

EXHIBIT "6"

DRAFT

PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY WEDNESDAY, NOVEMBER 30, 2016 CITY HALL, COMMISSION CHAMBERS HALLANDALE BEACH, FLORIDA

ATTENDANCE ROLL CALL:

2016 PZB Attendance

Board Members	1/28	2/24	3/1	3/23	4/27	5/25	6/8	6/22	7/27	8/31	9/28	10/26	11/30	12/28
Sheryl Natelson - Chair	A	A	P	P	P	CANCELLED	P	CANCELLED	P	CANCELLED	T	CANCELLED	P	CANCELLED
Terri Dillard- Vice Chair	A	P	P	A	P		A		P		A		P	
Csaba Kulin	P	P	P	P	A		A		A					
Charles Wu	A	P	P	P	A		A		P		P		P	
Alexander Lewy	A	A	P	P	P		P		P		P		A	
Howard Garson	A	P	P	P	P		P		P		P		P	
Leslie Wynne	P	A	P	P	P		P							
Harriett Ginsberg- Alter	P	A	P	P	P		P		P		P		P	
Total Members Present	2	5	7	7	6		5		6		5		4	
Total Members Absent	6	3	1	1	2		3		1		1		1	

Present (P)

Absent: (A)

Tardy: (T)

 Un-appointed

 Special Meeting

Staff in Attendance:

Keven Klopp

Althea Jefferson

Christy Dominguez

Vanessa Leroy

Cindy Bardales

Christopher Saunders

1 **1. CALL TO ORDER**

2
3 The Board Chair called the meeting to order at 6:37 P.M.

4
5 **2. PLEDGE OF ALLEGIANCE**

6
7 **3. ROLL CALL**

8
9 Mr. Lewy was absent.

10
11 **4. APPROVAL OF MINUTES**

12
13 MR. GARSON MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 28, 2016
14 PLANNING AND ZONING BOARD HEARING.

15
16 MS. DILLARD SECONDED THE MOTION.

17
18 MOTION PASSED BY A ROLL CALL VOTE (5-0).

19
20 **5. PRESENTATION**

21
22 **RAC COMPREHENSIVE PLAN AMENDMENT**

23
24 Mr. Jeff Katims, Managing Principal (The Mellgren Planning Group, 3350 NW 53rd Street,
25 Suite 101 Fort Lauderdale, FL 33309): provided a PowerPoint presentation and gave a
26 brief summary of the item.

27
28 Mr. Garson: asked should Federal Election Commission (FEC) approved the max
29 capacity and mixed use units, how complicated to be re-adjust units?

30
31 Mr. Katims: stated it can be done by adding more units to the Regional Activity Center
32 (RAC).

33
34 Mr. Wu: asked if we were able to avoid re-adjusting all units to high-rise?

35
36 Mr. Katims: clarified that the City's code currently limits density and building types.

37
38 Mr. Wu: asked staff if there will be a joint workshop with the Planning & Zoning Board and
39 the City Commission to discuss the RAC Comprehensive Plan Amendment?

40
41 Ms. Jefferson: stated that they received revised City Commission schedule which would
42 require to schedule to workshop separately.

43
44 Mr. Wu: asked how we are planning to implement and ensure that all changes on the
45 comprehensive plan amendment are made?

46
47 Mr. Katims: stated that the nature of the work, is that the City seeing it through.

~~Mr. Wu: suggested obtaining more feedback from the development community on the housing component.~~

~~Ms. Natelson: asked to move item 6.B, Bluesten Park second on the agenda since there was the majority of public participation.~~

5. NEW BUSINESS

1. APPLICATIONS # DB-16-3057 AND # V-16-3686 BY THE CITY OF HALLANDALE BEACH REQUESTING MAJOR DEVELOPMENT PLAN APPROVAL PURSUANT TO SECTION 32-382 OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO RECONSTRUCT BLUESTEN PARK, A NEW EXPANDED PARK WITH A NEW COMMUNITY CENTER, POOL FACILITIES, BALL FIELDS, COURT AREAS AND ADDITIONAL AMENITIES AT THE PROPERTY LOCATED AT 501 SE 1ST AVENUE.

THE APPLICATIONS TO BE CONSIDERED ARE AS FOLLOWS:

A. APPLICATION# DB-16-3057, FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO CONSTRUCT A NEW 46,716 SQUARE FEET COMMUNITY CENTER, VARIOUS AMENITIES AND AN EXPANDED PARK.

B. APPLICATION# V-16-3686 REQUESTING VARIANCES FROM THE FOLLOWING CODE PROVISIONS:

- a) SECTION 32- 384 (E) RELATIVE TO THE MINIMUM REQUIRED WIDTH OF LANDSCAPED BUFFER STRIPS AROUND VEHICULAR USED AREAS.
- b) SECTION 32-384 (C) RELATIVE TO THE MINIMUM NUMBER OF TREES REQUIRED.
- c) SECTION 32- 605 RELATIVE TO THE TYPE AND NUMBER OF PERMITTED SIGNS IN THE DISTRICT.
- d) SECTION 32- 481 RELATIVE TO THE MINIMUM REQUIRED WIDTH OF CITY RIGHT -OF WAYS.

Swearing in of Witnesses (Assistant City Attorney)

The oath was administered by the Assistant City Attorney to all staff and public attendees that would be speaking on the case.

Polling of Ex Parte Communications (Board Secretary)

Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter. She advised she would base her decision solely on the testimony being presented

94 *Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter.*
95 *She advised she would base her decision solely on the testimony being presented.*
96

97 *Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He*
98 *advised he would base his decision solely on the testimony being presented.*
99

100 *Mr. Garson advised that he had Ex-Parte Communications regarding this matter. He*
101 *advised he was a board member for the Parks and Recreation Board but would base*
102 *his decision solely on the testimony being presented.*
103

104 *Ms. Ginsberg advised that she had no Ex-Parte Communications regarding this*
105 *matter. She advised she would base her decision solely on the testimony being*
106 *presented.*
107

108 Ms. Dominguez: provided a PowerPoint presentation and gave a brief summary of the
109 item.
110

111 Mr. Gregg Harris, Capital Project Manager: further added illustrations of the amenities
112 that would be provided at Bluesten Park.
113

114 Mr. Wu: asked if the road way improvements would be a condition of approval?
115

116 Ms. Dominguez: stated the road way improvements would be reflected included in the
117 site plan.
118

119 Ms. Ginsberg: asked if the existing pool would be able to remain open during the
120 beginning phase of construction? She advised that many of the residents enjoyed the
121 pool and was always busy.
122

123 Mr. Harris: stated that unfortunately, the existing pool had a liner which was ripped and
124 leaking. They've repaired the issue several times but continues to rip after a while.
125

126 Mr. Wu: asked if the YMCA proposed a sign on the building?
127

128 Mr. Harris: stated no. He advised that they would have a tower and monuments signs.
129

130 Mr. Wu: pointed out that the proposed basketball courts to the south could be an intrusion
131 on the residents to the south due to noise.
132

133 Ms. Natelson opened the Public Hearing.
134

135 There were no speakers.
136

137 Ms. Natelson closed the Public Hearing
138

MR. WU MADE A MOTION BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE TO RECOMMEND APPROVAL TO THE CITY COMMISSION OF APPLICATION 2016-3057-DB AT 501 SE 1ST AVENUE FOR MAJOR DEVELOPMENT REVIEW PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION AND WITH THE FOLLOWING MODIFICATION:

- 1) ALL STREET RIGHT-OF-WAY IMPROVEMENTS SHALL BE THE COMPLETED PRIOR TO THE FIRST CERTIFICATE OF OCCUPANCY.

MS. DILLARD SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

MR. WU STATED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED VARIANCES FOR APPLICATION #V-16-3686 TO THE CITY COMMISSION SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION.

MS. DILLARD SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

~~2. AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING WEST REGIONAL ACTIVITY CENTER REGULATIONS ("WEST RAC") FOR THE CITY OF HALLANDALE BEACH BY RENUMBERING FIGURE 32-160 TO FIGURE 32-160(a), AND TABLE 160.a TO TABLE 160(b)(1); AMENDING CHAPTER 32 DIVISION 2, SUBDIVISION 1, TABLE 32-160(b)(1) TO PROHIBIT CANNABIS DISPENSARIES IN THE WEST RAC, TO INCLUDE MACHINE SHOPS AND ACCESSORY MANUFACTURING AS A CONDITIONAL USE ON PEMBROKE ROAD; INCLUDING MIXED USES WITH A MINIMUM OF TWO THOUSAND (2,000) SQUARE FEET AS PERMITTED USES IN PEMBROKE AND FOSTER ROAD SUBDISTRICTS; INCLUDING OFFICE USE AS A PERMITTED USE ON PEMBROKE ROAD; AMENDING 32-160 TO PROVIDE FOR MINIMUM OFF STREET PARKING STANDARDS, LOCATION AND ACCESS TO OFF STREET PARKING, REGULATIONS FOR BICYCLE AND PARKING FACILITIES, STREET AND BLOCK STANDARDS, FRONTAGE STANDARDS, REGULATIONS FOR CIVIC OPEN SPACES; AMENDING REQUIREMENTS FOR FENCING;; CREATING TABLE 32-160(b)(2) TO REFLECT MINIMUM PARKING STANDARDS PER USE; CREATING FIGURE 32-160(b)(1) PARKING GARAGE STANDARDS; CREATING TABLE 32-160(b)(3) REFLECTING FRONTAGE TYPES; CREATING FIGURE 32-160(b)(2) REFLECTING CONFIGURATIONS FOR CIVIC OPEN SPACES; AMENDING TABLE 32-160(c) REFLECTING FRONT, SIDE, AND REAR SETBACK REQUIREMENTS AS WELL AS LANDSCAPE PERCENTAGE~~

185 ~~REQUIREMENTS FOR THE PALMS GATEWAY SUBDISTRICT; CREATING~~
186 ~~FIGURE 32-160(b)(3) DEPICTING CONFIGURATIONS FOR PERMANENT~~
187 ~~SEATING FIXTURES; AMENDING TABLE 32-160(d) TO CREATE MAXIMUM~~
188 ~~BUILDING FRONTAGE PERCENTAGE REQUIREMENTS IN THE PEMBROKE~~
189 ~~ROAD SUBDISTRICT; AMENDING SECTION 32-160(e) PERMITTED DENSITY~~
190 ~~REQUIREMENTS; AMENDING TABLE 32-160(e) FOR BUILDING FRONTAGE AND~~
191 ~~MAXIMUM BUILDING HEIGHT, MINIMUM LANDSCAPE AREA, ACCESSORY~~
192 ~~STRUCTURE, INTERIOR LOT, AND BUILDING FRONTAGE DIMENSIONAL~~
193 ~~REQUIREMENTS FOR THE FOSTER ROAD SUBDISTRICT, PROVIDING FOR~~
194 ~~CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION;~~
195 ~~AND PROVIDING AN EFFECTIVE DATE.~~

196
197 ~~Ms. Jefferson provided a PowerPoint presentation and gave a brief summary of the~~
198 ~~applications LDC16-02977 and Z-16-03243.~~

199
200 ~~Ms. Jefferson advised that the second page on the staff report was amended with~~
201 ~~corrections made to the parcel site data.~~

202
203 ~~Ms. Janna Lhota, Attorney (515 East Las Olas Boulevard, Suite 1200 Fort Lauderdale,~~
204 ~~FL 33301) stated she was representing the applicant and agreed to conditions provided~~
205 ~~by staff.~~

206
207 ~~Ms. Natelson closed the Public Hearing.~~

208
209 ~~**MR. LEWY MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL**~~
210 ~~**EVIDENCE PRESENTED THAT THE PLANNING AND ZONING BOARD**~~
211 ~~**RECOMMEND APPROVAL OF THE PROPOSED AMENDMENT TO THE OFFICIAL**~~
212 ~~**ZONING MAP TO INCLUDE A PORTION OF THE PROPERTY LOCATED AT 720**~~
213 ~~**SOUTH FEDERAL HIGHWAY WITHIN THE RAC CORRIDOR TRANSITION AREA**~~
214 ~~**AND AMENDMENT OF CHAPTER 32, ARTICLE III OF THE ZONING AND LAND**~~
215 ~~**DEVELOPMENT CODE TO REZONE THE SAME PORTION OF THE PROPERTY**~~
216 ~~**FROM THE SUBDISTRICT TO RAC CORRIDOR SUBDISTRICT SUBJECT TO THE**~~
217 ~~**CONDITIONS PROVIDED BY CITY ADMINISTRATION**~~

218
219 ~~MR. GARSON SECONDED THE MOTION.~~

220
221 ~~MOTION PASSED BY ROLL CALL VOTE (4-0).~~

222
223
224 ~~**MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL**~~
225 ~~**EVIDENCE PRESENTED, HE MOVED TO RECOMMEND APPROVAL TO THE CITY**~~
226 ~~**COMMISSION OF APPLICATION 2016-02184-DB FOR MAJOR DEVELOPMENT**~~
227 ~~**REVIEW PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH ZONING**~~
228 ~~**AND LAND DEVELOPMENT CODE IN ORDER TO BUILD THE PROPOSED**~~

**~~DEVELOPMENT AT 411 NORTH DIXIE HIGHWAY SUBJECT TO THE CONDITIONS
RECOMMENDED BY CITY ADMINISTRATION.~~**

~~MR. LEWY SECONDED THE MOTION.~~

~~MOTION PASSED BY ROLL CALL VOTE (4-0).~~

- ~~3. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF
HALLANDALE BEACH, FLORIDA, AMENDING THE ZONING AND LAND
DEVELOPMENT REGULATIONS IN CHAPTER 32, ARTICLE IV, DIVISION 25,
"MASSAGE SERVICES" TO ESTABLISH DISTANCE SEPARATION
REQUIREMENTS AND OTHER REGULATORY PROVISIONS RELATING TO
MASSAGE ESTABLISHMENTS; PROVIDING FOR CODIFICATION;
PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.~~

~~Ms. Jefferson gave a brief summary of proposed changes to the subject ordinance.~~

~~Ms. Natelson: asked if regulation being proposed on the Ordinance includes existing
massage establishments?~~

~~Mr. Wu: suggested providing information on how the 2,500 linear foot distance separation
was being measured, if airline measure would be used.~~

~~Ms. Jefferson: stated she would clarify language on the Ordinance that would indicate the
distance separation would be measured by airline measurement.~~

~~Mr. Wu: stated that the ordinance mentions "Certificate of Use" and asked if the city is
currently providing this Certificate of Use Permits?~~

~~Ms. Jefferson: stated that the City currently does not issue Certificate of Use Permit but
the City Commission has been contemplating having the process put in place.~~

~~Mr. Wu: asked if the Certificate of Use proposed ordinance would include renewal
information.~~

~~Ms. Jefferson: stated yes.~~

~~Mr. Wu: further asked if change of owner trigger this ordinance?~~

~~Ms. Jefferson: stated change of use would trigger the ordinance.~~

~~Ms. Natelson: added that expired permit should also trigger this ordinance. She
suggested staff considering place of ownership that is non-conforming.~~

Mr. Garson: asked on line 98 and 99 where "Health Care Facility" is mentioned, would this be a separate entity?

Mr. Garson: further asked if Health Care Facility would include practice, such as, chiropractor and acupuncture?

Ms. Jefferson: stated practice such as chiropractor and acupuncture would not be exempt unless they have license from the state.

Mr. Wu: stated line 110 which read: i. Exterior signage is not permitted should be moved and placed after line 98-99 which would read: a. Massage establishments located on the premises of a 75 room or more hotel, licensed health care facility, and licensed health care clinic;

i. Exterior signage is not permitted

Mr. Wu: further stated line 115-120 which read: i. All massage therapists shall have and maintain and keep active all state and local licenses. Said licenses shall be posted in an easily viewable conspicuous location. should be moved and placed after line 82-85 which would read: (d) Distance Separation Requirements There shall be a 2,500 linear foot distance separation requirement between one massage establishment and another massage establishment. All massage establishments shall adhere to any and all state law requirements and shall abide by the following provisions:

i. All massage therapists shall have and maintain and keep active all state and local licenses. Said licenses shall be posted in an easily viewable conspicuous location.

MR. GARSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE AMENDING THE ZONING AND LAND DEVELOPMENT REGULATIONS IN CHAPTER 32, ARTICLE IV, DIVISION 25, "MASSAGE SERVICES" TO ESTABLISH DISTANCE SEPARATION REQUIREMENTS AND OTHER REGULATORY PROVISIONS RELATING TO MASSAGE ESTABLISHMENTS AND INCLUDE RECOMMENDATION PROVIDED BY THE BOARD AND STAFF.

MR. WU SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

4. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING SECTION 32-370 HOME OCCUPATIONS AND LIVE/WORK, TO PROHIBIT CANNABIS RELATED BUSINESSES AND HOME OCCUPATIONS; AMENDING CHAPTER 32, ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE, TABLE 32-160.a AND TABLE 32-193(a), ESTABLISHING ADDITIONAL USE TYPE "CANNABIS/MEDICAL CANNABIS (MARIJUANA) DISPENSARY"; AMENDING ARTICLE IV, DIVISION 24, ON-SITE DISPENSING OF CONTROLLED

~~SUBSTANCES, TO PROVIDE ADDITIONAL STANDARDS FOR CANNABIS DISPENSARY; AMENDING 32-8 TO CREATE DEFINITIONS FOR CANNABIS, MEDICAL CANNABIS, AND CANNABIS DISPENSARY; AMENDING SECTION 32-242. PERMITTED ACCESSORY USES TO ALLOW MEDICAL MARIJUANA TREATMENT CENTERS AS AN ACCESSORY USE TO STATE LICENSED MEDICAL FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.~~

~~Ms. Jefferson gave a brief summary of proposed changes to the subject ordinance.~~

~~Ms. Jefferson added that language provided in the ordinance for mentioning West and Central RAC treatment centers will be removed.~~

~~Mr. Wu: suggested adding Florida Department of Health on line 157 oppose to just Department.~~

~~Mr. Wu asked why the City was contemplating selling Marijuana in Hallandale Beach.~~

~~Ms. Jefferson: stated that the ordinance was being put in place to provide for retail of medical cannabis from definition of treatment center.~~

~~Mr. Wu: suggested removing the word "cultivate" and only use the word "dispense"~~

~~Ms. Jefferson: stated that the ordinance was meant for dispense. She added that staff currently does not have the full information on how the cannabis would be cultivated, as doing it will be establishing regulations in the next legislative session, and will not be available until late spring and early summer.~~

~~Ms. Jefferson: stated for more clarity she would remove line 154-158 which read:~~
~~**SECTION 5:** Article I, Section 32-8 "Definitions", of the Code of Ordinances, is hereby~~
~~amended as follows: **Cannabis/Medical Cannabis (Marijuana) Dispensary** means an~~
~~organization approved by the department to cultivate, process, transport, and dispense~~
~~low-THC cannabis or medical cannabis pursuant to this section.~~

~~Ms. Natelson: suggested including language and definition on the ordinance used and reported by the state.~~

~~Mr. Garson: asked was the City looking into establishing location for future dispensary as long as they met state regulations or was the intent stricter?~~

~~Mr. Garson: recommended not allowing dispensary in residential areas and potential areas would be Hallandale Beach Blvd and Federal Highway.~~

Ms. Jefferson: stated she was not making it stricter than state regulation. She added the proposed ordinance allows medical cannabis retail under industrial zoning with conditional use approval.

Mr. Wu: recommended additional change to include the following:

- 1) Line 232: sentence is unfinished need to clear.
- 2) Line 268: Radius of Notice of Hearing be increased from 300 feet to 1000 feet.
- 3) Line 268: Tenants and Property Owners shall be included in Notice of Hearing.
- 4) Line 379: Should include that signage shall be posted at each entrance at the exterior of the building.

MR. WU MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE AMENDING SECTION 32-370 HOME OCCUPATIONS AND LIVE/WORK, TO PROHIBIT CANNABIS RELATED BUSINESSES AND HOME OCCUPATIONS; AMENDING CHAPTER 32, ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE, TABLE 32-160.A AND TABLE 32-193(A), ESTABLISHING "CANNABIS/MEDICAL CANNABIS (MARIJUANA) DISPENSARY" AS AN ADDITIONAL USE TYPE; AMENDING ARTICLE IV, DIVISION 24, ON-SITE DISPENSING OF CONTROLLED SUBSTANCES, TO PROVIDE ADDITIONAL STANDARDS FOR CANNABIS DISPENSARIES AND INCLUDE RECOMMENDATION PROVIDED BY THE BOARD AND STAFF.

MR. GARSON SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

6. REMARKS AS REQUESTED BY THE CHAIR

7. NEXT SCHEDULED MEETING

A. January 25, 2017

MEETING ADJOURNED AT 9:25 P.M.

A Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping of the Planning and Zoning Board meeting, summarized above, should be submitted to the Planning & Zoning Division at or can be mailed to 400 South Federal Highway, Attn. Althea P. Jefferson, Hallandale Beach, Florida 33009.