



## PLANNING AND ZONING BOARD MEETING

City Commission Chambers

City Hall

100 N Andrews Avenue Fort Lauderdale, FL 33301

December 21, 2016

6:30 PM

### AGENDA

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM
- III. PUBLIC SIGN-IN / SWEARING-IN
- IV. AGENDA ITEMS:

1. CASE: PL16009

REQUEST: \*\* Plat Review

APPLICANT: E & M Warehouse, LLC.

PROJECT NAME: Ergon / Moss Plat

GENERAL LOCATION: 1450 Progresso Drive

**LEGAL DESCRIPTION:** A portion of the West one-half (W½) of Section 35, Township 49 South, Range 42 East, more fully described as follows:  
 Beginning at the SW corner of the Northeast one-quarter (NE¼) of the Southeast one-quarter (SE¼) of the Northwest one-quarter (NW¼) of said Section 35; thence N 88°04'56" East along the South line thereof a distance of 215.91 feet to a point on the West right-of-way line of the Florida East Coast Railroad; thence Southeasterly along said West right-of-way line and along a curve to the right whose tangent bears S 9°12'39" W having a radius of 2812.66 feet, with a central angle of 12°07'16", an arc distance of 595.03 feet; thence N68°40'06" W radial distance of 300 feet to a point on a curve; thence Northeasterly along a curve to the left whose tangent is perpendicular to the last mentioned course, having a radius of 2512.66 feet, with a central angle of 10°21'12" an arc distance of 454.04 feet to a point on a line that is 18.00 feet South of and parallel to the North line of the Southwest one quarter (SW¼) of the Southeast one-quarter (SE¼) of Northwest one-quarter (NW¼) of Section 35; thence N 88°04'56" E along said parallel line a distance of 94.46 feet to a point on East line of the said West one-quarter (W¼) of the Northwest one-quarter (NW¼); thence N 01°30'07" W along said East line a distance of 18.00 feet to the Point of Beginning, Broward County, Florida.  
 Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 158,458 square feet or 3.6377 acres, more or less.

**CURRENT ZONING:** Heavy Commercial / Light Industrial Business (B-3)

**CURRENT LAND USE:** Commercial

**COMMISSION DISTRICT:** 2

**CASE PLANNER:** Florentina Hutt

2. **CASE:** R15036

**REQUEST:** Site Plan Level III Review: Conditional Use for Expansion of Concrete Plant in Industrial Zoning

**APPLICANT:** 5512 NW 10 Terrace, LLC and 5551 NW 9 Avenue 1-5, LLC

**PROJECT NAME:** Adonel Concrete

**GENERAL LOCATION:** 5512 NW 10<sup>th</sup> Terrace

**LEGAL DESCRIPTION:** LOT 11 PINERIDGE ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

**CURRENT ZONING:** Industrial (I)

**CURRENT LAND USE:** Industrial (I)

**COMMISSION DISTRICT:** 1

**CASE PLANNER:** Florentina Hutt

3. **CASE:** T16005

**REQUEST:\*** City of Fort Lauderdale /Amend Unified Land Development Regulations (ULDR)

Amending Section 47-18.9, Cluster Development, Section 47-18.33, Townhouse, Section 47-19.2, Accessory Buildings, Structures and Equipment, General, Section 47-20.2, Parking and Landing Zoning Requirements, Parking Spaces for Duplex and Townhouse Cluster, Coach Homes, Section 47-20.13, Paving and Drainage, Section 47-21.14, Additional landscape requirements for special uses and districts and adding Section 47-18.45, Duplex/Two Family Dwelling.

This amendment revises standards in the ULDR in order to implement the recommendations of the Neighborhood Development Criteria Revisions (NDCR) which amend the current requirements for cluster developments, townhouse developments, duplexes/ two family dwellings and amends certain provisions related to landscaping for these types of projects and addresses the requirements for the ability to park in the right-of-way swale for all development.

**APPLICANT:** City of Fort Lauderdale

**PROJECT NAME:** Neighborhood Development Code Revisions (NDCR)

**GENERAL LOCATION:** City-Wide

**CASE PLANNER:** Eric Engmann

4. **CASE:** T17001

**REQUEST:\*** An Ordinance of the City of Fort Lauderdale, Florida establishing a moratorium on the submission, processing, approval or issuance of any new licenses, business tax receipts, development orders or permits for any uses that involve the cultivation, processing, dispensing or retail sale of cannabis

**APPLICANT:** City of Fort Lauderdale

**PROJECT NAME:** Moratorium

**GENERAL LOCATION:** City-Wide

**CASE PLANNER:** Eric Engmann

**V. COMMUNICATION TO THE CITY COMMISSION**

**VI. FOR THE GOOD OF THE CITY OF FORT LAUDERDALE**

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**PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE PLANNING & ZONING BOARD IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.**

\*If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

Local Planning Agency (LPA) items (\*) – In these cases, the Planning and Zoning Board will act as the Local Planning Agency (LPA). Recommendation of approval will include a finding of consistency with the City's Comprehensive Plan and the criteria for rezoning (in the case of rezoning requests).

Quasi-Judicial items (\*\*) – Board members disclose any communication or site visit they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on quasi-judicial matters will be sworn in and will be subject to cross-examination.

# MEETING FORMAT

## **I. Purpose**

Act in an advisory capacity to the City Commission, conduct investigations and hold public hearings upon all proposals to change zoning regulations or to vacate and abandon streets and alleys; study any existing City plans with the view to improve same so as to provide for development, general improvement and probable future growth of the City, and from time to time make recommendations to the City Commission for changes in the Comprehensive Plan; review and recommend approval or disapproval all plats to be presented to the City Commission; perform such other duties as may from time to time be assigned by the City Commission or prescribed by ordinance.

## **II. Meeting Format**

The applicant/agent must be present at the start of the meeting due to the possibility of the board calling the items on the agenda out of order. The following format shall be used; however, the Planning and Zoning Board in special circumstances may impose variations.

- Identification of item by Chairperson.
- Disclosure of each Board member's communication or site visits.
- Swearing In of anyone to provide testimony regarding the item.
- Applicant's or Agent's presentation – 15 minutes (Those associated with a project must speak during the applicant's presentation time.) Should additional presentation time be necessary, a written request must be submitted to Planning staff, including the basis for the request, no less than eight (8) days prior to the Board meeting. Staff will confer with the Board Chair and the request for additional time will be included in the staff report. Additional time may be allowed by the Chair.
- Staff presentation with summary of letters received (when applicable).
- Questions to staff from Board.
- Public Hearing (testimony from the public). Additional time may be granted by the Chair upon request.
- Requests should be made as soon as is practical.  
--Representative of Associations and Groups - 5 minutes  
--Individuals - 3 minutes
- Board discussion – questions to applicants/agents and staff
- Final comments from the applicant or agent.
- Public Hearing closed. (No further public comment unless specifically requested by a Board member.)
- Return to the Board for final comments, motion, second and vote. All motions are stated in the positive and include all staff recommendations, unless otherwise noted. A simple majority vote is required.

## **III. Sign-In Sheet**

Those who address the Planning and Zoning Board during the public hearing portion must legibly record their name and address on the sign-in sheet at the recording secretary's table while the preceding person is speaking. The primary purpose of the sign-in sheet is to assist staff in recording the minutes.

## **IV. Minutes**

A copy of the official minutes will be available to the public and can be picked up at the Department of Sustainable Development, 700 N W 19<sup>th</sup> Avenue, after the Planning and Zoning Board meeting of the following month, or can be viewed on our website at [www.fortlauderdale.gov](http://www.fortlauderdale.gov) under Documents/Agendas.

## **V. Planning and Zoning Board Meeting Dates**

Third Wednesday of the month at 6:30 p.m. unless otherwise noted

## **VI. Duties of the Board**

The Planning and Zoning Board makes recommendations to the City Commission on the following items:

- Site Plan Level IV
- Public Purpose Use Approvals
- Vacations of Streets and Alleys
- Plat Approvals
- Rezonings
- Development of Regional Impact (DRI)
- Land Use Plan Amendments
- Ordinance Amendments

The Planning and Zoning Board has final approval on the following items (may be subject to call-up by the City Commission):

- Site Plan Level II (Appeal of DRC denial)
- Site Plan Level III
- Conditional Use Approvals
- Parking Reduction Requests

## **VII. Lobbying**

Section 2-260 – 2-266 of the Code of Ordinances of the City of Fort Lauderdale requires that anyone communicating by any means with City employees, City Manager, City committee or board members or City Commissioners must register as a lobbyist prior to communicating with such persons. Lobbying forms must be notarized and filed with the City Clerk. An annual lobbying expenditure form must also be filed. Failure to comply with the lobbying regulations may cause a person to be subject to certain penalties as provided in the Code.

## **VIII. Notes**

Agenda and Results of the meetings can be viewed on our website at [www.fortlauderdale.gov](http://www.fortlauderdale.gov) under Documents/Agendas. You may also contact the City of Fort Lauderdale Planning and Zoning Services office at (954) 828-6531 with questions pertaining to the agenda.

Two or more City Commissioners and/or Advisory Board members may be present at this meeting. If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes, please contact the City Clerk at (954) 828-5002 two (2) days prior to the meeting, and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.

Board members are to retain all plans, reports and exhibits provided for each agenda item that is deferred.

Please be advised that all materials, drawings and/or models used in presentations to the Board become public record. Photo reproductions of all such presentation materials shall remain with the Board's Recording Secretary following the presentation. If photo reproductions are not available at the conclusion of the presentation, applicants shall submit all such presentation materials to the Recording Secretary and may, at a later date, arrange with staff to have these presentation items photographed or reproduced for the public record.

Board members are advised that plans and renderings used in presentations may deviate from the plans provided to the Board that have been reviewed by the Development Review Committee and staff. Plans proffered by applicants during presentations to the Board may not reflect a proposal that meets the ULDR provisions.