



**BOARD MEETING OF THE PLANNING AND ZONING BOARD -
MINUTES
Thursday, July 13, 2017 at 6:00 PM**

I. CALL TO ORDER

Pledge

Chairman Murray Zweig led the Pledge of Allegiance

Roll Call

Present were:

Lynne Fenoglio	Board Member
Murray Zweig	Chairman
Gina Stephens	Board Member
Anthony Avello	Board Member
Joel Kaplan	Board Member
Nathaniel Klitsberg	Board Member
John Willis	Board Member
Bob Robes	Alternate Board Member

Absent were:

Andrew Klein	Alternate Board Member
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Others Present were:

Andrew Maurodis	City Attorney
Anthony Soroka	Attorney
Michele Mellgren	Planning & Zoning Director
Jean Panebianco	Planning & Zoning Board Secretary

II. MINUTES APPROVAL

Planning and Zoning Board - Board Meeting - Jun 8, 2017 6:00 PM

REGULAR PLANNING AND ZONING BOARD MINUTES

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RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Lynne Fenoglio, Board Member
SECONDER:	Gina Stephens, Board Member
AYES:	Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis, Robes
ABSENT:	Klein

III. COMMENTS FROM THE PUBLIC

None

IV. COMMENTS BY THE CHAIR

Director Michele Mellgren states that all items shown on the agenda as "staff requesting to table" is asking the Board to make a motion to defer to a date certain of August 10, 2017.

V. APPROVAL OF AGENDA

Motion to approve agenda

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis, Robes
ABSENT:	Klein

VI. PUBLIC HEARING

A. LOCAL PLANNING AGENCY - NEW BUSINESS

- 1. ORDINANCE APPROVING REZONING AND MASTER PLAN FOR MCJUNKIN FARMS** Consideration of an Ordinance of the City Commission of the City of Parkland, Florida, amending the official zoning map of the City of Parkland by rezoning approximately 151.72 acres located on the south side of Loxahatchee Road and immediately west of Parkside Drive, from Palm Beach County agricultural residential district and Broward County Agricultural estate district to City of Parkland Planned Residential Development District ("PRD") for 349 detached single-family homes and 106 attached single-family villas; approving the property master plan also known as "McJunkin Farms"; providing for conflict; providing for severability; and providing for an effective date. Case numbers: MP16-002; RZ16-002. Ordinance 2017-06.

Board Member John Willis made a motion to defer to a date certain of August 10, 2017.

RESULT: TABLED [UNANIMOUS]
MOVER: John Willis, Board Member
SECONDER: Anthony Avello, Board Member
AYES: Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis
ABSENT: Klein
NOT REQUIRED: Robes

VII. PLANNING & ZONING BOARD - NEW BUSINESS

1. **VARIANCE APPROVAL FOR EXTENSION OF TIME TO REMOVE NUISANCE VEGETATION FROM MCJUNKIN PARCEL** Consideration of a Resolution of the City Commission of the City of Parkland, Florida, approving a Variance request from Sec. 95-1010.C.(h) to extend the time that nuisance vegetation must be removed on the site known as McJunkin Farms, from the time of lot clearing to the time that the existing vegetation no longer provides adequate screening against the site immediately south; located on the south side of Loxahatchee Road, immediately west of Parkside Drive; providing for an effective date. Case Number: V17-001.

Board Member John Willis made a motion to defer to a date certain of August 10, 2017.

RESULT: TABLED [UNANIMOUS]
MOVER: John Willis, Board Member
SECONDER: Joel Kaplan, Board Member
AYES: Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis
ABSENT: Klein
NOT REQUIRED: Robes

2. **RESOLUTION APPROVING A PLAT FOR AN AGE-RESTRICTED COMMUNITY KNOWN AS MCJUNKIN FARMS** Consideration of a Resolution of the City Commission of the City of Parkland, Florida, approving a subdivision plat for 349 detached single-family homes and 106 attached single-family villas, in an age-restricted community known as McJunkin Farms, located on the south side of Loxahatchee Road, immediately west of Parkside Drive; providing for an effective date. Case number: PL16-001.

Board Member John Willis made a motion to defer to a date certain of August 10, 2017.

RESULT: TABLED [UNANIMOUS]
MOVER: John Willis, Board Member
SECONDER: Joel Kaplan, Board Member
AYES: Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis
ABSENT: Klein
NOT REQUIRED: Robes

3. **RESOLUTION APPROVING SITE PLAN FOR 349 SINGLE FAMILY HOMES AND 106 VILLAS AT MCJUNKIN FARMS** Consideration of a Resolution of the City Commission of the City of Parkland, Florida, approving a site plan for 349 detached single-family homes and 106 attached single-family villas in an age-restricted community known as McJunkin Farms; located on the south side of Loxahatchee Road, immediately west of Parkside Drive; providing for an effective date. Case number SP16-005.

Board Member John Willis made a motion to defer to a date certain of August 10, 2017.

RESULT: TABLED [UNANIMOUS]
MOVER: Andrew Klein, Alternate Board Member
SECONDER: Joel Kaplan, Board Member
AYES: Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis, Klein
NOT REQUIRED: Robes

4. **"ZONING IN PROGRESS" REGARDING MEDICAL MARIJUANA TREATMENT CENTERS** Consideration of a Resolution of the City Commission of the City of Parkland, Florida, imposing "Zoning-In-Progress" regarding medical marijuana treatment centers and dispensaries for a period of ninety days from the date of the adoption of this resolution; providing that while "Zoning in Progress" is in effect, the City staff shall not accept nor process applications that would result in a development order being issued for medical marijuana treatment centers or dispensaries; and providing for an effective date. Resolution number: 2017-62.

Attorney Andy Maroudis explained to the Board that at the end of June the Government signed new legislation for medical marijuana. The good news is that it permits local governments to totally prohibit medical marijuana dispensaries. The not-so-good news is if it is your desire to not totally prohibit it, but to allow these dispensaries in certain areas and regulate them, if you choose to allow even one in, then the regulations that you adopt have to be no more restrictive than your regulations for a pharmacy. So you are left with a choice of complete prohibition or regulation in the same manner as a CVS or Walgreens. Maroudis wants to enact a "Zoning-In-Progress" which allows us time to craft an Ordinance. Since there is two ways to go, we will need direction from the Commission that is compliant with the new statutes.

Board Member Tony Avello made a motion to approve. Board Member Lynne Fenoglio seconded the motion. Motion passed unanimously (7-0)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anthony Avello, Board Member
SECONDER:	Lynne Fenoglio, Board Member
AYES:	Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis
ABSENT:	Klein
NOT REQUIRED:	Robes

5. **PARKLAND TELECOM RIGHT OF WAY ORDINANCE** Consideration of an Ordinance of the City Commission of the City of Parkland, Florida, amending article 105 of the City's Land Development code regarding communications facilities in rights-of-way regulations; providing and amending definitions of terms; providing for uniform, nondiscriminatory standards to prevent overcrowding, proliferation and saturation of City Rights of Way, including standards related to stealth design, protection of residential properties, and equipment location and size; providing for the encouragement of collocation of communications facilities; providing regulations for small wireless facilities; providing a severability clause; providing for an effective date. Ordinance number: 2017-07.

Attorney Anthony Soroka provided background information regarding Florida House Bill 687, Advance Wireless Infrastructure Deployment Act (the "Act") which was signed by the Governor in June. The Act primarily deals with the installation of small wireless facilities, which are defined to include facilities where each antenna is capable of fitting into an enclosure of no more than 6 cubic feet, and the associated equipment is no more than 28 cubic feet in volume. Soroka explained that this is only on communication facilities in right-of-ways, not on private property. There is a new review process to approve or deny within 60 days and you have to let them know in 14 days if it is complete. A basis for denial is if it interferes with traffic control, ADA requirements, or if it fails to meet our applicable building code requirements. Although we cannot tell them where to put them, we can make sure that its property screened. The City can only charge \$150 per pole annually. This Ordinance amends the City's Land Development Code to revise the City's communications facilities in rights-of-way regulations to provide for reasonable regulations and standards for such facilities in compliance with the recently amended state law.

Board Member John Willis made a motion to approve. Board Member Tony Avello seconded the motion. Board voted unanimously (7-0).

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Willis, Board Member
SECONDER: Anthony Avello, Board Member
AYES: Fenoglio, Zweig, Stephens, Avello, Kaplan, Klitsberg, Willis
ABSENT: Klein
NOT REQUIRED: Robes

VIII. COMMENTS FROM THE PLANNING & ZONING DIRECTOR

Director Michele Mellgren announced our next meeting will be August 10, 2017.

IX. COMMENTS FROM THE BOARD

None

X. ADJOURNMENT

Meeting adjourned at 6:58 p.m.

Transcribed and submitted by:

Board Secretary, Jean Panebianco

ATTEST:

Chairman, Murray Zweig

The above signature is the Planning and Zoning Board Secretary for the City of Parkland, Florida and the information provided herein are the Minutes of the Planning and Zoning Board held Thursday, July 13, 2017, which were formally approved and adopted by the Planning and Zoning Board on August 10, 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 TO BE BASED. (FLORIDA STATUTE 286.0105)

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 48 HOURS PRIOR TO THE MEETING AT (954) 757-4132 FOR ASSISTANCE.