

LOCAL PLANNING AGENCY
JANUARY 28, 2009

1. ROLL CALL

The meeting was called to order at 7:06 p.m. Board members present were Chair Scott McLaughlin, Vice-Chair John Stevens, Philip Busey, and Ken DeArmas. Also present were Attorney Thomas Moss, Planning and Zoning Manager David Quigley, Deputy Planning and Zoning Manager David Abramson, Planner Ingrid Allen and Board Secretary Janet Gale recording the meeting. Mimi Turin was absent.

2. APPROVAL OF MINUTES: December 10, 2008

Vice-Chair Stevens made a motion, seconded by Mr. DeArmas, to approve the minutes of December 10, 2008. In a voice vote, with Ms. Turin being absent, all voted in favor. **(Motion carried 4-0)**

3. PUBLIC HEARING

Ordinance

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TEXT AND FUTURE LAND USE MAP OF THE TOWN OF DAVIE COMPREHENSIVE PLAN IN ORDER TO INCORPORATE THE 2005 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS PURSUANT TO SECTION 163.3191 FLORIDA STATUTES; AMENDING THE INFRASTRUCTURE, CAPITAL IMPROVEMENT, INTERGOVERNMENTAL AND RECREATION OPEN SPACE AND CONSERVATION ELEMENTS OF THE COMPREHENSIVE PLAN IN ORDER TO PROVIDE FOR THE STATE MANDATED WATER SUPPLY AMENDMENTS; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENT PACKAGE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA 10-08)

Ms. Gale read the ordinance by title. Ms. Allen explained that State Statutes required the Town to update the Comprehensive Plan every five to seven years; that the update was done via the Evaluation and Appraisal Report (EAR) process; and that amendments to the EAR had to be submitted to the Department of Community Affairs within a specific time frame. Besides identifying specific issues and setting forth goals, objectives and policies, the EAR based comprehensive plan amendments addressed mandated concurrences regarding public school facilities and the ten-year water supply and conservation elements.

Henry Iler, President of the Iler Planning Group, provided a PowerPoint presentation on the EAR-Based Comprehensive Plan Amendments. He pointed out that a new category "Economic Element" had been added to the Comprehensive Plan.

Mr. Busey advised that when the Town reviewed land use changes such as a rezoning, one of the considerations, particularly for commercial uses, was the revenue impact that the change would make. As different elements of the Comprehensive Plan projected costs to fund projects and improvements, he wondered if it was possible to include the property tax revenue in order to make a comparison between residential and commercial zoned property.

Mr. Iler responded that the Comprehensive Plan did not go into that level of detail. He indicated that Mr. Busey would find that kind of analysis in a staff report for a specific development. The Comprehensive Plan dealt on a more general level with overall development of the Town and not one specific project. Insofar as the revenue side of the Comprehensive Plan, it did not deal with property taxes, what level they were, or how much higher property taxes would be with one type of development versus another. However, it did deal with the cost and funding side of the capital improvements which would be needed to maintain the roads, parks, water and sewer.

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Mr. Busey had questions about navigating through the document. Following a brief discussion, the Agency agreed that they would like to see a WORD index at the back of the document or a more detailed table of contents.

Mr. Busey commented that one of the biggest impacts on local roads which were below the acceptable level of service, had been the universities. He asked if there were any present or proposed concurrency requirements for public institutions. Mr. Quigley responded by advising that a campus development agreement was required from each of the State universities to provide a lump sum fee to cover the infrastructure costs. Then the university would be deemed to have met concurrency for their projects for the following ten years.

Mr. Busey asked about the resources that were used to compile the information and projections regarding State mandated water supply amendments. Mr. Iler advised that the Town relied on the regional water agencies for that information and used it in developing the Concurrency Plan. Later in the meeting, Ms. Allen advised that on January 21st, the Town Council had approved the ten year water supply facilities work plan.

A discussion ensued regarding the proposed future land use plan map and it was the consensus of the Agency that a map indicating the 10 to 12 proposed changes be inserted instead since the land use map had already been established.

Chair McLaughlin asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Stevens made a motion, seconded by Mr. DeArmas, to approve subject to revising the EAR to reflect that the only changes to the future land use map were those park designated items that were described by staff on illustration 1-17 and subsequent pages.

Mr. Busey asked if there was any information on wildlife in the Comprehensive Plan. Mr. Iler thought that there might be a list of endangered wildlife in the conservation element.

Chair McLaughlin commented that an index had been suggested earlier and asked if it should be incorporated into the motion.

Mr. DeArmas and Vice-Chair Stevens indicated that they would like the motion to be amended.

Vice-Chair Stevens amended his motion, seconded by Mr. DeArmas, to include also providing an index and/or table of contents.

Ms. Allen stated that each element did have a table of contents. Agency members agreed that a WORD index would be "fantastic."

Ms. Allen was unable to find any reference to wildlife in the current Comprehensive Plan. Mr. DeArmas and Mr. Iler stated that the County, State or Federal agencies would most likely deal with that issue. Chair McLaughlin agreed and added that the Comprehensive Plan basically dealt with "life needs" such as water, infrastructure, and housing from what it was presently to what was proposed for the future. Mr. Quigley agreed that wildlife was not the authority of the Town and he suggested that it be referenced in the document as to who was the proper enforcement agency regarding endangered species of flora and fauna.

Mr. Busey expressed his opinion that since conservation was one of the elements of the Comprehensive Plan, and since the Town emphasized the environment and conservation, the information on that subject was inadequate within the data, inventory, and analysis segment of the document. He believed there should be an "assessment" made in order to measure progress in the future.

A lengthy discussion ensued regarding this issue and the time constraints to submit the document. Mr. Busey contended he would support this ordinance if it mandated that the Town make a biological inventory in order to provide the data to know what wildlife, habitat, and plant species, endangered and not endangered were present. He suggested that if it was too late to collect the data for this report; that it should state in the policies that it would be included in the next report.

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Vice-Chair Stevens pointed out that page 4-4 of the Goals, Objectives and Policies, Policy 3.1.1 through 3.1.6, dealt with promoting the conservation and preservation of open spaces, wildlife habitats, native vegetative communities, marine habitat, and critical environmental areas. Mr. Busey responded that in terms of what was here now, there was no detail. However, Vice-Chair Stevens contended that it was an objective of a policy to identify wildlife habitats and native vegetative communities if not in this report, in the next one. Mr. Busey maintained that it was insufficient. The debate continued and Mr. Busey reiterated that he would like to see a larger and more sufficient report regarding existing wildlife.

Mr. Iler offered a solution and recommended that within a specific time frame, that Council would investigate the feasibility of conducting a Town-wide biological survey of flora and fauna and wildlife habitats. He added that based on the costs, Council would then decide if it was a big priority or not and whether or not it needed to be added to the policy.

Chair McLaughlin maintained that the policy “although loose” had been included in the document and he was opposed to “mandating it” and to what extent or detail. He believed that if Council decided to expand on it, the ability was there to do so. After further debate, the majority of the Agency believed that Mr. Iler’s suggestion to study the feasibility of conducting a Town-wide biological survey should be brought to the Town Administrator.

In a roll call vote, the vote was as follows: Chair McLaughlin – yes; Vice-Chair Stevens – yes; Mr. Busey – no; Mr. DeArmas – yes; Ms. Turin – absent. **(Motion carried 3-1)**

Chair McLaughlin asked Agency members if they agreed that a recommendation be made to the Town Administrator that the Town look at the possibility of a biological or endangered species type of assessment within the Town. Additionally, the Planning Division needed to create a GIS map reflecting some of the possible areas that the Town would need to look at when the next EAR was due. This would be performed in order to possibly obtain additional information on the tree inventory rather than providing a generalized number of trees. Vice-Chair Stevens and Mr. DeArmas agreed with the recommendation.

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

There was no new business discussed.

6. COMMENTS AND/OR SUGGESTIONS

Chair McLaughlin distributed invitations to a “Murder, Mystery & Mayhem event at the Old Davie School for February 8th. The event was sponsored by Soroptimist International of Davie.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 8:29 p.m.

Date Approved: _____

Chair/Agency Member