



**CITY OF COCONUT CREEK
PLANNING AND ZONING BOARD MINUTES**

**Government Center
4800 West Copans Road
Coconut Creek, FL 33063**

**Date: November 13, 2024
Time: 7:00 p.m.
Meeting No. 2024-1113**

1. CALL TO ORDER

The meeting was called to order by Chair Colleen LaPlant at 7:02 p.m.

2. PRESENT UPON ROLL CALL:

Colleen LaPlant, Chairperson
Jeffrey Barker, Vice Chairperson
Jeffrey Light
Nancy Fry, Alternate

ABSENT:

Solomon Briks
Alex Escoriaza

Deputy City Clerk Marianne Bowers advised that Solomon Briks and Alex Escoriaza had informed the City Clerk Department that they were unable to attend the meeting.

Also present: Deputy City Attorney Kathy Mehaffey, Assistant City Attorney Cassandra Harvey, Sustainable Development Director Justin Proffitt, Sustainable Development Assistant Director Lizet Aguiar, and Deputy City Clerk Marianne Bowers.

Deputy City Attorney Kathy Mehaffey noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

3. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S). (2024-0911 AND 2024-1001SP)

MOTION: Fry/Barker – To approve the Minutes of the September 11, 2024, Planning and Zoning Board meeting and the October 1, 2024, Special Planning and Zoning Board meeting, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

AGENDA ITEMS

- 4. LAND DEVELOPMENT CODE AMENDMENT: AN ORDINANCE ADOPTING THE IMPACT FEE STUDY ENTITLED, "CITY OF COCONUT CREEK IMPACT FEE STUDY," AND AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER**

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13, "LAND DEVELOPMENT CODE," TO UPDATE THE FIRE RESCUE AND LAW ENFORCEMENT IMPACT FEES, AND CREATE A NEW IMPACT FEE FOR PARKS AND RECREATION FACILITIES. (PUBLIC HEARING) (*RESCHEDULED FROM THE OCTOBER 9, 2024 PLANNING AND ZONING BOARD MEETING*)

Sustainable Development Director Justin Proffitt opened the presentation, providing a summary of the current impact fees and noting that the last update to the fees was in 2006. Mr. Proffitt introduced the City's consultant Nilgun Kamp, principal associate with Benesch, noting the firm's experience in this area. Ms. Kamp began a *PowerPoint* presentation, providing background information on the impact fees, the study, and the next steps for implementation. She stated the study reflected the most recent, localized data, including compliance with updated legal requirements. She highlighted that the funds could only be used for capital outlay, not for maintenance, replacement, or operations. She provided an overview of the 2006 Impact Fee Act and summarized the legislative updates to the Act in 2019, 2021, and 2024. Ms. Kamp explained that the study used a consumption-based methodology and described the calculations. She reviewed how the proposed fees compared to other municipalities.

Mr. Proffitt referred to the agenda backup documents, describing the proposed fees and the phase-in schedule, and noted how they had greatly expanded the land use categories. He summarized the draft ordinance and explained it had become significantly more complicated by successive State regulations. He acknowledged that residential impact fees were increasing and pointed out that impact fees were imposed on new development projects, as well as expansions and use changes that generated additional needs for City services. Mr. Proffitt described the changes and new requirements the ordinance would entail. He stated that staff was recommending approval of the Land Development Code amendment for the adoption of the new impact fee study and the updated impact fee program. He pointed out that the recommendation was for a maximum increase of no more than fifty percent (50%) phased in over a four (4) year period for the applicable land uses and noted some fees would actually decrease. He informed the Board that per State law, a new impact fee program, such as the proposed Parks and Recreation fee, was not subject to the fifty percent (50%) rule, and the total recommended fee could be adopted. Mr. Proffitt noted that after the Planning and Zoning Board made their recommendation, the proposed ordinance would move forward to the City Commission for final consideration. He stated that the updated impact fee program would begin ninety (90) days after adoption of the ordinance.

Board Member Nancy Fry asked what would qualify as an impact-generating shopping center project, seeking clarification if renovations to an existing plaza would trigger assessment of the fees. Ms. Kamp stated it would qualify only if the renovation added square footage. Ms. Fry asked about the application to accessory dwelling units, and Mr. Proffitt pointed out that the City currently did not allow accessory dwelling units so this would need to be addressed if that changed in the future. Ms. Fry asked about the parks and recreation impacts for the MainStreet development, and Mr. Proffitt noted that there was an exception for Developments of Regional Impact (DRI) and that the developer would be providing public park space as part of the development. Ms. Kamp added that the parks and recreation inventory was based on existing facilities, not proposed development.

Board Member Jeffrey Light asked who would pay the impact fees and when. Sustainable Development Assistant Director Lizet Aguiar described how impact fees were currently collected, noting that developers were made aware of the impact fees during the site plan approval process and the fees were required to be paid prior to the

issuance of a building permit. She noted that currently, the fees were based on square footage and the new calculation would be based on units. Ms. Aguiar described how the phasing would work. Mr. Light asked why this was not done through ad valorem taxes, and Ms. Kamp responded that this was a way for new development to contribute to the City's service costs based on the impact of the project instead of being subsidized by the entire community through property taxes. Mr. Proffitt stated this ensured that development contributed its fair share for the City to maintain its level of service.

Vice Chair Jeffrey Barker asked when this would be implemented, and Mr. Proffitt stated that the phase one fees would begin ninety (90) days after ordinance adoption.

Chair Colleen LaPlant was concerned that the fees had not been adjusted since 2006 and asked how Parks and Recreation facilities had been funded prior. Mr. Proffitt explained there had been a park dedication requirement in the Code, but it needed to be updated to comply with State law. He noted this proposed ordinance would repeal that section of Code and replace it with the parks and recreation impact fee. Discussion ensued regarding fire and law enforcement impact fees and the increases and decreases proposed for various land uses. Chair LaPlant asked for clarification on new infrastructure for parks and recreation facilities, and Mr. Proffitt confirmed that the impact fees could not be used for maintenance of existing facilities but only for new facilities. Discussion ensued regarding the timeline for implementation and potential projects that would be assessed the updated impact fees.

Chair LaPlant opened the public hearing on the item. There were no questions or comments from the public, and Chair LaPlant closed the public hearing.

MOTION: Fry/Barker – To recommend approval of Agenda Item 4, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

5. COMMUNICATIONS AND REPORTS

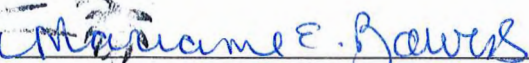
Chair LaPlant commented on the construction of the Mazda dealership on Sample Road, noting it looked great. Ms. Aguiar stated the developer was still working on sidewalk and landscape improvements along Sample Road, highlighting that the finished site would include more improvements.

Mr. Proffitt announced that Ms. Aguiar had been promoted to Sustainable Development Assistant Director and shared that she would take his place as the Planning and Zoning Board liaison. Deputy City Attorney Mehaffey introduced Cassandra Harvey, the new Assistant City Attorney.

6. ADJOURNMENT

The meeting was adjourned at 7:51 p.m.




Marianne E. Bowers, CMC
Deputy City Clerk

12/11/24
Date