

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 2/28/18)

#### Minutes of February 28, 2018 LDRAB Meeting

On Wednesday, February 28, 2018, 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, Wesley Blackman called the meeting to order at 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

##### Members Present: 14

Wesley Blackman (PBC Planning Congress)  
Michael Peragine (District 1)  
Drew Martin (District 2)  
Philip Barlage (District 3)  
James Knight (District 4)  
Lori Vinikoor (District 5)  
Derek Zeman (Fl. Surveying & Mapping)  
Frank Gulisano (PBC Board of Realtors)  
Daniel Walesky (Gold Coast Bld. Assoc.)  
Anna Yeskey (PBC League of Cities)\*  
Charles Drawdy (Assoc. Gen Contractors of America)  
Xavier Salas, (AIA)  
Abraham Wein (Member at Large, Alt. 1)  
Winifred Park Said (Member at Large, Alt. 2)

##### Vacancies: 2

District 6  
Environmental Organization

##### County Staff Present: 9

Leonard Berger, Assistant County Attorney  
Jon MacGillis, Zoning Director  
Maryann Kwok, Deputy Zoning Director  
Jehan Wallace, Site Planner, Code Rev.  
Eric McClellan, Dir. FDO Strategic Plng  
Jean Matthews, Snr. Planner, Parks & Rec.  
Kenny Wilson, Dept. of Health  
Scott Cantor, Asst. Dir. Land Development  
Zona Case, Zoning Technician

##### Members Absent: 2

Robert J. Harvey District 7)  
Terrence Bailey (Florida Eng. Society)

##### 2. Additions, Substitutions, and Deletions

Mr. Blackman noted that there were no additions, substitutions or deletions.

##### 3. Motion to Adopt Agenda

The Chair noted that two new members had joined the Board and recommended that all members give a brief background of themselves, indicating length of service on the Board, to better acquaint themselves with each other. This would be incorporated into adoption of the Agenda.

Motion to adopt the agenda by Dr. Vinikoor, seconded by Mr. Peragine. Motion passed (14 - 0)

##### 4. Annual Election of Chair and Vice Chair

Mr. Blackman kindly opened the floor to allow members to nominate a new Chair and Vice-Chair.

Motion to re-elect Wesley Blackman as Chair by Ms. Vinikoor, seconded by Mr. Peragine. Motion passed (14-0).

Mr. Blackman thanked the members and said he would continue to serve to the best of his ability.

Motion by Mr. Gulisano to elect Dr. Lori Vinikoor as Vice-Chair, seconded by Mr. Peragine. Motion passed (14 - 0).

Dr. Vinikoor accepted the nomination with pleasure and Mr. Blackman congratulated her, expressing that the Board would be in capable hands if he were absent.

##### 5. Adoption of October 25, 2017 Minutes (Exhibit A)

Motion to adopt the Minutes by Mr. Peragine, seconded by Dr. Vinikoor, with the correction of a minor typographical error on page 3. Motion passed (14 - 0).

#### B. ANNUAL ORGANIZATION DISCUSSION

Ms. Jehan Wallace, presented the following annual organization reports, elaborating briefly when necessary:

1. Internet links to LDRAB/LDRC rules and regulations applicable to members;

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2. 2017 LDRAB members' attendance (Attachment 2);
3. 2017 Amendments
  - a. Amendment Round 2017-01 Summary (Attachment 3)
  - b. Amendment Round 2017-02 Summary (Attachment 4)
4. 2018 LDRAB Members (Attachment 5)
5. 2018 Meeting Schedule (Attachment 6)
  - a. Deadlines/Scheduling for 2018 Amendments (Attachment 7)
  - b. Initiation of Amendment Round 2018-01 (Attachment 8)
  - c. Status of Subcommittee and Appointments (Attachment 9)
    1. Landscape Service Subcommittee April 10, 2017
    2. Landscaping Subcommittee Meetings Schedule
6. Sunshine Law Overview (Attachment 10)

Mr. Berger spoke briefly on the Sunshine Law, and emphasized the most important points of the Law, mainly for the benefit of the new members,

#### C. ULDC AMENDMENTS

##### 1. Exhibit B - Modifications by the DRO [Related to PDD]; Accessory Quarters and Caretaker Quarters; and Excavation, Performed by a Public Agency to Provide Drainage for A Public Street

Mr. MacGillis brought to the Board's attention on page 28, line 31, that the sentence was not well expressed with the text "be notified". There was consensus for a change and the Board and Mr. MacClellan agreed to leave it up to staff to make the change.

Mr. Eric MacClellan, FDO Strategic Planning, presented the exhibit, noting the following proposed amendments affecting public facilities.

- The proposed Article 2 amendment gives the Development Review Officer (DRO) the authority to modify prior Development Orders. This cross references the proposed language in Art. 3, Planned Development Districts (PDDs), to add access driveways to civic pods when the access supports government facilities, such as Fire Stations, provided there is no substantial increase in traffic and the District Commissioner is given prior notice.
- Caretaker's Quarters is permitted by right as an accessory to a government facility where the quarters lend direct support to the facility, as in the case of a park ranger serving a public park.
- The 800 and 1,000 square footage limitation applicable to Accessory Quarters is being deleted and specific provisions in Art. 5 will establish the maximum square footage.
- The terminology for the collocated use is being standardized as Caretaker's Quarters, for consistency.
- Clarify that authorization by PBC or FDOT or Water Control District to construct public streets is considered a valid DO, and the standards to which they are subject was listed.

Motion to approve by Mr. Peragine, seconded by Dr. Vinikoor. Motion passed (14-0)

##### 2. Exhibit C - Art. 4.B.3.C.5, Fitness Center

Ms. Jehan Wallace explained that the amendment is to correct a scrivener's error made in the Use Regulations Project

Motion to approve by Mr. Gulisano, seconded by Dr. Vinikoor. Motion passed (14-0).

##### 3. Exhibit D - Art. 4.B.4.C.6, Crematory

Ms. Wallace indicated that the amendment is to expand the definition to include new methods being used to reduce human or animal remains. Mr. Walesky suggested the addition of text as follows: page 33, line 10, "that employs various methods of processing, to reduce size or quantity..."

Mr. Martin inquired about the disposal of the chemicals and Mr. Kenny Wilson, Department of Health, explained that to his knowledge, burning is done at a very high degree which disposes of almost everything, however, he was not familiar with the liquification process. Nevertheless, any new processes would be reviewed for compliance with the Department's standards prior to any approvals.

Motion to approve by Dr. Vinikoor, seconded by Mr. Gulisano. Motion passed (14-0).

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#### 4. Exhibit E - Art. 5, Supplementary Standards [Related to Art. 5D.2.G.3.a, Landscape Island (Public Parks) and Art 5.E.4.E, Outdoor Lighting Exceptions]

Ms. Jean Anderson, Parks & Recreation Division, presented the following:

- Part 1 of the exhibit allows elimination of landscape islands to facilitate navigation, increase parking spaces and maximize spaces in boat and trailer stalls. Such stalls are exempt from the requirement for landscape islands. The amendment applies to existing and future parks.
- Mr. Martin suggested the addition of vegetation elsewhere to compensate for the vegetation removed. Ms. Anderson replied that the department would be happy to do this, and they do have pollinator trees, butterfly gardens, etc., to assist in increasing vegetation, but they prefer not to codify the addition of vegetation as a requirement. She confirmed that nesting is checked before a tree is removed. Mr. Knight expressed the opinion that it is better to use the space in these small areas than to dig larger areas to better accommodate boats.
- Ms. Matthews continued: Part 2 of the exhibit permits County owned or operated park facilities which are walk-in only, which are closed at nights and have no parking or restrooms, to be exempt from outdoor lighting requirements.
- In response to questions on safety issues, Ms. Matthews confirmed that there are none as there is street lighting, and neighbors have expressed the view that the park lighting could encourage unwanted activities.

Motion to reorder #5 Exhibit F to wait for staff from Land Development to present, by Dr. Vinikoor, seconded by Mr. Gullisano. Motion passed (14-0).

#### 6. Exhibit G - Art. 12.Q, Proportionate Fair Share Program

Mr. Berger gave a brief explanation of the proposed amendments which are being done to be consistent with the Florida Statutes. Among the questions raised in the discussion that followed, are:

- What are the implications for the cities this amendment will impact?
- Confusion on how the share program will impact properties in the future

Mr. Gullisano made a motion to postpone review of the exhibit and convene a subcommittee to do a more careful study of the program, seconded by Mr. Peragine. (Motion passed 14-0).

Messrs. Drew Martin, Derek Zeman, Charles Drawdy and Abraham Wein volunteered to serve on the subcommittee.

Motion to accept the subcommittee members by Dr. Vinikoor, seconded by Mr. Peragine. Motion passed (14-0).

#### 5. Exhibit F - Art. 11, Subdivision, Platting and Required Improvements

Mr. Scott Cantor, Land Development Division, presented the Exhibit. He noted that some of the amendments are administrative to reflect current practices, page 37, Section 2 deletes text which was never used or implemented by Land Development, and he highlighted the following:

- Amendments on pages 35, Section 5 and page 36, Section 6, were to update references due to the reorganization of Articles 2 and 7.
- Record Drawings are no longer required to be printed on mylar sheets. A pdf drawing signed and sealed by a surveyor is acceptable.
- Update the code for minimum sidewalk width - changed from six feet to five feet, which is still in keeping with the American Disabilities Act.
- Delete buffering requirements from Article 11, since those regulations are in other parts of the ULDC
- Allow for consideration of emergency vehicle in determining block lengths.

Motion to approve by Mr. Knight, seconded by Mr. Peragine. Motion passed

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6. Exhibit H - Art. 14.C, Vegetation Preservation and Protection

Mr. Bob Krauss explained that the amendment is being made to be consistent with the code and adds a reference to the Building Division Family Checklist. It clarifies that in the case of single family homes, clearance of native trees should be limited to the amount required to accomplish the purpose of the site plan. It also clarifies that duplex residences are also included

Dr. Vinikoor suggested that on page 44, line 13, "vegetation" be removed from the new proposed text, to be read as "standard removal conditions regarding native and non-native vegetation. She also pointed out that on page 45, line 12, "greywood" should be "gray wood": Mr. Krauss agreed to the changes.

Motion to approve by Mr. Gulisano, seconded by Mr. Drawdy. Motion passed (14-0).

7. Exhibit I - Art. 15.A.5.C, [Related to Onsite Sewage Treatment and Disposal System (OSTDS)]

Mr. Kenny Wilson advised that the amendment was done to provide consistency with State regulations. Questions were raised on the proposed deletion of the text, such as:

- Does this amendment eliminate the need for a survey from a licensed surveyor?
- Would the homeowner know the information required of them?
- Clarity on the implications of the amendment

After discussion by the Board, Mr. Gulisano was of the view that the amendment should be postponed until the next meeting to allow for a more in depth study.

Motion by Mr. Gulisano to postpone, seconded by Mr. Peragine. Motion passed (14-0)

D. PUBLIC COMMENTS

There were no public comments.

E. STAFF COMMENTS

1. LDRAB Subcommittees

Mr. MacGillis informed the Board that the FPL subcommittee will be meeting to address new setbacks for trees from power lines in response to issues arising from the last hurricane, on March 21. He gave an update on planned Subcommittee meetings, indicating that volunteers would be required to serve. Subcommittees and volunteers are listed below:

- **Landscape Subcommittee:** Meeting to address easements and overlap, March 21, Drew Martin and Winnifred Said

**New Subcommittees**

- **Equestrian Waste Management Facilities:** Meeting March 19, Lori Vinikoor, Drew Martin, Charles Drawdy
- **CLF's, Nursing of Convalescent Facilities and Sober Homes:** Wes Blackman; Phillip Barlage; Michael Peragine; Frank Gulisano; Anna Yeskey; Drew Martin; Lori Vinikoor; Jim Knight;

Motion by Mr. Peragine to ratify new subcommittees and reaffirm existing subcommittees, seconded by Mr. Drawdy. The motion passed (14-0).

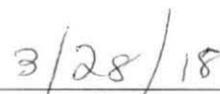
G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:45 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, Zoning Technician

  
Date