

## EXHIBIT A

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

(Updated 02/14/20)

#### Minutes of November 13, 2019 LDRAB Meeting

On Wednesday, November 13, 2019, the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Kenneth S. 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 Mr. Wesley Blackman, called the meeting to order at 2:00 p.m. Mr. Alexander Biray, Code Revision Zoning Technician, called the roll.

##### **Members Present: 14**

Joanne Davis (District 1, Commissioner Valeche)

Drew Martin (District 2, Commissioner Weiss)

Ari Tokar (District 3, Commissioner Kerner)

Glenn E. Gromann (District 4, Commissioner Weinroth)

Dr. Lori Vinikoor (District 5, Commissioner Berger)

Myles Basore (District 6, Commissioner McKinlay)

Anna Yeskey (League of Cities)

Jaime M. Plana (American Institute of Architects)

Susan A. Kennedy (Environmental Organization)\*\*

Frank Gulisano (Realtors Association of the Palm Beaches)

Jim Sullivan, Florida Surveying and Mapping Society

Charles D. Drawdy (Assoc. General Contractors of America)\*\*\*

Wesley Blackman (PBC Planning Congress)

Tommy B. Strowd (Alternate At-Large #1)

##### **Members Absent: 4**

Robert J. Harvey (District 7, Commissioner Bernard)

Terrence Bailey (Florida Engineering Society)

Daniel J. Walesky (Gold Coast Builders Association)

Abraham Wien (Alternate At-Large #2)

##### **County Staff Present: 14**

Jon MacGillis, Zoning Director

Wendy N. Hernández, Principal Site Planner

Jan Rodriguez, Senior Site Planner

Lorraine Fuster, Senior Site Planner

Alexander Biray, Zoning Technician

Mercy Trujillo, Student Paraprofessional

Scott A. Stone, Assistant County Attorney I

Bryan Davis, Principal Planner

Melissa Michael, Senior Planner

Elizee Michel, WCRA Executive Director\*

Denise Pennell, Senior Planner\*

Melissa Matos, Principal Planner\*

Marissa Da Breo-Latchman, Zoning Technician\*

David T Derita, Assistant Fire Marshal\*

Joanne Keller, Land Development Director\*

##### **Vacancies: 0**

\* County Staff in audience.

\*\* Mr. Drawdy arrived at 2:03 p.m..

\*\*\* Mrs. Kennedy arrived at 2:05 p.m

##### 2. Introductions

Mr. Blackman introduced Mr. Sullivan of the Florida Surveying and Mapping Society as a new Board member, who gave a brief introduction.

##### 3. Additions, Substitutions, and Deletions

Mr. Blackman noted an Add/Delete sent to the Board in advance and available to the public.

##### 4. Motion to Adopt Agenda

Motion to adopt the Agenda as amended, by Mr. Gulisano, seconded by Mr. Martin. Motion passed (12-0).

##### 5. Adoption of September 25, 2019 Minutes (Exhibit A)

###### a. Discussion

Mr. Martin asked for clarification if Exhibit D reduces park space. Mrs. Hernández responded it does not, and per Reasons for Amendment, just be proportionate to the number of residential units in smaller infill development.

\*\* Mr. Drawdy arrived at 2:03 p.m.

\*\*\* Mrs. Kennedy arrived at 2:05 p.m.

Motion to adopt the Minutes with change to correct date of previously-adopted Minutes, by Dr. Vinikoor, seconded by Mr. Gromann. Motion passed (14-0).

##### 6. Public Comments

No public comments.

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(Updated 02/14/20)

#### Minutes of November 13, 2019 LDRAB Meeting

##### B. ULDC AMENDMENTS – NEW

###### 1. Exhibit B – Art. 2, ULDC Privately Initiated Amendment

Mrs. Hernández explained the amendment modifies and clarifies language and to be consistent with House Bill (H.B.) 7103 regarding time, Pre-Application Appointments, and clarifies processes and procedures regarding phases and Board of County Commissioner (BCC) direction to determine if an amendment be included in an Amendment Round or standalone with two phases.

###### a. Discussion

Mr. Blackman asked if it clarifies existing vague language. Mrs. Hernández responded it does.

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

###### 2. Exhibit C – Art. 3 Zero Lot Line Homes and Residential Building Coverage

Mrs. Fuster clarified Parts 1 through 7 were removed per Add/Delete, and Part 8 re-codifies flexible regulations to allow greater maximum building coverage for single-story Zero Lot Line (ZLL) homes instead of applying for a Variance. Mrs. Hernández explained further discussion and analysis by Staff is required for the removed Parts.

###### a. Discussion

Mr. Ratterree of GL Homes spoke in support of pulling Parts 1 to 7, and the changes proposed per Part 8. Mr. Martin asked if required landscaping would be less with increased coverage. Mrs. Hernández responded requirements are based on lot size, so it would not have an impact.

Motion to approve as amended, by Mr. Gromann, seconded by Mr. Plana. Motion passed (14-0).

###### 3. Exhibit D – Art. 3, Westgate Redevelopment Area Overlay – Residential Uses

Mrs. Hernández noted representatives from the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) present, and explained the amendment clarifies where residential is allowed by Sub-area. Mrs. Dodi Buckmaster Glas, representing the CRA, gave an overview of the CRA, its evolution to warrant changes necessary as the Code changes, and provided examples.

###### a. Discussion

Mr. Martin expressed concerns about flooding. Mrs. Glass responded that there are other measures specific to mitigate flooding. Mr. Gromann asked when the CRA expires. Mr. Michel responded 2047 following the County upholding a thirty-year extension in 2017. Mr. Gromann further asked if overhangs are taken into consideration. Mrs. Glass responded designated easements alleviate any encroachments. Mr. Blackman commended the consolidation of language. Mr. Martin asked about green infrastructure. Mrs. Glas responded it was not economically feasible, and measures like pervious pavement would be commensurate. Mrs. Hernández added that references to Art. 5.C, Design Standards in the Chapter's entirety should be changed to the specific criteria for residential.

Motion to approve including changes to the Art. 5.C references on page 24 for height increase, by Dr. Vinikoor, seconded by Mr. Martin. Motion passed (14-0).

###### 4. Exhibit E – Art. 4, Caretaker Quarters

Mrs. Hernández explained the amendment changes the approval process for Caretaker Quarters to Permitted by Right where principal structure are already, because it is too excessive to be subject to Administrative Review.

###### a. Discussion

No discussion.

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

###### 5. Exhibit F – Art. 6, Parking

Mrs. Hernández explained the amendment is the second phase of the Article's rewrite. Mrs. Rodriguez, Project Manager of the rewrite, gave an overview of the amendment, which was in process since the Use Regulations Project and received solicitation of Industry and Interested Parties in support. She explained the major changes, which reorganize the Article to be consistent with the construction of the rest of the Code, streamline use calculations and loading standards, adds new alternatives and processes, and clarifies requirements.

###### a. Discussion

Mr. Gulisano asked about commercial vehicles as they relate to Home Occupation. Mrs. Rodriguez responded that it is existing language that has not changed. Mr. Gulisano further expressed concern about a decrease in office calculations. Mrs. Hernández responded calculations are the minimal requirements and came from Industry. Mr. Blackman noted the calculation affects Office, Business or Professional, not Medical or Dental Office.

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#### Minutes of November 13, 2019 LDRAB Meeting

Mr. Martin asked if parking spaces would be reserved to accommodate alternative transportation. A discussion ensued about alternative modes of transportation and how they would be enforced through Site Plans, and parking reductions with the new Waiver process.

Mr. Plana questioned why the parking requirements for a Truck Stop was so high. Mrs. Rodriguez responded that it is existing language. A discussion ensued on how square footage was calculated. Mr. Blackman contemplated whether Staff should look into it further.

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

#### 6. Exhibit G – Art. 7 Easement Overlaps of Landscape Buffers

Mrs. Hernández explained the amendment clarifies an allowance for a five-foot detention and retention areas overlap with Landscape Buffers per codification of a Policy and Procedures Manual (PPM) and Engineering policy. She noted Ms. Keller present to answer any questions related to Engineering.

##### a. Discussion

Mr. Gromann asked if Staff was aware of Florida Power & Light's (FP&L) publication as it relates to easements. Mrs. Hernández responded that Staff has coordinated with FP&L over recent amendments, and references "Right Tree, Right Place." Mr. Martin asked about green infrastructure, and if it was taken into consideration. Mr. MacGillis responded the amendment relates only to easements.

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

#### C. PRIVATELY INITIATED AMENDMENTS

No items.

#### D. CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

Mr. Blackman explained the LDRC voting procedure to new the Board members.

##### 1. Proof of Publication

Motion to accept Proof of Publication by Mr. Martin, seconded by Mr. Gromann. Motion passed (14-0).

##### 2. Consistency Determination for Exhibits B through R

Ms. Michael noted Planning Staff found the Exhibits to be consistent with the Comprehensive Plan.

##### a. Discussion

Mr. Martin asked about Exhibit P waiving vegetation replacement requirements because natural disasters. Mrs. Hernández explained the amendment was to codify the Pruning Enforcement PPM and mandated State preclusions on vegetation removal per H.B. 1159.

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

#### E. ADJOURN AS LDRC AND RECONVENE AS LDRAB

#### F. STAFF COMMENTS

##### 1. Attachment 1, LDRAB 2020 Calendar

Mrs. Hernández noted this meeting to be the last of the year, and went over scheduled 2020 meetings.

2. Mr. MacGillis clarified Landscape Service to be presented to the BCC later in the month, and Staff will return to LDRAB/LDRC with AGR-PUD requirements and Code Enforcement Case mitigation.

#### G BOARD MEMBER COMMENTS

1. Mr. Martin noted he attended the green infrastructure workshop and wanted to know if Staff was following. Mr. MacGillis responded they will at the discretion of the Office of Resilience and Executive Director of Planning, Zoning and Building (PZB).

2. Mrs. Kennedy asked for follow up on her CLF question. Mr. MacGillis noted Staff is waiting for correspondence from the County Attorney's Office.

3. Dr. Vinikoor asked for clarification if a December meeting will take place. Mrs. Hernández said no.

#### H. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:17 p.m.

Recordings of all LDRAB meetings 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) 233-5243.