



SPECIAL MEETING
DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)
TUESDAY AUGUST 8, 2017 2:00 PM-4:00 PM
PZ&B – VISTA CENTER
2300 NORTH JOG RD., WEST PALM BEACH, FL 33411
HEARING ROOM CHAMBER (VC-1W-47)

MINUTES

CALL TO ORDER: AT 2:00 P.M.

ATTENDANCE:

MEMBERS PRESENT : Scott Mosolf, Bradley Miller, Lauren McClellan, Yexsy Schomberg, Jeff Brophy, Gladys Digirolamo, Brian Cheguis, and Pat Lentini.

INTERESTED PARTIES: Damian Brink, Kevin McGinley, and Hays Henderson.

PZB ZONING STAFF: Jon MacGillis, Maryann Kwok, Wendy Hernandez, Alan Seaman, Barbara Pinkston, Carrie Rechenmacher, Jan Rodriguez, Josue Leger, Meredith Leigh, Carlos Irizarry, Roger Ramdeen, Monica Cantor, Yoan Machado, Zubida Persaud, Donna Adelsberger, George Galle, Melissa Matos, and Lorraine Fuster.

AGENDA

1. Opening Comments – Jon MacGillis

Jon welcomed everyone to the special DRAC meeting to update the committee on the proposed 2017-02 ULDC amendments to Article 2 and Article 7. Jon also thanked Maryann for all her efforts and hard work and her diligence in getting both proposed article amendments done to this point, with the involvement of the Subcommittee meetings, Staff and Agencies input. He then turned the meeting over to Maryann.

2. Article 7 Review and Comments – Attachment 1 – Maryann Kwok

Maryann provided a handout with bullet points of the proposed changes to Article 7, Landscaping, which she discussed the highlights and responded to questions and concerns by the committee members.

- Chapters A, General – Maryann explained that most of the changes to chapter A were just relocation from other chapters to organize the information.
- Chapter B, Applicability and Approval Process – Maryann explained that agents suggested that there were too many Type 1 Waivers allowed in the Landscaping section of the Code. So a review was done and some reduction was done to allow more flexibility in the Code. Also examples of

average tree height were added to the code. Committee had no issues with the changes.

- Chapter C, Landscape Buffers and Interior Planting Requirements – Maryann reviewed some of the changes in this chapter to clarify the roll In regards to the increased width of foundations planting from 5ft to 8ft and island width increase from 8ft to 10ft, the committee expressed concerns that these changes do not make provisions for smaller sites under 2 acres, which should be allowed to keep the current width of 5ft and 8ft for foundation planting and island width. Staff reviewed with the committee that there are other sections of the Code that allows smaller sites in URA, PRA, WCRAO to have the option of no plantings to few planting areas based on the lot size. Also PRA allows alternative options for parking islands on small sites. We agree that staff will review the definition of a “small site” to address this issue.
- Chapter C – DRAC members also wanted clarification on whether the allowance of 2.5 ft overhang in median will be changed. Staff verifies that this was no longer under the current code.
- Chapter D, Landscaping Standards – Reference to the Florida Grades and Standards for Nursery Plants has been added to the Code, and clarification that hedges, fences and walls are considered as Landscape Barriers to provide screening effect. No concerns were expressed on these changes.
- Chapter E, Existing Vegetation – Added to the code are the requirements and procedures for the Vegetation Barricade Permits as already discussed and PPM ZO-O-061 issued in 2016. Committee had no concerns.
- Chapter F, Installation and Maintenance - Maryann explained that discussions with the County Attorney are ongoing regarding the issue of Vacant Lot Planting Plan and this will be presented at a later time.
- Chapter G, Enforcement – The violation fees are being changed to quadruple the fees from 3 times the fees. This is consisted with the violation fees for Building Permits.
- Pending Issues – Maryann pointed out that there are still some issues that arose from the Landscape Subcommittee meetings, such as, 1) reducing the 60% native species requirement to a lesser % to include more non-native species; 2) Compact sized vehicles parking dimensions and placement and size of islands; 3) Wheel stop sizes and curbing along landscaping areas; 4) Bio swale or vegetated swales, to allow 100% overlapping of drainage easement into buffer; 5) Preferred and controlled plant list to be updates; and 6) Truthing pervious areas to include planting areas and pervious space, and revisit building coverage calculations. Maryann explained that in October the Landscape Subcommittee will reconvened to discuss these pending issues and make recommendations. Such changes will be submitted in future amendments.

3. Article 2 Review and Comments – Attachment 2 – Maryann Kwok

- Chapters A, General – Maryann reviewed the changes relating to the references to the Zoning Calendar for those critical application deadline dates, in addition to the those timelines specified in the ULDC. Another change in this section is the addition of the Pre-application Appointment (PAA) which has no fee attached, is a meeting with staff and the Pre-

application Conference (PAC) (already existing in the Code) is a fee based meeting which includes various agencies. Committee had no issues with these changes.

- Chapter B - Comprehensive Plan Amendment - Maryann explained this section is being reviewed by the Planning Division since it is related to the Comprehensive Plan.
- Chapter C - PH Process – Maryann explained that most of these changes are just relocation from various chapters within Article 2 to present the information in a more intuitive state. Changes made to this chapter to clarify the role of the DRO as being 1) to review, certify, make recommendations and to finalize the ZC and BCC applications; and, 2) to approve administrative applications in accordance with the ULDC Use Matrix and Development Thresholds.
- Chapter D - Administrative Processes – One significant change to this section is replacing of the term Special Permit with Temporary Use, the authority or decision making person is DRO and the process is Zoning Agency Review (ZAR). Similarly, the Reasonable Accommodation (RA) is now being moved to Article 5 is subject to DRO and the process is ZAR with Zoning and various Agencies to review and approve. Another modification is the proposal to combine the ZAR and ZZR processes, since Zoning is considered as one of the agencies who reviews these applications. A Zoning – Zoning Review (ZZR) will now be referred to as a ZAR with Zoning being the only agency to review and the timeframe for processing will be the same, as all applications will be submitted through the online submittal system. A table will be added to the ULDC to expand and clarify the DRO Full and DRO Administrative processes with cross reference of the approval processes. Kevin asked how do we process Special Permit under Ag Uses, such as nurseries. Maryann acknowledged this as a good point, and said that we will have to review all other Special Permit approvals that are in the Code to address such conflicts.
- Chapter D – Jan and Alan explained that changes were being made to remove the Interpretation section in the administrative process and to add a new section Zoning Confirmation Letter (ZCL) which will explain three types, 1) Informal ZCL – where a request is for standard existing land use and zoning district information; 2) Non-Site Specific ZCL – which is a request for a non-site specific determination of how the Code may be applied in a hypothetical zoning district and land use, this type is not subject to the appeal process; and 3) Formal ZCL where the request is submitted by the owner, contracted person, or any person submitting a DO application, may request analysis on how the Code applies to a particular parcel of land based on the existing DO application, a request for interpretation of the code language and requirements may be included. These requests will be considered as DRO requests with ZAR approval process. Kevin questioned if there is a way for an applicant to receive an interpretation to a resolution conditions. Staff said that this would require a Formal ZCL because it is specific to a site/DO and requiring an interpretation of the Code.

Other Committee Concerns:

Attendee Hays Henderson from Jennifer Morton's office asked why the packet was

distributed two weeks before the LDRAB.

Gladys and Staff both explained that there were several Landscape Subcommittee meetings that occurred between May to August and the feedback received from these meetings was discussed and most changes requested were incorporated with the current changes. There are still some pending issues as listed above (refer to section 2) that will be discussed in the October meeting when we reconvene and those changes will be done in future rounds.

Lauren asked staff to clarify how to post notification signs.

Gladys brought up getting rid of the QR codes again. Maryann said she should bring this up when we are doing the Technical Manual updates.

The DRAC Committee members expressed concerns about the modifications to order of the Proceedings of Hearings. They do not want to present first as they feel this will lengthen the proceedings. Staff explained that most municipalities have this order, and each presentation will be timed.

4. Meeting Adjourn – 4:10