

EXHIBIT A

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

Minutes of March 26, 2014 Meeting

On Wednesday, March 26, 2014 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

Vice-Chair David Carpenter called the meeting to order at 2:02 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 16

David Carpenter (District 2)
Richard Kozell (District 1)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Michael Zimmerman (District 6)
Henry Studstill (District 7) *
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Terrence Bailey (Florida Eng. Society)
Jerome Baumohl (AIA)
Edward Tedtmann, Environmental Organization)
Frank Gulisano (PBC Board of Realtors)
Gary Rayman (Fl. Surveying & Mapping Society)
Leo Plevy (Member at Large, Alt.)
James Brake (Member At Large, Alt.) **

Members Absent: 1

Wesley Blackman (PBC Planning Congress)

Vacancies: 2

(Assoc. General Contractors of America)
(Condominium Association)

County Staff Present:

Robert Banks, Chief Land Use Attorney
William Cross, AICP, Principal Site Planner, Zoning
Kenny Wilson, PBC Health Department
Sunil Jagoo, Project Coordinator II, Land Development
Quazi Bari, Senior Professional Engineer, Engineering
John Rupertus, Senior Planner, Planning
Monica Cantor, Senior Site Planner
Zona Case, Zoning Technician, Zoning
David Nearing, AICP, Site Planner I, Zoning

2. Additions, Substitutions, and Deletions

Vice-Chair Carpenter noted that staff distributed Amendments to the Agenda for Exhibit B.

3. Motion to Adopt Agenda

Motion to adopt agenda, as amended, by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14 - 0) **.

* Henry Studstill arrived at 2:04 p.m.

4. Adoption of February 26, 2014 Minutes (Exhibit A)

Motion to adopt by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (15 - 0) **.

** James Brake arrived at 2:08 p.m.

B. ULDC AMENDMENTS

1. Exhibit B – Art. 11, Subdivision, Platting and Improvements

Mr. Jagoo explained the revisions and in response to LDRAB inquiries, clarified that many of the amendments are based on comments from the private sector. The Board discussion included:

- The proposed definition of ditch including the term “swale” is very broad. Mr. Jagoo responded that while the term swale is broad, the intent was to clarify that a ditch is a large swale and the hierarchy is based on depth, width, etc. The definition will be expanded to indicate that ditch has the capability of temporarily containing or conveying storm-water runoff.
- Clarification that the overall design of a project is based on a Master Plan. During the platting of lots, land being reserved for future platting will need to be identified as tracts or parcels.
- Clarification that bonds are for the installation of the site’s required improvements only, not maintenance. The maintenance of the required improvements are the responsibility of the beneficiary of these improvements (usually the HOA), which are dedicated to them via plat.

Mr. Rayman questioned the removal of the term “abstracted” in several parts of the draft, whereas abstracted is part of the survey. Mr. Jagoo stated that the amendment will be revised to keep the term.

Motion to adopt by Mr. Puzzitiello, as amended, seconded by Mr. Gulisano. The motion passed (16 - 0).

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2. Exhibit C – Art. 12, Traffic Performance Standards

Mr. Bari explained that one of the proposed amendments is changing the source reference of the trip generation from ULDC Article 13 to the Palm Beach County Traffic Engineering web site and the latest version of the Institute of Transportation Engineers' (ITE) Trip Generation Manual, if the rates are not covered in the Traffic Engineering web site. He also mentioned that the ITE Trip Generation Manual is a nationally recognized source for such information.

Mr Bari continued by stating that the second amendment is primarily intended for grade separated intersections on Southern Boulevard and involves a clearer explanation of how to calculate significance of the interchanges.

There was no Board discussion.

Motion by Mr. Bailey, seconded by Ms. Vinikoor. The motion passed (16 - 0).

3. Exhibit D – Art. 15, Health Regulations

Mr. Wilson explained that this amendment relates to fire hydrant testing to be reported at the beginning of each year. Records are to be maintained by owners of the community, such as mobile home parks, where the system is not connected to a publicly owned/maintained water system. Mr. Wilson also said that the records are required to be kept on site and may be reviewed by the Fire Department at any time. The Board recommended amending the language to request the owner to provide a letter to the fire department once the test is performed. Mr. Wilson indicated that he would incorporate this into the draft.

Motion by Mr. Puzzitiello, seconded by Mr. Gulisano including changes discussed. The motion passed (16 - 0).

C. PRIVATELY INITIATED ULDC AMENDMENT APPLICATIONS

1. Exhibit E – PIA 2014-376 Bay Door Orientation

Mr. Cross provided a brief presentation outlining the applicant's request to allow for alternative solutions to the current standards for the General Repair and Maintenance use, which prohibits bay doors from being oriented towards residential Zoning Districts, Future Land Use (FLU) designation or uses unless separated by an arterial or collector street. He advised that this topic had previously been identified as an issue to be amended holistically as part of the Use Regulations Project, but that the applicant preferred not to wait. Staff had targeted this issue for the following reasons: the language is not consistent when applied to other similar uses; the prohibition does not apply to all similar uses such as auto paint and body shops; and, there is a need to allow for exceptions when abutting residential parcels are developed with non-residential uses.

Mr. Cross continued that there are three options proposed by the applicant. Staff recommends initiating Option 2, subject to revisions to address potential adverse impacts outlined in the staff report, including additional screening to mitigate visibility, noise, lighting and emissions, etc.

Mr. Josh Nichols from John J. Schmidt & Assoc. Inc, spoke on behalf of the applicant. He explained that in this case, a proposed General Repair and Maintenance use on an industrial property was adjacent to a public canal that had a Residential FLU designation. He reaffirmed that the ULDC states that bay doors cannot be oriented toward residential but that there is a provision that allows bay doors facing residential when they are separated by a collector or arterial street. He asked what would be the difference between arterial or collector right-of way or another right-of-way that is a canal? In responding to LDRAB discussion, he acknowledged that the property on the other side of the canal was developed with residential uses, but that they had proposed an Option that would mitigate any adverse impacts. He concurred that the staff recommendation to refine this Option was acceptable.

The Board indicated that it was also in agreement the staff recommendation. Mr. Cross reiterated that the language before the Board was a draft which will be further amended if initiated. The Board discussed suggestions for modifying the landscape buffer to include more trees with consideration of noise and visibility.

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Motion by Ms. Vinikoor to recommend initiation of the amendment in accordance with staff recommendation, consideration of wall height and other issues discussed, seconded by Mr. Gulisano. The motion passed (15 - 1). Mr. Baumoehl voted nay.

D. PUBLIC COMMENTS

There were no public comments.

E. STAFF COMMENTS

Subcommittees

1. Use Regulations Project (URP) Residential

Ms. Cantor noted that the date for the subcommittee meeting has not been set, as there are Planning related issues which still need to be addressed. Staff does not wish to bring this use category forward in piecemeal fashion.

2. Signage (LED)

Ms. Cantor indicated that the meeting is expected to take place within the next two weeks. However, it is currently anticipated that the committee will only need to meet once.

3. Landscaping

The meetings are ongoing as originally scheduled.

F. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:14 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: David Nearing Monica Cantor for David Nearing 4/23/14