

**EXHIBIT A**

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

**Minutes of April 22, 2015 Meeting**

On Wednesday, April 22, 2015 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**

The chair, Wesley Blackman, called the meeting to order at 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 15**

Wesley Blackman (PBC Planning Congress)  
Michael J. Peragine (District 1)\*  
David Carpenter (District 2)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Daniel J. Walesky (Gold Coast Build. Assoc.)\*  
Joni Brinkman (League of Cities)  
Frank Gulisano (PBC Board of Realtors)  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumoehl (American Inst. of Architects)  
Tommy B. Strowd (Environmental Org.)  
Gary Rayman (Fl. Surveying & Mapping Soc.)  
Leo Plevy (Member at Large, Alt.)  
James Brake (Member At Large, Alt.)

**Members Absent: 1**

Henry Studstill (District 7)

**Vacancies: 2**

(District 6)  
(Assoc. General Contractors of America)

**County Staff Present**

Lenny Berger, Chief Assistant County Attorney  
John Rupertus, Senior Planner, Planning  
William Cross, AICP, Principal Site Planner, Zoning  
Zona Case, Zoning Technician, Zoning

**2. Additions, Substitutions, and Deletions**

Mr. Cross advised that the text on lines 22 and 23 on page 11 of Exhibit D should be shown as underlined.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda by Ms. Katz, seconded by Mr. Carpenter. Motion passed 13 - 0\*.

**4. Adoption of March 25, 2015 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed 13 - 0\*.

**C. ULDC AMENDMENTS**

**1. Exhibit B – MUPD Thresholds**

Mr. Cross provided a general overview of the history of Planned Development District (PDD) thresholds, including the minimum thresholds commonly referred to as “want to be” and those included in Table 4.A.4.A, Thresholds for Projects Requiring BCC Approval, which is commonly referred to as “have to be.” He advised that the proposed amendment expands options and improves flexibility for developers of commercial projects by deleting the minimum square footage thresholds for the Multiple Use Planned Development (MUPD) and Mixed Use Planned Development (MXPD) districts. Developments in these zoning districts are still required to comply with minimum property development regulations and other PDD standards.

Mr. Knight questioned the minimum acreage requirement, and Mr. Cross replied that this was in fact under discussion, but was not being amended at this time until further analysis could be completed.

\* Michael Peragine and Daniel Walesky arrived at 2:10 p.m.

Replying to Mr. Blackman's question on the need to keep MXPD in the Code, Mr. Cross advised that this had tentatively been anticipated to be reviewed after the completion of the Use Regulations Project.

Motion to adopt by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed 15 – 0.

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#### 2. Exhibit C – Article 2.A.1.J, Notification

Mr. Cross explained that the amendment is to codify what is already being practiced, namely, the required newspaper publication of Development Order Abandonments and corrective Resolutions. The amendment clarifies the applicable notification for each of the review processes.

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed 15 – 0.

#### 3. Exhibit D – Loading Area Screening

Mr. Cross clarified that the amendment deletes the requirement for covered loading areas, originally intended for instances where two or more loading spaces are located within 100 ft. of a Residential Future Land Use (FLU) designation, zoning district or use. The amendment also allows a Type II Waiver for increasing the minimum wall height or using landscape screening within a residential incompatibility buffer, when exceeding the eight feet high limit is necessary.

A discussion followed:

- Mr. Brake questioned whether the decreased buffering would impact nuisances, such as noise and Mr. Cross explained why it would not.
- Mr. Gulisano expressed safety concerns about the high wall around the perimeter. Mr. Cross pointed out the likelihood that property owners and POAs would appreciate the security and privacy benefits the wall would provide.
- Ms. Brinkman referred to Line 28, as relates to foundation planting, and questioned whether the Type II Waiver option should be applicable to a Right-of-Way (R.O.W) buffer. Mr. Cross concurred that this was what was likely intended, but advised that he would have to confirm with others before amending. He stated that this would be amended prior to LDRC if there were no staff issue, or that he would otherwise bring it back to the Board in May if further clarification is needed.

Ms. Brinkman expressed the opinion that the amendment offers flexibility, is a good alternative, and has money-saving potential.

Motion to adopt by Ms. Brinkman with the following changes:

- underline lines 22 and 23 (as noted earlier under Additions, Substitutions and Deletions); and,
- staff to consider inclusion of R.O.W buffer in the waiver allowance.

Motion seconded by Mr. Brake. Motion passed 15 – 0.

#### 4. Exhibit E – Recreation Buffers within Planned Development Districts (PDDs) and Subdivisions

Mr. Cross explained:

- The amendment allows relief from incompatibility buffers typically required in between residential and recreational uses in instances where the design integrates both uses.
- PPM #ZO-O-058 currently clarifies that unless there is a minimum open space area of 100 feet in width between uses, approval of a Type II variance is needed to delete the required buffer.
- The standards for a Type I Waiver are being expanded to include this provision.
- The amendment will supersede the PPM, streamline the approval process and reduce cost and staff time.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed 15 – 0.

#### D. PUBLIC COMMENTS

There were no public comments.

#### E. STAFF COMMENTS

Mr. Cross provided the following updates:

- After having a vacant seat for the past few years, the Associated General Contractors of America have indicated that they have a potential nominee.
- Items to be presented at the next LDRAB meeting include electronic signs, the Glades Area Overlay, and Community Gardens in Planned Unit Developments.

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F. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 2:30 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

 5/27/15