

EXHIBIT A

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

Minutes of October 23, 2013 Meeting

On Wednesday, October 23, 2013 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: 16

Wesley Blackman (PBC Planning Congress)
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)***
Terrence Bailey (Florida Eng. Society)
Jerome Baumoehl (AIA)
Joni Brinkman (League of Cities) **
Frank Gulisano (PBC Board of Realtors)
Leo Plevy (Member At Large/Alternate)
Raymond Puzzitiello (Gold Coast Build. Assoc.)*
Gary Rayman (Fl. Surveying & Mapping Society)
Edward Tedtmann, Environmental Organization) ****

Members Absent: 1

James M. Brake (Member at Large/Alternate)

Vacancies: 2

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

County Staff Present:

Leonard Berger, Assistant County Attorney
Jon MacGillis, ASLA, Zoning Director
Robert Kraus, Senior Site Planner, ERM
John Rupertus, Senior Planner, Planning
Bryan Davis, Principal Planner, Planning
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Lauren Dennis, Site Planner II, Zoning
Scott Rodriguez, Site Planner II, Zoning
David Nearing, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

The Chair noted that there were no additions, substitutions, or deletions to the agenda.

3. Motion to Adopt Agenda

Motion to adopt agenda by Ms. Lori Vinikoor, seconded by Ms. Barbara Katz. Motion passed (12 - 0) */**/**/****.

4. Adoption of July 24, 2013 Minutes (Exhibit A)

Motion to adopt minutes by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (12 - 0) */**/**/****.

B. ULDC AMENDMENTS

1. Exhibit B - Art. 14, Environmental Standards

Mr. Kraus explained the amendment adds language to address maintenance of native vegetation after development or a natural disaster; and, clarify the exemption application to stand alone agricultural parcels as opposed to larger scale agricultural operations comprised of co-joined parcels with gross acreage greater than 10 acres.

Mr. Raymond Puzzitiello arrived at 2:04 p.m.*

Motion by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (13 - 0) **/**/****.

2. Exhibit C - Use of the Term Prohibited

Ms. Cantor explained that the amendment clarifies the applicability of the term "prohibited", to preclude use of variance relief.

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (13 - 0) **/**/****.

Ms. Joni Brinkman arrived at 2:07 p.m.**

3. Exhibit D - Decision Making Bodies

Mr. Cross explained that the County's policies and procedures governing advisory boards, committees and commissions, have been updated under Resolution 2013-0193, which includes a new limit of three consecutive three-year terms for all County advisory board members. Mr. Cross advised that effective March 2, 2013 the three consecutive three year term limitation applies to the following: LDRAB, Environmental Appeals Board,

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Environmental Control Hearing Board, Groundwater and Natural Protection Board, Impact Fee Appeals Board, Impact Fee Review Committee, Planning Commission, and Zoning Commission.

Mr. Berger explained the regulation was effective March 2, 2013.

Motion by Mr. Puzzitiello, seconded by Ms. Vinikoor Motion passed (14 - 0) ***/****.

Mr. Henry Studstill arrived at 2:14 p.m.***

4. Exhibit E - Height Exceptions

Ms. Cantor explained the amendment clarifies that the height exception applies to rooftop structures constructed on top of an elevator or a stairwell that provides access to the roof of a building for the purpose of the functioning of the structure, such as access to mechanical equipment or reroofing, and not to extend occupancy.

Mr. Bailey asked where the measurement is taken from on a slanted roof. Ms. Cantor explained the amendment was related to the flat roof and that additional clarification will be provided at the next meeting.

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

C. ULDC AMENDMENTS - Use Regulations Project

1. Exhibit F - Industrial Uses

Mr. Blackman expressed he was pleased with Staff and public participation at the Use Regulations Project Subcommittee in August. Mr. Cross did a brief presentation on how the Use Regulations Project amendments will be handled.

Mr. Edward Tedtmann arrived at 2:35pm. ****

Ms. Brinkman posed a question with regards to the consolidated use matrix and when would the complete project be presented to the BCC. Ms. Cantor clarified that the consolidated use matrix will be presented for each use classification prior to presentation the BCC in early 2015.

Staff presented all industrial uses and LDRAB requested clarification of the following uses:

- Medical or Dental Laboratory - Mr. Baumohl requested clarification what type of licensed medical professional would need to be associated with the use. Zoning staff clarified the reason for requesting a licensed medical professional was this use is not open to the public.
- Recycling Plant - Mr. Knight requested confirmation the Recycling Plant did not prohibit crushing of construction material at active construction sites. Mr. MacGillis confirmed the standards of Recycling Plant only apply to those sites where the principal use is Recycling Plant. Ms. Brinkman asked how Solid Waste Authority (SWA) Permit would be addressed as contained in the standards of the use since some applications are not subject to the SWA approval. Ms. Cantor will confirm with SWA and inform the Board when the use is presented again to the Land Development Regulation Commission (LDRC). Mr. Carpenter inquired about recycling of hazardous materials and how it would be addressed. Ms. Cantor clarified that during her research she found the Fire Department along with other agencies that deal with hazardous materials will be reviewing the use outside of the Zoning Code.
- Truck stop- Ms. Brinkman requested clarification with regards to collocated uses. Mr. Cross clarified the approval process for the collocated uses associated with a truck stop.

Motion by Mr. Puzzitiello, seconded by Mr. Knight including the changes discussed and additional information. Motion passed (16-0).

2. Exhibit G - Article 5, Supplementary Standards

Ms. Cantor made the presentation of the main topics in the amendment which included: relocation of language related to hours of operation and creation of a specific section that addresses this topic; relocation of barbed wire and flex space provisions from the industrial

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use standards in Article 4 to be consolidated in Article 5.B, Accessory and Temporary Uses; and, to expand and clarify outdoor storage and outdoor activities.

There were inquires into whether a Type III incompatibility buffer would be required if adjacent to residential and adjacent to a right of way buffer. LDRAB members recommended staff revisit the standard since walls are costly and may not be necessary in all situations. Ms. Cantor confirmed staff will remove requirement of the wall. The topic will be presented again to the Board as it affects other use classifications. There was discussion with regards to flex space and how parking calculations would be addressed.

Mr. Blackman asked if the hours of operation will be included in a motion today. Ms. Cantor stated the Article 5 items will be an on-going amendment and will not need to be part of the motion today. (Note: Mr. Cross clarified that a motion was being requested at this time, but confirmed that topics such as Hours of Operation will be revisited as it applies to each Use Classification).

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (16-0).

D. PUBLIC COMMENTS

Mr. Tedtmann expressed concerns regarding Exhibit B (Art. 14, Environmental Standards) and how the Code will prevent subdivision of land into 10-acre or less parcels to be cleared, which do not currently have agricultural operations. Mr. Tedtmann took issue with allowing any land use exemptions from the environmental standards under ULDC Art. 14.C.8, Exemptions. Mr. Berger clarified the acreage is related to the use rather than the parcel. Mr. Tedtmann requested ERM contact him to discuss further.

E. LDRAB Subcommittee Updates

Ms. Cantor stated there will be a Subcommittee meeting in mid November and an invitation will be sent to all LDRAB members with a specific date and time.

F. STAFF COMMENTS

None

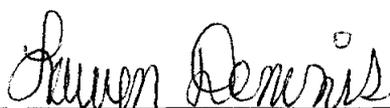
G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:20 p.m.

Recordings 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:

Lauren Dennis



Feb. 26, 2014