



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
GENERAL SUBCOMMITTEE
FRIDAY, AUGUST 19, 2005 AGENDA
100 Australian Avenue
4th Floor Executive Conference Room, 2:30-3:30 p.m.**

1. Opening comments by Zoning Director
2. Introductions
3. Select Chair and Vice Chair
4. Review meeting procedures
5. Review topics for committee to review
6. Discussion on:
 - a) Generators
 - b) FPL Transmission Substation
 - c) Locational Criteria for Fast Food Restaurants and Auto Service Stations
 - d) Religious Institutions
7. Discuss next meeting agenda
8. Open discussion
9. Adjourn

General Subcommittee Meeting Minutes

August 19, 2005, 2:30 – 3:30 PM
PZ&B Executive Conference Room

Present:

Subcommittee Members

Jack Miles
Barbara Katz
Scott Worley

Zoning Staff

Maryann Kwok, Zoning Administrator
Robert Buscemi, Principal Planner
Izabela Aurelson, Planner II
DG McGuire, Site Planner II

Interested Parties:

Eric Wasser
Jack McNeal
Kevin Ratteree
Shayne Conover

Chip Carlson
Kerry Kilday
Wes Blackman
Geoff Slugget

Meeting began at 2:30 pm.

Mr. Buscemi welcomed everyone to the kickoff meeting designed to introduce the issues concerning the generators, locational criteria of fast food restaurants, FPL substations and religious institutions. He presented the history of each subject matter and identified some of the key points, such as: setbacks for generators, sound levels and visual impacts, that the Subcommittee should provide input on at the next meeting. After Mr. Buscemi reviewed the agenda, the LDRAB subcommittee members nominated Scott Worley to be the Chair and Barbara Katz the Vice Chair of the Subcommittee. Mr. Blackman, an LDRAB committee Chairman, stated that he was acting as a lobbyist representing a client.

Mr. Buscemi reviewed the four topics, as follows:

- Generators:
 - a) permanently ones in residential zoning districts (request made by industry)
 - b) those used for Congregate Living Facilities (CLF), Nursing Homes and PUD club houses greater than 2500 sf (request made by BCC)
- FPL Substations (request made by FPL)
- Locational criteria for Fast Food Restaurants, Convenience Stores with Gas Sales, Car Washes and Auto Service Stations (request made by industry)
- Religious Institutions (request made by Zoning Director)

Generators

Mr. Buscemi stated that the BCC approved a Zoning in Progress on August 16, 2005 at the request of the PZ&B Executive Director. The BCC directed the Building Department staff to proceed with issuing building permits utilizing the following criteria:

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1. Shall be permitted in required side yard setbacks, but must be located as close to the dwelling as possible per manufacturer's recommendations.
2. Must be screened from adjoining property and ROW. Existing lot line fence could serve as acceptable screening provided it adequately screens generator from view.
3. Maximum decibel rating would be raised from 60 to 75 dB. Decibel levels would be measured at the property line, as presently required.

Mr. Buscemi also noted that most manufacturer's rate the sound levels generated by their equipment at a distance of 23 ft.

In response to a question raised by Mr. Ratteree, Mr. Buscemi stated that these requirements would only apply to residential generators, and that there was no requirement mandating the use of generators on all residential dwelling units. The BCC, however, directed the staff to mandate generators on all nursing homes, PUD clubhouses over 2500 sf and CLF type II and III.

Mr. Worley stated that the exercise/testing times for generators should be limited to the hours between 10am and 5pm on weekdays and prohibited on holidays or weekends. Mr. Buscemi stated that the decibel level generated during the exercise mode would be lower than that projected at the maximum load.

Mr. Worley inquired about fire ratings adjacent to unit and/or soffit ratings. Mr. Wasser stated that the FBC does not require fire ratings or flame spread ratings for this type of equipment.

Locational Criteria

Mr. Buscemi presented aerial photographs showing uses such as Fast Food Restaurants, Convenience Stores with Gas Sales, Car Washes and Auto Service Stations within 1000 ft radius of an intersection. He explained that the current code allows a maximum number of two of these uses to be located within the 1000-foot radius, and that the same uses outside of the 1000-foot radius must be separated 1000 ft apart from each other. Example: within the 1000 ft radius you would be permitted a maximum of two car washes, two fast food establishments, or two auto service stations. Mr. Buscemi also stated that engineering had no criteria to support the 1000-foot rule.

Mr. Blackman described the circumstances affecting his project and requested that the subcommittee recommend changes to the current ULDC requirements.

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FPL Substations

Mr. Buscemi stated that this was an industry request, submitted by Kilday and Associates. Mr. Buscemi suggested that the proposed power switching station may need to be categorized as a new use, since the current ULDC requirements for Minor Utility and Major Power Plant do not apply to this use.

Mr. Buscemi also reviewed the letter prepared by Kilday, which addressed questions posted by staff at prior meetings. Mr. Kilday stated that FPL has requested that the approval process for sites bounded by commercial/industrial uses be subject to DRO review only, and sites bounded by residential uses be subject to a class A conditional use. Mr. Buscemi added that the future proposed sites would likely need to be adjacent to the existing overhead transmission lines.

Religious Institutions

Mr. Buscemi stated that code staff is reviewing uses currently being utilized by religious institutions. He stated that many of these institutions have grown substantially in size and have incorporated numerous public assembly areas. The current ULDC requirements do not adequately address this issue.

Code staff will be conducting a windshield survey and analyzing the gathered information, and transmitting the findings to the Subcommittee.

Meeting adjourned at 3:45 pm.