

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 11/20/20)

Minutes of October 28, 2020 LDRAB/LDRC Meeting

On Wednesday, October 28, 2020, 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 and via Cisco Webex Events communications media technology (CMT).

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call

Chair Mr. Wesley Blackman, called the meeting to order at 2:01 p.m. Mr. Alexander Biray, Code Revision Site Planner I, called the roll.

Members Present: 15

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)
Robert J. Harvey (District 7, Commissioner Bernard)*

Terrence Bailey (Florida Engineering Society)*
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)*

Vacancies: 0

Members Absent: 3

Daniel J. Walesky (Gold Coast Builders Association)
Myles Basore (District 6, Commissioner McKinlay)* ****
Abraham Wien (Alternate At-Large #2)

County Staff Present: 18

Ramsay J. Bulkeley, Planning, Zoning and Building Executive Director*
Jon MacGillis, Zoning Director*
Wendy N. Hernández, Deputy Zoning Director
Jeff Gagnon, Principal Site Planner
Adam Mendenhall, Senior Site Planner
Jerome Ottey, Site Planner II

Zubida Persaud, Site Planner II*
Alexander Biray, Site Planner I

Robert P. Banks, Chief Land Use County Attorney
Scott A. Stone, Assistant County Attorney I
Patricia Behn, Planning Director*

Bryan Davis, Principal Planner
Bruce O. Thomson, Principal Planner*
Carolina Valera, Senior Planner*
Michael R. Howe, Senior Planner*
Joanne Keller, Land Development Director*
Denise Pennell, Westgate Community Redevelopment Agency Senior Planner*
Mark Meyer, Environmental Resources Management Site Planner II*

* Present via Webex Events.

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

*** Mr. Martin arrived at 2:08 p.m.

**** Mr. Basore was present via Webex Events, but could not be heard and consequently was marked absent.

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

2. Additions, Substitutions, and Deletions

There were no additions, substitutions, and deletions. Ms. Hernández noted the attendance of fourteen members, but will be unable to count Mr. Basore unless he can be heard.

3. Motion to Adopt Agenda

Motion to adopt the Agenda, by Mr. Gulisano, seconded by Mr. Gromann. The Motion passed unanimous (14-0).

4. Adoption of September 23, 2020 Minutes (Exhibit A)

Motion to adopt the Minutes, by Dr. Vinikoor, seconded by Mr. Gulisano. The Motion passed unanimous (14-0).

5. Public Comments

There were no public comments. Ms. Hernández reminded that Webex users will have the opportunity to speak using the "Raise Hand" function. She also noted no electronic Comment Cards submitted.

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B. ULDC AMENDMENTS – NEW

1. Exhibit B – Art. 2, Waiver Summary Tables Consolidation

Ms. Hernández explained the amendment adds clarification on Table Headings for Type 1 and Type 2 Waivers, and adds missing ones and their references that exist throughout the Code.

a. Discussion

Mr. Blackman noted the amendment is housekeeping.

Motion to approve, by Mr. Gromann, seconded by Dr. Vinikoor. The Motion passed unanimous (14-0).

2. Exhibit C – Art. 2, Removal of the Building Division from DRO Agency Review

Ms. Hernández explained the amendment removes, per the Building Division's request, them from DRO review because projects are already reviewed when submitted later for Building Permit review.

a. Discussion

Mr. Blackman noted the redundancy. Ms. Hernández responded that Building plans are not always submitted at DRO review.

*** Mr. Martin arrived at 2:08 p.m.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Gromann. The Motion passed unanimous (15-0).

3. Exhibit D – Art. 5, Westgate CRA Overlay Workforce Housing Program Exemption

Ms. Hernández explained the amendment references Density Bonus Pool requirements of the Westgate Community Redevelopment Area Overlay (WCRAO) amendment in Exhibit G for consistency.

a. Discussion

No discussion.

Motion to approve, by Mr. Gulisano, seconded by Mr. Martin. The Motion passed unanimous (15-0).

C. CONVENE AS LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

The Land Development Regulation Advisory Board convened as the Land Development Regulation Commission at 2:10 p.m.

1. Proof of Publication

Motion to accept Proof of Publication by Mr. Gromann, seconded by Mr. Martin. The Motion passed unanimous (15-0).

2. Consistency Determination for Exhibits B-J

Mr. Blackman noted the Comprehensive Plan Consistency Determination for Proposed ULDC Amendments memo from Mr. Bryan Davis, Principal Planner of the Planning Division, stating the proposed amendments Exhibits B through J are consistent with the Comprehensive Plan.

Ms. Hernández explained Exhibits E and I have no changes, Exhibit F incorporates the LDRAB Motion, Exhibit G corrects typographical spelling errors in addition to the removal of the sky exposure plane definition in Article 1 as the pertinent Section of Article 3 is stricken out, Exhibit H incorporates the LDRAB Motion and corrects grammatical errors, and Exhibit J incorporates the LDRAB Motion.

Motion to approve, by Mr. Gulisano, seconded by Mr. Gromann. The Motion passed unanimous (15-0).

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

The Land Development Regulation Commission adjourned and reconvened as the Land Development Regulation Advisory Board at 2:13 p.m.

E. STAFF COMMENTS

Ms. Hernández introduced Mr. Jeff Gagnon as the new Principal Site Planner of the Code Revision Section, filling her previous position after being promoted to Deputy Zoning Director in May. Several Board members congratulated Staff. She also noted the scheduled November LDRAB meeting is canceled and to anticipate meeting in December.

Mr. Stone noted the Governor's Executive Order (EO) not requiring a physical quorum is due to expire November 1st at midnight, and strongly advised not to expect another extension. He noted if a physical quorum is present, other Board members may use CMT following a vote of "extraordinary circumstances".

Mr. Blackman clarified for LDRAB meetings that nine members would have to be present for a quorum.

Dr. Vinikoor asked for clarification on the vote. Mr. Stone responded that it would follow the expiration of

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the EO at the beginning of each meeting. He also noted several Attorney General Opinions have argued in favor of allowing attendance remotely under normal circumstances if there are construed “extraordinary circumstances.”

F. BOARD MEMBER COMMENTS

Mr. Gulisano asked when the next LDRAB meeting is in December. Ms. Hernández responded that it is on December 16th.

Mr. Blackman asked Dr. Vinikoor for an update on the Community Residential Housing Subcommittee. Dr. Vinikoor responded that the kick-off meeting on October 13th set up goals and dates for the future meetings. She was elected the Chair and Mr. Blackman the Vice Chair, with the first meeting to take place following.

Mr. Martin commented that environmental groups may challenge the County’s interpretation of tree and landscaping ordinances where an arborist may allow a tree to be removed without permit or replacement based on something being wrong with the tree, and the County should hold back on interpretation. He further expressed concern about Homeowners’ Associations removing trees on a mass scale, and not replacing with a 50-percent native requirement. He noted a recent news article from The Palm Beach Post and pending lawsuit against Tivoli Lakes.

Mr. Blackman noted through the PBC Cooperative Extension service, the Native Canopy Plant Giveaway Program offered by the County, and the only requirement is to be a resident, both incorporated and unincorporated. Mr. Gulisano asked for the link. Mr. Blackman responded that he will provide it Staff to distribute to Board members.

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 2:21 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.