

DRAFT

PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY
WEDNESDAY, MAY 27, 2020
ZOOM VIRTUAL CONFERENCE MEETING

Board Member Present: Charles Wu, Chair; Howard Garson, Vice Chair, Danny Kattan, Terri Dillard and Diane Lyon Wead

Board Secretary: Cindy Bardales-Villanueva

City Attorney's Representative: Elizabeth S. Loconte, Assistant City Attorney

Staff Present: Vanessa Leroy, Christy Dominguez, Cindy Bardales-Villanueva and Alyssa Jones-Wood

2019 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

BOARD MEMBERS	1/30	2/27	3/27	4/24	5/29	6/26	7/24	8/28	9/25	10/23	11/26	12/26
Charles Wu- <i>Chair</i>	P	CANCELLED	CANCELLED	P	CANCELLED	P	CANCELLED	P	CANCELLED	P	P	CANCELLED
Howard Garson - <i>Vice Chair</i>	P			P		P		P		P	E	
Rick Levinson	P			P		E		E		P	P	
Danny Kattan	E			P		P		P		P	P	
Diane Lyon Wead				P		P		P		P	P	
Faith Fehr- <i>Alternate</i>				PA		S		A		PA	A	
Bruce McNamara- <i>Alternate</i>				PA		PA		S		PA	A	
Total Members Present	3			7		6		5		7	5	
Total Members Absent	1			0		1		2		0	3	

2020 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

BOARD MEMBERS	1/29	2/26	3/25	4/22	5/27	6/24	7/22	8/26	9/23	10/28	11/25	12/23
Charles Wu- <i>Chair</i>	P	CANCELLED	CANCELLED	CANCELLED	P							
Howard Garson - <i>Vice Chair</i>	P				P							
Danny Kattan	P				P							
Diane Lyon Wead	P				P							
Terri Dillard					P							
Faith Fehr- <i>Alternate</i>	PA				PA							
Bruce McNamara- <i>Alternate</i>	PA				A							
Rick Levinson	P											
Total Members Present	7				6							
Total Members Absent	0				1							

Present **(P)** Present Alternate Member **(PA)**

Absent: **(A)**

Alternate Member Substituting during a Full-Time Members Absence **(S)**

Excused Absence **(E)**

Tardy: **(T)**

 Un-appointed

1 **1. CALL TO ORDER**

2
3 Mr. Wu called the meeting to order at 6:30 P.M.

4 **2. ROLL CALL**

5
6 **3. APPROVAL OF MINUTES**

7
8 A. Draft Minutes for November 26, 2019

9
10 **MR. KATTAN MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 26, 2019**
11 **PLANNING AND ZONING BOARD MEETING.**

12
13 **MR. GARSON SECONDED THE MOTION.**

14
15 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**

16
17 B. Draft Minutes of January 29, 2020.

18
19 Mr. Garson: Line 1: stated his name needs to be listed under the "Present Board Members".

20
21 **MR. KATTAN MOVED TO APPROVE THE MINUTES OF THE JANUARY 29, 2020**
22 **PLANNING AND ZONING BOARD MEETING AS AMENDED.**

23
24 **MR. GARSON SECONDED THE MOTION.**

25
26 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**

27
28 **4. PUBLIC PARTICIPATION**

29
30 A. **JOIN THE ZOOM VIRTUAL MEETING AT:** [HTTPS://US02WEB.ZOOM.US/J/84080088774](https://us02web.zoom.us/j/84080088774)
31 BY PHONE: (301)715-8592 OR (312)626-6799
32 MEETING ID: 840 8008 8774
33 PASSWORD: 965635

34
35 B. **WRITTEN COMMENTS:** EMAIL A WRITTEN MESSAGE TO
36 PLANNINGANDZONINGDIVISION@HALLANDALEBEACHFL.GOV ONCE THE AGENDA
37 IS PUBLISHED NO LATER THAN 3 P.M. ON WEDNESDAY, MAY 27, 2020. WRITTEN
38 COMMENTS WILL BE DISTRIBUTED TO THE BOARD BUT WILL NOT BE READ
39 DURING THE MEETING.

40
41 C. **THE MEETING CAN BE VIEWED ONLINE AT:** [HTTPS://COHB.ORG/HBTV](https://cohb.org/hbtv) OR COMCAST
42 CABLE CHANNEL 78.

43
44 **5. PRESENTATION**

45
46 A. ANA MARIA DIAZ, PARTNERSHIP SPECIALIST U.S. CENSUS BUREAU, SPEAKS
47 ABOUT THE CENSUS 2020.

48 Ms. Diaz had a calendar conflict and was not available to attend the Planning and Zoning Board
49 Meeting.

6. PUBLIC HEARING

- A. An Ordinance of the Mayor and City Commission of the City Of Hallandale Beach, Florida, Amending Chapter 32, Zoning and Land Development Code, Article V, Development Review Procedures, Section 32-787, Establishing Requirements For Trash Chutes in Residential Buildings; Amending Section 32-787, Green Building Program Requirements; Providing for Conflict; Providing for Codification; Providing for Severability; Providing for an Effective Date.

Ms. Dominguez: provided a PowerPoint presentation and gave a summary of the item. She introduced Ms. Alyssa Jones-Wood, Green Initiatives Coordinator, who also collaborated on updating the Ordinance.

Mr. Wu: pointed out Chapter 8 as to Green Building prerequisites and worksheets of the site and building design options must be submitted with the development review application for review by the City's Green Building Coordinator. He asked what were Ms. Jones-Wood's certification.

Ms. Jones-Wood: described her job position in the City, certifications, and experience with Green Building Programs.

Mr. Garson: stated that he was pleased with the item coming before the Board, it was something that he has been advocating for all development coming into the City.

Mr. Kattan: asked if regulations would apply only to buildings of 4 or more stories?

Ms. Dominguez: clarified that the regulations would apply only for new development, redevelopment, and additions over 50 percent or more of the existing floor area.

Mr. Wu: stated that he was in favor of new development be required to obtain a green building certification, however, he was not in favor of current properties seeking to redevelop or renovating falling in the same category.

Ms. Dillard: stated that the item being discussed would be great for the City moving forward. However, she recommended monitoring of chutes to ensure management of hazard waste and sanitation are meeting standards.

Mr. Wu: proposed alternate language for special conditions catering to the structure and building involved. He believed the proposed provision opened the door for a wide range of exceptions which allows the applicant to request a waiver.

Ms. Dominguez: agreed.

Mr. Wu: asked if green building program just included renovations without increased square footage, or is the intent only to increase the square footage where this is applicable?

Ms. Dominguez: stated that the proposed ordinance will apply to redevelopment of more than 50% of the assessed value of the existing building, as far as costs, then the regulations would apply.

Mr. Wu: stated that he had a concern about the proposed regulation deterring the mom and pop establishments trying to renovate a rundown building or try to improve any building that will improve the business enterprise within the City.

103 Mr. Wu: further asked staff if there was any analysis of someone just cutting a building and trying
104 to meet these requirements?
105

106 Mr. Garson: stated that the Board's intent is not to have to want the business owner to spend more
107 money or make a less profitable building. He added that everything proposed is cost-effective.
108

109 Mr. Wu: agreed that what is being proposed is cost-effective, although, he believed that the people
110 who would be most impacted are those leasing the property to do business, not the owner.
111

112 Mr. Kattan: further added that developing affordable new apartments is almost impossible and
113 justify economically is why there has not been much development. He stated that investors are now
114 looking at an alternative by redeveloping. However, some cities are requesting a lot that is not
115 feasible from developers.
116

117 Mr. Kattan: ask that the Board consider keeping their current approach of pitching ideas to
118 developers and that investing millions of dollars on green incentive for their project in return will
119 result in money being payback. He added that it may be feasible for a developer building a condo,
120 but for a rental building it may sound good might not be feasible due to the rental economics.
121

122 Mr. Wu: stated that he had the concern of how much this would impact small businesses, such as,
123 restaurants that are currently struggling all over the City.
124

125 Mr. Wu: further stated that the Board should be very cautious when imposing this type of
126 requirement for someone trying to renovate their business.
127

128 Ms. Jones-Woods: stated that the City's intention was for smaller buildings still meet green building
129 standards without having the cost burden of going through an official standard like LEED
130 certification process that can be costly.
131

132 Ms. Jones-Woods: further added that the proposed items noted on the table are low to no cost to
133 the applicant. They would simply be choosing one species over another, for instance, native plants
134 over non-native plants.
135

136 Ms. Jones-Woods: stated that more than 25% of the city's greenhouse gas emissions come from
137 commercial buildings, and we have a citywide goal to be carbon neutral by 2055 and to reach those
138 goals, we need to take on some of the proposed green practices.
139

140 Mr. Wu: asked if a variance provision applied and where is the language located within the
141 ordinance?
142

143 Ms. Dominguez: stated that the proposed provision does not prohibit a variance request. She added
144 that is not addressed, which means that it's not prohibited.
145

146 Mr. Wu: pointed out that these are structural requirements concerning design. He added that to
147 seek relief, these criteria should be expressed and stated in the ordinance.
148

149 Mr. Wu: further stated that his concern essentially applies to all building renovations that exceeds
150 the assessed value of 50% of the building value. He added that will incorporate a lot of buildings.
151

152 Mr. Wu asked if someone wants to renovate one bay of a strip store, will that one bay trigger 50%?
153 How's that 50% evaluated is it assessed by the total value or the entire building of that entire strip?

Ms. Loconte: provided her interpretation of what was being proposed would apply for someone adding existing floor area and wanting to expand the square footage, which would add value to the property by more than 50% of the assessed value, the ordinance would apply.

Ms. Loconte: further added that it would not apply for the entire value of the renovation, which would be a much lower threshold.

Mr. Wu: suggested more clarity on the language used and proposed to strike out the words renovation, rehabilitation, restoration, or repair work and just add additional floor areas or the addition of new floors which would clarify his questions.

Mr. Wu: stated that he would like to see some analysis that would help educate the Board on how these implementations would impact a future project. He stated that he did not feel comfortable making rules and not considering unintended consequences in the future for ramifications that will negatively impact our City.

Mr. Wu: asked to see data before moving forward on the renovation component. He asked staff to come up with data to show how this regulation will apply for the project going through the approval process.

Mr. Wu: stated viewing the data would give a comfort level when moving forward based on our economic environment and there will be no hesitation when the Board provides recommendations to the City Commission.

Ms. Wead: asked if the item could be tabled and reworded for the next meeting and possibly even broken into two ordinances. She suggested preparing one ordinance for new structures alone and the other for renovations.

Ms. Dominguez: stated it was important for the ordinance to move forward and not to defer the item. She stated if the Board's concern is the proposed provisions about how it would affect repairs or renovations then staff was agreeable to removing the language as suggested by the Chair.

Ms. Dominguez: further added that staff can bring back the ordinance to revisit or revise the provision in the future. She emphasized the importance for the ordinance to move forward or at least provide recommendations to include or not include the language instead of tabling the matter.

Mr. Wu: Opened the Public Hearing.

No speakers.

Mr. Wu: Closed the Public Hearing.

Mr. Wu: asked how would the green building be enforced? Is there a city bond? A green bond? Who will enforce this and how it's been enforced in the past?

Mr. Jones-Wood: stated that it was not recommended but can be looked into as part of the implementation.

Ms. Dominguez: stated that currently, these requirements have been part of development agreements so that has been the City's enforcement tool of projects that required green building certifications.

Ms. Dominguez: acknowledged the Chair's concern that depending on the type of development, a development agreement would not be applicable but that would not be the case of every development. She added that in some cases, certification may not be feasible until after a Certificate of Occupancy (CO) is issued, to get the certification.

Mr. Wu: pointed out that currently, the City does not have in place a mechanism to hold the developer accountable. He added that it was necessary if the City is going to have green building requirements that a green bond be put in place.

Mr. Wu: stated the having a green bond will force an applicant should they not get certified after two years of receiving CO or TCO. The City can then use the green bond for sustainability programs, but without an enforcement mechanism, these regulations are hollow.

MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD APPROVE AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE, ARTICLE V, DEVELOPMENT REVIEW PROCEDURES, SECTION 32-787, ESTABLISHING REQUIREMENTS FOR TRASH CHUTES IN RESIDENTIAL BUILDINGS; AMENDING SECTION 32-787, GREEN BUILDING PROGRAM REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) THAT REGULATIONS ONLY APPLY TO NEW DEVELOPMENT OR PROPERTIES INCREASING 50% OF THE FLOOR AREA OR SQUARE FOOTAGE.**
- 2) GREEN BOND WILL BE USED TO ENFORCE ORDINANCE.**
- 3) INCLUDE WAIVER PROCESS INTO THE ORDINANCE.**

MS. DILLARD SECONDED THE MOTION.

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

~~B. An Ordinance of the Mayor and City Commission of the City of Hallandale Beach, Florida, Amending Chapter 32, Zoning and Land Development Code; Amending Article IV, Development Standards; Division 20, Temporary Uses; Providing For Food Trucks Special Events; Providing for the Temporary Use of Cargo Containers in the Central Regional Activity Center/ Fashion/Art Design and Greyhound Subdistricts, The Planned Local Activity Center (PLAC) and Commercial Recreational Active (CR-A) Districts; Providing for Extended Temporary Use Events; Providing for Conflict; Providing for Codification; Providing for Severability; and Providing an Effective Date.~~

~~**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE; AMENDING ARTICLE IV, DEVELOPMENT STANDARDS; DIVISION 20, TEMPORARY USES; PROVIDING FOR FOOD TRUCKS SPECIAL EVENTS; PROVIDING FOR THE TEMPORARY USE OF CARGO CONTAINERS IN THE CENTRAL REGIONAL ACTIVITY CENTER/ FASHION/ART DESIGN AND GREYHOUND SUBDISTRICTS, THE PLANNED LOCAL ACTIVITY CENTER (PLAC) AND COMMERCIAL RECREATIONAL ACTIVE (CR-A) DISTRICTS; PROVIDING FOR**~~

~~EXTENDED TEMPORARY USE EVENTS; PROVIDING FOR CONFLICT; PROVIDING FOR
CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
_____SECONDED THE MOTION.~~

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

~~C. An Ordinance of the Mayor and City Commission of the City of Hallandale Beach,
Florida, Amending Chapter 32, Zoning and Land Development Code, Division 2, Zoning
Districts and Overlays, Subdivision I, Conventional Zoning Districts, and Article III,
Zoning, Division 3, Form-Based Zoning Districts; Providing for Affordable Housing
Requirements; Providing for Conflict; Providing for Codification; Providing for
Severability; Providing for an Effective Date.~~

~~AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF
HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND
DEVELOPMENT CODE, DIVISION 2, ZONING DISTRICTS AND OVERLAYS, SUBDIVISION
I, CONVENTIONAL ZONING DISTRICTS, AND ARTICLE III, ZONING, DIVISION 3, FORM-
BASED ZONING DISTRICTS; PROVIDING FOR AFFORDABLE HOUSING
REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.~~

~~_____SECONDED THE MOTION.~~

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

8. LIASON'S REPORT

9. REMARKS FOR THE CHAIR

10. NEXT SCHEDULED MEETING

A. Wednesday, June 24, 2020

MEETING ADJOURNED AT 9:13 P.M.

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, Hallandale Beach, Florida 33009