

**EXHIBIT A**

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

(Updated 5/17/16)

**Minutes of April 27, 2016 LDRAB Meeting**

On Wednesday, April 27, 2016 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also sitting as the Land Development Regulation Commission (LDRC), 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 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 14**

Wesley Blackman (PBC Planning Congress)  
Michael Peragine (District 1)\*\*\*\*  
David Carpenter (District 2)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Henry Studstill (District 7)\*  
Terrence Bailey (Florida Eng. Society)\*\*  
Daniel J. Walesky (Gold Coast Build. Assoc.)  
Joni Brinkman (League of Cities)\*\*\*  
Frank Gulisano (PBC Board of Realtors)  
Tommy Strowd (Environmental Organization)  
Derek Zeman (FL Surveying & Mppng. Soc.)  
Leo Plevy (Member at Large, Alt.)

**Members Absent: 3**

Stuart R. Fischer (District 6)  
Jerome Baumoehl (AIA)  
James Brake (Member at Large, Alt.)

**County Staff Present**

Leonard Berger, Chief Assistant County Attorney  
Jon MacGillis, Zoning Director  
Maryann Kwok, Deputy Zoning Director, Zoning  
Bryan Davis, Principal Planner, Planning  
Erin Fitzhugh Sita, Senior Planner, Planning  
Eric McClellan, Director, Facilities Development & Operations Strategic Planning, FDO  
William Cross, AICP, Principal Site Planner, Zoning  
Jean Matthews, Senior Planner, Parks & Recreation  
Scott Rodriguez, Site Planner II, Zoning  
Zona Case, Zoning Technician, Zoning

**Vacancy: 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. Vinikoor, seconded by Ms. Katz. Motion passed (10 -0).

**4. Adoption of March 23, 2016 Minutes (Exhibit A)**

Motion to adopt by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (10 - 0)\*  
/\*\*/\*\*\*/\*\*\*\*.

\*Mr. Studstill arrived at 2:03 p.m.

**B. ULDC AMENDMENTS**

**1. Exhibit B – Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]**

Mr. Cross explained that Florida Statutes pre-empt local updates to property development regulations for previously approved Mobile Home Parks. Mobile homes of any size are permitted on mobile home lots subject to compliance with the lot size, separation, setbacks, and other requirements in effect at the time of the last development order approval.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)\*\*  
/\*\*/\*\*\*/\*\*\*\*.

**2. Exhibit C – Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas**

Mr. Cross explained:

- The amendments are in keeping with recently adopted Comprehensive Plan Future Land Use Element (FLUE) Policies which added part of the ULDC standards for Zoning district consistency with the Plan.
- The Plan amendments also made the LR-1, LR-2 and LR-3 FLU designation consistent with the RS, RE and RT zoning districts (Table 3.A.3.B). The addition of the RT district to the low density FLU is meant to encourage additional infill redevelopment opportunities.

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Motion to adopt by Mr. Carpenter, seconded by Mr. Knight. Motion passed (11 - 0)\*\*  
/\*\*\*/\*\*\*

#### 3. Exhibit D – Table 6.A.1.D, Minimum Parking Dimensions

Mr. Cross explained the rationale behind deleting Retail from Table 6.A.1.D- Minimum Parking Dimensions. He clarified that the term “General” now applies to parking spaces designated for non-residential and residential uses with shared parking lots. The dimensions of the parking spaces under “General” are smaller than were allocated for Retail, but still sufficient in comparison to more urban jurisdictions. The term “Handicapped” was revised to “Accessible” in keeping with Florida Statutes.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)\*\*  
/\*\*\*/\*\*\*

#### 4. Exhibit E – Overlay Updates

Mr. Cross informed the Board that the Bioscience Research Protection Overlay (BRPO), and the Lion Country Safari Overlay (LCSO), although referenced in the Code, were not included in the Overlay section of the ULDC. The amendment streamlines and creates a roadmap for the user.

- Parts 1 and 2 of the Exhibit establish Acronyms and amendments related to both Overlays to recognize previously implemented FLUE objectives and to update the list of Overlays to include them.
- Part 3 further supports the objective of a previous ULDC amendment related to Industrial Research Laboratory and streamlines the process to encourage bioscience development.
- Part 4 relocates the provisions implementing the Objective for the LCSO to the end of the Rural Residential Planned Unit Development (RR PUD) Section of the ULDC. This relocation responds to feedback from interested parties that the original placement within the RR PUD creates confusion.

Motion to adopt by Mr. Carpenter, seconded by Ms. Katz. Motion passed (11 - 0)\*\*  
/\*\*\*/\*\*\*

\*\*Mr. Bailey arrived at 2:10 p.m.

#### 5. Exhibit F – Western Communities Residential Development Overlay (WCRDO)

Mr. MacGillis reminded the Board that this Privately Initiated Amendment (PIA) submitted by GL Homes, was previously presented to the Planning Commission, and with their recommendation was moved forward to the BCC. The BCC instructed Zoning to process the amendments to the ULDC, concurrent with amendments to the Comprehensive Plan.

Mr. Bryan Davis of the Planning Division, with the aid of a Power Point presentation, provided a framework of the geographic location of the Western Communities Residential Overlay and the concurrent application for the Indian Trail Groves (ITG) PUD, and also the nature of the development. He briefly explained the following points:

- Development area: approximately 5,000 acres, located in the Rural Tier, west of the Acreage, south of the Corbett Wildlife Management, east of the Everglades Agricultural Area, and adjacent to Minto West.
- Conceptual idea: Sector Plan attenuated to preserve the rural character and open space, allowing for sustainable development, the creation of a healthy environment, ecologically more compact, but sensitive to surroundings.
- Development: PUD. Agricultural uses will remain, limited urban service area minimizing the impact of services; providing a delicate balance between urban and rural, to prevent urban sprawl.
- Density: approximately 0.8 units per acre, totaling 3,900 residential units offering a range of housing choices, 350,000 sq. ft commercial space; 60% open space, and a development area of approximately 40%, with minimum vertical development. There will be equestrian and bicycle trails and a trolley service to Minto West to ease traffic congestion.
- Study of the parcels to see what can be done about water resources and also to help alleviate flooding, one of the main issues in the area.

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- A new land use, WCR, is to be created.

\*\*\*Ms. Joni Brinkman arrived at 2:18 p.m

Mr. Davis explained that the Plan amendments have been transmitted, are on the way to the State for agency review and should come back to the BCC in September or October.

\*\*\*\*Mr. Michael Peragine arrived at 2:30 p.m

Mr. Cross explained that the ULDC is being amended to establish the new Western Communities Residential Overlay (WCRO) Future Land Use for consistency with the Plan. Provisions for the Overlay will be located within the PUD regulations of the ULDC to be referenced as WCR PUD. Appropriate additions are being made to the list of Overlays, amendments to the FLU table, and added text to clarify the regulatory framework and applicable standards for the new Zoning district.

Ms. Brinkman abstained and submitted Form 8B, Memorandum of Voting Conflict.

Motion to approve staff's recommendation by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (13-0).

The Chair noted that a member of the public, Mr. Richard Carlson, made a request to speak on Exhibit C which was discussed earlier.

Mr. Carlson addressed the Board on behalf of Pioneer Road Properties Assn., located west of Jog Road and east of the Turnpike, which he described as an Agricultural Residential area, very rural in nature. Referring to Table 3.A.3.B in Exhibit C, he expressed concern that Residential Single Family (RS) Zoning District is being expanded into the LR-1 land use category. He is of the opinion that this is to make provision for infill in that category. Mr. Carlson also expressed the view that some infill provisions are unsuitable for small lots and extending RS in a LR-1 category will change the character of the area. He requested that the Board entertain a motion to reconsider the motion that was approved and suggested that this be reviewed with a sub-committee.

Mr. Davis explained that the change was made to comply with the Comprehensive Plan amendment already in effect, and although 6000 sq ft is the minimum for the RS district, development does not have to be at the minimum. The idea is to provide more flexibility in how lots can subdivide and what the appropriate Zoning District could be.

Mr. Carpenter agreed with Mr. Carlson's view and opined that sometimes flexibility can be abused.

Mr. Walesky favored the change offered and Mr. Bailey expressed the view that the flexibility could have positive results such as more clustering, less roads, more open space, and could also relieve development pressure.

Motion by Mr. Carpenter to reconsider the motion to adopt Exhibit C. The motion failed for lack of a second.

#### **C. ADJOURN AS LDRAB AND CONVENE AS LDRC**

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

Motion to accept proof of publication approve by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (14 - 0).

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

The Chair acknowledged receipt of Consistency Determination from the Planning Division. Ms. Erin Fitzhugh Sita stated that the proposed amendments in Agenda item F are consistent with the Comprehensive Plan.

Ms. Brinkman abstained and referred to Form 8B, Memorandum of Voting Conflict which she submitted earlier. Motion to approve consistency determination by Ms. Vinikoor, seconded by Ms. Katz. The motion passed (13 - 0).

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

**E. USE REGULATIONS PROJECT (URP) UPDATE**

**1. Exhibit G – Transportation Uses**

Mr. Cross thanked Ms. Collene Walter and Mr. Jerry Allen, Deputy Director of Planning & Community Affairs, representing Airports, and Mr. Eric McClellan, Director, Facilities, Development and Operations Strategic Planning, for assisting in the review of the Transportation Uses project. Staff also noted receiving input from Ms. Jean Matthews, Senior Planner, Parks and Recreation and Ms. Angela Usher, Manager, Facilities Planning, Intergovernmental Relations and Real Estate Division of Support Operations with the PBC School District.

Mr. Rodriguez presented an overview of the Exhibit and highlighted the following points:

- Transportation Uses is a newly proposed Use Classification which was presented to the LDRAB sub-committee and is being presented to solicit recommendations from the Board. Proposed revisions will be brought back to the LDRC at a future date.
- The classification includes Airport, Heliport (formerly known as Helipad), Landing Strip, Seaplane Facility and Transportation Facility. Definitions and supplemental use standards for the uses have been addressed.
- Airport, Heliport, Landing Strip, and Seaplane Facility are currently under other classifications in the ULDC and are being consolidated under this newly proposed use. Transportation Facility is a new use and was added as a result of the analysis made to the existing Transportation Facility use under the Industrial Use Classification review. The proposed amendment will focus on private air transportation uses only.
- Heliport and Landing Strip as accessory use and applicable approval process.

In response to Mr. Carpenter's question about restrictions on places where helicopters are permitted to land, Mr. Cross clarified that the Federal Aviation Administration (FAA) regulates air traffic and the language refers to facilities, such as a pad, which is accessory use to a farm.

Mr. Bailey referred to Heliport proposed as accessory to a Public Park use (page 25, Part 4, line 17), and inquired if the appropriate distance is measured from the boundary instead of the helicopter pad itself. A discussion ensued and Mr. MacGillis indicated that Mr. Baileys point was noted and Zoning will work with Parks and Recreation to clarify the language to bring back to the LDRC. Ms. Matthews commented that helipads are needed to address potential emergency situations. Ms. Vinikoor opined that it would be good to make the use require a special permit in the interest of homeland security.

Motion to accept the committee's recommendation and the staff report by Ms. Vinikoor, seconded by Mr. Bailey. Motion passed (14-0).

**F. PUBLIC COMMENTS**

There were no public comments.

**G. STAFF COMMENTS**

Mr. Cross informed the Board that the BCC initiated the FPL Phase 2 PIA presented to the LDRAB in February, and FPL is preparing to respond to some issues raised by the BCC. The amendments will probably come back to the LDRAB in July.

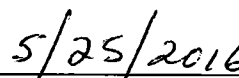
**H. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:25 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

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