

EXHIBIT A

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

(Updated 10-22-15)

Minutes of September 30, 2015 Meeting

On Wednesday, September 30, 2015 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: 15

Wesley Blackman (PBC Planning Congress)
David Carpenter, Vice Chair (District 2)
Michael J. Peragine (District 1)
Barbara Katz (District 3)
Lori Vinikoor (District 5)
Stuart R. Fischer (District 6)
Henry Studstill (District 7)
* Daniel J. Walesky (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Terrence Bailey (Florida Eng. Society)
Jerome Baumohl (AIA)
Tommy B. Strowd (Environmental Org.)
Frank Gulisano (PBC Board of Realtors)
Gary Rayman (Fl. Surveying & Mapping Soc.)
Leo Plevy (Member at Large, Alt.)

Members Absent: 2

Jim Knight (District 4)
James Brake (Member At Large, Alt.)

Vacancies: 1

(Assoc. General Contractors of America)

County Staff Present

Leonard Berger, Chief Assistant County Attorney
Jon MacGillis, Zoning Director
John Rupertus, Senior Planner, Planning
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted that there were no additions, substitutions or deletions.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (14* - 0).

4. Adoption of July 22, 2015 Minutes (Exhibit A)

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

* Daniel Walesky arrives at 2:05 p.m.

B. ULDC AMENDMENTS

1. Exhibit B - Art 2.A.1.J, Notification

Ms. Cantor explained that this was a minor amendment to clarify that public notices are to be posted in accordance with specifications in the Zoning Technical Manual to ensure uniformity.

Motion by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (15 - 0).

2. Exhibit C - Agriculture Recycling Privately Initiated Amendment (PIA)

Mr. Cross explained that the Privately Initiated Amendment process was established to facilitate a cursory review of a code amendment that might be presented to the BCC for their consideration and direction.

He highlighted several of the key points outlined in the staff report, as follows:

- Over the years various jurisdictions have made attempts to address equestrian waste disposal in Palm Beach County.
- Due to the industrial characteristics associated with the recycling of equestrian waste using the technology highlighted in the applicant's request, the use is classified as a Recycling Plant, which is limited to industrial zoning districts.
- The applicant obtained a Class B Conditional use approval for a Recycling Plant to be located in the Light Industrial (IL) zoning district, however the applicant was unable to close on the property.

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- Clarified that the use is not considered an agricultural use and noted concerns with request to allow in the Agriculture Production (AP) zoning district, which equates to the Everglades Agricultural Area (EAA). A map of the EAA was delineated onscreen.
- Outlined similar concerns with request to allow in the Agricultural Residential (AR) zoning district, confirming if initiated the applicant's proposal to work with Zoning staff to develop standards to mitigate any adverse impact on adjacent properties.
- Zoning does not recommend initiating the amendment at this time, but has noted some areas that would have to be addressed if it were permitted in the future.

The Chairman requested clarification of the question before the Board: to consider the application and convey to the BCC whether the Board wishes to consider it in further detail for a formal amendment in the future. Mr. Cross affirmed and added that the proposal will be presented at the October BCC Zoning Hearing, and if initiated, would be brought back to the LDRAB.

Mr. Kevin McGinley of Land Research Management Inc., representing the applicant, Equine Bedding of Florida, summarized as follows:

- Presently there is no property under contract in relation to this particular amendment.
- He understands that a Recycling Plant is currently permitted in industrial zoning districts, but requires a minimum of 5 acres. He opined that there were insufficient industrial locations available in the County.
- Many committees and sub-committees have met on the waste issue over the years without a solution, and the need to find a place still exists.
- The system pasteurizes the bedding and produces a clean marketable product, the method is dry, there is no by-product, nothing gets flushed, it is self-contained, quiet and all done indoors. It makes sense to have it close to the equestrian waste sources.
- The intention of the application is to get the Board's recommendation, to move the discussion forward and get it to a forum where it can be thoroughly discussed so a long term solution can be found. Currently haulers and trucks spread the waste over properties in the agricultural areas.
- This is an agricultural waste and it belongs in the agricultural areas and there is enough need for this in the Wellington, Loxahatchee and Palm Beach County areas to effect that type of change. Thought should be given to finding where the process can be carried out most effectively in an agricultural area. It may not be in the AP as this is the Everglades Agricultural Area. We were hoping to get the AR and the AGR, the Ag reserve areas, those to me make the most sense. He cited Chipping and Mulching being allowed in the Ag Reserve areas AR and AGR with DRO approval and that process is not agricultural.

In the discussion that followed, members of the Board made the following comments:

- Ms. Vinikoor was of the view that the plant should not be in the AR as it is a processing plant and does not belong in a residential area.
- Ms. Katz supported Ms. Vinikoor's statement and recommended more time to study before making a decision on how to proceed.
- Mr. Blackman was concerned that the language written for this particular amendment might lock out competing technologies, thus limiting others.

Mr. McGinley affirmed that this is not a specific request but just the right to ask the BCC.

- Ms. Brinkman opined that the proposed use is both good and green. She suggested that rather than having to find industrial properties, effort should be made to accommodate by protecting residences in the agricultural area.
- Mr. Carpenter agreed that the use is good and suggested that perhaps Wellington could find a place in their jurisdiction.
- Ms. Vinikoor added her concern about drugs given to horses getting into the environment. The only way she could recommend is if it is kept away from the AR and AGR. The AP zoning district is more suitable.

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- Mr. Bailey suggested keeping it in the IL for consistency with industries using chemicals, also there would be more inspections, and adjusting the acreage criterion to less than 5 acres which would make more sites available and help to keep it out of the farm areas. Mr. MacGillis was of the view that such a criterion could be established.

Mr. Chip Coulter, Managing partner for Greenscene Agritek (GSA) South Florida (aka Equine Bedding of Florida), elaborated on the process that was outlined by Mr. McGinley. He emphasized that no chemicals are involved, it is a proprietary dry process, after pasteurization no chemicals remain and 8 years of testing have had good results from all over the country.

- Mr. Wallesky said that some industries are already in the AP and he favored looking at it in that district but not in the AR. Mr. Cross responded that the desire is to stem the increase of new uses in that area.
- Ms. Brinkman supported looking at it further as it is a problem and a solution should be found. Wellington equestrian community brings in a lot of money to the County.

Motion to support staff by Mr. Gulisano, seconded by Ms. Katz. There was a discussion on the motion

Ms. Caldwell clarified that if the Board supports staff's recommendation they would recommend not to support it in the AP and AR, and that the recommendation would not preclude Zoning from looking at it in the Use Regulations Project. As Mr. Bailey suggested, look at what can be done to increase site locations. Zoning is not against it totally.

The Chairman clarified the Motion: not to consider in the Agricultural Production and Agricultural Residential districts and to consider reducing minimum acreage requirements in the Light Industrial (IL) district, as part of the Use Regulations Project. Motion passed (9 – 6). Messrs. Blackman, Rayman, Fischer, Walesky, Plevy and Ms. Brinkman voted Nay.

C. PUBLIC COMMENTS

There were no public comments.

D. STAFF COMMENTS

1. Digital Signage Pilot Project

Mr. Cross explained that a Power Point presentation was made to the BCC to broach the topic of digital signage. The BCC directed staff to prepare additional backup to initiate amendments to allow for a limited introduction of digital signage as a pilot project for limited areas within the Urban Redevelopment Area (URA). Digital billboards will not be considered at this time. In 2 to 3 months Zoning will update the Board and if the results are satisfactory, the amendment will go forward. After a year or more, staff will provide an update to the BCC to determine if the pilot project should be expanded or discontinued. If expanded, staff advised that the hiring of a consultant would be recommended.

2. Amendment Round 2015-02

Mr. Cross advised that the initiation of Round 2015-02 was postponed. He highlighted a few of the amendments staff were proposing to initiate, including amendments to the Northlake Boulevard Overlay Zone (NBOZ), Article 18 Flood Plain Management, and an update to the County's Billboard Ordinance, which relates to the Billboard settlement agreement, which he briefly explained. He further elaborated that the NBOZ amendments would establish a waiver process to bring the County more in line with how the other partner jurisdictions evaluate redevelopment within the corridor.

3. Landscape Subcommittee

Ms. Cantor invited new Board Member Stuart Fischer, to join the Landscape Subcommittee. Mr. Fischer accepted. Motion to nominate by Ms. Katz, seconded by Mr. Carpenter. Motion passed (15 - 0).

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4. AGR Contiguity and Indian Trail Groves PUD

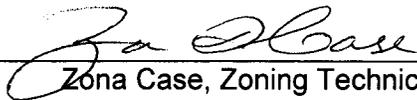
Mr. Cross reminded members that AGR Contiguity amendment is scheduled for adoption on October 26, 2015. He also advised that the LDRAB may be asked to convene a special meeting in December to review the Privately Initiated Amendment for Indian Trail Groves.

E. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:03 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

10/28/15
Date