

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 9/20/17)

Minutes of August 23, 2017 LDRAB Meeting

On Wednesday, August 23, 2017 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: 13

Wesley Blackman (PBC Planning Congress)*
David Carpenter (District 2)
Michael Peragine (District 1)
Philip Barlage (District 3)
Lori Vinikoor (District 5)**
Dr. Rena Borkhataria (District 6)
Robert J. Harvey (District 7)
Terrence Bailey (Florida Eng. Society)
Anna Yeskey (PBC League of Cities)
Frank Gulisano (PBC Board of Realtors)
Tommy Strowd (Environmental Organization)
Derek Zeman (FL Surveying & Mapping)
Abraham Wein (Member at Large, Alt. 1)*

Members Absent: 3

Jim Knight (District 4)
Daniel Walesky (Gold Coast Bld. Assoc.)
James McKay (AIA)

Vacancies: 2

Assoc. General Contractors of America
Member at Large, Alt #2

County Staff Present:

Jon MacGillis, Director, Zoning
Leonard Berger, Assistant County Attorney
Maryann Kwok, Deputy Director, Zoning
Monica Cantor, Senior Site Planner
Jehan Wallace, Site Planner 2
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the distribution of an add/delete sheet, and requested that it be included in the motion to adopt the agenda.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)*, **.

Mr. Blackman welcomed new Member, Ms. Anna Yeskey, who replaces Ms. Joni Brinkman as the League of Cities representative on the Board.

4. Adoption of July 26, 2017 Minutes (Exhibit A)

Motion to adopt by Mr. Peragine, seconded by Mr. Carpenter. Motion passed (11 - 0)*, **.

B. Initiation of Amendment Round 2017-02 (Attachment 1)

Ms. Cantor referred to Attachment 1, the summary of proposed ULDC amendments scheduled for Round 2017-02, some of which are included in the this agenda. She summarized the amendments on each page, briefly highlighting the main topics to be addressed.

*Mr. Wein arrived at 2:10 p.m.

C. ULDC AMENDMENTS

1. Exhibit B - Art. 3, Overlays & Zoning Districts [Related to Requested Uses Reference]

Ms. Cantor explained that the minor changes are to delete the references to Requested Use in various sections of Article 3, for consistency with the changes made through the Use Regulations Project as contained in Ordinance 2017-007.

Motion to adopt by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed (12 - 0)**.

2. Exhibit C - Art. 3.E.1.E.1.c, Housing Classification and Type

Ms. Cantor indicated that the proposed amendment removes the restriction that allows conversion from attached to detached housing, related to modifications by the Development Review Office (DRO) to Master Plan, Subdivision Plan or Regulating Plans.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (12 - 0)**.

3. Exhibit D – Art. 7, Landscaping

Ms. Kwok opened the discussion on Exhibit D and explained that Article 7 is being re-organized with the goal of consolidating, clarifying and updating the article. Through four

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 9/20/17)

Minutes of August 23, 2017 LDRAB Meeting

sub-committee meetings, each lasting approximately two hours, industry and interested participants provided input for the amendments.

Ms. Kwok also clarified that the purpose of Article 7 is to provide general direction, minimum landscaping standards and design principles, required to ensure compliance with the Managed Growth Tier System (MGTS). The re-organization addresses the submittal and review process, the requirements for buffers, standards for plant materials, preservation of native vegetation, installation and maintenance, and enforcement of code requirements. In the process, many sections have been relocated to facilitate consolidation and clarity, many were deleted to eliminate redundancies, and graphics were updated.

Ms. Kwok suggested a brief page by page review, during which she pointed out significant changes and responded to questions. The following amendments were noted:

- On page 24 - an outline of the submittal and review process, including inspection, and the process for optional special certificate of compliance in lieu of landscape inspections and certification by PZB.
- Requirements for eligibility to apply for a Type 1 Waiver include Right of Way (R-O-W) and incompatibility buffers, berms, foundation planting and landscape islands.
- Measurements, locations and exemptions allowing for flexibility, are provided for R-O-Ws, compatibility and incompatibility buffers in order to avoid having to use the waiver process.
- It was noted that AGR PUD landscape buffer requirements is being relocated from Article 3 to Art. 7, Landscaping.
- Calculation of interior landscaping for both residential and non-residential are listed in Table 7.C.3.A, Interior Landscaping Requirements. Quantities of trees and shrubs shall be based on pervious surface, excluding perimeter buffers, lakes, preservation and retention areas.
- Foundation plantings for rear facades of non-residential structures in the AGR, Glades, Exurban and Rural Tiers are reduced, as most of the loading and service activities are located in the rear of buildings. Identification of the primary pedestrian entrance is introduced to assist with the applicability of foundation planting required per façade.

** Ms. Vinikoor arrived at 2:50 p.m.

- The distance between landscape islands in rows of parking spaces will be allowed provided such islands are increased in width. In response to Mr. Carpenter's inquiry about the process for requesting increases, Ms. Kwok said applications will be addressed through the DRO process.
- Revisions include minimum standards required for plant materials and ground treatment and address requirements for landscape barriers, such as hedges, walls and fences. A substitute for Canopy Tree is also provided. Additionally, regulations on height and spacing of hedges, walls and fences are clearly defined and location of wall or fence in a Landscape Buffer is specified.
- The preservation of native vegetation chapter codifies PPM ZO-060 which gives the Zoning Director the authority to address native trees outside of the Environmental Resources Management (ERM)'s preservation goals.
- Table 7.E.3.c, Tree Credit and Replacement, provides the formula for preservation, replacement, or mitigation. Mr. Rodney Swonger, Landscape Inspector, clarified that a Tree survey indicating which trees are being retained and those to be disposed of, is required. The document is recorded and the site checked one year later for compliance. Thereafter, Code Enforcement is responsible for compliance.
- Phasing: Required landscaping may be installed in phases but shall be designated on the approved Zoning plan and a formula is set out for the quantity of plant materials for each development phase.
- Irrigation systems are required to comply with the irrigation standards, no amendments were made to this portion of the Code. Mr. Wein inquired about regulations regarding wells and Mr. MacGillis responded that these are regulated by the Building Division.
- It was noted in Chapter G, Enforcement, that the Executive Director of Planning, Zoning and Building may temporarily suspend the standards of Article 7, in relation to damaged landscape material due to events such as a hurricane, freeze, a period of drought, or similar events.

