



MINUTES OF THE CITY OF MIRAMAR PLANNING AND ZONING BOARD MEETING

OCTOBER 14, 2025

6:30 P.M.

A meeting of the Planning & Zoning (P&Z) Board was called to order by Member Dixon on Tuesday, October 14, 2025, at 6:39 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

I. ROLL CALL

The following members of the Planning & Zoning Board were present:

Marcus Dixon
Wayne Lomax
Sheryl-Ann Mullings
Vivian O. Walters, Jr.
Bobbie Jones-Wilfork
Annette Payne

The following members of the Planning & Zoning Board were absent:

Matthew Thompson, Chairperson (Excused)
Mary Lou Tighe, Vice Chairperson (Excused)
Anneline Carter
Hobel Florido

A quorum was achieved.

The following City staff members attended:

City Attorney Pam Booker
Senior Planner Frensky Magny
Planner Robert Artuso
Planner Opal Browning-Buchanan
Planner Andrew Unander

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

- **Regular Meeting Minutes of July 8, 2025**

Member Dixon asked for a motion to approve the July 8, 2025, minutes, as presented; Member Lomax made a motion to approve, seconded by Member Walters; the following vote was recorded:

AYE: Members Dixon, Lomax, Mullings,
Walters, Jones-Wilfork and Payne

NO: None

ABSENT FOR VOTE: Chairperson Thompson, Vice
Chairperson Tighe, Members Carter and
Florida

MOTION PASSED: 6-0

- **Regular Meeting Minutes of September 9, 2025**

Member Dixon asked for a motion to approve the September 9, 2025, minutes, as presented; Member Lomax made a motion to approve, seconded by Member Jones-Wilfork; the following vote was recorded:

AYE: Members Dixon, Lomax, Mullings,
Walters, Jones-Wilfork and Payne

NO: None

ABSENT FOR VOTE: Chairperson Thompson, Vice
Chairperson Tighe, Members Carter and
Florida

MOTION PASSED: 6-0

IV. LOCAL PLANNING AGENCY PUBLIC HEARING:

City Attorney Booker stated the following item was not quasi-judicial.

- (1) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF MIRAMAR, PURSUANT TO SECTION 302 THEREOF AS WELL AS SECTION 166.041(3)(C)(2), FLORIDA STATUTES; MORE SPECIFICALLY BY AMENDING CHAPTER 1, "AUTHORITY",

SPECIFICALLY AMENDING SECTION 106, "CITY COMMISSION", AMENDING CHAPTER 3, "PROCESSES", SPECIFICALLY AMENDING SECTION 301, "GENERAL PROCEDURES", AND SECTION 307, "PLATS", PROVIDING AN ADMINISTRATIVE APPROVAL PROCESS AND DESIGNATE THE ADMINISTRATIVE AUTHORITY FOR PLAT AND REPLAT SUBMITTALS IN COMPLIANCE WITH SENATE BILL 784; AND AMENDING CHAPTER 4, "ZONING" SPECIFICALLY AMENDING SECTION 409 "LIVE LOCAL ACT" (LLA) FOR DEVELOPMENT OF STATUTORILY AUTHORIZED MIXED-USE AFFORDABLE HOUSING RESIDENTIAL DEVELOPMENT; WITHIN THE COMMERCIAL, INDUSTRIAL, AND MIXED-USE ZONING DISTRICTS IN WHICH THE MIXED-USE DIRECTIVE IS APPLICABLE; PROVIDING LAND DEVELOPMENT REGULATIONS AND PROVIDING AN ADMINISTRATIVE APPROVAL PROCESS IN COMPLIANCE WITH SENATE BILL 1730; MAKING FINDINGS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Presenter: Frensky Magny, Senior Planner

City Attorney Booker read the title of the proposed ordinance, as detailed in the backup.

Senior Planner Frensky Magny, BPZ, reviewed the subject item, as detailed in the backup, noting the following:

- The purpose of the subject amendment was to establish a comprehensive policy and regulatory guidelines for platting processes, and qualified mixed use for the LLA affordable housing developments, established administrative authority for platting approval, and ensured compliance with state statutes.
- The amendment would amend Chapter One, Authority; Chapter Three, Processes; and Chapter Four, Zoning.
- Developers had to submit applications for platting; the City's Development Review Committee (DRC) would still review development plans for technical efficiency; the administrative authority would issue a determination on the plat amendment request, after which the application would proceed to Broward County.
- The amendment implemented section 177 of Florida statutes, allowing the issuance of building permits of up to 75 percent of all lands within a plat prior to the final recordation of that plat.
- As with the LLA, the amendment defined such terms as: commercial, industrial, mixed use, etc., which were similar to definitions in the exiting city code, but went further in identifying uses, such as residential amenities not being a part of commercial; it allowed for LLA mixed-use developments to be proposed within planned unit developments, and for such developments to be allowed for lands owned by religious institutions that contained a house of worship, regardless of the underlined zoning; and it mandated that a 15 percent reduction in parking was required for all projects, as long as the applicant requested it

- The City Manager recommended approval.

Member Mullings asked if removing the current governing body, and replacing them with the new administrative board was the only way staff believed it possible to accomplish the goal of the proposed amendment. She opined that the purpose of an elected body was to facilitate residents having a say on such matters, so with its removal from the development process, how would residents know what was being built in their community.

Mr. Magny responded Senate Bill (SB) 784 removed the governing body's ability to consider and make determinations on such platting applications; the plat application process was outlined by the State of Florida. The City's current processes were based on those provided by the State, and the latter sought to streamline the existing process, as it was usually quite lengthy. He said, based on the updated State process, the proposed amendment eliminated that step, with only administrative authority weighing in before a developer could go straight into recording the plat.

Member Walters questioned if the subject amendment sought to address a specific issue.

Mr. Magny remarked on not being able to speak, overall, to a statewide problem, but in relation to the City's platting process itself, it could take a developer requesting a plat amendment six months to go through the DRC for technical review, and another two months to get to the City Commission, and once approved by the latter, it could take up to 18 months to go to the County. Thus, the updates at the state level were due to the time issues developers were encountering. He said though this was not part of SB 784, as part of State Statute 177, the State was already making pushes to allow issues of building permits, even though the plat was not formally recorded, as he believed the State saw some time constraints.

Member Walters sought clarification on page four of five in the last paragraph of the analysis, where it mentioned the amendment was to ensure the City remained in compliance with state law, and to avoid legal exposure, including potential civil action for failure to adhere to the LLA provisions.

City Attorney Booker explained the LLA provided that if a local government was not in compliance with its terms, or turned projects down, they were subject to up to a fine of \$250,000.00, and attorney's fees should the other party prevail. These provisions were mandatory, so they were similar to a preemption, taking the authority away from local governments to review such developments in the old manner in which they reviewed plats. She said though a city could still have their review process through their planning department, it would be an administrative approval, adding that there was lobbying since she had been in local government over 30 years to give more flexibility to developers, and take away the local authority of local governments, boards, and agencies. Thus, the continued erosion of local government power was seen over time, and such bills continued to come from the State, which the City was obligated to abide by them when they became state law.

Ms. Mullings sought clarification there was no designation by the City, as yet, of the

administrative authority responsible for the subject process established by the proposed amendment, and would additional staffing result from the subject designation.

Mr. Magny replied it would be the director, through the City Manager. The possibility of needing additional staffing was under consideration, not just for the proposed process, but for the overall department.

Mr. Walters surmised there might be budgetary implications in the next fiscal year.

Mr. Magny reiterated, for the time being, the amendment was making the designated authority specific to the director through the City Manager, so there was no increasing staffing planned for the present.

Member Dixon expressed concern about the public's ability to participate, as they were used to doing, particularly during City Commission meetings, asking if the meetings of the administrative authority would be publicly noticed, and opened to the public, so the latter could give input if so desired. He wished to know if there was an appeals process for anyone disagreeing with the ruling of the administrative authority.

Mr. Magny responded that all applications that were reviewed via DRC meetings were publicly noticed and open to the public, thereby affording the ability for public participation. He said not all matters reviewed that went through the DRC process were forwarded to the Commission; DRC meetings were held monthly based on project load. Regarding the ability to appeal the administrative authority's decisions, the senate bill spoke to if a developer did not agree with the final determination of their project; for example, once an applicant submitted an application, cities had to contact applicants to confirm their application was received, and reviewed for a completeness check, then sent for technical review. The verbiage of the bill did not speak to an appeals process.

City Attorney Booker interjected that the City could not have the public input circumvent the legal requirements that the review process must be administrative only. Thus, a quasi P&Z Board process could not be established to review such applications; it would not be allowed, and trying to do so would likely result in a challenge by a developer. She said the City would have to explore other ways to get information out to the public that a particular project was being proposed, and that plans were approve by the administrative authority.

Member Dixon knew that DRC meetings, though publicly noticed, were rarely attended by the public, unlike the high visibility of a City Commission meeting. It seemed the timelines were very stringent for approvals, asking staff to weigh in on this aspect, particularly regarding the consequences of not meeting those requirements.

Mr. Magny believed some penalties were around monetary value, but in staff's internal discussions, they sought to, possibly, shift how staff scheduled meetings for plat amendment requests versus other development applications. With there being a specific timeline for plat amendments, staff would have an organized process that ensured the City met those deadlines set by state statute.

Member Dixon asked if it was BPZ's opinion that the changes in the proposed amendment would actually help them increase/expedite the delivery of housing, or would it just give more flexibility to the developers.

Mr. Magny commented, in his professional opinion, the platting process was extremely technical; this was a process in which discussions were held as to where roads, utility easements, etc. would go. There was very minimal flexibility for suggestive persuasion, as developments needed to meet technical requirements to move forward, so it was more technical than other applications; he understood the intent of the existing process. He said the changes might provide a more expedited approach, as now developers did not have to submit their applications to the County; he knew that when staff submitted plat amendment applications, the current process could take 18 to 24 months once it was submitted to the County.

Member Mullings understood the City's position, but she was not in agreement with the proposed amendment.

Member Dixon opened the discussion to the public; he received no input.

Member Walters wished to know if the board's comments/concerns expressed in the present meeting would accompany the board's vote, and recommendations sent to the Commission. He believed the board's feedback, as an advisory board, served as a form of guidance to the City Commission in their decision making process; he explained that he did not mean the minutes, but a more intentional document that communicated to the Commission the board's objections, concerns, etc.

Mr. Magny explained that the board was at liberty to make a recommendation of approval with conditions, make a recommendation for denial, and for any recommendation made, the board could include additional language justifying their recommendation(s).

City Attorney Booker observed that the board's ask was that staff prepare a type of supplemental memo that detailed the board's expressed concerns, and objections, and the reasons for them without the elected officials having to go through the minutes to discern what they were. She said staff could prepare a bulleted memo and include it in the backup of the proposed amendment when it was forwarded to City Commission for consideration, and a vote; there was no need for conditions of approval.

Mr. Magny affirmed preparing a bulleted memo of points of concerns/objections expressed by the board at the present meeting for inclusion of material sent to the Commission would be drafted.

Member Payne echoed the concerns expressed by her fellow board members; asking her to vote on an item for which she had concerns regarding housing developments in the City of Miramar was causing her discomfort. This was regardless of the source that led to staff having to propose the subject amendment. She said that sometimes when decisions were made, they were done with, perhaps, good intentions of improving the availability of housing, though not always considering the effect on existing residents. It was not that

existing residents were against change, rather it was that they preferred the changes to be uplifting for their community. She thought the proposed amendments based on state statutes seemed to tie local governments' hands, mandating that certain processes be implemented regardless of their incompatibility in the affected communities, and if residents disagreed with their outcome. Member Payne asked if board members would have a chance to review the bulleted memo prior to its inclusion in the backup provided to the Commission.

City Attorney Booker thought it a fair request by the board to review staff's draft of the memo of bullet points on board members' expressed concerns and objection prior to the final document being forwarded to the Commission. The request could be conveyed to BPZ Director Nixon Lebrun for confirmation, but she foresaw no objection to producing such a document, and having the board review it before sending it to the Commission. She commented that it was never a positive when the legislative authority of a local authority was taken away; the proposed amendment was the City's having to put in place regulations to comply with state law, for which the State sought to get compliance by adding a fine, and attorney fees provisions for local municipalities found noncompliant, which was not typical. For now, the City had little to no options until there were different representatives in the State Legislature making different decisions.

Member Dixon asked if municipalities had a deadline by which they had to put into effect the proposed amendment, and, if so, how close was that deadline; he would appreciate more time to consider his vote on the subject amendment.

Member Walters felt it would be useful to know about the opinions of state representatives for Miramar on the subject statute that led to the drafting of the proposed amendment. The board's being provided with such information by staff would give board members a sense of appreciation for the bigger picture that led to the relevant state statute being put into effect, how state representatives voted on matters that left the cities they represented very little choice in the related decision-making processes. He sought clarification on the process that would put such proposed amendments into effect.

Mr. Magny reviewed the process for Land Development Code (LDC) amendments, stating amendments were via ordinance that could be initiated by the City, or by an applicant asking to be allowed something that was either not in the LDC, or was prohibited by the LDC by right. When such applications came in, the DRC reviewed them, then they were sent to the P&Z Board for recommendations, after which there were two hearings before the City Commission; all the meetings were publicly noticed to facilitate public input.

Member Walters wondered if there was a window between when the board gave their recommendation, and when a matter went before the Commission for consideration; he noted that the relevant state statute took effect on July 1, 2025.

City Attorney Booker affirmed this was the case; thus, even if the board, and the City Commission did nothing, state law was in effect, so if a developer presented a plat application to the City, it had to be approved administratively. The proposed amendment sought to set forth additional requirements that were not in the state statute, or the

process staff should follow to approve such applications administratively. She pointed out there were not dates as to when a municipality had to pass legislation to make the state requirements effective in their own regulations, though there was a date of November 2026 for annual reporting, whereby, local jurisdictions were asked to report what they had done, if there was litigation challenging them regarding the dictates of the state statute being followed, and for such information to be posted on the website. This would likely result in additional follow up if the legislation failed to proceed as set forth.

Member Dixon asked if city staff felt unable to comply with the subject state regulations if the board failed to recommend approval of the proposed amendment.

Mr. Magny echoed Ms. Booker's comment that the proposed amendment gave city staff a definitive process by which to carry out the dictates of the relevant state law; what staff did not want was a developer coming to the City asking for something to be done administratively, and the City had no process yet established to review the application. Staff believed the DRC had to review such requests for technical sufficiency. He said since the state statute took effect July 1, staff looked at what processes the City already had in place, comparing them to what the approved SB required to ensure that the City at least had some ability to sufficiently review such applications before making a determination. To date, no requests had been submitted. He learned that the bill was effective in August and began working on the matter.

Member Walters found it concerning that BPZ staff received no notice of a state law that took effect on July one until August, despite its significant impact on the City.

City Attorney Booker commented there were a variety of ways communities handled such issues; some hired professional lobbyists on salary who reviewed all state legislative matters, whether they were being discussed, pending, etc. However, this was not something she encountered at any staff level in any jurisdiction she ever worked in; staff did not have the luxury to do that. She noted the Florida League of Cities sent out eBlasts as some matters were working through the process, but it was difficult to keep track when one was not present in Tallahassee, on the floor, etc. The presentation of the proposed amendment due to the bill that took effect on July 1, affecting all cities in Florida, was a result of city staff doing the tedious work since that time, going through all the bills, and the City's existing LDC to draft language, as that presented to the board at the present meeting. It was not always a simple process for city staff to decipher the language of the state law, how it could be implemented, and make it consistent with existing city code, or remove conflicts in the city code that might constitute a violation of state statute. She said, generally, there was a six-month timeline for local governments to adopt state laws affecting them, but in the subject case this was not done, but it was still in effect. It was important for the City to have established language for direction and guidance in the decision-making process for such plat amendments, as there was nothing yet in place. Thus, if city staff received an application, and the developer challenged the City, without passing the proposed amendment, it left the City with no legal language to defend city staff's actions, or the City Commission's decisions. She added that the proposed amendment could be further amended at a later time, but it was better to have something in place, and explore other methods to deal with future bills; it was too late for the matter

before the board, as it was already state law.

Member Dixon asked for a motion to table the subject amendment; Member Dixon made a motion to table, with the request that staff provide board members with a draft of the requested bullet point memo memorializing board members' concerns and objections for review and approval at the next meeting, seconded by Member Walters; the following vote was recorded:

AYE: Members Dixon, Lomax, Mullings,
Walters, Jones-Wilfork and Payne

NO: None

ABSENT FOR VOTE: Chairperson Thompson, Vice
Chairperson Tighe, Members Carter and
Florida

MOTION PASSED: 6-0

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Member Dixon asked for a motion on the excused absence of Chairperson Thompson; Member Lomax made a motion to approve, seconded by Member Walters; the following vote was recorded:

AYE: Members Dixon, Lomax, Mullings,
Walters, Jones-Wilfork and Payne

NO: None

ABSENT FOR VOTE: Chairperson Thompson, Vice
Chairperson Tighe, Members Carter and
Florida

MOTION PASSED: 6-0

Member Dixon asked for a motion on the excused absence of Vice Chairperson Tighe; Member Walters made a motion to approve, seconded by Member Mullings; the following vote was recorded:

AYE: Members Dixon, Lomax, Mullings,
Walters, Jones-Wilfork and Payne

NO: None

ABSENT FOR VOTE: Chairperson Thompson, Vice Chairperson
Tighe, Members Carter and Florida

MOTION PASSED: 6-0

V. OTHER BUSINESS: NONE

VI. ADJOURNMENT

The next meeting: Tuesday, January 13, 2026, at 6:30 p.m.

The meeting was adjourned at 7:37 p.m.

A handwritten signature in black ink, appearing to read 'Matthew Thompson', is written over a horizontal line.

Matthew Thompson, Chairperson
MT/cp