

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**
(Updated 6-19-14)

Minutes of May 28, 2014 Meeting

On Wednesday, May 28, 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: 13

Wesley Blackman (PBC Planning Congress)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Michael Zimmerman (District 6)
Henry Studstill (District 7)
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Terrence Bailey (Florida Eng. Society)
Edward Tedtmann (Environmental Organization)
Frank Gulisano (PBC Board of Realtors)
Gary Rayman (Fl. Surveying & Mapping Society)
James Brake (Member at Large, Alt.)
Leo Plevy (Member at Large, Alt.)

Vacancies: 3

(District 1)
(Assoc. General Contractors of America)
(Condominium/HOA Association)

Members Absent: 3

David Carpenter (District 2)
Barbara Katz (District 3)
Jerome Baumoehl (AIA)

County Staff Present:

Leonard W. Berger, Chief Assistant County Atty
Jon MacGillis, ASLA Zoning Director, Zoning
Mary Ann Kwok, AICP Chief Planner, Zoning
Barbara Pinkston, Principal Site Planner, Zoning
Rodney Swonger, Senior Planner, Zoning
William Cross, AICP, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Lauren Dennis, Site Planner II, Zoning
Scott Rodriguez, Site Planner II, Zoning
Zona Case, Zoning Technician, Zoning
Erin Fitzhugh-Sita, AICP, Senior Planner, Planning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted that staff distributed an addendum to the agenda.

3. Motion to Adopt Agenda

Motion to adopt agenda, as amended, by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (13-0).

4. Adoption of April 23, 2014 Minutes (Exhibit A)

Motion to adopt by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed, (13-0).

B. ULDC AMENDMENTS

1. Exhibit B – Northlake Boulevard Overlay Zone (NBOZ)

Mr. Cross explained the amendment provides additional time for property owners in Palm Beach County to comply with Design Guidelines for both landscape and signage, for consistency with other jurisdictions within the Northlake Boulevard Overlay Zone (NBOZ).

Motion to adopt by Mr. Puzzitiello, seconded by Mr. Brake. Motion passed (13-0).

2. Exhibit C – Residential Setback Exceptions and ZLL Encroachments

Mr. Cross explained the amendment will allow for minor encroachments of hurricane impact shutters and decorative architectural treatment in setbacks.

Motion by Ms. Vinikoor, seconded by Mr. Gulisano to approve with the possibility that lines 33 - 35 addressing impact shutters overhead clearance may be withdrawn. Motion passed (13-0).

3. Exhibit D – URAO/IRO Alternative Parking Lot Design Options

Mr. Cross explained optional standards that exist in the URAO related to parking lot design. The amendment will clarify options, retain flexibility and address scrivener's errors.

Motion by Mr. Brake, seconded by Studstill. Motion passed (13-0).

4. Exhibit E - Digital Fuel Price Signage

Mr. Cross thanked subcommittee participants and indicated that the draft incorporates recommendations from the subcommittee. He referenced revisions on the add/delete sheet

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to be incorporated in the amendment and explained that the primary purpose of the amendment is to respond to BCC direction as related to the County Fuel Price Signs Ordinance.

Several Board members inquired about the proposed amendments which include setback exemptions, electronic message signs location, the County Fuel Price Ordinance, and light intensity. Mr. Cross responded by indicating that existing time and temperature signs would not be in violation as they were previously exempted. Regarding fuel signage, this amendment recognizes that existing signs do not have to comply with Table 8.G.3.B, Setbacks, since only new sign technology will be used in the existing sign area. Mr. Cross also clarified that the add delete exempts fuel price, time and temperature signs from location requirement, except for residential, which requires a minimum setback of 100 feet. He also indicated that per County ordinance, cash and credit pricing shall be indicated. Regarding light intensity, he clarified that 30 watts is equivalent to 300 lumens which has been documented in numerous studies to be sufficiently bright in the daytime.

Mr. Bailey requested staff to correct the terminology "cuts" used in the draft from the manufactures catalog to "cut sheets". Additionally, he requested clarification on the size of Lake Worth Drainage District (LWDD) canal right-of-way (ROW), specifically the E-1 canal, as the current language requires 100-foot canal ROW to qualify for an increase in the letter height for fuel price signs. Mr. MacGillis suggested 80-foot canal ROW and that staff would check the typical canal ROW width in the LWDD.

Motion by Ms. Vinikoor to approve, as amended, including the revision of the ROW canal width, seconded by Mr. Bailey. Motion passed (13-0).

5. Exhibit F - SFWMD Accessory Radio Towers

Mr. Cross explained that County staff and South Florida Water Management District (SFWMD) staff coordinated to address telemetry tower facilities in the Glades area. Mr. Cross noted that one site south of Belle Glade that is located on State owned land has an existing 200 foot tower that will be replaced with a new self support tower.

Ms. Dadrian, representing the SFWMD, explained that the new self supported 300 foot structure is needed for operations around Lake Okeechobee and the Glades area, particularly to accommodate equipment and to manage various drainage and flood control systems. She clarified that the tower is strictly for SFWMD use only and would not be utilized for commercial purposes. Mr. MacGillis clarified that if the District utilizes the tower for commercial purposes that would be considered a change of use, making it subject to standards for Commercial Communication Towers based on the tower type.

The amendment will include correction to the use of "EPA" acronym to distinguish between the Everglades Protection Area and the Environmental Protection [Area Agency](#) brought to staff's attention by Ms. Vinikoor. The acronym for the Everglades Protection Area will be "EvPA".

Editor's note: Correction made at 6/25/14 Meeting: Change "Environmental Protection Area" to "Environmental Protection Agency"

Motion by Ms. Brinkman, as amended, seconded by Mr. Puzzitiello. Motion passed (13-0).

6. Exhibit G - Outdoor Shooting Range

Mr. Rodriguez explained the use was previously reviewed as part of the Use Regulations Project and was presented to the LDRAB with Recreation in 2013. Proposed revisions to the use were made at that time. At the request of Palm Beach County Facilities Development and Operations (FDO) and the Florida Wildlife Commission (FWC), amendments have been rescheduled to the 2014-01 Round in anticipation of a proposed shooting range.

Ms. Vinikoor asked if staff could clarify or insert separation distance requirements for outdoor archery ranges. Staff agreed to research the topic further and consider an additional standard to clarify the separation distance.

Motion by Mr. Puzzitiello, seconded by Mr. Gulisano. Motion passed (13-0).

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Minutes of May 28, 2014 Meeting

7. Exhibit H - Art. 7, Landscaping

Ms. Pinkston explained that the amendment will allow for the use of a greater variety of plant material, and improve viability of the planted material, especially on residential lots.

Ms. Brinkman, questioned if the interior island landscape width in the Minimum Tier Requirements Table 7.C.3, was being relocated as the amendment showed that section to be deleted. Ms. Pinkston explained that the measurements were already located in the Code and having it in the Minimum Tier Requirements table was redundant.

Ms. Colleen Walter, representing Urban Kilday Design Studio, asked if staff could add "trees" to note number 5 related to planting. Ms. Pinkston agreed to add "trees" to the note.

Motion by Mr. Gulisano, as amended, seconded by Ms. Vinikoor. Motion passed (13-0).

8. Exhibit I - Privately Initiated Amendment (PIA) 2014-376 Bay Door Orientation

Ms. Dennis explained the amendment would allow bay doors to face residential properties meeting specific criteria. Ms. Dennis briefly described the exemptions that would apply and additional mitigation that would be required.

Motion by Mr. Brake, seconded by Mr. Knight. Motion passed (13-0).

9. Exhibit J - Inland Logistic Center

Mr. Blackman advised that Ms. Brinkman would be recusing herself from any discussions or vote on the Inland Logistics Center Exhibit, having provided a completed Voting Conflict Form 8B.

Mr. Cross described the general boundaries of the Glades Area Overlay (GAO), which generally encompasses the unincorporated areas located within the Urban Service Area of the Glades Tier and bordering Belle Glade, Pahokee, South Bay and Canal Point. A map of the Inland Logistics Center was also shown delineating the general location in-between South Bay and Belle Glade.

Mr. Cross explained that the parcel has an Industrial Land Use designation, and that the Planning Division recently presented related Comprehensive Plan amendments to the BCC. He clarified that the proposed amendments will apply to any project within the GAO, not just the ILC.

Mr. Tedtmann asked if the project would interfere with the flow-way from Lake Okeechobee to the Everglades. Ms. Colleen Walter, with Urban Design Kilday Studios, representing Florida Crystals, responded that a settlement agreement took place with several local and state environmental stakeholders, including Department of Environmental Protection (DEP), to address environmental concerns and to agree upon the location of the ILC.

Mr. Knight asked about the project moving forward in the event of a recession occurring. Ms. Walter explained that the project has a long development horizon and is potentially planned as a Planned Industrial Park (PIPD). Once the development is platted, development will commence.

Mr. MacGillis briefly explained the Type I waiver process that is beneficial to the project and said the Development Review Office (DRO) would approve a final subdivision plan after the master plan is approved by the Board of County Commissioners (BCC).

Motion by Mr. Puzzitiello, seconded by Mr. Brake. Motion passed (12-0).

C. CONVENE AS LDRC

1. Proof of Publication

Motion to approve by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (13 - 0).

2. Consistency Determination

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Minutes of May 28, 2014 Meeting

Ms. Erin Fitzhugh-Sita stated that the proposed amendments, Agenda items B.1 through B.9 and the previously presented amendments, Exhibits K through Q are consistent with the Comprehensive Plan.

Ms. Brinkman clarified to the Board that she had also recused herself from item "P" (RVPD Real Estate Sales Office). Mr. Blackman noted

Motion to approve consistency determination by Ms. Vinikoor, seconded by Mr. Brake. The motion passed (12 - 0) for Exhibit P, and (13 - 0) for all other Exhibits.

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

There were no public comments.

F. STAFF COMMENTS

1. Use Regulations Project Status

Ms. Cantor provided an update on the status of the Use Regulations Project and informed the Board the next Subcommittee meeting will be on June 18, 2014 to address Residential Uses.

Mr. Rodriguez provided a brief update on the recent meeting with Animal Care and Control (ACC), interested parties, commercial kennel business owners and Zoning staff regarding Commercial Kennels operating in residential zoning districts. The item will be part of the Commercial use classification. He noted that additional meetings will take place and they are open to the public.

2. June 25, 2014, Special LDRAB Meeting

Mr. Cross reiterated that the next LDRAB meeting in June will include amendments applicable to Minto West Development.

3. Architectural Elevation Subcommittee for Fall 2014

Ms. Cantor noted that per BCC direction, staff will establish an Architectural subcommittee to convene in September to review requirements for architectural elevations at the Zoning Commission. Mr. Knight, Mr. Bailey and Mr. Blackman volunteered to participate. Mr. Brake will be alternate.

Motion to approve participation of LDRAB members in subcommittee by Ms. Vinikoor, seconded by Mr. Brake. The motion passed (13 - 0).

Mr. Cross also advised that Mr. Richard Kozell had submitted his resignation from the Land Development Review Advisory Board.

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:13 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:

_____ Scott Rodriguez

 6/25/14

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni Brinkman, hereby disclose that on May 28, 20 14 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of Urban Design Kilday Studios, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Exhibit J - Inland Logistic Center Revisions

Exhibit P - RVPD Real Estate Sales Office

Our company recently processed a RVPD application and

although the item is County initiated, our firm has been coordinating with

staff in regard to the item. Our company is also assisting the property owner in regard to the Inland Logistic Center revisions.

5-28-18

Date Filed

Joni Brinkman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.