



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

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

**Date: December 14, 2022
Time: 7:00 p.m.
Meeting No. 2022-1214**

1. CALL TO ORDER

The meeting was called to order by Chair Doug Young at 7:00 p.m.

2. PRESENT UPON ROLL CALL:

Chair Doug Young
Vice Chair Thomas Casey
Jeffrey Barker
Corinne Lajoie
Colleen LaPlant, Alternate

Also present: Deputy City Attorney Kathy Mehaffey, Sustainable Development Director Scott Stoudenmire, Sustainable Development Assistant Director Justin Proffitt, Principal Planner Lizet Aguiar, Sustainability Manager Linda Whitman, and Deputy City Clerk Marianne Bowers.

Deputy City Clerk Bowers noted for the record that Board Member Steven Hall had submitted a letter of resignation earlier in the week.

Chair Young noted that the meeting was being conducted live with a quorum physically present, and Deputy City Attorney Kathy Mehaffey explained the procedures for public participation and comment for the meeting.

3. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S) (2022-0914).

MOTION: LaPlant/Casey – To approve the Minutes of the September 14, 2022, Planning and Zoning Board Meeting.

Upon roll call, the Motion passed by a 5-0 vote.

AGENDA ITEMS

- 4. *LAND DEVELOPMENT CODE AMENDMENT:** AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 4, "FEE SCHEDULES," SECTION 13-84, "NONREFUNDABLE BUILDING PERMIT FEES," TO UPDATE LANDSCAPING FEES; AND AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 4, "ACCESSORY USES AND STRUCTURES," SUBDIVISION IV, "LANDSCAPE STANDARDS AND REQUIREMENTS," IN ITS ENTIRETY TO UPDATE DEFINITIONS,

IMPLEMENT STATE LAW REQUIREMENTS FOR TREE REMOVAL, AND UPDATE REQUIREMENTS, PROCEDURES AND LANGUAGE TO ELIMINATE CONFLICT AND DUPLICATION AND IMPROVE USER FRIENDLINESS AND IMPLEMENTATION (PUBLIC HEARING)

Chair Young read the item into the record.

Sustainable Development Assistant Director Justin Proffitt provided a *PowerPoint* presentation, reviewing proposed changes to two (2) sections of the City's Land Development Code related to landscape standards. He stated the Code sections had not been updated in a significant manner since 2010, and best practices had changed over that time.

Board Member Corinne Lajoie highlighted the language surrounding artificial turf. She stated based on the limitations included in the amendment, it appeared the turf would be intended as an accent, rather than as a large yard area, and asked whether it was being considered completely impervious. Mr. Proffitt noted the City did not currently allow artificial turf. He explained the team had worked with the Utilities and Engineering Department to research how the materials worked and found that they may become impervious over time. He stated staff did not want to prohibit the material, but wanted to manage it, permit it, and treat it as hardscape. Discussion continued regarding artificial turf uses and variances.

Ms. Lajoie inquired regarding the change in tree removal permit expiration from two (2) years to 90 days. Sustainability Manager Linda Whitman stated there was an option to extend the permit and explained staff had found the longer time was leading to issues. Ms. Lajoie asked for clarification on what was considered a large tree. Ms. Whitman outlined the categories of trees and discussed soil parameters. Discussion continued regarding categorization of specific trees.

Board Member Colleen LaPlant expressed concern regarding issues that large oak trees had caused in her neighborhood on the north side of the City. She asked the requirements associated with containing roots. Ms. Whitman responded and noted it was always recommended to put in root barrier systems at the time of planting to minimize impacts. Ms. LaPlant commented on the potential for resident confusion due to the varied requirements of different zoning districts. Ms. Whitman clarified that planned unit developments were required to follow the original site plan approved landscaping as filed with the City.

Board Member Jeffrey Barker asked whether there had been input solicited from the public or from landscape architects as part of the development of the changes. Ms. Whitman discussed the process, which included review of minimum requirements included in the County Code, review of the codes of other municipalities in the County, and input from Urban Forestry Professionals.

Mr. Barker asked for clarification on the impacts of the changes to State law related to landscaping for single family homes. Deputy City Attorney Mehaffey explained the provisions under the revised State law, including the restrictions and definitions associated with identifying and documenting a tree as an imminent threat. Mr. Barker commented that, as neighborhoods age, the trees which were originally planted become a nuisance. He asked whether there was a provision within the Code to allow homeowners to take that type of tree down and replace it with something more appropriate. Ms. Whitman discussed potential scenarios and the processes involved with

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each scenario.

Mr. Barker inquired as to the maximum number of trees required on a lot within the Code. Ms. Whitman explained the equation used to determine the quantity and provisions within the amendment to make recommendations for practical implementation.

Mr. Barker commented on the artificial turf provisions added to the Code, noting he thought that people should be allowed to use it in their backyards and not have it treated as hardscape. Ms. Whitman explained the City had not previously allowed artificial turf. She discussed the concerns of the Utilities and Engineering Department related to drainage as well as the climate impacts and aesthetic considerations associated with the plastic used in artificial turf. Discussion ensued.

Mr. Barker asked how the changes would be applied to new projects. Mr. Proffitt explained that applications submitted prior to second reading would typically be subject to the old Code, and applications after that time would utilize the updates. Deputy City Attorney Mehaffey noted the amendment did not include language which would indicate otherwise. Discussion ensued regarding the form of the Board's recommendations to the City Commission.

Chair Young asked for clarification on changes to landscape islands in parking lots. Deputy City Attorney Mehaffey noted the amendment would correct an inconsistency in the number of parking spaces which would trigger the requirement. Ms. Whitman provided additional detail. Discussion ensued regarding the Palm Pruning and Abuse Diagram, and Ms. Whitman noted staff would clarify the diagram before the amendment proceeded to the City Commission.

Chair Young asked for clarification on whether the arborist mentioned in reference to tree removal was the City Arborist and noted the cost associated with hiring an arborist. Ms. Whitman explained the reference was not to the City Arborist but stated consultation with the City Arborist would be helpful. Discussion continued regarding the requirements for tree removal under State law.

Chair Young inquired as to the fee for tree removal and how long it takes to get a permit. Ms. Whitman stated there was no cost for a single family residence and the process was typically completed within a week. Chair Young commented on the \$500 fine for tree removal without a permit and asked how residents would be informed. Ms. Whitman explained the increase was purposeful as a deterrent. She noted staff would highlight the information on social media.

Mr. Barker asked for clarification on the waiver procedure. Ms. Whitman stated the procedure and process had not been solidified. Deputy City Attorney Mehaffey noted waivers were addressed on page 65 of the draft ordinance and were typically approved by the Director of Sustainable Development with the goal to make them a simple and reasonable process for the homeowner.

Chair Young commented on landscaping in various locations in the City and the need for additional maintenance. Ms. Whitman stated she would follow up on the concerns with staff as appropriate.

Chair Young opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

Mr. Barker suggested the Board consider recommending to the Commission language making artificial turf subject to a waiver process if the property owner addressed drainage concerns and allowing for the removal of trees for aesthetic considerations. Discussion ensued regarding the existing requirements for tree removal, the subjectivity of aesthetics, how to provide for a potential waiver process, and alternate drainage considerations for artificial turf. Sustainable Development Director Scott Stoudenmire stated staff would evaluate a waiver process for artificial turf, but it would need to involve the expertise of the Utilities and Engineering Department. He noted some of the most serious Code Enforcement issues in the City have had to do with damage caused by drainage.

MOTION: Barker/LaPlant – To recommend the City Commission consider a waiver opportunity for artificial turf areas in the backyard.

Upon roll call, the Motion passed by a 5-0 vote.

MOTION: Barker/Lajoie – To recommend the City Commission consider a waiver opportunity providing a nuisance criterion for tree removal.

Upon roll call, the Motion passed by a 5-0 vote.

MOTION: Barker/Casey – To recommend approval of Agenda Item 4, Land Development Code Amendment, with the recommendations as discussed.

Upon roll call, the Motion passed by a 5-0 vote.

5. COMMUNICATIONS AND REPORTS

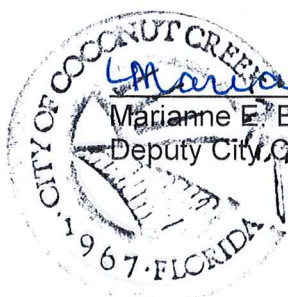
Mr. Proffitt wished everyone happy holidays and shared that 2023 would be a busy year for development in the City of Coconut Creek.

Ms. Whitman shared that the next meeting of the Ambassador Program would be held on January 12, 2023, which would include a presentation on the City's vulnerability assessment. She invited the Board members to attend, noting the meeting would be the beginning of an education effort associated with climate issues in the City.

Deputy City Attorney Mehaffey reminded the Board members that all of the applications associated with the MainStreet project would be coming before the Planning & Zoning Board and were covered under Sunshine Law. She briefly discussed the requirements for ex-parte communications and disclosures regarding the applications.

6. ADJOURNMENT

The meeting was adjourned at 8:26 p.m.



Marianne E. Bowers
Marianne E. Bowers, CMC
Deputy City Clerk

3/8/23
Date