

**EXHIBIT A**

**PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**  
(Updated 2-12-16)

**Minutes of January 27, 2016 LDRAB/LDRC Meeting**

On Wednesday, January 27, 2016 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**

Chair Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 11**

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumoehl (AIA)  
Joni Brinkman (League of Cities)  
Frank Gulisano (PBC Board of Realtors)  
Gary Rayman (Fl. Surveying & Mapping Soc.)  
Daniel J. Walesky (Gold Coast Build. Assoc.)

**Members Absent: 6**

Michael J. Peragine (District 1)  
Stuart R. Fischer (District 6)  
Henry Studstill (District 7)  
Tommy Strowd (Environmental Organization)  
Leo Plevy (Member at Large, Alt.)  
James Brake (Member At Large, Alt.)

**County Staff Present:**

Leonard Berger, Chief Assistant County Attorney  
Jon MacGillis, Zoning Director  
William Cross, AICP, Principal Site Planner, Zoning  
Erin Fitzhugh Sita, Senior Planner, Planning  
Zona Case, Zoning Technician, Zoning

**Vacancies: 1**

(Assoc. General Contractors of America)

**2. Additions, Substitutions, and Deletions**

Mr. Blackman noted the distribution of the amendments to the agenda handout and requested that it be included in the motion to adopt the agenda.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda, as amended by Ms. Katz, seconded by Mr. Carpenter. Motion passed (11 - 0).

**4. Adoption of November 18, 2015 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (11 - 0).

**B. ULDC AMENDMENTS**

**1. Exhibit B – Electronic Changeable Copy Message Sign Pilot Program**

Mr. Cross updated the Board on the BCC Workshop conducted last summer, which broached the subject of electronic signage with options on how to address the topic. The BCC directed staff to initiate a one-year Pilot Program to allow for limited introduction of electronic signage in the Priority Development Area (PRA) of the Urban Redevelopment Area Overlay (URAO). Approximately one-year after adoption, the Zoning Director will present an update to the BCC to determine if it should be discontinued, revised or expanded.

Mr. Cross provided a Power Point presentation summarizing the proposed amendments, briefly elaborating on the following points:

- The timeframe for the Pilot Program will allow for the Zoning Director one-year update prior to expiring on September 1, 2017.
- Maps illustrating the borders of the PRA, generally bounded by Southern Boulevard on the north, Congress Avenue and Military Trail on the east and west respectively, and Sixth Avenue on the south.
- Maps illustrating what roadways the Pilot Program signage would be permitted to be located on.
- The Pilot Program only applies to certain freestanding or wall signs. Digital billboards will not be considered at this time.
- Typical examples of the types of signs (text only) to be permitted.
- A maximum of one electronic changeable copy sign per site except for larger parcels with multiple frontages.
- The locations and applicable conditions for approval.

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- The approval process, eligible sign types, and the allowance of one change of message per day.
- Provisions for Type II Waivers.
- It is expected that the amendments will be presented to the BCC at the February and March BCC Zoning Hearings, with an anticipated effective date in late March to early April.

In opening the discussion on Exhibit B, Mr. Bailey referred to Page 1, Line 13 of the amendments to the agenda, and expressed the opinion that the regulation of one change of message in 24 hours seems extreme. He questioned how the regulation will be enforced. Mr. Bailey went on to suggest that it is possible for a company to acquire software that logs the changes. Mr. Cross acknowledged the difficulties Code Enforcement often encounters, but noted that this particular standard was easier to enforce than a less restrictive standard, as once per day could be spot checked versus having to actually observe the message change.

Mr. Blackman added that it could be that one of the reasons for the pilot program is to determine if it is enforceable, and he posed the question, if at the end of the year the decision is taken not to continue, what happens in terms of the existing signs. Mr. Berger pointed out that the Code gives the right for one year, so if discontinued the signs would become non-conforming. They could be left in place until they fall into a state of disrepair or amortization might be possible.

Ms. Brinkman opined that signs are costly and suggested that applicants be advised when applying for a permit that potentially, in a year, the sign could be non-conforming and there might be limitations for repairs. Mr. Cross agreed that it would be helpful to provide a disclaimer to applicants.

Mr. Walesky proposed soliciting feedback from businesses on the changes that they might want. Mr. MacGillis noted that the Pilot Program actually accommodates current requests, and that having a trial period would further encourage the sign industry to provide feedback.

Ms. Brinkman also commented on light sensing devices and inquired whether colors would be addressed. Mr. Cross responded that standards for colors, including a monochromatic requirement, have already been updated under prior amendments to electronic signage provisions in the current code.

Mr. Berger referred to line 22 (sub paragraph c) on page 12 of the exhibit and expressed the desire to change the last sentence for clarification. He asked that the following be read into the record: "that the applicant shall provide documentation to verify that the device will comply with this requirement as part of building permit below."

Motion to approve Exhibit B, as amended, by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (10 – 1). Mr. Baumohl voted Nay.

#### **C. CONVENE AS LDRC**

##### **1. Proof of Publication**

Motion to approve by Proof of Publication by Mr. Gulisano, seconded by Ms. Katz. The Motion passed (11 - 0).

##### **2. Consistency Determination**

Ms. Erin Fitzhugh Sita of the Planning Division confirmed that the proposed amendments, Agenda item B, are consistent with the Comprehensive Plan.

Motion to approve Consistency Determination by Mr. Carpenter, seconded by Ms. Vinikoor. The motion passed (11 - 0).

#### **D. ADJOURN AS LDRC AND RECONVENE AS LDRAB**

#### **E. PUBLIC COMMENTS**

There were no public comments.

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F. STAFF COMMENTS

Mr. Cross introduced the Board to Mr. Tahir Curry, who is currently pursuing a Planning Degree at FAU, and will be performing research and other duties in the Zoning Division as an intern.

Mr. Cross also provided the following updates:

- o The BCC Adoption Hearing for Round 2015-02 will be held on the following day, January 28, and an update on Public and Civic uses will be provided at the meeting.
- o Zoning staff is working on the Privately Initiated Amendment (PIA) for Florida Power & Light related to collocation of Commercial Communication Towers with substation and transmission structures, tentatively scheduled for the February 24, 2016, LDRAB.
- o The Initiation of ULDC Amendment Round 2016-01 will be presented at the February BCC Zoning Hearing.

Mr. MacGillis acknowledged that this was the last LDRAB meeting for Mr. Rayman, and expressed staffs appreciation for his six years of service to the County as an LDRAB member.

H. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:00 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:

  
Zona Case, Zoning Technician

  
Date