

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC) (Updated 6-17-15)

Minutes of May 27, 2015 Meeting

On Wednesday, May 27, 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

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

Members Present: 11

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)
* Joni Brinkman (League of Cities)
Frank Gulisano (PBC Board of Realtors)
Terrence Bailey (Florida Eng. Society)
Tommy B. Strowd (Environmental Org.)
Gary Rayman (Fl. Surveying & Mapping Soc.)

Members Absent: 5

Jerome Baumoehl (American Inst. Of Architects)
Henry Studstill (District 7)
Daniel J. Walesky (Gold Coast Build. Assoc.)
Leo Plevy (Member at Large, Alt.)
James Brake (Member At Large, Alt.)

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. Recognition of Former Board Member Mike Zimmerman

Mr. Blackman recognized Mike Zimmerman who had retired from the LDRAB, for his longtime service. Mr. Zimmerman was not present.

3. Additions, Substitutions, and Deletions

Mr. Blackman noted that staff distributed an addendum to the agenda. Mr. Cross asked to relocate item F.1 under staff comments to follow A.5 to accommodate Ms. Pinkston's participation.

*Joni Brinkman arrived at 2:04 p.m.

4. Motion to Adopt Agenda

Motion to adopt agenda with added relocation of F.1 to follow A.5, by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (11-0).

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

Motion to adopt by Mr. Carpenter, seconded by Ms. Vinikoor. Motion passed (11-0).

6. Landscape Subcommittee: 2015-02 Topics and Membership/ Attendance

Ms. Pinkston described the purpose of the Landscape Subcommittee and said that with the loss of Mr. Zimmerman from the Board, members are needed for participation; otherwise staff would prepare amendments for the full LDRAB. Ms. Pinkston explained attention is still desirable for very important unfinished work, including Alternative Landscape Plan (ALP) and fence, wall height and berm measurement. Ms. Pinkston provided dates of meetings remaining in 2015: July 15, September 16, and November 18. Meetings are held on the 2nd floor of the Zoning Division from 9:30 – 11 a.m.

Ms. Vinikoor recommended a LDRAB workshop be considered in lieu of additional subcommittees. Mr. Cross highlighted the benefits of subcommittee participation as it may include interested parties from industry and offer more open discussion. This type of dialogue would be limited in the workshop setting.

Mr. Bailey and Mr. Carpenter expressed continued interest in serving on the subcommittee.

B. ULDC AMENDMENTS

1. Exhibit B – Community Gardens

Mr. Cross explained the intent of community gardens as it relates to neighborhood garden areas. The purpose of the amendment is to allow the use in the commercial Pod of a Planned Unit Development (PUD) and additional changes would be addressed as part of

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the Use Regulations Project (URP). Mr. Cross also explained the item is part of the Add/Delete sheet, to address minor glitches.

Ms. Brinkman submitted Form 8B, Memorandum of Voting Conflict.

Mr. Knight asked staff how community gardens will be maintained. Mr. Cross explained during the Use Regulations Project, efforts would be made to ensure that maintenance would be subject to the Home Owner's Association (HOA).

Mr. Bailey asked for clarification as to why the use is subject to DRO approval and Permitted in other districts. Mr. Cross explained this is procedural as the use will have to be shown on the site plan which would require a DRO amendment, regardless.

Motion by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed unanimously (10 - 0). Ms. Brinkman abstained from voting.

2. Exhibit C – PUD Electronic Message Signs

Mr. Cross stated the Add/Delete includes this exhibit as well and corrects the Florida Statute reference.

The Board of County Commissioners directed staff to accommodate electronic message signs in residential communities. The amendment proposes the allowance of electronic signs internal to the residential development and limited to providing notification of upcoming meetings, activities and events related to the development. Electronic signs would still be regulated pursuant to the Code. Commercial advertisements would be prohibited.

Ms. Katz asked staff to clarify POA/ HOA references in the amendment. Mr. Cross explained that the HOA and POA references would be interpreted the same. Ms. Katz also expressed concerns with the proposed 100 foot separation requirement from residential structure or lot-line. She suggested to staff the separation distance be reduced to 80 feet from 100 feet. Mr. Bailey added, related to the distance requirement, signs located at the entrance may not meet the proposed distance requirement. Mr. Cross recommended a Type I Waiver with accompanying language for staff consideration. The waiver would provide an applicant a process to consider, and be subject to standards such as requiring that the sign be oriented away from or screened from view of the affected residential uses.

Mr. Cross read into the record to add Type I Waiver to page 11, line 36 per prior discussion. Additionally, Mr. Cross read into the record to add new part 5 to reference Table 2.d.6.b, summary of Type I waivers to add PUD Electronic Message signs. Mr. Bailey asked staff to clarify the reason for prohibiting the advertisement of external activity. Mr. Bailey expressed that if sign is internal to the residents, why the need for the prohibition. Mr. Cross expressed that the intent is to protect all residents within a PUD. Mr. Bailey asked staff if signs will have to meet architectural compatibility. Mr. Cross said no.

Motion to approve with changes from Add/Delete sheet and to include Type I Waiver changes that were discussed, by Ms. Vinikoor, seconded by Ms. Katz. Motion passed unanimously (11-0).

2. Exhibit D – Westgate Community Development Overlay (WCRAO)

Mr. Cross explained the minor amendments were introduced by the WCRAO and briefly identified the proposed changes. Mr. Cross also acknowledged Mr. Elise Michaels, Executive Director of the Westgate Community Redevelopment Agency (CRA), was present to answer any questions.

Mr. Cross clarified that non-residential uses in certain Sub-areas are only allowed within a mixed use development by the new footnote; delete redundant language and scrivener's errors; increase the height from 25' to 35' as it relates to the requirements of zero setbacks; clarify differences between build to lines and setbacks for ease of use; clarify that minimum frontage means minimum lot frontage and not building frontage; reduction in glazing transparency percentage will accommodate typical South Florida industry standard for energy efficient windows, and recognize local industry trend for standalone indoor vehicle sales and rental facilities.

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Motion to approve by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11-0)

C. CONVENE AS LDRC

1. Proof of Publication

Motion to approve by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (11 - 0).

2. Consistency Determination

Mr. John Rupertus stated that the proposed amendments, Agenda items B.1 through B.3 and the previously presented amendments, and prior Exhibits E through J are consistent with the Comprehensive Plan.

Motion to approve consistency determination and addition of the Add/Delete to Exhibit E (correct reference to HOA, to read POA as previously read into the record at the March LDRAB meeting) as presented by Mr. Cross, by Ms. Vinikoor, seconded by Mr. Gulisano. The motion passed (11 - 0).

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

There were no public comments.

F. STAFF COMMENTS

1. Landscape Subcommittee: 2015-02 Topics and Membership/ Attendance

Relocated to A.6 on the Agenda.

2. June 24, 2015, LDRAB/ LDRC Special Meeting

Mr. Cross reiterated that the next LDRAB meeting in June will include amendments applicable to Ag Reserve Contiguity requirements for AGR-PUD Preserve areas. The Planning Division will be presenting amendments before the Planning Commission on June 12, 2015 and both will be presented concurrently at the July 30th Board of County Commission public hearing.

It was clarified that the LDRAB meeting would be on June 24, 2015, and the June 22, 2015 date noted on the agenda is incorrect.

3. Use Regulations Project Status

Ms. Cantor noted that staff will be presenting the Utilities and Excavation drafts to the URP Subcommittee on June 11, 2015 beginning at 2pm. Ms. Cantor also noted that presentation before full LDRAB will depend on the number of comments received by the subcommittee, and Excavation draft has minor changes. Public and Civic uses will be presented either in July or August 2105. Staff will also begin working on Commercial Uses.

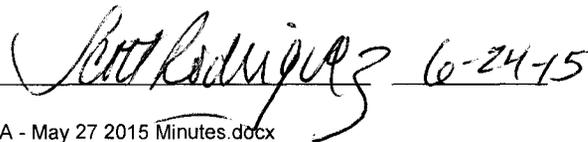
G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:08 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



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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 July 18, 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:

Item B.1. - Exhibit B Community Gardens

While a County Initiated Amendment, our firm is representing a development who wishes to utilize this code provision and our our firm has been coordinating with staff on the amendment.

May 27, 2015

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.