think it -- it's a great opportunity, and I think it actually underscores the work that's being done to try and provide affordable housing in the community. So I'm happy to support it.

CHAIR STERMER: I think it should also be recognized, one, next week there is a housing summit that is going to take -- be taking place being organized by the Coordinating Council. And I think it's important that we continue, and this body has for a number of years continued the conversation, to try to be one of the leaders in the affordable housing conversation.

I think it's also important to note that if you have time tomorrow afternoon, please make your way to Pompano Beach, because the gentleman sitting in the second row is part of Habitat -- partnering with Habitat for Humanity, and I'm referring to Rick Case, to build 77 homes in Pompano Beach with Habitat for Humanity.

UNIDENTIFIED SPEAKER: Wow.

CHAIR STERMER: And the kickoff for that is tomorrow afternoon. So, Mr. Case, thank you for being part of the solution in our community. It's truly appreciated. And I -- and I think it should be recognized that while these six units in Deerfield are wonderful, what's going on even now in Pompano with regard to those 77 units is another step forward. Is there --

COMMISSIONER CASTILLO: I just had one technical question.

CHAIR STERMER: Sure.

COMMISSIONER CASTILLO: So if we can waive -- what -- what is like the -- I don't want to say the legal -- or maybe counsel -- you know, what -- so it -- it's not platted, so now what happens? Is that like some sort of future problem or defect to these homeowners? It almost raises the question, why do we plat anything?

(Laughter.)

MR. WHITE: It wouldn't be platted, but it would still be a legal lot of record. It would be recorded. There would be a legal description that went along with it. It just wouldn't be recorded as a plat book.

COMMISSIONER CASTILLO: And that's fine.

MR. WHITE: And that's -- and that's fine.

COMMISSIONER CASTILLO: Okay.

CHAIR STERMER: Yeah, the restrictions for which the city is seeking would be a recorded document, so they would be of record, so any future property owner would see, at least for the next 15 years, there are certain restrictions that allow it not to be platted but yet provide certain restrictions for how that property can be used.

COMMISSIONER CASTILLO: Okay.

CHAIR STERMER: Anything further with regard to Item R-1? Is there a motion with regard to Item –

COMMISSIONER CASTILLO: So moved.

CHAIR STERMER: -- R-1? Moved by Commissioner Castillo –

MR. DIGIORGIO: Second.

CHAIR STERMER: -- seconded by Mr. DiGiorgio. And the -- that's for the interpretation exempting the property -- these properties from the platting requirement, just for the record.

Madam Executive Director?

MS. BOY: Just with -- for clarification, because this interpretation will be setting a precedent, it's for -- just making sure that you want to put infill development for single family housing, infill development for a period -- minimum period of 15 years for affordable housing.

CHAIR STERMER: And for the sake –

COMMISSIONER CASTILLO: That's the motion.

CHAIR STERMER: -- and for the sake of clarity, this exemption applies to these properties only, and should not be viewed as applying to any other property at this time; is that correct?

MS. BOY: Well, it would -- once the formal interpretation is made, it would carry forward, and that's why we were so narrow on what we wouldn't object to. So if another infill development came in, we would be able to apply this rule to that also.

CHAIR STERMER: Good. Anything further with regard to the item? There was a motion by Commissioner Castillo, seconded by Mr. DiGiorgio. All those in favor, signify by saying aye. All those opposed? The interpretation carries unanimously. Mr. White, thank you very much. Appreciate it.

MR. WHITE: Thank you all.

CHAIR STERMER: Hate to make you work so hard.

(Laughter.)

AGENDA ITEM R-2 - COUNSEL'S REPORT

CHAIR STERMER: We are now at Item R-2, and -- oh, look, it's Mr. Maurodis. He's back.

UNIDENTIFIED SPEAKER: Yeah, he's back.

CHAIR STERMER: Mr. Maurodis, anything on Counsel Report?

MR. MAURODIS: Actually, I do.

CHAIR STERMER: Wow.

UNIDENTIFIED SPEAKER: Wow.

CHAIR STERMER: Really?

MR. MAURODIS: Well, only because it's -- I think it's a Comp Plan issue, direct Comp Plan hit, you know, one of those strikes. House Bill 1309, the Legislature has determined not only that we needed the Bert Harris Private Property Protection Act, but that we also -- and not only did we need to follow a Supreme Court case dealing with the illegal exactions and -- and had to embody that in the Bert Harris Act that we are -- we need to go one step further, and every city and county needs to have in their Comprehensive Plan a -- an element, so to speak, that would -- well, it's required, an optional element for private property right protection.

So you're going to have to memorialize a certain amount of protection. And, as a convenience to the municipalities and cities, the Legislature has decided that they're going to tell us exactly how it should read, because we obviously couldn't draft it on our own. And it goes -- it -- it's significant. And it allows -- because once you have it in your Comprehensive Plan, it -- it's a far-reaching thing, because your actions are measured. Your development or other actions are measured by the Comprehensive Plan, so it's an additional area for challenge.

The adoption of your land development regulations must implement the Comprehensive Plan. So it has downstream effects. It's not just some pretty language in the document, is what I'm saying. It's going to have some downstream effects on -- on your issuance of development orders and your adoption of land development regulations in the future. So it's something to watch.

If you -- if it's something that you -- yeah, obviously, if you favor that, obviously, some of you may want to speak in favor of it. But if you're concerned about -- especially for

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municipal officials -- further incursion on the authority of municipalities, I think it bears watching.

CHAIR STERMER: Thank you, Mr. Maurodis. I would also implore the members of the Council -- yes, we're in that august 60-day period of time where lots of folks visit Tallahassee, and there are thousands of bills filed. And I just spent the past two days in Tallahassee.

Let me suggest to you that there are a number of bills that affect many things that we do here, you may do in your private life, you may do in your public life that, please, if there are bills that are important to you, please reach out to your Senator and your Representative and your local lobbyists to go have your voices heard. Whether it's by phone call, whether it's by email, whether it's by personal visit, I would implore you, things are moving at light speed in Tallahassee.

And for the two days I spent there, I can't tell you there were too many bills that are favorable to counties and local government. There aren't any. There -- if there are any, you can probably count them on one hand. So, please, be vigilant in what's going on right now, because, come the first week in May, it's going to be over, and they're going to be negotiating a whole bunch of things they're passing now to then get it into a big bucket and figure out what they're going to do with it. So I would implore each of you, if you've got something that's important to you, see if there's a bill out there and -- and reach out about it. Mr. Grosso.

MR. GROSSO: Quick comment for --

CHAIR STERMER: Please.

MR. GROSSO: -- for consideration. This law is completely unnecessary. The State Constitution, the Federal Constitution protects private property rights, prevents us from violating them. We have the statutory Harris Act that goes above and beyond that. This is simply a message that says, back off, don't regulate land use. It's a terrible message. It's a terrible overreach by the Legislature. And I think it's a real threat to planning and zoning. And speaking of real threats to planning and zoning, House Bill 17, that would preempt --

UNIDENTIFIED SPEAKER: Everything.

MR. GROSSO: -- all local regulation of anything. One size fits all. Lobbyists convinced Tallahassee to establish a really weak or no standard. Any local community has no opportunity to be stricter and protect its citizens. It is something that I think we as a County should be outraged about, and I think -- I would recommend that people prioritize opposition to that one.

CHAIR STERMER: Let -- let me suggest this, because --

MR. GROSSO: Thank you.

CHAIR STERMER: -- HB 17 is -- is one of the ones we spoke with with a number of senators and representatives, and we also had the pleasure of meeting with the governor the other afternoon. He spent some time meeting with those of us that were there.

And the first bill we talked about with the governor, says regardless of your relationship with the Legislature -- sometimes it's good, sometimes it's bad, and right now it's not so good with Enterprise Florida and things like that -- but we specifically said to the governor, we need you to exert your authority on HB 17. And that was the first bill among probably eight or nine bills we discussed with him, but that was one of them.

What I'd like to do, then, is ask that there be a -- somebody make a motion and we have discussion to direct staff, through our Executive Director, to write a letter on our behalf, which we will forward to our delegation and to the sponsor, stating our position with regard to HB 17.

COMMISSIONER UDINE: So moved.

MR. GROSSO: Second.

CHAIR STERMER: Moved by Commissioner Udine, seconded by Mr. Grosso. Any further discussion? All those in favor, signify by saying aye. All those opposed? Madam Executive Director, if you can just craft a letter on behalf of the Broward County Planning Council stating our opposition to HB 17 and the impacts that it would have on government, particularly ours and how it impacts us, we'd appreciate it.

VOTE PASSES UNANIMOUSLY.

CHAIR STERMER: We're now up to Item R-3, the Executive Director's Report. Oh, I'm sorry. Ms. Graham.

MS. GRAHAM: And provide us a copy.

CHAIR STERMER: Everything -- everything that will go out will -- yes, absolutely. Every member of the Council will get a copy of it.

MS. GRAHAM: Okay. Thank you.

CHAIR STERMER: As well as not only us, make sure that every member of the Broward delegation gets it --

MS. BOY: Right.

CHAIR STERMER: -- the sponsor of the House bill and the Senate bill (inaudible) --

UNIDENTIFIED SPEAKER: (Inaudible.)

CHAIR STERMER: -- as well as the Broward County Commission.

MS. BOY: Who would you like it addressed to? To the legislative delegation or --

CHAIR STERMER: No, I'd like it addressed to the -- I'm trying to remember who filed it. I think it's --

MS. BOY: Okay.

CHAIR STERMER: -- Representative Fine.

MS. BOY: So the sponsor.

CHAIR STERMER: I think it's Representative Fine.

MS. BOY: The sponsor. Addressed to the sponsor. Okay.

CHAIR STERMER: Yeah. To the sponsor of the House bill and the Senate bill. Anything -- Mr. Grosso, please.

MR. GROSSO: Perhaps the League of Cities, Association of Counties --

CHAIR STERMER: Yeah.

MR. GROSSO: -- copied?

CHAIR STERMER: Yeah, we'll make sure we get a copy to Mary Lou at the Broward League and a copy of it to the Florida League of Cities as well as FAC, Florida Association of Counties. Sorry.

COMMISSIONER UDINE: Their legislative day is in two weeks. I'll be up there.

CHAIR STERMER: Yeah, I bumped into Eddy Labrador sitting in a -- the CRA hearing yesterday.

COMMISSIONER UDINE: We went through (Inaudible.) It's crazy what's going on up there.

CHAIR STERMER: Yeah, it is.

AGENDA ITEM R-3 - EXECUTIVE DIRECTOR'S REPORT

CHAIR STERMER: Madam Executive Director, good morning.

MS. BOY: Good morning.

CHAIR STERMER: And let me begin also by saying on behalf of the Council, we wish your husband a speedy recovery.

MS. BOY: Thank you.

CHAIR STERMER: For those of you that don't know, Ms. Blake Boy's husband was in a cycling accident and had some significant injury to his arm and went through surgery the other day. So we wish him the best.

MS. BOY: Thank you. And I -- I have photos if anyone --

(Laughter.)

MS. BOY: -- would like to see them afterwards.

CHAIR STERMER: They're not -- let me tell you this --

MS. BOY: The repairs.

CHAIR STERMER: -- they're not for the squeamish.

MS. BOY: Of the repairs, as well. Of the repairs, oh, please. Please.

CHAIR STERMER: No, the arm. Of the arm.

MS. BOY: Thank you. Good morning. First, I would just like to extend congratulations to School Board Member Good on your new position as Secretary. Congratulations to Mayor Ganz on your win in Deerfield Beach. Excited about that. And congratulations on your reappointment, Commissioner Gomez.

And then I just wanted to mention that Mr. Parness was appointed by Commissioner Bogen as the District 2 elector, and he also won his election, so he no longer qualifies to serve on the Council. So I just wanted to let you know that's why Mr. Parness is not here today, because he no longer serves -- is no longer qualified because he won his election, and Mr. -- Mayor Ganz is already our elected official from District 2. So I just wanted to pass that on.

A couple of housekeeping items. One, I talked to Mayor Stermer before I put on the agenda the requested cancellation of the -- of the July Planning Council meeting. Normally, we wait until May or June to do that, but it's caused a lot of scheduling

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problems in the last year, trying to get a quorum. You all thought you had a meeting. We ended up having to cancel it. So in anticipation, to avoid that issue, I just asked if we could have permission granted at this meeting so that we don't have anything pending on the schedule for July. It would be moved to either June or August and we would work it that way. So I would just ask you to take a –

CHAIR STERMER: Any opposition –

MS. BOY: -- position on that.

CHAIR STERMER: -- we'll form a consensus here. Is there any opposition to canceling, now, our July meeting so our staff can plan accordingly with anything that comes through the door? Anybody opposed to that? You have a consensus of the Board to move and cancel our July meeting.

MS. BOY: Thank you.

Also, at last month's meeting, I had mentioned that we were working with the County's Public Communications staff to update the Planning Council logo. In your books, there's three options, kind of a -- they gave us about 20 options, but we went through a staff process and kind of narrowed it down to the three that we thought, you know, were best reflective of kind of planning in Broward County, and put those in your book just for an option for you.

If you -- if you choose one today, we can pursue the finalization of the fonts and how kind of the letterhead would look and -- and that sort of thing. So I don't know if anyone had a chance to look at that to see if you want to make a motion or take an action or what -- what would you prefer to do?

CHAIR STERMER: I know Ms. Graham has them sitting on her desk. She printed them out in color. Ms. Graham.

MS. GRAHAM: Thank you, Chair. One is just so obviously, I guess, the better of the three, given just my own design opinion, and it would be the one that was omni-directional –

MS. BOY: Okay.

MS. GRAHAM: -- just for the record. I don't know the opinions of anyone else, but nothing against the other ones, but I would want to see them tweaked a little bit more. And if you're -- you know, if you get a -- I guess a consensus, that would be mine.

CHAIR STERMER: Mr. de Jesus.

MS. GRAHAM: Thank you.

CHAIR STERMER: Thank you, Ms. Graham.

MR. DE JESUS: Mr. Chair, I would -- I would ask us to consider allowing staff to select the logo.

CHAIR STERMER: Okay. Commissioner Gomez.

COMMISSIONER GOMEZ: I would support Mr. de Jesus's comment. I was going to say my opinion is that two shows that it's using the use of when the -- logo when we're using our Map Quest, we know what it stands for now, and it's encompassing that. It looks like it's streets, looks like it's roads, looks like it's buildings.

I think that encompasses more than the others. I think the other ones -- they're good. I don't have any creative ability, so I'm not criticizing that part. I'm just -- I would say that, for me, I think two is the most encompassing of everything. So that's my opinion for the what it's worth department.

COMMISSIONER CASTILLO: I would like to state for the record that I am lousy at this.

(Laughter.)

COMMISSIONER BLATTNER: Motion to move this to the last item today.

CHAIR STERMER: Okay.

COMMISSIONER BLATTNER: Let's do business first.

CHAIR STERMER: Let's do business and then we'll come back to this? Okay.

UNIDENTIFIED SPEAKER: I agree.

CHAIR STERMER: All right. We're fine with that. Anything else under your Executive Director's Report?

MS. BOY: Yes, I just would like to report we have six Public Hearing items. We have members of the public signed in to speak on Items 3 and 6 only. Items 1, 2, 4, and 5, we have questions only from the applicants for those items. So I just wanted to let you know that. And, with that, it concludes my report.

CHAIR STERMER: Thank you, Madam Executive Director.

PUBLIC HEARING

CHAIR STERMER: And I would just make sure that the Council knows that there have been updated recommendations with regard to PH-2 and PH-3, recognizing the voluntary commitments with regard to each of those, and particularly with regard to Item

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PH-2, that is a change in recommendation from the last time this was before us, where staff had originally recommended denial. Here, the staff is recommending approval subject to the voluntary commitment recognized in the staff report.

MS. BOY: Correct.

CHAIR STERMER: What's the pleasure of the body with regard to –

MS. GOOD: I'll move –

CHAIR STERMER: Move?

MS. GOOD: -- 1, 2, 4, and 5.

CHAIR STERMER: There's been a motion by School Board Member Good to move PH-1, 2, 4, and 5.

MR. DIGIORGIO: Second.

CHAIR STERMER: Seconded by Mr. DiGiorgio. Ms. Graham.

MS. GRAHAM: Chair, I'd just ask that 1 be pulled so I can vote no. I did the first time. Thank you.

CHAIR STERMER: Okay. We will pull –

MS. GOOD: I'll move Item –

CHAIR STERMER: -- Item Number 1, so the amended motion would be to move Item 2, 4, and 5. Commissioner Blattner.

COMMISSIONER BLATTNER: I just want to make a comment on 2. No objection. I want to make a comment.

CHAIR STERMER: Sure. So we'll pull Item Number 2, as well.

UNIDENTIFIED SPEAKER: We're dwindling.

AGENDA ITEM PH-4 - AMENDMENT PC 17-9

AGENDA ITEM PH-5 - PC 17-10

CHAIR STERMER: So we're -- we're now down to Item 4 and 5. Is there anybody that wants to pull Item Number 4 and 5? Any member of the public wish to pull Item 4 and 5? There was a motion by School Board Member Good, seconded by Mr. DiGiorgio. All those in favor, signify by saying aye. All those opposed? Items 4 and 5 pass unanimously.

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VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-1:

A - AMENDMENT PC 17-1

B - AMENDMENT PCT 17-1

CHAIR STERMER: School -- Ms. Blake Boy, Item Number 1 -- or, Ms. Graham, do you want to make any other comment other than your vote?

MS. GRAHAM: No. I just wanted to be able to --

CHAIR STERMER: Okay.

MS. GRAHAM: -- vote no.

CHAIR STERMER: Is there a motion with regard to --

MR. DIGIORGIO: I'll move PH-1.

CHAIR STERMER: -- moved by Mr. DiGiorgio, seconded by --

COMMISSIONER UDINE: Second.

CHAIR STERMER: -- Commissioner Udine on PH-1 only. All those in favor, signify by aye. All those opposed?

MS. GRAHAM: No.

CHAIR STERMER: Let the record reflect affirmative votes other than Ms. Graham, Item Number 1. So we've committed -- completed Item 1, 4, and 5.

VOTE PASSES 17 TO 1 WITH MS. MARY D. GRAHAM VOTING NO.

AGENDA ITEM PH-2 - AMENDMENT PC 17-2

CHAIR STERMER: Is there -- Commissioner Blattner, do you want anything other than a comment with regard to PH-2?

COMMISSIONER BLATTNER: No.

CHAIR STERMER: Okay. Is there a motion with regard to --

MS. GOOD: Move.

CHAIR STERMER: -- PH-2? Moved by School Board Member Good.

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COMMISSIONER UDINE: Second.

CHAIR STERMER: Seconded by Commissioner Udine. Commissioner Blattner.

COMMISSIONER BLATTNER: Thank you, Mr. Chair. I was -- I was going to comment that I read Amendment 10, or at least part of it, so I understand that Plantation has met its obligations for affordable housing in various categories, but I'm curious about how it's determined what the contribution is. They're contributing \$250 a unit. I think this year it was \$500. I don't remember what Parkland contributed last year, Mayor.

COMMISSIONER UDINE: It was a lot.

COMMISSIONER BLATTNER: Yeah.

CHAIR STERMER: Ms. Blake Boy. She'll answer.

COMMISSIONER BLATTNER: Is there a guidance here of how is that determined?

MS. BOY: So I -- I think what you're -- what you're talking about is previous contributions that we have seen when -- have occurred when a municipality has not submitted any information on how they meet Policy 1.07.07.

So the Administrative Rules Document has essentially a buy-out if the city is not submitting any information to demonstrate how they're meeting Policy 1.07.07. You can either set aside 15 percent of the units as affordable housing, or you can contribute \$1 -- you can ask, the applicant, to contribute \$1 per square foot per dwelling unit that's proposed.

So in the situation with Parkland, the City of Parkland did not submit any information regarding how it meets Policy 1.07.07, the menu of options, and the applicant stepped forward and said to meet 1.07.07, we're going to give a dollar per square foot.

In this case, the City of Plantation has provided information on how it's meeting Policy 1.07.07, and this contribution is included in -- in that -- in that information. It's not separate from. They're not trying to meet the -- the policy by giving money to an affordable housing fund. They are meeting the policy, and this is in addition to that.

COMMISSIONER BLATTNER: Okay.

CHAIR STERMER: In other words, this is a cherry on top of the sundae.

COMMISSIONER BLATTNER: Got it. Thank you.

CHAIR STERMER: Any further comments with regard to Item Number 2? Is there a motion with regard to Item Number 2?

COMMISSIONER UDINE: Move it.

CHAIR STERMER: Moved by Commissioner Udine –

MR. FINK: Second.

CHAIR STERMER: -- seconded by Mr. Fink. All those in favor, signify by saying aye. All those opposed? PH-2 passes unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-3 - AMENDMENT PC 17-5

CHAIR STERMER: Ms. Blake Boy, we're up to Item Number 3.

MS. BOY: Just bear with me for one second. We're going to get to Item 3. This is the first Public Hearing in the City of Deerfield Beach. It's approximately 109 acres. The current land use designation is commercial recreation. It is a former golf course. It is no longer -- is it no longer operational?

MAYOR GANZ: It still is.

MS. BOY: I just -- it's still operational. And not included in this amendment site is the clubhouse, which is kind of on the -- the southwest side of it. That -- so that will continue to be commercial recreation. The proposed amendment is to irregular 3.81 residential, adding approximately -- sorry -- adding approximately 408 dwelling units. There's currently seven dwelling units permitted by the Land Use Plan. And we have the Planning Council staff review. You know, we sent it out to the review agencies that would generally provide comments on that. Sufficient facilities and services are available to serve the site.

Since this is a golf course site, there's an additional policy in the plan, Policy 5.04.04, which outlines that there has to be a Phase 1, Phase 2 environmental impact assessment of the site, because golf courses are historically -- have arsenic on the land. So that -- that's been met. The incorporation for the neighborhood. And so these -- those policies are outlined in Attachment 10 of your backup materials.

In addition, it is subject to Policy 1.07.07 regarding affordable housing. The city has submitted information regarding affordable housing in its city, and the County staff has said that it meets the Policy 1.07.07.

The applicant is committing to setting aside at least four and a half acres of recreation open space for this -- to serve this -- this area and -- to the city, the -- although the property owner will be maintaining it. In addition, they're going to be setting aside approximately just over a third of an acre to serve as an emergency medical service

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site. Those -- the actual locations of that open space and the emergency service site will be determined at the time that the site plan is submitted to the city.

There were 356 net p.m. peak hour trips for the change from commercial recreation to residential. The 2040 model indicates no significant or adverse impacts to the regional transportation network. And, in addition, the surrounding roadways are operating at a -- projected to operate at a level of service C in that area.

Planning Council staff recommends approval of the amendment site, recognizing the applicant's commitment to the four and a half acres minimum open space and the emergency medical services site. The applicant is signed in to speak, as well as I think two members of the public, so I have three speakers on the item. Would you like me to start calling them?

CHAIR STERMER: Please.

MS. BOY: The first -- first person is Leona Kolodziej, followed by Dennis Mele.

MS. KOLODZEIJ: Hello. Is this on?

CHAIR STERMER: Good morning. Yes, it is.

MS. KOLODZEIJ: Good morning.

CHAIR STERMER: If you could --

MS. KOLODZEIJ: I'm not used to speaking, but just a few --

CHAIR STERMER: -- if you could just give your --

MS. KOLODZEIJ: -- minor --

CHAIR STERMER: -- just --

MS. KOLODZEIJ: -- details.

CHAIR STERMER: -- just for the record, please, just give us your name.

MS. KOLODZEIJ: Oh.

CHAIR STERMER: Sorry to interrupt you.

MS. KOLODZEIJ: Leona Kolodziej, and I am on the board of directors of Crystal Lake Villas.

CHAIR STERMER: Thank you, ma'am. Appreciate it.

MS. KOLODZEIJ: One thing our -- we have three storm drains that are tied into the golf course. I just wanted to make that part of the record so that nothing goes wrong for us in the future.

I know originally, at other meetings, there was a breakdown of 290 single family homes and 125 -- 125 that were going to be town homes. I wanted to put that on the record. The pricing was supposed to be higher end, anywhere from -- I don't know what -- what it was, but it was higher end housing.

Also, our concerns, and many of the concerns of the area, is the traffic. And I know that in your report, the traffic is fine, the level of traffic. Most of these homes in the area were built in the '70s, and Military Trail hasn't changed in size at all. And over the last so many years, 30 years, there was much development on the south side of Military Trail, which increased the traffic.

Just recently, we've had a lot of development on Crystal Lakes Drive. And I don't even know if all that's finished, if it's all sold or all rented. But -- so you're not getting a -- a real good bird's eye view of the traffic impact, not even before this even gets approved in the next couple years.

I know that the people who are purchasing the land have secured a building where they have an entranceway. If anybody's familiar with that area of Deerfield Beach, when you go past 10th Avenue, there's Century Village. And at any time of three hour period in the morning and in the afternoon, if you need to head anywhere past 10th, where their entrance is, no matter -- there's people making U-turns to get onto the west side of the road to get into Century Village, traffic's backed up in that direction. Also on Powerline, it's backed up. So now we're going to increase the traffic flow.

And, with that said, I know that -- that there's a light right there on Crystal Lakes Drive, which is -- not that many -- maybe -- I don't know how many feet, but I don't think they would put a -- another traffic light in front of the entrance on Military Trail. So we're saying maybe they should look up to 45th Street, which is the next major street by Military Trail so that that would help with the traffic in the future -- so if there's a light that stops it and then everybody's on the road trying to get into that entrance, we all are impacted all the way around the neighborhood. And thank you.

CHAIR STERMER: Thank you, Ms. Kolodziej.

MR. BLACKWELDER: Could I ask a question?

CHAIR STERMER: Sure.

MR. BLACKWELDER: Ma'am, you didn't exactly say whether you were for the change to the golf course into residential.

MS. KOLODZIEJ: I'm -- I -- I've been -- I -- I -- I agree, if I owned a -- a piece of property and I couldn't utilize it to its fullest, I would want to be able to sell it, but I wouldn't want to impact everybody else. And so I think that, you know, with your reports on the traffic, you know, as it sits now, it doesn't seem to be a problem. And they're saying projected into the future it's not a problem.

I see a problem with a small little Century Village community just maybe a mile down the road that impacts the area on an everyday basis. Now, like I said, the -- the new buildings that went in on Crystal Lakes Drive, I don't think they're all even inhabited yet, and they're, you know, tall buildings. I don't know if it's six stories high or how many stories it is. Rentals. And I think another building went in that are condos. And I see the impact on a daily basis. When you turn off of Military Trail onto Sample, there's the train tracks. And that backs up traffic on a regular basis every day. And now you're -- now you're going to have another entrance to this development off of Military Trail.

And I -- I'm all for development. I'm all for people being able to sell their properties and everything. But when it impacts communities around -- and, like I said, most of these were built -- a lot of them were built many years ago. This road hasn't changed, Military Trail. And it's in -- you know, it's kept growing and growing and growing, that at least another traffic light should be considered, maybe, like I said, at 45th and Sample -- I mean, not Sample, 45th and Military Trail so that it would help direct the traffic and not make it a traffic nightmare for people waiting to get into this community, because that's what's going to happen. That's what's happening with Century Village, and that's just one little place on the other side of 10th Street. And there's no other community there, because on the other side, it's business. So I --

MR. DIGIORGIO: Just as a quick follow up --

MS. KOLODZIEJ: Uh-huh.

MR. DIGIORGIO: -- did your association take a position on this as approval, subject to the comments you've made? Is there any formal recommendation that your association has made?

MS. KOLODZIEJ: Formal? No. I mean, we've -- we've gone to all the meetings, we've spoke, you know (inaudible) --

MR. DIGIORGIO: Or informal, for that matter.

MS. KOLODZIEJ: -- the -- the -- the board speaks for everybody. There were a lot of people in attendance. The developers also came and explained things to us. And I know at one point, the gentleman was going to try and I guess secure another condo, six-plex, eight-plex down the road and try to secure another location for another entrance.

MR. DIGIORGIO: So -- so would it suffice to say, based on the comments that you've made here today --

MS. KOLODZIEJ: Uh-huh.

MR. DIGIORGIO: -- you would agree and recommend approval of this based on the comments and the -- your concerns?

MS. KOLODZIEJ: Yes.

MR. DIGIORGIO: Thank you.

MS. KOLODZIEJ: Thank you.

CHAIR STERMER: Anything further for Ms. Kolodziej?

MS. KOLODZIEJ: Thank you.

CHAIR STERMER: Barbara, who's next? I know we had Mr. Mele, but is there anybody else from the --

MS. BOY: Yeah, there's one other --

CHAIR STERMER: -- public before --

MS. BOY: -- speaker.

CHAIR STERMER: -- Mr. Mele? Because I'd rather --

MS. BOY: Daniel --

CHAIR STERMER: -- leave Mr. Mele for last.

MS. BOY: -- Daniel Mitchell.

CHAIR STERMER: Mr. Mitchell. Good morning.

MR. MITCHELL: Good morning. I'm Dan Mitchell. I represent the board of the Serenity Place III Condominium Association. We've had very good, positive interactions with the applicant. They've been responsive to our questions. They've come out and had a private meeting with us, you know, on site, and walked around the property line. We're -- we're in the northeast corner on that map, on 45th Street. So our -- our back yard is the golf course. And -- and, of course, we'd really prefer to see it stay a golf course, but, given that that apparently isn't economically feasible, then, you know, to us, this seems like the next best option.

Our concerns, that we believe the applicant is addressing, are the traffic, like the last speaker mentioned. We also are concerned about the construction. This is a multi-year, huge construction project in our back yard, and we have -- you know, some of our residents raised questions about, well, what are the hours of construction. They're going to be running bulldozers 30 feet from our property line. Hopefully not late into the evening, hopefully not terribly early in the morning. And I know there are rules, there are city ordinances about when construction can occur, but, you know, we were just hoping it doesn't occur -- occur up to 9:00 p.m. or something. That's pretty disruptive.

But, you know, having spoken to the applicant about that, they're, you know, providing us, you know, all the reasonable assurances of that. We had some concerns, we share a fence -- well, the golf course owns the fence, but we have a -- a line that will be fenced in, and we had some minor concerns about the aesthetics of the fence, about the landscaping, about what do we do with our pool, which backs up on there. And all those minor concerns, the applicant is, you know, at least working with us and being reasonable.

So -- so as long as the -- you know, the collaborative nature of our interaction with the applicant continues, then we would express our support and, you know, encourage you to approve it.

CHAIR STERMER: Thank you, Mr. Mitchell. Any questions for Mr. Mitchell? And let me suggest to you, not only have you been working with Mr. Mele, but if you have an issue, see the guy sitting over there? Your new Mayor? Find him.

(Laughter.)

MR. MITCHELL: All right. I'll find him.

CHAIR STERMER: No -- no pressure, Mayor Ganz. But, you know, he -- he hears you loud and clear and that's something that's his responsibility, and he knows how to find Mr. Mele and make it work.

MR. MITCHELL: All right.

CHAIR STERMER: Any other questions for Mr. Mitchell? Thank you, Mr. Mitchell. Appreciate it. Mr. Mele, good morning.

MR. MELE: Good morning. Dennis Mele --

UNIDENTIFIED SPEAKER: (Inaudible.)

(Laughter.)

MR. MELE: -- Dennis Mele, 200 East Broward -- Broward Boulevard. And I can assure you that Mayor Ganz, even when he was Commissioner Ganz, has been paying very close attention to this. Very -- a couple quick items.

Of course, the way traffic is measured for all land use amendments here, you look not only at what's built today, but you look at what's approved, and you also look at the land use map. So the -- we look at, actually, the build-out of Broward County. I think it's currently 2040.

So all of the traffic numbers that have been produced do take into account the developments that have been approved or that are under construction in the area. Secondly, even though from a build-out perspective, here at the County, there are no improvements required. The City of Deerfield Beach is requiring us to make improvements at the intersection of Green Road and Military Trail, and the city has also required us to do a warrant study at the appropriate time and pay for a traffic signal, if warranted, at the intersection just to the north of that. So I know that you don't see those on your County reports, but that is what's being required by the city as part of their action.

In addition to the land that you see outlined on the aerial photo, we have also purchased a lot on Military Trail so that we can put in an entrance there. The reason we did that is because we don't want the only entrance to be from Crystal Lake Drive. So you don't see that on the map, but about the midpoint between the south and north property line along Military, we purchased a lot and a building. We'll demolish the building. We'll put in an entrance there so there's two means of access to the property.

Ms. Kolodziej correctly stated the breakdown of single family homes and town homes. That was specified by the city, and that is our breakdown. And they will be selling at significantly higher prices than exist in the neighborhood today. The construction hours are limited by the city code. They will not be -- we will not be building at night.

And we will be taking care of the two drainage inlets that Ms. Kolodziej spoke about. That is part of our responsibility for this property, and that has been verified by the city's Public Works and Utilities director.

If you have any questions other than that, I'd be happy to answer them. But I would, Mr. Chair, if I could, I'd like two people to stand up. Stefan Hoyer and Patrick Gonzalez from -- Stefan from Hoyer Homes, and also Patrick from CalAtlantic. These two people worked very hard. We started these meetings with neighbors, we must have had a hundred people, and you see today we have two people, and they're saying good things because of what they did. Thank you.

CHAIR STERMER: Appreciate it. Mr. Mele, just so it's on the record and the Council is fully aware of it, can you just explain to us and Commissioner -- Mayor Ganz will follow up, because I'm going to go to him first, can you just explain the public participation

process that took place in the City of Deerfield Beach with regard to this item before it got to us today?

MR. MELE: Yes. Attachment 13 to your backup kind of summarizes it, but we had a whole series of meetings, basically at the property. There's a clubhouse for the golf course. That's where we had our meetings, because that was very convenient for everyone. And we had meetings there where we put out notices and invited anyone from the area that wanted to attend. We also had individual meetings with some of the homeowners and condominium associations at their locations. And we did that several times prior to the first Public Hearing at the Planning and Zoning Board, and then even after the Planning and Zoning Board and prior to the first Public Hearing, in which we had additional meetings.

And so, as I said, when we first started, we had a lot of people there. And I think MS. BOY mentioned the number of notices that went out. But by the time we got city and by the time we're here today, obviously, these folks have done a very good job. Thank you.

CHAIR STERMER: Thank you, Mr. Mele. Appreciate it. Mayor Ganz.

MAYOR GANZ: Thank you. I will commend the -- the applicants, because they did do everything they could within reason of trying to have public outreach and to be responsive to the needs of the public.

I -- I'm not a big fan of golf course conversions. I don't like them. I've traditionally stood up against them. I grew up here in south Florida. That's the landscape of my youth is golf courses everywhere. And that's changed dramatically. And I recognize that, so that's why I've been a little less obstinate when it comes to these types of things. So public participation on this is very important.

It's interesting to note that we say that this -- the traffic study indicates that the traffic would be rated a C. I think anybody that drives anywhere around there definitely feels it's -- well, they use language that F comes to mind pretty quickly.

(Laughter.)

MAYOR GANZ: So it's interesting to see, because that's a new word that I haven't heard of yet in describing traffic in that area. But that goes across the board. I think they've done everything they can to try to mitigate that.

We have seen a reduction in what the proposed units were initially for this site. There has been some change as far as originally this was going to be exclusively single family homes. They moved it to multi dwellings. We've tried to address the issues when it comes to the affordable housing and do the best that we can with that.

I do support this project. I think they've done a good job as far as trying to make a situation that I think is not ideal for anyone around there, because the best use for what the residents would like would be to maintain a golf course. But we can't force them to do that. So, with that being said, this is -- I believe what they're looking to do here, it would be an asset to the City of Deerfield Beach, so I do support it.

CHAIR STERMER: Thank you, Mayor. Ms. Graham.

MS. GRAHAM: Thank you, Chair Stermer. Just real quick, and I'm going to vote yes for the item, but this is the map that's the backup towards the back. I think it's behind Attachment 10 or 11. And it's -- it's a lot. It's a big site, over a hundred acres. And you can see the open areas that they've designated. And I'm looking at your Attachment 10, Barbara --

MS. BOY: Uh-huh.

MS. GRAHAM: -- where on -- the page isn't numbered, but it would be item lower case B, management of storm water retention. And I bring this up on all the developments that we approve where it's being converted from an open pervious area, complete pervious.

And I don't know the elevation of the golf course. I didn't see a flood data designation anywhere in the backup. But, clearly, you're going from open, percolating area to the development with all of the pavement. And I just want it noted that I don't understand how there is no change. I mean, the statement that's made is the applicant has indicated that the existing storm water level of service will be maintained. So, obviously, there's a lot of infrastructure going on within the property that's going to contain that water within the property.

But, as we've discovered in the past with some of these unusual flood events, not even a named storm, just unusual flood events that occur year round in Broward and all of Florida, that the water doesn't recognize property boundaries once it's below grade. Thank you.

CHAIR STERMER: Thank you, Ms. Graham. Mr. -- Commissioner Castillo.

COMMISSIONER CASTILLO: Yeah, I just want to say briefly that in the City of Pembroke Pines, which, obviously, I represent and School Board Member Good represents, we had the -- the Raintree golf conversion there. And, you know, whenever a golf course conversion comes up, the full range of thoughts and emotions come into play, particularly by those immediately effected by around -- living around where that is. And it's lamentable, but, you know, Florida is still known as the world capital of golf, and golf is probably as -- more popular today than it's ever been before because of the stars that we see on TV playing it.

But we're generating less rounds played than we did in the '50s, in the -- in the '60s or the '70s when this was at its heyday in terms of -- in terms of golf. That's -- that's just the reality of it. Fewer people are playing it, more -- more are watching it on TV. I myself as a young person used to watch golf on TV in order to go to sleep.

(Laughter.)

COMMISSIONER CASTILLO: But now it's -- now it's actually sort of -- now it's actually sort of -- sort of interesting. Well, the point of the story is that Mr. Hoyer's firm was the firm that decided that they were going to buy this property and convert it. And he was extraordinary, I have to tell you, in meeting with the residents and working with them. And he told them, he said, my -- my -- the way I see this project isn't that I'm just going to build a bunch of houses. I want to improve the community by building it. And so I want to work with you and figure out what -- how to make -- how to make my -- my project even better. And it's because of those commitments that that project has gone along swimmingly.

We in Pembroke Pines have a certain experience in terms of working with a lot of developers of -- of housing. Our development -- our experience with Mr. Hoyer was singular. It was just incredible. He kept every single promise. And in a city that isn't afraid to say, I'm not happy, most people are very, very happy with -- with what he's done. And it is improving the area, so I agree. You know, from personal experience, I think, Deerfield Beach, that's what you can expect from him, because that's what Pembroke Pines got.

CHAIR STERMER: Thank you, Commissioner. Mr. Grosso.

MR. GROSSO: Yeah, if I may ask staff, what -- the fellow who spoke to us, he was concerned about how his back yard is going to change. What are you --

CHAIR STERMER: Mr. Gross, would you just put on your microphone?

MR. GROSSO: Oh, yes.

CHAIR STERMER: Thank you.

MR. GROSSO: I always thought I have such a loud voice.

CHAIR STERMER: You do, but.

MR. GROSSO: What -- what legal restriction or guarantee guarantees this fellow he'll have an adequate, full buffer and his back yard isn't going to be changed for the worse forever?

MS. BOY: So for -- there is not a commitment that's tied to the Land Use Plan amendment. There -- that would be really related to the site plan aspect of this. I don't

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know if Mr. Mele wants to talk about the commitments that they're making at the city, if that would make any impact. But, I mean, as far as our analysis, it's based on the property –

MR. GROSSO: Right.

MS. BOY: -- the legal property line.

MR. GROSSO: But I would assume that our analysis factors in. What does the Comprehensive Plan require of -- of buffer and compatibility requirements.

MS. BOY: So the County plan defers to the municipal plans for compatibility, buffering, and setbacks, so that's all tied to the local plan, so in this case, the City of Deerfield Beach's plan –

MR. GROSSO: Okay.

MS. BOY: -- the implementation of that.

CHAIR STERMER: Mr. Mele, help us through.

MR. MELE: I will. What we have done is we have filed our land use amendment with the city and the County, but we've also filed our rezoning, our site plan with the city. And when we go to the City Commission for the second reading on the land use amendment, we will have at that same time the rezoning and the site plan. And in those applications, we have built in perimeter buffers on all sides of the property, and we've shown those plans, actual site plans, to the residents as we've met with them. So we will have buffers, we will have proper security, and, as I mentioned earlier, we will not be building at night.

CHAIR STERMER: I think, Mr. Grosso, to your point, should the community, through the site plan process, not be happy with what it is, it'll be before the Deerfield Beach City Commission. Just because we change, hypothetically, the land use designation which would allow this development, at the end of the day, it's up to the City of Deerfield Beach to approve the site plan to let this development go forward. Otherwise, the only thing we've done is change the land use designation and they still can't get --

UNIDENTIFIED SPEAKER: Right.

CHAIR STERMER: -- past the starting line. It's up to Mayor Ganz and his colleagues to, at the end, approve a site plan that would contain within it the question you raise.

MR. GROSSO: And I --

UNIDENTIFIED SPEAKER: And the rezoning.

MR. GROSSO: -- and -- and --

CHAIR STERMER: And the rezoning.

MR. GROSSO: -- and I know that.

CHAIR STERMER: I know, I just --

MR. GROSSO: I know that. And I think that one of the things -- and I have some comments on the -- our Comprehensive Plan going forward on this, I think our determination about whether a land use change is appropriate or not has a lot to do with whether we are confident that that land use change will be compatible with the surrounding uses. So that, in turn, I think begs the question of what the actual Comprehensive Plan requirements are for a buffer. That's a vague term. I've done this kind of work for a long time.

UNIDENTIFIED SPEAKER: Very long.

MR. GROSSO: You can call that chain link fence a buffer. And I don't think anybody would call that adequate. Now, I'm speaking -- I don't know the requirements in the city, so they may be much more rigorous than that, but it's an uncertainty, to me, as I understand it, and I expect it's something of an uncertainty and an unknown for the residents, too. So I think it's an important issue to consider at the planning stage.

CHAIR STERMER: Mr. Mele, help us out a little further, please. Just help us for clarity's sake. In your proposed site plan, can you just describe for us -- which will come before the Deerfield Beach City Commission -- what that buffer would look like?

MR. MELE: If you give me one second, I will do that.

CHAIR STERMER: Or -- or your client.

MR. MELE: I think we have our plan in there.

MS. BOY: I think we have -- yeah, sorry. There was a fancier way for me to switch this over, but I don't remember it.

MR. MELE: If I knew how, I would do it, but I don't, either. I was just asking Mr. Hoyer, and our buffer is a minimum of 50 feet --

MS. BOY: There we go.

MR. MELE: -- and it's obviously berms and landscaping and trees, as well as fences. Here we go.

MR. HOYER: And water.

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MR. MELE: And water.

(Laughter.)

MR. MELE: We have some –

MS. BOY: Sorry.

MR. MELE: -- slides in here that –

CHAIR STERMER: Appreciate it.

MR. MELE: -- I believe will show it.

MS. BOY: It would be helpful if I could start the slideshow, but I can't seem to get it.

MR. MELE: I bet you –

MS. BOY: There we go.

MR. MELE: Okay. There we are. I will say that I know that traditionally what the Planning Council and the County Commission have done on land use amendments like this when we're talking about compatibility, is looking at the density of the proposed amendment versus the residential density around us. And you can see that all of the density around us is significantly higher than what we're requesting.

UNIDENTIFIED SPEAKER: But it doesn't show (inaudible).

MR. MELE: And then through the zoning and site planning process is how we zero in on -- there we go. So you see the Pods A, B, and C are -- are residential development pods, the darker green are the recreation, and, obviously, the blue is water. And then the darker green around the edge is landscaping.

So you see how far away we are building from any of the existing homes. And I know there's no dimensions on there, but keep in mind, this is 109 acres on a very small graphic, so I assure you, those water bodies are very wide.

CHAIR STERMER: Appreciate it.

MR. GROSSO: And thank you for indulging me on that. Just the final point I'll make on that is that I'm assuming at this point this is just a drawing that's a proposal today. And the question for me for planning is always does -- is this required by the Land Use Plans.

CHAIR STERMER: No.

UNIDENTIFIED SPEAKER: No.

MR. GROSSO: And that -- that, to me, is where the neighbors' uncertainty always springs from, because -- I'm not -- it sounds to me like this developer's done a really good job of working with the neighbors, so this is not a comment on them. But I think that it's really important that neighbors, you know, you can put up a drawing, but then, in reality, that's not what's ultimately required by the Comp Plan. And I think that's an important issue for the future planning in this community.

As we are making golf course conversions, as we are increasing densities in a lot of established communities, for valid planning reasons, I think we really need to have a real strong emphasis on doing that in a way that's -- that's clearly, from the beginning, we know is going to be compatible and not hurt established communities. That's the key point that I'm trying to make as a -- as a matter of planning requirements. So thanks for indulging me on that, and I appreciate the -- the very -- the good responses.

CHAIR STERMER: And my only response is let's remember, and -- and we talked about this -- and, Mr. Fink, you're next on the queue -- is that Broward Next is the big picture. We haven't even gotten yet to the Land Development Code. And that's before you even get to then what the local jurisdictions do within their own codes and the land uses within there. So it's a -- in some respects, it's a flow-through that we -- you know, it starts at the city, it comes here through the land use amendment, and then it goes back to them for the particulars.

So it's just remembering, in our unique County, which is only one of two out of 67 that the County has this authority, and we know there are some folks that sit in Room 430 that have that conversation regularly. That would be the Charter Review Commission. But it's part of the process. So, Mr. Fink.

MR. FINK: Quick question. Mr. Mele mentioned that the developers acquired a lot for a driveway onto Military Trail. Is that what's depicted in here, or is it going to be a separate entrance?

MR. MELE: That -- that's -- you see on the right-hand side of the drawing, you see the entrance off of Military --

MR. FINK: Oh, I see it.

MR. MELE: -- where we acquired the lot, and then in the lower left, you see the entrance off Crystal Lake Drive.

MR. FINK: And then real quick, Leona mentioned three catch basins, I think, and you said two, so --

MR. MELE: However many there are, we're taking care of all of them.

MR. FINK: Thank you.

CHAIR STERMER: Commissioner Udine.

COMMISSIONER UDINE: I'd like to make a **motion** to approve.

COMMISSIONER GOMEZ: Second.

CHAIR STERMER: Moved by Commissioner Udine, seconded by Mayor Ganz -- and Commissioner Gomez.

COMMISSIONER GOMEZ: No, that's okay. We were tied.

CHAIR STERMER: All those in favor, signify by aye. All those opposed?

MR. BLACKWELDER: No.

CHAIR STERMER: Motion -- all -- motion passes with Mr. Blackwelder voting in the -- in the negative. We are now completed with PH-1, PH-2, PH-3, PH-4, PH-5.

VOTE PASSES 17 TO 1 WITH BRION BLACKWELDER VOTING NO.

AGENDA ITEM PH-6 BROWARD COUNTY LAND USE PLAN TEXT AND MAP AMENDMENTS

A - AMENDMENT PCT 16-5

B - AMENDMENT PCT 16-6

C - AMENDMENT PCT 16-7

D - AMENDMENT PCT 16-8

E - AMENDMENT PCT 16-9

F - AMENDMENT PC 16-7

G - AMENDMENT PCNRM 16-2

CHAIR STERMER: Madam Executive Director, PH-6, welcome to Broward Next.

MS. BOY: Good morning. I'm pleased to be here today to talk about the second Public Hearing for Broward Next, the update of the Broward County Land Use Plan. As Mayor Stermer mentioned earlier, this is the -- really the culmination of an effort that started three years ago when it was initiated by the Broward County Commission, and then also initiated by the Planning Council at the same time.

We've been working very hard the past two and a half years since it was initiated. Henry Sniezek was my partner in this effort, along, obviously, with our staff, because we couldn't have done any of this without -- without our staffs, and the Planning Council and the ad hoc steering committee that guided the way through the development of Broward Next and through the highlighted regional issues, and through the updates to

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the policies and the map and the ideas that we brought forward to you, many, many planning workshops with the public and interested parties. So I just want to take a second to, you know, how did we get here.

As I mentioned, the County Commission and the Planning Council initiated this in 2014. We took about four or five months to kind of set up our plan of action to do public outreach, to outdate the 1989 Broward County Land Use Plan, which we've been operating off of, amended hundreds of times through the years, which ultimately found its start in the 1977 Broward County Land Use Plan. So really, we've been working off a Land Use Plan that really finds its foundations in the 1970s, when Broward County was really more of a suburban community, looking at auto-oriented design, lower density. Things have changed significantly. So this effort is really an effort to not only make the relationship between the County and municipalities stronger, but also bring the plan and bring planning into the 21st century in Broward County.

So that was kind of the -- our plan of action as we set out. We had the ad hoc steering committee, as I said earlier. They were the ones that provided guidance on how the outline, how the plan would potentially look, the kind of items that we were going to focus on. Those came from an internet survey, from the public workshops that we had. We've had over 90 either public workshops, presentations to municipalities and interested parties, Public Hearings. I feel like we've really been out in the community and had a lot of input to help develop and get us to where we are today.

The plan -- the six -- the seven amendments that you have in your separate Broward Next books -- which are for you to keep; you don't have to leave those today. It's a great document to kind of just have all of the pieces. Broken down into seven amendments. I'm going to take us through each of those seven amendments, starting with the highlighted regional issues, the update of the policies, definitions, permitted uses and implementation, recommended practices section, how the Broward County Land Use Plan map is being amended to be streamlined, and then the Natural Resource Map Series.

So what has happened since transmittal. Transmittal happened. You all, in August of 2016, supported and recommended transmittal of this item to the State of Florida review agencies. The County Commission in turn, in September of 2016, transmitted the items to the Florida -- the Florida -- State of Florida review agencies. We received, during the review period, no substantive comments.

We did receive technical comments from the Florida Department of Transportation only. And any edits that you will see today, there are no substantive changes, but there are edits to clarify policies or definitions that we discovered during transmittal that needed some clarification. Those changes are all listed in what we called Correspondence 4 of your report, so you can easily identify what pieces have changed since the transmittal hearing and since you saw this in August.

Section 1 of the new plan. This is kind of the more user friendly section. So this is identified as the section, if you're a resident of Broward County and interested in what you foresee -- what the County foresees for the future of the County, this is the piece that will take you through what we've identified as kind of the most important things to Broward County. While there are seven different items, climate change resilience, targeted redevelopment, multimodal transportation, natural resource protection, attainable housing, disaster planning, and the renewed partnership, each of these highlighted regional issues really play into each other. So although they can all stand on their own, they all also interact, because, obviously, none of these topics are going to stand alone as we plan for the future of the County.

Section 2 of the plan, this is really more of your enabling legislation, any statutory requirements, implementation requirements in the permitted uses, any incentive programs such as attainable housing density bonuses or transfer of development rights. Those will all be found in section two. So the -- I'm going to try to quickly take us through each of the seven highlighted regional issues. And also in these highlighted regional issues, I'm going to try to mention any policy changes that are important and really will kind of move the County into the 21st century, I believe.

So the first highlighted regional issue, climate change resilience. Here we talk about we adopt in the climate action change -- action -- Climate Action Plan that the County's adopted. Those are adopted by reference in the plan. We will continue to support and utilize priority planning areas as part of the Land Use Plan amendment process. That was adopted into the County plan in 2013.

We have utilized that as a tool if any Land Use Plan amendment is projected to be near or in a priority planning area -- priority planning area, which is a two -- projected two-foot level sea rise -- sea level rise by 2060. Then the municipality and applicant are required to give additional information about how they're going to meet and develop -- meet those policies by developing the property in the proper way to account for those things. Also, we will continue to support Adaptation Action Areas, which were just adopted into the County plan. It's an overlay of the priority planning area map used to identify any area where it may not be subject to sea level rise, but is a very high priority area, such as the first area that was adopted for that was the -- the sand bypass at Port Everglades is the first Adaption Action Area adopted into the County plan.

And one common theme that I'm going to have throughout this presentation is that municipal plans can always be more restrictive and can always have these things also. So like in the case of Adaptation Action Areas, there are many municipalities that are identifying these on their own plan also. So they're not -- they may not necessarily be on the -- on the County's map, but they're -- they're using these sorts of policies to also protect areas that they've identified as a very high priority area.

Targeted redevelopment, this strategy and this highlighted regional issue will retain County approval requirements for Activity Center designations. All Activity Centers -- Activity Centers right now in the County plan, we have Regional Activity Centers, Local

Activity Centers, Transit Oriented Corridors, Transit Oriented Development, Mixed Use Residential. So the County plan is going to first streamline those into a single Activity Center category, maintaining all uses that are already permitted by the County plan. So if you're going to establish a new Activity Center, you will still be required to do a County Land Use Plan amendment.

The County plan will continue to support Smart Growth policies, emphasizing housing and transportation connection. This is one of the things that is kind of a common theme throughout the seven highlighted regional issues and the policies, where I was saying none of them -- they can all stand alone, but they all -- they all interact. Housing and transportation obviously is a very important connection.

The County plan supporting the Broward Redevelopment Program, including that -- the use of those areas for attainable housing proposals if appropriate, and then also retaining the current County policy to limit or require enhanced review for development on the barrier island. When we talk about policies for the utilization of flex and reserve units, the County plan will maintain the limitations for the allocations of those units on the barrier island, and will not permit the new category of redevelopment units to be utilized on the barrier island.

And if you want to go beyond what those local tools will allow you to do, you will be required to file a County Land Use Plan amendment. So that will be the additional layer of review that will continue for the barrier island.

Also, golf course conversion, the policy that we just saw in play with Crystal Lake Country Club, the extra layer that was adopted in 2008 will continue in the new County plan, ensuring that the new development is going to be appropriately integrated into the existing neighborhood, environmental concerns are addressed, historical trees, if that is a concern. All of those things will continue in the new plan.

The compatibility review requirements to really protect and support established single family neighborhoods and really recognize the County, that we really still do have some unique rural areas, those will continue to be in play.

And then, of course, maintaining that adequate public facility services and facilities are available, including public school concurrency, will continue to be represented in the County plan.

Multimodal transportation, continuing to promote context sensitive corridors, the implementation of Complete Streets where they're appropriate, plays a very large role in the County plan and will continue to do that.

Retain existing port and aviation Land Use Plan policies, you know, very important resources to the County and the municipalities.

And then also retaining the Broward County Trafficways Plan dedication requirements, also maintained in the plan. So if you're not familiar with the Trafficways Plan, which you have authority over, established in the 1960s and has saved the County billions of dollars through the years through right of way dedications. So a great tool. Will continue, because, although we are, you know, built out and redeveloping, there are still instances where these dedications will need to be made.

Natural resource protection, maintaining the many successful programs that you see a report for every Land Use Plan amendment establishing and evaluating, you know, wetlands and upland tree resources and air quality and water recharge. So those policies will be maintained in the County plan.

Also maintaining the requirement for the three acres per thousand residents, permanent residents, for -- for local park requirements. That will be maintained in the County plan. Enhancing the County support to designate and really to look at historic, archeological, and paleontological resources, policy in the plan will continue moving forward.

Something new to the plan, supporting the County's policy and position to oppose fracking. New policy in the plan. You know, obviously, there was a lot of news about that in the past year in Broward County and the efforts that were being made, so we felt like it was the appropriate time to formalize that policy.

And supporting compatible urban agriculture. It was really surprising when we first started this process at the end of 2014 and were doing public outreach the number of people that were interested in urban agriculture opportunities. And the County plan permits agriculture in many of its categories, and so a lot of this will get to zoning and kind of site plan at the municipalities, but we wanted to be able to assure the municipalities that the County supports that as they make their rules and kind of move forward with those efforts.

Attainable housing. So very -- so exciting, right? Policy 1.07.07? I know it -- it's pretty much everyone's favorite topic here. That policy will be, in the new plan, 2.16.2. So a new number to remember, but kind of the same -- the same way. But that policy has been updated at transmittal to also have a required standardized methodology for the County Land Use Plan amendment reviews.

Under Policy 1.07.07 today, the methodology for how the bands are established is not standardized. And although applicants in many of the applications that you've seen in the past several months have shifted to this standardized methodology, it will be a requirement as part of the new plan, so everyone kind of has the same footing as they're setting out to demonstrate how they're meeting that policy.

So everybody's kind of on the same -- the same level, but then they're welcome to submit additional information about the unique circumstances that are taking place in the municipality that they're making the proposal for. So that's the -- retaining that policy but also updating it at the same time.

Supporting the identification and implementation of sustainable funding sources. So this is just a strategy that, you know, we would support the County level identifying funding sources for attainable housing, you know, at the state and federal level, just putting that in as a strategy.

Authoring the -- an attainable housing density bonus program, already authorized by the County plan, but very complex to implement. And it has been used for a total of one unit since it's been in place for the past ten years. So we've taken this opportunity to say how can we make this attractive to be able to be -- really be utilized.

We worked with the transit agency -- that is an updated (inaudible) since your transmittal hearing -- identifying within a quarter of a mile of a transit stop that is served by five or more buses an hour at -- or within a half a mile of a rail station. So we actually have identified, you know, many of the corridors in areas that will be able to benefit from an increased density. So bonus density will be available anywhere, but if you're within a quarter mile or half mile there, then you could get even more of a bonus density. So hopefully we'll be able to see that opportunity utilized over the next several years as our transit system kind of gears up and we kind of look at other train -- train stations also, rail stations also.

Something else that's I think really interesting that we've done with the plan, is for the calculation of density only, we have said that anything under 500 square feet can be counted as a half of a unit. That means you still have to ensure that facilities and services are available to serve that. Like the school calculation would still be on a one-to-one basis. But when you're calculating density, it would give some flexibility, if a municipality so chooses, to calculate the density that way. And I think that's going to be really important along these transit corridors also.

And then also the investigation of alternative construction techniques for affordable housing, kind of setting out that municipalities may -- may want to use an alternative technique, still subject to the Florida Building Code, but kind of setting the basis that it's a strategy that the County supports.

Disaster planning and post-disaster redevelopment, supporting long-term recovery and post-disaster redevelopment strategies. Do we have a disaster housing strategy? How can we address repetitive loss properties, enhancing the hurricane evacuation modeling.

This has really taken the policies that we've had in the plan and replaced them with more -- you know, more up-to-date terminology, making sure that it's consistent with the Broward County Emergency Management Agency. And working with those folks over there has been really helpful.

Renewed intergovernmental partnership. So I'm a nerd. This is my favorite part, because I think that this is kind of really where a lot of the really great things are -- that we're proposing as part of this plan are happening. So we've reformed the flexibility rules. And the first step that we've taken in reforming that is right now, the County was

initially set out into 125 flex zones in the 1970s, so we're -- we're proposing that those flexibility zones are eliminated and that the municipal boundaries will now become the flex zones. And a lot of that is tied into we already have in the Land Use Plan the ability to have a municipal unified flexibility zone, and some cities have taken advantage of that. Some cities are interested in it, have talked about it for years.

It wasn't -- it wasn't happening, and it was something that we've been talking about for years, how can we kind of simulate where these cities may have a lot of units trapped in one side of the city and it's really not their redevelopment area. It's lower density residential. And maybe they need to be shifted to another side of the city. So this was the -- one of the tools that -- that we're proposing to assist with that.

Along with that elimination of the flex zone boundaries or the flex zone becoming the municipal boundary, the number of flex and reserve units will be frozen. Frozen, but the city can still utilize those. So they will be able to utilize that pool of units wherever they want in the city, identifying receiving and non-receiving areas, the areas that they want to protect, such as single family neighborhoods, established neighborhoods. Once that pool of units is essentially utilized and they're out of those units, they'll be able to apply for a new pool of units, redevelopment units, which will be allocated by the Planning Council with County Commission approval, and that's three percent of the County -- I'm sorry -- three percent of the Broward County Land Use Plan units permitted at the adoption -- at the date of adoption.

It's going to be about 35,000 units, pool of units. They won't just be distributed out to the cities, they'll be applied for. And if you have an affordable housing component, you're going to be able to apply for a greater number. So that's broken down to 500 and 750, depending on if you have an affordable housing component or do you.

And we have a list of criteria in the policy -- laid out in the policies. All of these things are tied to sufficient facilities and services, so be assured of that, that these aren't just units that are going to be available, there's going to be a demonstration of the facilities and services. That includes school, transportation, receiving and non-receiving area, building in protections for those units.

The -- also under renewed intergovernmental partnership, kind of an interesting idea that we came up with was the Established Activity Center. So this is the streamlining of the mixed use areas that we talked about area. There are municipalities that need a slight adjustment to those, and right now, if it's a slight adjustment to an increase, which is usually what it is, they have to come through a County Land Use Plan amendment.

So we've set up a system where every five years they would be able increase the densities or intensities with the limitations that are defined here, 500 units or 20 percent of the units, whichever is less. And then also to the non-residential pieces, 200,000 square feet or 20 percent, whichever is less. So it would give them kind of an opportunity to maybe not need a County Land Use Plan amendment, because they've already established that area. They've already established their intensities and

densities, but maybe they need something, you know, to hold them over while they're maybe researching making a bigger increase and going through the County Land Use Plan amendment process to add additional intensities and densities.

This would not include the barrier island. There's only one Activity Center on the barrier island. That's the Central Beach Fort Lauderdale now to be known as Activity Center, but Regional Activity Center right now, which was established in 1989. If they want any change to that Activity Center, they would still be required to go through a County Land Use Plan amendment right off the bat. And the requirement is that the increases would be subject to the local Land Use Plan amendment process. So the local municipality would amend their Land Use Plan, bring it to us for recertification so we could say, okay, you've used your -- your percentage and your increase for the five years, so no more, you know, moving -- moving forward unless you do a County amendment.

Authorizing the municipal transfer of development rights programs. This was not permitted by the Broward County Land Use Plan. This was kind of the -- kind of the jumping off point for Broward Next. Someone came to the County Commission and was asking for this to be permitted, and, instead, we took the opportunity to say let's look at the plan in its entirety, let's bring it into the 21st century.

So that's authorized as part of the policies in the -- in the updated Broward Next plan. Revising the Land Use Plan platting requirements exemption threshold from five acres to ten acres. When we reached out and were doing the beginning of the meetings, platting was also one of the most talked about and discussed items. But it really wasn't the platting requirement, it was the plat note amendment process and the platting process.

And that will -- so here we're taking the opportunity to increase the exemption threshold, but the next piece will be the Land Development Code, after this is adopted in the plan, will be able to be hopefully streamlined to improve many parts of that process also. So many of this, this is just the beginning and not the end of a process.

Supporting environmental and social -- social justice for underserved populations. That's a new policy in the plan. Also came out of our outreach meetings. So that's kind of a very broad overview of the highlighted regional issues, and then also of the policy pieces and the changes that we're seeing to that.

The next thing is just the Broward County Land Use Plan definitions. We tried to streamline, eliminate anything that's already referenced or adopted somewhere else, a statutory requirement, try not to -- to just double up on those. We also included some new definitions to incorporate anything that was in the highlighted regional issue that wasn't defined there. So, really, the thing here was to streamline and update.

The permitted uses and implementation section, a couple of really big changes here. I mentioned already the Activity Center category where we're going to collapse the mixed use designations into the single Activity Center category.

We're also proposing to collapse the non-residential uses to create a Commerce category. Right now, we have five non-residential kind of commerce categories, commercial, industrial, employment center high, employment center low, and office park. So in the County plan, these will be reflected all as a single category. We took the best of all the uses. And then the local government will have the option to maintain the single uses on their plan, or to have a Commerce category, but streamline -- streamline that category.

Also collapsing the Community Facilities and Utilities categories into a single category. Also allowing for the minimal conversion of recreation open space uses to public uses. This came up because we had about six or eight Land Use Plan amendments where cities were utilize -- wanting to utilize portions of their park space for such things as fire stations, and they had to go through a County Land Use Plan amendment process.

So we have set up in the plan, they are able to have a public use such as a fire station, without going through a County Land Use Plan amendment so long as they demonstrate that they still have three acres per thousand residents, you know, that's still in their plan and they still have that, but they will not have to come through a County Land Use Plan amendment if they're going to use two acres for a fire station, as long as these are public uses for the public, not -- no private uses here.

And, again, the municipal plans can always be more restrictive. So even though we're setting out tools there, there -- the cities can make the choices of whether or not they want to incorporate these into their plan. If they don't want to permit transfer of development rights, they do not have to do that. If they don't want to collapse their commerce categories into a single category, they -- maybe they want to have two categories instead of five, but it gives them the option to always be more restrictive.

The recommended practices section, so this is really policies where there's some existing policies, they're policies that the County supports but does not mandate or regulate. So some examples of these are discouragement of food deserts, preservation of marine industry uses, encouragement of safe routes to schools and parks, reduction of light pollution.

I should have taken out the last one, additional policies may be added. They may be added now at a later time. This was from the -- from the transmittal hearing. So that was -- so these are, like I said, just recommended practices, many existing, but we've added in these few new policies also.

The next amendment is the Broward County Land Use Plan Map. So here we have a plan that will maintain or increases the allowable intensities and densities. So no net loss to property rights. The local government plans can always be more restrictive. I like to say that a lot. Can always be more restrictive.

Here's a look at the map today, and I know that the scale -- you know, 425 square miles, but, you know, you can kind of see the development patterns here. You can see the

red. The yellow is low five residential. You see the lower density development out west. The new plan, once we start streamlining these mixed use categories into the Activity Center and the commerce categories, here you really can see the development patterns, because you can see the corridors for development for really these mixed use areas, you can see where the commerce categories kind of come together also in different parts of the County and along corridors. So that is the -- the map amendment.

The Natural Resource Map Series, there's no slides for this. The primary thing that the Natural Resource Map Series does is it defines the County from the urban infill area, which used to be I-95 from north County boundary to Commercial Boulevard and then over to the Turnpike down the south. So that was defining how flex and reserve units could be used. It defines the urban area where you can utilize the flex and reserve units. East of the Intracoastal Waterway, continues the protection, thus the remainder of the County is the urbanized area. So that's the primary things that's happening in the Natural Resource Map Series.

The exhibits that are in your backup material, 1, 2, 3, 4, and 5 you had as part of the transmittal hearing. Exhibit 5 has been updated to include comments that were received subsequent to transmittal from different agencies, including the City of Fort Lauderdale. They had some continued comments and questions. They're actually the last piece of Exhibit 5, and those actually have staff responses to their comments, because we've spent so much time going through their comments with them, and we wanted to have as part of the exhibit record, you know, what our position was on that.

The last exhibit is the State of Florida review agency comments. Technical -- technical only received by FDOT. No other comments. And worked into that is also a response document, so you can go through that and say, yay, we addressed it and this is where we addressed it, or thanks for -- thanks for stopping by, we -- so noted. So that's Exhibit 6. So that's the very new exhibit to the plan.

So we have Planning Council staff recommendation August 2016 approval. Planning Council August 2016 recommendation to the County Commission of approval. The County Commission in 2016 -- September 2016, recommended approval to the -- transmittal to the state review agencies. And I would note that both the Planning Council and County Commission recommendations were unanimous. So I was really happy about that.

The State of Florida review agencies, no formal comments, just technical comments issued by FDOT. I don't think I put this on a slide -- I did not -- but the Planning Council staff recommends approval of --

(Laughter.)

MS. BOY: -- of the seven amendments --

UNIDENTIFIED SPEAKER: (Inaudible.)

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MS. BOY: -- in case you weren't sure. But we -- so, you know, obviously, support the adoption of this -- of this package. It's been -- it's a -- been a lot of work. And I think one of the really important things just to remember, although we're kind of coming to a conclusion of this part of the process, the County plan can always be initiated.

And I'd like to say that this product and these amendments are perfect, but, at the same time, as many times as I've read them, I understand that we may need to ask you for initiation of amendments to make corrections at a future date, or if there's things that the Planning Council wants to change in the plan, that is still possible.

So, like I said, although it's an end of a process, it's really just the beginning, I think, of, you know, a renewed relationship between the County and the municipalities. As Mayor Stermer said, we're in a really unique position having countywide land use authority, 31 municipalities. And, you know, having the tools for the County and cities to work together, if there's one thing I've learned, it's really important.

So, hopefully, the adoption -- you know, you'll all be able to support the adoption of this document. And if you make the recommendation today, we're tentatively proposing for the County Commission to adopt this April 25th. They'll need to set a Public Hearing on April 4th for that, by their rules. And we would have an estimated effective date of the end of May 2017 to put all these materials together. I know Henry's here. I kind of took up the whole presentation. He usually participates in it, but sometimes I just keep talking, you know, and --

(Laughter.)

MS. BOY: -- don't give him a chance to -- to stand up. But, you know, clearly, we couldn't have accomplished what we did without his -- his hard work on this also. I have three public speakers signed in, if you would like me to --

CHAIR STERMER: Please.

MS. BOY: -- Bill Laystrom, followed by Doug Coolman, followed by Bob Daniels.

CHAIR STERMER: Thank you.

MR. LAYSTROM: Very, very briefly, I just want to take the opportunity to thank the Planning Council, and mostly the Planning Council staff, especially, for the amount of time they spent on this. I ran into them out in Plantation, out in Coral Springs, out in Davie, everywhere, trying to get the word out they were making these changes. They've had a lot of outreach everywhere. I get more emails than I've ever seen in my life. Going to have to put you in my spam folder.

But we do support this, the cities that I practice in. We've talked about these type of issues. It gives more flexibility with still guidance. Cities can be more restrictive. And I know Barbara said it a few times, but for those city officials, you have to make additional

changes if you want to follow the -- the lead of the County, but you don't have to. And, with that, I urge you to support this and recommend approval. Thanks.

CHAIR STERMER: Thank you, Mr. Laystrom. I'd also like to thank you and your colleagues for your engagement through the entire process. You -- you've been at every meeting, so appreciate it. Mr. Coolman.

MR. COOLMAN: Yes, good morning. I'm Doug Coolman. I'm a member of the Broward Workshop and co-chair of the Urban Corp. And I'm here to support -- the Broward Workshop's here to support the Broward Next initiative. We think this is extremely timely and needed, and urge you to support and continue with your approval.

And I'd like to take the opportunity to thank your staff, particularly Barbara and Henry. The yeoman's work that they've done over the last couple years is -- is amazing. And you don't see it that often in government work. And it -- they are really to be commended.

In closing, though, you had a platting issue here today that probably shouldn't have come up. I want you to know that the update of the Land Development Code will address platting in more detail. It's one area that we're still very concerned about and needs a little more work, but we'll do that in Phase 2. So urge you to move forward. Thank you.

CHAIR STERMER: Understood and appreciated. And we thank the Workshop for their support. Appreciate it. Mr. Daniels. I also want to thank you for being a member of the steering committee and your participation through the process. Good to see you, and thank you for coming this morning.

MR. DANIELS: Thank you, Mr. Chair. And my name is Bob Daniels. I am a proud member of the -- of the steering committee, and also I'm here to represent the Smart Growth Partnership of South Florida. The Smart Growth Partnership Executive Board is supportive of -- of the amendments, and we encourage the adoption of them.

I'd like to echo everybody's comments, including Anne Castro's, about the remarkable activities of staff. It -- it just really has been a pleasure to go through this process with -- with your staff, because they've been very accessible, they -- they've reached out to everyone that can be reached out to. And I think that a lot of credit needs to go to them for -- toward adoption of the plan and the success of the plan.

Finally, in my solicitation of input from the Smart Growth Partnership board, I received comments regarding the comment you just heard, the -- the encourage -- the encouragement for this -- this body and for the staff and for the Commission to go forward with a comprehensive review of the plat review process, because we think that could be yet another improvement to -- to what we've got.

Finally, again, on a personal note, I very much appreciate being a part of this process and encourage you to adopt the amendments.

CHAIR STERMER: Thank you, Mr. Daniels. Appreciate it. Before we turn to the members, let me do the following. And I thanked Ms. Castro earlier, but, literally, she proverbially grabbed the bull by the horns and said, we're doing this. But it couldn't have been done without the will of this board, with the assistance of our Executive Director and Mr. Sniezek, and each of their respective teams. This has been a process that took over two years, and is not an insignificant task.

As Barbara said, the previous land development -- land -- the previous land use map and code was over 45 years ago, and it was when we were a relatively rural county. And we're now in our second hundred years, and we need to figure out where we're going for the next 30 to 50 to a hundred years. And it involves redevelopment, which is really what this is based upon.

And it's really based on the collaboration between our staffs, Broward County government, and working with its 31 municipalities, which is so important. But, as well, it is working with every segment of our community who wanted to pick up their head and come to meetings. Because I remember the first meeting held here where Barbara had the white boards, and they took sheets and sheets of paper from every organization who wanted to make some recommendation about whatever it was. And to have boiled it down to where we are today is truly a remarkable process.

Henry and Barbara ran from north, south, east, and west of this County, and made presentations to anybody and everybody, whether they wanted to hear it or not. So for -- you know, for those that say we don't know what's in here, you must have taken a sleeping pill and have been asleep for the past two point something years, because this has been one of the most, if not the most, visible public processes that I can recall going on here in a long time.

And Henry and Barbara should be thanked for it, as well as, like I said, their respective staffs, because each of you played an integral role in getting us to today. I also think it's important to thank the Broward County Commission for approving this and transmitting it to the state when they did a few months ago. I also want to thank personally all members of the steering committee, led by Chair Castro and Mr. de Jesus, School Board Member Good, Commissioner Jones, Commissioner Holness, Property Appraiser Marty Kiar, and Mr. Daniels.

While we met infrequently, we literally were understanding and looking at each piece of this process as it came through, and saw it in bits and pieces. And Barbara and Henry kept saying, don't worry, when it all comes together, it'll all make sense. But let me close with this, and it's the most important thing Barbara actually said, and she's actually said it a couple of times this morning. This is the first step in the next part of the journey.

And as I said to Mr. Grosso earlier, to his -- his comment when we were talking about the golf course, next we now get to the Land Development Code. And that's really where we get to the granular pieces.

This is setting the real high visibility pieces from 10,000 feet above. For the Land Development Code, we start zooming in on the more local things. So this is a process. And, hopefully, with our affirmative vote today, we'll move it to the Broward County Commission for April 25th for then implementation. And understand, as Barbara said, not only will the code come back, but should there be any piece of this that we want to talk further about or tinker with, that's when we would do that; it's after adoption.

Let me suggest the following, and the board is at its pleasure. This has been transmitted the way it is, approved by us, approved by the County, and then came back with no comments. We can move commas. We can move punctuation, but to start making substantive changes to this document requires the process to restart back to square one.

So, again, I just implore you that, should there be any concerns with regard to any specific piece of it, my suggestion would be we pass it today, and we send the voice that we pass it unanimously, because that's what we've done in the past, and it shows our commitment, but, then, if there are concerns with individual pieces, bring it back. We can go through that individual process and -- and talk about it further and amend it later. But I would implore us to send the clear voice --

MR. DE JESUS: Mr. Chair --

CHAIR STERMER: -- as this community to do so.

MR. DE JESUS: -- I **move** to --

CHAIR STERMER: Mr. de Jesus.

MR. DE JESUS: -- I move to pass it as -- as recommended with the amendments.

MS. GOOD: Second.

CHAIR STERMER: There's been a motion by Mr. de Jesus, second by Ms. Good. Any comments with regard to the item before us? And I will take it all as PH-6 unless anybody wants to break it down into individual pieces.

MR. DE JESUS: I would just like to -- to add, I don't want to reiterate everything that's been said about the great work staff has done, but we say it so often that I don't want people to think that it's just a -- it's just words. They truly have worked harder on this process than any process that I've been involved in in terms of the amount of outreach. And I recall at a meeting somebody coming up and speaking, saying this is the first I heard. And I had a similar comment, you must have went to sleep under a tree for

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several years. And, in fact, Bill, I share the same sentiment as you. I'm getting ready to add you to my spam folder.

(Laughter.)

MR. DE JESUS: So I get it. I appreciate it. It was a collaborative effort. And any time we needed an explanation from any of the staff, we received it in very explicit detail. So I support it. I believe -- I couldn't concur with you more that this isn't the time to mess with it. We'll have other bites at the apple. But to send the message that we unanimously support this, I think is incredible important.

CHAIR STERMER: Thank you, Mr. de Jesus. Mr. Grosso.

MR. GROSSO: I -- (Inaudible)

CHAIR STERMER: Your mic -- your mic, please. Your mic.

MR. GROSSO: I have been moved by -- by your comments, and I'm going to be one of the folks who supports this. I do think that while our attention is focused, I want to ask a question -- make a couple of points.

CHAIR STERMER: Please.

MR. GROSSO: Okay. The first point that I want to make is as we go forward in making changes in the future and increasing our -- the quality of our planning, do we have Activity Centers that are going to be allowed in priority planning areas or environmentally sensitive lands or in flood-prone areas? I think that -- I don't know the answer to that question. I couldn't quite figure that out from the maps. But I think that's an issue to look at moving forward.

MS. BOY: And I would agree. So right now, if there's -- like for the -- for downtown Fort Lauderdale, when that amendment came in to -- it was already an established Activity Center, but they were adding additional units. And it just so happened that a portion of the Activity Center was in a priority planning area. So the City of Fort Lauderdale provided a great amount of additional information on how they're moving forward for future protection for areas that could be prone to sea level rise.

And then that information was ultimately reviewed by the -- by the climate resilience planning division -- sorry, I can't remember the name, but they reviewed the information and said this is the kind of information we're looking for when Land Use Plan amendments are proposed in these areas. So while the plan doesn't lay out a prohibition, if there is an area for future Activity Center that's not yet designated, that would be noted as part of the environmental review and we would ask for additional information moving forward.

MR. GROSSO: Thank you. A couple of -- last couple of points. I -- I'd like it to be clear, and if our Counsel wants to comment on this, that an existing allowance in a Land Use Plan is not a property right. It -- local governments may reduce allowable uses, including densities. And I think it's important for us to understand that and not have an inaccurate view of the law that we are somehow constrained to never reduce or change uses as a matter of property rights. And I think that's pretty clear law, and I don't know if our counselor would want to weigh in and -- and make sure we totally understand the law on this.

MR. MAURODIS: I think -- I think generally -- I think to a large extent you're correct. I would not make that as an absolute statement across the board. I think we have a long way to go with the Bert Harris Act and the determination. What -- the words that get me is the broad definition they have of existing use in that document. It's -- I have no -- I can't give you a case on it, because there aren't any, because everyone -- the Act is so confusing that everyone settles every case if they can.

So as a general statement, I think you have -- you have an excellent point. I wouldn't make it as an absolute statement, because I have a concern about that existing use provision.

MR. GROSSO: Right. And certainly reductions that go really far could be property rights violations, but --

MR. MAURODIS: And it --

MR. GROSSO: -- categorically they're not.

MR. MAURODIS: -- and, unfortunately -- well, it depends on what side you're on, unfortunately, the trend doesn't seem to be going in our direction as far as increased regulations. That's, you know --

MR. GROSSO: Right. I think that's a matter of politics and policy as opposed to judicial opinions. But the last point that I'll make is -- is I do -- as we go forward, I think one of the things that would bring about excellence in planning here would be that as we're looking for future amendments, we still have -- and I talked about this in August -- we still have a lot of language that says we're going to discourage this, we're going to encourage that, we're going to -- it's a priority to have neighborhood compatibility. It's also a priority, in the same sentence, to have economic development. And I still don't think that we're quite clear enough what is the priority and what does encourage mean as opposed to prohibit or require.

And I would like us, in the next phase of moving forward, to make the plan, one, that's clearly understandable and has set priorities and has clear standards, because there's too many times where encourage, what does that mean. Where we encourage this and we encourage that, well, what about where they conflict? What's the priority?

And I think that's got to be the next level of planning here after we move ourselves into the 21st century with the adoption of this plan. I've actually got some language changes that I'm going to hand to staff for future consideration on that.

CHAIR STERMER: Appreciate it.

MR. GROSSO: Thank you for indulging my comments.

CHAIR STERMER: And my only retort, is as we know, I guess the best way to pull it -- put it is while this is the land use authority, it is a delicate balance and a delicate dance between the County and the cities. And I come back to say we are only one of two counties in the state where the County has this authority.

And part of the encourage or discourage is to afford each of the 32 governments the ability to figure out within its individual boundaries or, when items may come together at a municipal boundary, how to deal with those, because to try to in some respects, my word, edict from above how things will happen, that may wake up 32 governments who want to go visit the folks in Room 330 and change how that happens.

So part of it is a political dance. I'm -- I won't be bashful to say it, because that's the reality of where we are, because the conversation's been had before. You know, a lot of this emanated from 1.07.07 during the year based amendments years ago. And we've gotten significantly better, to where the nine members who sit behind here and the 150 who sit out there can have these conversations openly, to try to better where we are as a group, understanding that one size doesn't fit all. It's the long answer. But I hear you, but part of it purposefully is done to keep everybody in the boat rowing in the same direction. Mr. Blackwelder.

MR. BLACKWELDER: I had the document for the last seven days, and I spent a lot of time reading it, so I thought I should share some of my --

CHAIR STERMER: Please.

MR. BLACKWELDER: -- observations about it, whether they're substantive or semantics, but I think they're important things to note. One is in PC -- it's in the policies in the 16-8 on recreation and open space use.

MS. GOOD: What page?

MR. BLACKWELDER: It's on page 30, as my note says. And it allows five acres for utility uses in sites defined as recreation and open space use of more than five acres. It's -- pardon me. It's Number D in PCT 16-8, recreation open space, if you're looking for it, and it's page 30 of the -- in the policy section of the document.

So -- but some of these are very small recreation and open space kind of pocket parks - - parks. If you take a utility use, you would dominate the property. And it seems that

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there should be a change in the limits described there, that they -- in that it should be compatible, what the proposed and existing use and maybe less than three percent of the location if the park -- it -- it can be five to ten acres of utility use. That's an industrial type use to be making of a recreation and open space park. So I would suggest that we -- our -- our document needs modification on that regarding more -- more description.

I'll move to another point on page 26 of the policies, Policy 2.53.1, about redevelopment units. It -- description says that we need a legally enforceable mechanism for a period of 15 years, and I -- and it just seems to me that we need to specify what kind of mechanism to make this bona fide, because it would be a terrible tragedy -- tragedy if we didn't deliver on the promise of -- of, you know, things like low income and -- and affordable housing promises. It seems that we need to specify that rather than kind of passing on it.

I -- I question who would have standing or enough interest to oversee the legally enforceable mechanism that they're actually delivering the affordable units that are being promised.

And then at -- at the fifth dot down that page, on page 27, it says criteria allocation of more than 150 units for a project may subject the project to compatibility review. I don't know why compatibility review isn't more widespread in -- on our document, and it seems like the may is useless. It should be shall if this is going to be how we're going to live and set some standards. On -- I -- I don't mean to be giving a monolog, but these are -- these, I think, are salient comments.

And in the flexibility rules and policy -- it's on page 9 of the policies, about the allocations of flexibility, at Policy 2.10.1, it says that flexibility by local governments is subject to compatible with -- being compatible with adjacent land uses in the allocation of the flex units in the following instances, which is east of the Intracoastal Waterway, if it impacts beaches. It's the sites contiguous to another municipality that might be requesting it and the sites adjacent to environmentally sensitive lands and regional parks. And that's all well and good, but that's a small consideration if you're looking at neighborhood compatibility and the like.

And also in the Policy 2.10.2 and .3 of that same page, they -- we have a compatibility principle, which I -- which my -- it's my phrase -- that addresses compatibility to Land Use Plan amendments, but it doesn't have the same parallel language to flexibility allocations and to Activity Centers. How can we -- aren't we engaging in spot planning, which is like spot zoning, and we fight spot zoning, if -- if you don't have to be compatible with the place that you're putting these -- these uses?

So I think that that was one that I wanted to point out this (inaudible) true and I think we need a policy in -- added to 2.4.21 about Activity Centers that says, in order to prevent future incompatibility -- incompatible land uses, the established character of predominantly developed areas shall be a primary consideration when proposed new and revised Activity Centers and flex allocations are proposed. Right now, all we have that compatibility for is for amendments to the County Land Use Plan. So if we could go

back in time when this was being drafted and I was reading it, I would have been -- be glad to -- to bring these points out.

We do have, for instance, in TDRs, we do use the word, compatibility, to be compatible with adjacent existing and planned developments on page 25 and 26 about the TDRs. And we're -- we're depending on a lot in this plan about flexibility zones and units and application. And we're -- we have a section on bonus densities.

And then I wanted to mention, too, I don't know if it's an initial occupant income test that's tied to the very low to low income occupancy to comply with this, and who is the enforcer or who is checking to see that this is actually done. So I -- I'm just curious to know how that's being delivered. So I don't want to monopolize the time, but -- but we risk having somebody affluent move in who has a low active income but has assets, and -- and what's the test for bona fide eligibility.

So I think there are -- as the Chair has said, we have a distance to go as we apply all this, but these would be some of my concerns. I guess there are a few more, but I -- I've had -- I've had the floor for a while and I yield.

CHAIR STERMER: Thank you, sir. Appreciate it. And let me just say this. Part of -- again, this has to do with land use amendments, and the particulars of whether it's affordable housing or compatibility are generally, if approvals are coming here because it deals with units of generally hundred -- a hundred units or more, and then subject to the affordable housing policy, that's generally part of the approval, and subject to implementation by the local government to ensure that that happens.

I can give you an example of the Fort Lauderdale recent -- where we approved 5,000 units and it required that we -- a review be done at the halfway point to determine what affordable housing had already been instituted in the first half before they got the second half. It is -- in some respects, it's part of the local approval that it's then up to then to implement and get there. I just give you that on a large scale.

With regard to the compatibility issue, generally, things within a local municipality are dealt with by that local governing authority, and, really, this body's compatibility is more of things that are built on a border between two cities, as was proposed at -- something in the Town of Davie a number of years ago that bordered my city. And, in some respects, this body played a vital role because of the compatibility, where one municipality said yes and the other one said no.

UNIDENTIFIED SPEAKER: Uh-huh.

CHAIR STERMER: And it played a vital role in that on the larger scale, because it was an adjoining municipality issue that it came here. Otherwise, generally it's within the purview of the local governing authority and to deal with their community as they see fit. But bring -- no, honestly, Mr. Blackwelder, one, we welcome you. Two, bring forth all of it, and detail is fine. Don't ever think we don't want the detail.

MR. BLACKWELDER: Like Mr. Grosso, I will submit that over to staff and --

CHAIR STERMER: Please do.

MR. BLACKWELDER: -- they can (inaudible) some things as we go forward.

CHAIR STERMER: Or they'll give you responses to each piece of it, you know, as to why it is the way it is and subject to further conversation, absolutely. Absolutely. School Board Member Good, and then I have Commissioner Williams.

MS. GOOD: Yes, again, I thank the -- my colleague for the comments. I think it's -- it is important that we -- we hear the various perspectives on the Broward Next. But I think for me, having gone -- served on the committee and heard the various comments throughout the community and also the great length of -- that staff took upon themselves to seek input from the community, I feel -- I would feel uncomfortable changing it at this juncture, because I feel many that participated along the way and up to very recently have an expectation of how this was moving forward.

So to -- to change it drastically in any way, shape, or form, for me, I think raises some concerns, based on the -- you know, the understanding that some in the community that have participated thus far. But I do think that the member has a right to have his concerns followed up with and addressed. And I would ask that those concerns be shared with the -- the remaining board so we understand, from a staff perspective, how his concerns are being addressed as they are.

CHAIR STERMER: And to the School Board Member, I would encourage any member of the body, if you -- there are pieces of it that you'd like to discuss further and have reviewed, feel free to submit them to -- to Barbara. My guess is she and Henry will be more than diligent in reviewing it, and my guess is at first talking with you about it before we start writing written responses, understanding how everything is a public record around here, because everything's subject to further refinement.

So I think we're best off at least put in writing what your concerns are, what your issues are, and Barbara and Henry I'm sure will review them and diligently meet with each of you. Commissioner Williams.

COMMISSIONER WILLIAMS: Yes, thank you very much. As the new kid on the block, and I got this lovely book in the mail --

(Laughter.)

COMMISSIONER WILLIAMS: -- and, of course, I'm going through it, and one of the things that I really keyed on, and you all know this is dear to my heart, urban agriculture.

CHAIR STERMER: Uh-huh.

COMMISSIONER WILLIAMS: And I'm happy to see -- in 2011 when the University of Florida, we were trying to encourage municipalities to allow gardening, we got all kind of kickback. So I'm just glad to see that the Broward County shall support and encourage municipalities to provide farm to table opportunities and that they, instead of permit, they shall encourage local governments to allow this gardening.

CHAIR STERMER: Which you do right outside of your City Hall.

COMMISSIONER WILLIAMS: Thank you.

(Laughter.)

UNIDENTIFIED SPEAKER: Beautifully.

COMMISSIONER WILLIAMS: Thank you. That's it.

CHAIR STERMER: Anything else from any members of the Council? Anything else from any members of the public? There was a motion by Mr. -- Commissioner -- Mr. de Jesus, a second by School Board Member Good. All those in favor, signify by saying aye. All those opposed? The motion carries unanimously. Congratulations, Ms. Blake Boy, Mr. Sniezek, members of each of your respective chairs. Thank you to the members of the Council.

VOTE PASSES UNANIMOUSLY.

OTHER BUSINESS

CHAIR STERMER: With that, we have no further business. We stand adjourned. Thank you, everybody.

(The meeting concluded at 12:07 pm.)