



### City Commission

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Joseph J. Kavanagh

## REGULAR MEETING OF THE PLANNING AND ZONING BOARD MINUTES

**Tuesday, January 8, 2019**

**7:00 PM**

City of Margate  
Municipal Building

### PRESENT:

Todd E. Angier, Chair  
Richard Zucchini  
August Mangeney  
Mr. O'Neill

### ALSO PRESENT:

Julie F. Klahr, Interim City Attorney, Goren, Cherof, Doody & Ezrol, P.A.  
Robert Massarelli, AICP, Director Development Services

The regular meeting of the Planning and Zoning Board of the City of Margate, having been properly noticed, was called to order by Chair Todd Angier at 7:00 p.m. on Tuesday, January 8, 2018. A roll call of the Board members was done followed by the Pledge of Allegiance.

### 1) NEW BUSINESS

*ID 2018-725*

### 2A) AMENDMENTS TO APPENDIX A ZONING, ARTICLE XXXIX SIGN CODE, SECTION 39.7 TEMPORARY SIGNS (GRAND OPENING SIGNS)

Andrew Pinney, Senior Planner gave a brief presentation explaining the ordinance which will amend the grand opening sign regulations. He stated that this was a directive to staff from the City Commission. He explained that presently the code limits businesses and residential developments a sixty (60) day window in which to apply for their grand opening signage, saying that this ordinance seeks to expand the window of eligibility period of when a person can apply. Mr. Pinney also said that this will also offer new opportunities, adding language to the residential section for when an apartment development receives a new business tax receipt, they can advertise "grand opening" or "under new management"; and for non-residential, it will allow a person to apply for grand opening signage with the application of a new fictitious name. He mentioned the current language versus the proposed language which brings it from sixty (60) days to three hundred and sixty-five (365) days, as well as adding the new event

### Development Services Department

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which qualifies for a local business tax receipt. Mr. Pinney stated that this was at the direction of the City Commission and staff is recommending approval.

Mr. Mangeney, asked when the 365 days will begin. Mr. Pinney responded that on the non-residential it will start with the issuance of the business tax receipt or date of a transfer of business tax receipt or fictitious name registration.

Mr. Zucchini, commented that he was surprised that an adjustment of length of display wasn't asked for.

Mr. Angier, asked if a business could be open for a year before they have their grand opening? Mr. Pinney responded "yes". Mr. Angier stated that this does not sound like a grand opening. Mr. Massarelli explained that one of the issues that happens is that a business will come in and apply for a business tax receipt and then will begin to make improvement to the space that they are using and six months later when they are finished with the renovations are now ready to open and have now missed the sixty-day period to apply. He stated that staff does not see an issue with them applying for a grand opening a year after they open. Mr. Massarelli said that he felt one-year would be a reasonable time to allow a business to complete the renovations and have a grand opening.

Mr. Mangeney, asked if a business could apply only once within the year or can they have another one? Mr. Pinney responded that a business would only one within the three hundred and sixty-five days unless there is another triggering event such as a sale of the business or a name change.

Mr. Zucchini made the following motion, seconded by Mr. O'Neill:

**MOTION:** TO APPROVE AMENDMENTS TO APPENDIX A ZONING, ARTICLE XXXIX SIGN CODE, SECTION 39.7 TEMPORARY SIGNS (GRAND OPENING SIGNS) AS WRITTEN.

**ROLL CALL:** Mr. O'Neill, Yes; Mr. Mangeney, Yes; Mr. Zucchini, Yes; Mr. Angier, Yes. The motion passed with a 4-0 vote.

ID 2018-726

#### 1B) COMPREHENSIVE PLAN UPDATE

Robert Massarelli, Development Services Director, gave a PowerPoint Presentation with an update on the Comprehensive Plan. He said that this will be a busy year discussing the Plan, in which there will be discussions on various topics. He said that this evening's presentation will be on the approach that the City will be taking in developing, and how the plan will be structured. He stated that the approach will be different from every city in the State of Florida. Mr. Massarelli explained that there still needs to be coordination with the Broward County Planning Council, South Florida Regional Planning Council,

and the State Office of Economic Opportunity, because they will all need to approve the Comprehensive Plan.

Mr. Zucchini asked if the board will be working with South Florida Water Management District? Mr. Massarelli responded that South Florida Water Management will be a reviewing agency, in which they will be reviewing the document but they are limited to what is within their regional interest.

Mr. Massarelli continued with his presentation titled "Margate 2.0". He stated that as discussed in the past, Margate is essentially built-out, with very few lots that are greenfield and/or vacant, therefore the city is now looking at re-development. He discussed the history of Margate and how it started with a plan in 1957. He said that in 1973 the plan included mass transit, a downtown area, buildings close to the street, and crosswalks over the traffic lanes for pedestrians to access both sides. The vision for Margate in 1973 was new urbanism and the pattern of the city being established with the commercial corridors and residential. Mr. Massarelli said that the major adoption of the Comprehensive Plan was in 1989 and had a variety of elements. In 2007 the Transit Oriented Corridor (TOC) was being proposed at Broward County, explaining that Broward is a chartered County and that Margate needs to be consistent with Broward County's Comprehensive Plan and if the City is not consistent then the County's Comprehensive Plan will control. He said that Margate's plan will be reviewed by the County as it goes through the adoption process, and if amendments are needed to their plan then Margate can propose that to the County. He stated that the pattern of the City has remained consistent since the 1970's with some changes within the industrial, but the overall pattern has been constant. Mr. Massarelli stated his assessment over the years is that there were a series of elements that were revised, but some major elements were not revised at all, with some things remaining in the document that are over thirty (30) years old. He explained that everything has changed over those thirty years, from the public's awareness of climate change, traffic congestion, and the impacts on water resources and how much water is available for use. He stated that there has also been a failure to evaluate the plan's success, and that within the Comprehensive Plan Statute it requires an evaluation and appraisal report every seven years. He went on to explain that there are 27 goals, 94 objectives, and 384 policies. He said that there are no defined implementation strategies and no schedule of implementation, with a limited definition of responsibilities. Mr. Massarelli stated that his conclusion is the City has failed to implement the various Comprehensive Plans that have been adopted. He said that some of the issue is with the State Statute which requires having 7 elements of the Comprehensive Plan, explaining that there is an 8<sup>th</sup> element for Public School Systems which has now weakened in the Community Planning Act. The elements are: Land Use, Transportation, Infrastructure, Recreation and Open Space, Housing, and Intergovernmental Coordination. He stated that each of the required 7 elements have their own sets of goals, objectives, and policies. Mr. Massarelli went on to discuss the changing conditions with development over the last 30-40 years, stating that during the 1960's and 1980's there was greenfield, in the 1990's there was infill, and today is redevelopment. He

discussed the changing conditions of retail and transportation. Mr. Massarelli stated that change requires a new approach saying that the strategy going forward will be focused on the implementation. He explained that they need to identify and prioritize key issues, identify related objectives and policies, identify implementation strategies, and consolidate objectives and policies by element. He said that the rational is the key issues which focuses on the plan and what needs to be addressed, and to create a practical list of tasks to be done. He explained the rational and the justification, referencing three sections of the Florida Statutes: Chapter 163.3161(2) F.S., 163.3167(1)(c) F.S., and 163.3168(1) and (2) F.S. which discusses implementation. Mr. Massarelli said that Margate 2.0 will be set up where the first half will focus on the key issues and the second half will focus on each element. He went on to state that the path forward will focus on community input sessions, enhanced public involvement, community surveys, public workshops, and public hearings. He explained that the staff has been working with the consultant putting together the work plan for public involvement, which will begin soon. Mr. Massarelli mentioned the work that the City is doing with Buxton and explained the service they are providing for Margate. He then asked the board if they have any questions for him.

Mr. Zucchini commented on the vision from 1973, stating that the city failed to use that vision or the vision was wrong. He said that the City has to be careful in developing and enforcing a vision that could be wrong, and at the same time we need to be careful in creating a vision that is not so detailed and/or encompassing. Mr. Massarelli stated that the 1973 vision could have been wrong or just ahead of its time, or it could have been lack of implementation.

Mr. Angier stated that whoever put the vision together in 1973 had an idea of what they wanted the City to look like and how it would be developed, and that whoever was responsible for holding true to that vision failed to do their job. He said that the redevelopment process can now be easier once a new vision is agreed upon by everyone.

Mr. Zucchini said that we would have to be sensitive to the City's demographic. He does not believe that the vision from 1973 didn't fail due to lack of enforcement, it failed because it was not the right vision for the City's demographic.

Mr. Massarelli asked the board if the plan should be structured to evaluate issues and accomplishments every five years?

Mr. Angier responded that there are other more important issues to deal with now, such as traffic, water, and residential density.

Mr. Zucchini recommended having guest speakers from transportation, water management, and other city planners to assist with creating a vision.

Mr. Mangeney agrees that this is a great strategy.

Mr. Massarelli said that this will be a busy year with a lot of things to cover, and the next meeting will focus on public involvement along with the upcoming schedule of events. He stated that he encourages the board to attend the public meetings but cautions them to not participate, meaning that it is important for the board to hear what the community is saying, however, there should be no guidance or influence from the board members to the public.

## 2) **DIRECTOR'S REPORT**

Mr. Robert Massarelli, Director Development Services began his report by complimenting his staff for the work they have been doing. He then informed the board that Melissa Miller has been elected Treasurer to the Gold Coast Chapter of Business Tax Officials, saying that he encourages his staff to get involved with professional organizations. He said that both Bob Meehan and Alexia Howald recently attended the APA (American Planning Association) conference, and both him and Andrew Pinney will be going to San Francisco in April for the National Planning Conference. He went on to give an update on the Celebration Pointe Plat Note Amendment that will be going in front of the board. He then mentioned the following upcoming projects: a proposed medical building at Penn Dutch Plaza, Site Plan for additional parking located at 777 South State Road, Special Exception for a drive-through at Dunkin Donuts, new construction of a Popeye's Restaurant located just south of Nuvo Storage. He said that there seems to be an uptick of interest in Margate, which is a good sign for the City. Mr. Massarelli said that Marquesa will be coming in front of the board for a plat and staff has been advised by the City Attorney that their parking goes under the old code. He stated that there is forty-thousand dollars (\$40,000.00) in the budget for professional services which will be used to hire a consultant to help staff work on the land development code revisions, saying that the Comprehensive Plan will be completed in a transmittal hearing form. He then informed the board of the recently approved Ear-Based Amendments, that they have been approved by the State; he explained that the Comprehensive Plan cannot be amended until those amendments get approved.

## 3) **GENERAL DISCUSSION**

Mr. Angier congratulated staff and wished everyone a Happy New Year.

There being no further business, the meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Prepared by Melissa M. Miller

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Todd E. Angier, Chair