

EXHIBIT A

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)
(Updated 7-17-14)

Minutes of June 25, 2014 Meeting

On Wednesday, June 25, 2014 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Chair Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 12

Wesley Blackman (PBC Planning Congress)
Michael J. Peragine (District 1)
David Carpenter (District 2)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Henry Studstill (District 7)*
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Terrence Bailey (Florida Eng. Society)
Jerome Baumohl (AIA)
Edward Tedtmann (Environmental Organization)
Frank Gulisano (PBC Board of Realtors)
Gary Rayman (Fl. Surveying & Mapping Society)

Vacancies: 2

(Assoc. General Contractors of America)
(Condominium/HOA Association)

Members Absent: 5

Barbara Katz (District 3)
Michael Zimmerman (District 6)
Joni Brinkman (League of Cities)
Leo Plevy (Member at Large, Alt.)
James Brake (Member At Large, Alt.)

County Staff Present:

Bob Banks, Chief Land Use County Attorney
Rebecca D. Caldwell, Executive Director, PZ&B
Jon MacGillis, ASLA, Zoning Director, Zoning
Mary Ann Kwok, AICP, Chief Planner, Zoning
Bryan Davis, Principal Planner, Planning
William Cross, AICP, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Scott Rodriguez, Site Planner II, Zoning
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted that staff distributed an addendum to the agenda. He requested that the motion to adopt the agenda include approval of a change in the order as follows: Review of Exhibit B, adjourn LDRAB and Convene LDRC for consistency determination, adjourn LDRC and reconvene as LDRAB to review Exhibit C.

3. Motion to Adopt Agenda

Motion by Mr. Puzzitiello to adopt the agenda as amended, seconded by Ms. Vinikoor. Motion passed (11 – 0)*.

4. Adoption of May 28, 2014 Minutes (Exhibit A)

Ms Vinikoor requested correction of the meaning of the acronym EPA in the May 28, 2014 Meeting (Exhibit A), to read Environmental Protection Agency and not Environmental Protection Area. She also referred to Shooting Range and asked if a decision was made to apply additional standards to the separation distance as discussed at the meeting. Zoning staff, Scott Rodriguez responded that upon further research it was decided to make it applicable to non-mechanical archery equipment only so additional separation standard was not necessary.

Motion to adopt with correction by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (11 - 0)*.

At the request of Chair, Mr. Michael J. Peragine introduced himself as the newly appointed LDRAB member for District 1.

B. ULDC AMENDMENTS

Mr. Blackman explained for the benefit of the public that the usual procedure is for staff to present the Exhibits, respond to questions from the Board and follow up with a discussion if required. The public is then allowed to speak with the request that they limit their comments to two minutes per person.

* Henry Studstill arrived at 2:11 p.m.

1. Exhibit B – Inland Logistics Center

Mr. Cross explained that this amendment was presented at the last LDRAB meeting and the Waiver table is being expanded to allow additional Type 1 Waivers.

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Mr. Tedtmann expressed concern about the intense development on sugar land. Mr. Cross explained that the Future Land Use Atlas (FLUA) amendment included State limits on the type of industrial uses permitted and clarified that this was approved and adopted by the BCC in 2010.

Ms. Vinikoor suggested consideration be given to beautifying large buildings to avoid blank walls since less landscape buffering is being considered. Mr. MacGillis replied that there is nothing that precludes anyone from requesting murals as long as architectural requirements are met.

There were comments from two members of the public who were concerned about the development lessening the landscape requirements, being more residential than job creating and new technologies that might be preparing for robotics which require a smaller workforce.

Motion to adopt by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (11 - 1)*. Mr. Baumoehl voted nay.

C. ADJOURN AS LDRAB AND CONVENE AS LDRC FOR EXHIBIT B.1.

1. Proof of Publication

Clarification that the proof of publication was for both Exhibits B and C. Motion to approve Proof of Publication by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (12 - 0).

2. Consistency Determination

Mr. Davis confirmed that Exhibit B is consistent with the Comprehensive Plan. Motion to approve consistency determination by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (12 - 0).

ADJOURN AS LDRC AND CONVENE AS LDRAB

B. ULDC AMENDMENTS (Cont'd)

2. Exhibit C – Agricultural Enclave Overlay (AGEO)

Mr. MacGillis explained that the proposed amendment was originally privately initiated. He indicated that after Zoning staff met with the applicant, it was decided that staff would process the amendments as County initiated.

Mr. Davis from the Planning Division provided the following information:

- The AGEO is a vast area of undeveloped land in the middle of a low density area of rural/suburban character (the Acreage), and is the only agricultural enclave that has ever been approved in the State to date.
- The initial 2008 Callery Judge Grove proposal consisted of a Future Land Use Atlas and Comprehensive Plan Text amendments to avail themselves of a statutory provision that allowed for such amendment based on their surrounding character and a presumption of not being urban sprawl, if appropriate new urbanism concepts were employed. There were two options for development provided in the Comprehensive Plan, an applicant-preferred option, and a staff-preferred option.
- The applicant-preferred option would result in a Traditional Marketplace development with approximately 3,000 units. However, it would allow for a single or series of development orders which meant that almost 4,000 acres could be developed in piece meal, incremental manner, with no way of verifying the ultimate compliance until the last development order was obtained.
- The staff-preferred option emphasized a planned provision in which the enclave could be rezoned as a Traditional Town Development (TTD). Some modifications were needed to accommodate the uniqueness of the situation and staff devised a lot of other policies to push the density around to offer more interconnectedness, more of a street network, what would be termed new urbanism. It was this provision that the current Agricultural Enclave project in for Planning and Zoning approvals intends to utilize.
- There was already a provision in the Code and Plan for Traditional Town Development that addresses how to create new towns, and staff desired a clear definition.
- Minto has agreed to provide a master plan and rezone concurrently to a TTD which does not mean increased density. So there is a master plan amendment and the proposal to modify the Code and allow the option to go forward.

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Staff followed up on Mr. Davis' comments by adding the following:

- Ms. Caldwell explained that the Enclave was created by the State and not the County. Applying regulations to smaller properties would increase density and the site can now be looked at more holistically as regulations can be applied to the entire parcel to provide more predictability. Rezoning to TTD will be an improved product.
- Mr. MacGillis added that Zoning will now have a detailed master plan which was not secured in the previous proposal.

Mr. Tedtmann expressed concern that this is an enclave into small areas, will be incompatible with surrounding areas, and will also create a precedent that could apply to similar incompatibility.

Mr. Blackman reminded attendees that the amendments presented by staff are amendments to the ULDC only and not to the Comprehensive Plan.

Mr. Cross briefly explained the proposed amendments and the add delete sheet. The following are the main points from the discussion that ensued:

- Mr. Blackman commented that the amendment establishes a walk-able development.
- Mr. Bailey suggested bike lanes be required within the TMD streets and that the use of painted bike lanes be considered. Mr. Cross advised that TMD streets were designed to accommodate shared users, including cyclists. Mr. Bailey also suggested that the County consider recent trends in painting bike lanes. Mr. Cross indicated he would need to consult Engineering and MPO (Metropolitan Planning Organization) staff for advice on these suggestions.
- Mr. Baumoehl expressed discomfort and concern about the overall impact resulting from lessening regulations, reduced setbacks, environmental impact, insufficient schools, and less trees.
- Mr. Tedtmann commented that trees and hedges reduce the impact of storms and noted that there will be reduction in the amount of trees.

There were comments from residents of neighboring communities who oppose the development. Some comments cited concerns about changes in the way of life, increase in density, traffic congestion, and an overall negative impact on the existing residents and character of the surrounding communities. In addition, a neighboring resident identified himself as a supporter of the development. He held the view that there are many residents, not in attendance, who approve of the development, and the negative comments expressed were not indicative of their feelings.

Motion to approve by Mr. Bailey, seconded by Mr. Gulisano. The Chair requested a roll call. Motion passed (10 - 2). Mr. Baumoehl and Mr. Tedtmann voted nay.

D. ADJOURN AS LDRAB AND RECONVENE AS LDRC FOR EXHIBIT C

1. Proof of Publication

Motion to approve by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (12 - 0).

2. Consistency Determination

Mr. Davis stated that the proposed amendment, Agenda item B.2, Exhibit C is consistent with the Comprehensive Plan.

Motion to approve consistency determination by Mr. Puzzitiello, seconded by Mr. Carpenter. The motion passed (12 - 0).

ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

Mr. Drew Martin, Conservation Chair of the Sierra Club expressed the desire to continue to support the Agricultural Reserve as it was intended. Ms. Alex Larson was of the opinion that

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the discussed development would end up producing houses and reducing agriculture which is an important generator of jobs and open space. She also expressed concern about deterioration in the quality of water.

F. STAFF COMMENTS

1. Use Regulations Project Status

Ms. Cantor provided an update on the status of the Use Regulations Project and advised that the Residential Uses amendments will be presented to the Board at the July 23 meeting.

2. Round of amendments 2014-02

Ms. Cantor noted that Round 2014-02 will tentatively begin in August, 2014.

Mr. Baumoehl volunteered to serve on the Architecture Subcommittee. Motion to approve by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (12 - 0).

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 4:35 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by: Zona Case

 7/23/14