

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
UNIFIED ZONING CODE WORKSHOP
TUESDAY, AUGUST 18, 2009 – 6:00 P.M.

1. Call to Order

Mayor Castro called the meeting to order at 6:00 p.m.

2. Roll Call

Present:

Mayor:	Anne Castro
Vice-Mayor:	C.K. "Mac" McElyea
Commissioners:	Bob Anton Walter Duke Albert C. Jones
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

3. Presentations

3.1 The Mellgren Planning Group presenting One Code Zoning Regulations

Bob Daniels, Director of Community Development, noted this is a first draft, and staff has already identified items that need corrections.

Jeff Katims, The Mellgren Planning Group, presented a PowerPoint overview which is attached to and incorporated into these minutes. He noted that the purpose of tonight's meeting is to familiarize the Commission, residents and business owners with the City's new code. Mr. Katims added that although this is still a working document, most of the substance is already included. He anticipated adopting the entire code before the end of the year. Mr. Katims said this is an opportunity for our residents to provide comments which would be reviewed by staff and our sub-consultants, for legal consistency. He asked everyone to sign the attendance sheet to receive updates as we move further in the process.

Joe Van Eron, 1500 SW 2nd Avenue, offered his assistance to aid in the hotel section of the code which he thinks is a very complicated area. He further referred to the Public Lodging Establishments and the importance of defining each category to make sure that we reflect what is established within the Florida Statute.

Jay Field, 4501 SW 30th Way, questioned if there was a theme for the City of Dania Beach.

The Commission responded it is the marine industry.

Mr. Field noted that we need to redesign the City's Website homepage to include three very important topics: the CRA, the Westside Master Plan and the Airport projects. Regarding the storing/parking of boats, he confirmed with staff that there is a five feet setback on all sides of the property. Mr. Field further indicated that there would be a lifestyle change for some people with the five feet setback for Recreational Vehicles (RV's) and boats. He said the width of the canal determines how far the structures can be. Mr. Field questioned if we would survey every canal to see if things are wrong. He noted he does not want unlit structures in the canals.

Corinne Lajoie, AICP, Principal Planner, responded the intent is not to go back and look at existing structures. She further noted that if the structures were built with permits, they will be considered legal and therefore they will be grandfathered in.

Mr. Field noted we should investigate all existing structures.

Mike Grady, 4501 SW 42nd Avenue, questioned if his coral rock driveway would need to be changed.

Mr. Katims advised that it could remain as is, unless the surface degrades to the point that it would have to be redone.

Mr. Grady questioned signage for yard/garage sales. He noted that currently there is a charge for permits and asked if people would still have to pay.

The answer was yes.

Mayor Castro noted this item will be more lenient, but the signs will need to be removed after the sale, otherwise the permit fee will be retained by the City. She noted they are limiting the number of yard sales to three per year for each residence.

Jimmy Crimminger, 237 SW 15th Street, noted we need to address the following issues: the need for a cat ordinance; a definition of what public safety code issues are; develop a process on foreclosure properties; a greater usage of administrative variances; banners and signage for grand openings or special events of businesses in the City.

Commissioner Duke clarified that the One Code should eliminate the need for variances.

Micheline Peacock, 60 Catcay Court, asked if they could receive any documentation regarding the One Code and the presentation tonight because the City's Website is very difficult to navigate. She advised that she has a mobile home park and has noticed that many of those parks are vanishing. Ms. Peacock asked if the Airport expansion would be at their expense.

Commissioner Anton responded that Ocean Waterways Mobile Homes Park would be dramatically affected and probably taken by the Airport expansion. He suggested the co-op's attorneys periodically keep in touch with our City Attorney.

Mayor Castro noted the City would try to help everyone who would be affected by the Airport expansion. She further suggested to Ms. Peacock to get involved in order to find out what the Aviation Department is planning to do with their park.

Commissioner Anton agreed that the Website needs to be more user friendly. He noted that Mr. Field was referring to the dolphin posts in the canals. These posts could be a problem if they are not marked or lit at night. Commissioner Anton further said that we are leaning toward a marine or Key West theme. He clarified that the code revision is not due to the Airport expansion, although we have to take the Airport into consideration. Commissioner Anton stated that our primary concern is to make sure our residents are made whole, in the event the Airport expansion happens. Lastly, he advised that the Ocean Waterways Park has been notified on several occasions of the Airport expansion issue and that they need to get involved.

Vice-Mayor McElyea questioned if the Daniels family still owned the Ocean Waterways Mobile Homes Park. He further noted that they do not live in this area anymore.

Commissioner Duke thanked the Mellgren Planning Group and staff, as well as the shareholders of the City for attending tonight's meeting. He noted he is glad to see that the One Code addresses marine issues; hotels; self-storage; green development and shared parking. Commissioner Duke asked how this code would impact construction costs.

Mr. Katims advised that there should be no difference, only if you choose to build green.

Commissioner Duke questioned what other city this code resembled.

Mr. Katims responded it does not resemble any other code. He noted this is consistent with the latest generation of codes, which is the way it should be.

Commissioner Duke asked if the One Code took into consideration the expansion of the Airport.

Mr. Katims responded not at this time, and said that the Westside Master Plan will take that into consideration.

Commissioner Jones questioned if the code would affect public lodging.

Mr. Katims responded this is a tough issue to regulate. The code includes Bed and Breakfasts, and hotels, not motels. He noted he welcomes any feedback he can receive on the subject.

Commissioner Jones was impressed to see that we are moving forward. The Unified Code will be beneficial to us because it is less invasive to people coming for a variance. He noted that we need to look at safety issues such as pilings in the canals that need to be eliminated. Commissioner Jones also said that the City's Website needs to be updated to be user friendly; we need hot buttons to address issues such as the One Code, Airport matters, economic development, etc. He stated he is pleased there are green initiatives included in the proposed code.

Vice-Mayor McElyea thanked the Mellgren Planning Group. He further noted that we have many ways we can go in the City, as long as we all know what page we are on we can work together.

Mayor Castro thanked the Mellgren Planning Group, staff and the public for their involvement. She stated she is interested in creating one City; and this is a good way to provide unity and consistency in the City. Mayor Castro noted that the five feet setback previously discussed, is currently in the code. She wondered if there was some way the code could be changed for adjustments. Mayor Castro remarked she did not agree to have the boats parked across sidewalks. She further said that she wants to make sure that we get everything lined up, even if it means postponing the adoption of the One Code. Mayor Castro would prefer that we get it right and not rush it.

Commissioner Anton agreed on the sidewalk issue for parking boats/vehicles. He thought the five feet setback for front yards should be revised for the older homes.

Mr. Katims noted he will meet with staff to discuss the matter in the morning.

Commissioner Jones questioned if the code could address the Airport issue.

Mr. Katims advised that we need strategies first. He added that we need public feedback and Commission consideration as well. Mr. Katims noted he believes it will have code implications however, it is a separate track.

Commissioner Anton spoke about the Regional Activity Center (RAC) subject and said that it sounds as if someone is trying to pull out a bargaining chip due to the Airport expansion. He noted that Broward County wants the Aviation Department to look at the RAC issue, make recommendations and give approvals. Commissioner Anton stated that something does not look right. He wants the City Attorney to take a close look at this matter and pass it on to our Airport Counsel at White and Case.

Mayor Castro confirmed that staff is responding to these comments on the RAC as soon as possible. She advised that the Regional Activity Center for the City will be on the Agenda at the Broward County Planning Council meeting on Thursday, August 27 at 10:00 a.m. She encouraged everyone to attend the meeting and speak in favor of our request.

Director Daniels will discuss this matter with Mayor Castro in the morning.

3.2 Development Procedures

Corinne Lajoie, AICP, Principal Planner, noted we are trying to have an alternate development review process if the Commission is willing to consider it. She reviewed the information that was included in the agenda packet and requested comments from the Commission.

Commissioner Jones questioned how this compares to other cities.

Ms. Lajoie responded there is a mix as to how it is handled. She noted that typically Planning and Zoning Boards have authority to approve plans. However, we bring almost everything before the Commission, which is unusual.

Commissioner Jones wants a recommendation from staff.

Commissioner Duke noted we have an excellent staff, and we should streamline the process.

Commissioner Anton agreed.

Vice-Mayor McElyea agreed we had an excellent staff, but sometimes staff gets blamed for doing things wrong.

Mayor Castro suggested staff handle small scale plans with the Planning and Zoning Board's review; but large scale should come before the Commission. She would like staff to research further on the land sizes for the 3-step approach for small scale plans.

Commissioner Duke agreed.

Commissioner Anton noted there is always the process to appeal to the Commission.

4. Adjournment

Mayor Castro adjourned the workshop at 7:37 p.m.

ATTEST:

CITY OF DANIA BEACH

LOUISE STILSON, CMC
CITY CLERK

ANNE CASTRO
MAYOR-COMMISSIONER

Approved: September 8, 2009