



**CITY OF PARKLAND
PLANNING AND ZONING BOARD
THURSDAY, APRIL 6, 2017 – 6:00 PM
6600 UNIVERSITY DR
PARKLAND, FL 33067**

I. CALL TO ORDER

1. Pledge
2. Roll Call

II. MINUTES APPROVAL

1. PLANNING AND ZONING MAR 27, 2017 6:00 PM

III. COMMENTS FROM THE PUBLIC

IV. COMMENTS BY THE CHAIR

V. APPROVAL OF AGENDA

VI. PUBLIC HEARING

A. New Business

1. **CONSIDERATION OF A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, APPROVING COMMUNITY APPEARANCE AND SITE PLAN AMENDMENT APPROVAL FOR A RETAIL ESTABLISHMENT IN THE SHOPPES OF PARKLAND COMMERCIAL CENTER LOCATED ON THE WEST SIDE OF STATE ROAD 441, NORTH OF HILLSBORO BLVD., AND PROVIDING FOR AN EFFECTIVE DATE. CASE NUMBERS: SPA17-003 AND CAB17-003.**

Staff is requesting to table the item to the May 11, 2017 meeting.

2. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMITTAL, PROCESSING, AND ISSUANCE OF ANY PERMIT FOR LOCATION OF WIRELESS COMMUNICATION FACILITIES AND TELECOMMUNICATION TOWERS AND ANTENNAS FOR A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS FROM THE DATE OF ADOPTION OF THIS ORDINANCE; PROVIDING FOR THE GEOGRAPHIC AREA COVERED; PROVIDING FOR THE DURATION OF MORATORIUM AND EXTENSION THEREOF; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

VII. COMMENTS FROM THE PLANNING & ZONING DIRECTOR

VIII. COMMENTS FROM THE BOARD

IX. ADJOURNMENT

NEXT MEETING – MAY 11, 2017

Please be advised that if a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matters considered at such hearing or meeting, he will need a record of the proceedings, and for such purpose he will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based.

Members of the City of Parkland City Commission are permitted to and may attend meetings of the Planning and Zoning Board. They are also permitted, within the discretion of the Chair, to present comments to the Planning and Zoning Board during any portions of the meeting, which are open to the public.

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the City Clerk no later than two (2) days prior to the meeting at (954) 757-4132 for assistance.



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING & ZONING BOARD**

CITY OF PARKLAND

STAFF REPORT

Meeting: Thursday, April 6, 2017

Agenda Item: 6.A.1

PETITION NO. SPA17-003; CAB17-003

SHORT TITLE: Community Appearance and Site Plan Amendment approval for Mod Pizza

SUBMITTED BY: Michele Mellgren

SPONSOR:

DEPARTMENT: Planning and Zoning

ORIGIN OF REQUEST:

BACKGROUND & PURPOSE:

I. Petition Description

Owner, Petitioner:

Request:

Location:

Land area:

Public notice:

- II. **Land Use and Zoning**

- III. **Background**

- IV. **Staff Analysis**

- V. **Applicable City Code Provisions**

- VI. **Applicable Comprehensive Plan Policies**

- VII. **Staff Recommendation**

- VIII. **Planning and Zoning Board Recommendation (INSERT DATE)**



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING & ZONING BOARD**

CITY OF PARKLAND

Meeting: Thursday, April 6, 2017

STAFF REPORT

Agenda Item: 6.A.2

PETITION NO. ORD 2017-03

SHORT TITLE: Moratorium on Cell Towers

SUBMITTED BY: Jean Panebianco

DEPARTMENT: Planning and Zoning

SPONSOR:

ORIGIN OF REQUEST:

BACKGROUND & PURPOSE:

WHEREAS, the City of Parkland, Florida provides municipal services to its citizens, including regulation and licensing of businesses and issuance of permits; and

WHEREAS, the City of Parkland is currently reviewing its wireless telecommunications ordinances relating to towers, antennas and similar facilities to protect the public health, safety and welfare; and

WHEREAS, the City is considering revised regulations with regards to said Facilities to ensure that various City ordinances comply with applicable federal and state laws including regulations relating to direct broadcast satellite dishes and amateur radio antennae; and

WHEREAS, 47 U.S.C. Section 332(c)(7), which regulates local government zoning authority over personal wireless service facilities, provides that local governments maintain the authority to regulate the placement, construction, and modification of personal wireless service facilities, but prevents local governments from unreasonably discriminating among providers of functionally equivalent services; and

WHEREAS, the State of Florida has adopted legislation codified as Section 337.401, F.S., which regulates the placement of telephone, telegraph, or other communication service lines or poles within the public rights-of-way and regulations regarding same; and

WHEREAS, proposed SB 596 creates the “Advanced Wireless Infrastructure Deployment Act”; prohibiting the Department of Transportation and local governmental entities, from prohibiting, regulating, or charging for the collocation of small wireless facilities in public rights-of-way or the installation, placement, maintenance, or replacement of certain micro wireless facilities; and

WHEREAS, new wireless technologies may require improvements that have not been contemplated by the City in the management and control of the City’s public rights-of-way and in the private use of personal wireless technologies; and

WHEREAS, the City Commission and staff have noted the potential for rapid deployment of such wireless communication facilities and the need for time to review, consider, and modify the processes for adoption and implementation of regulations pertaining to the deployment of such wireless communication facilities and telecommunication towers and antennas generally and in the public rights-of-way and to evaluate the extent that the existing regulations are effectively regulating the deployment of such facilities; and

WHEREAS, the ordinance is adopted pursuant to the City’s Home Rule Powers as set forth in Florida Statute Chapter 166; and

WHEREAS, during the temporary moratorium period, the Commission directs that the City staff expeditiously study and develop a comprehensive strategy, for the Commission’s consideration appropriate amendments to City of Parkland Code of Ordinances and the City’s Land Development Code to ensure compliance with state and federal law relating to

telecommunication facilities as described above;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA:

Section 1. The WHEREAS clauses are incorporated herein, are true and correct, and represent the Commission's legislative findings and intent regarding the necessity of a temporary moratorium.

Section 2. During the time the temporary moratorium is in effect, the City will not accept applications for permits to place or maintain any communications facility in the City of Parkland.

Section 3. The temporary moratorium established in this ordinance shall be effective in the corporate and municipal boundaries of the City of Parkland.

Section 4. The temporary moratorium set forth in this ordinance shall take effect immediately upon the effective date of this ordinance and shall terminate one hundred eighty (180) days after the said effective date. The City will accept no applications of any form nor issue any permits of any form relating to the placement or installation of wireless communication facilities and telecommunication towers and antenna as defined by law, generally or within the City's rights-of-way, in order to allow staff time to undertake a thorough analysis of the City's current regulations, State and Federal laws and to carefully review, consider, and process for adoption and implementation, reasonable non-discriminatory rules and regulations regarding same. The City Commission may extend the temporary moratorium established in this ordinance by enactment of an ordinance one (1) time for a period not to exceed ninety (90) days upon a finding by the City Commission set forth in the ordinance that the problems giving rise to the need for the temporary moratorium established herein continue to exist.

Section 5. That should any section or provision of this ordinance or any portion thereof any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. That this ordinance shall become effective immediately upon its passage on second and final reading.