

EXHIBIT A

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

Minutes of November 16, 2011 Meeting

On Wednesday, October 26, 2011 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the First Floor Conference 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: 12

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Joanne Davis (District 1) ***
Barbara Katz (District 3)
Jim Knight (District 4) *
Lori Vinikoor (District 5)
Michael Zimmerman (District 6)
Martin Klein (District 7)
Terrence Bailey (Florida Eng. Society)
Gary Rayman (Fl. Soc. of Prof. Land Surv.)
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Rosa Durando (Environmental Organization) **

Members Absent: 3

Michael Cantwell (PBC Board of Realtors)
Jose Jaramillo (AIA)
Maurice Jacobson (Condominium Assoc.)

Vacancies: 4

Vacant (League of Cities)
Vacant (Assoc. Gnrl. Contractors. of America)
Vacant (Member At Large, Alt.)
Vacant (Member At Large, Alt.)

County Staff Present:

Leonard Berger, Assistant County Attorney
Jon MacGillis, Zoning Director
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Bryan Davis, Principal Planner, Planning
John Rupertus, Senior Planner, Planning
Timothy Sanford, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning
Bonnie Finneran, Director of Resources Protection Division, ERM
Robert Kraus, Senior Site Planner, ERM
John Reiser, Supervisor for the Wellfield Protection Program, ERM

2. Additions, Substitutions, and Deletions

Staff advised the chair that a copy of amendments to the agenda had been prepared. Motion to incorporate Additions, Substitutions, and Deletions to agenda by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (9-0)

* Jim Knight arrives at 2:03 p.m.

3. Motion to Adopt Agenda

Motion to adopt the agenda as amended, by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (10-0*).

4. Adoption of October 26, 2011 Minutes (Exhibit A)

Motion to adopt as amended by Martin Klein, seconded The motion passed unanimously (10-0*).

** Rosa Durando arrives at 2:05.

B. ULDC AMENDMENTS

1. Exhibit B: Article 2, Variance Standards

Exhibit B regarding variance standards was withdrawn from the agenda as presented in the amendment to the agenda.

2. Exhibit C: Public Notice

Mr. Cross started off by stating that the amendment addressed minor adjustments to the Public Notice Requirements. The BCC directed staff to research a better method of notifying the public due to complaints of County residents not being informed of Public Hearings. Mr. Cross stated that larger signs would now be required and that the notification boundary for Development Orders located in the Rural or Exurban Tiers

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subject to Public Hearings would be increased to 1,000 ft for regular mail. Mr. MacGillis reiterated the direction given by the BCC and stated that the new signage will be twice the size as the old signage and will help increase public awareness of Public Hearings.

Motion to adopt by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (11 - 0* **).

3. Exhibit D: Criteria for Rezoning

Mr. Cross clarified that Criteria for Rezoning was discussed last meeting where Christopher Roog of Gold Coast Builders gave a presentation requesting that certain rezoning requirements be encouraged not mandatory. Mr. Cross stated that a big obstacle to rezoning was the platting or re-platting requirement. Mr. Puzzitiello asked if Zoning could add language on line 24, page 11 to include "encouraged, but not required." Mr. MacGillis responded that adding that language would not be a problem.

Motion to adopt as amended by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (11 - 0* **)

4. Exhibit E: Produce Stand

Ms. Cantor stated the proposed language within Exhibit E only pertained to the Urban/Suburban (U/S) Tier. She said that the formation of the Produce Stand Subcommittee was to address issues within the U/S Tier as a response to BCC direction. In addition, she stated that the subcommittee members were not in support of presenting this amendment at this time as it was better to have together the amendments for Produce Stand applicable to all Tiers. Ms. Cantor explained that a major challenge was addressing how to allow retail sales without making the use commercially oriented. Ms. Cantor stated that the language for the Agricultural Reserve Tier in the Plan is very restrictive as it clarifies where and how commercial uses are allowed.

Mr. Knight opposed moving forward because he felt the Produce Stand Subcommittee worked very hard and spent a great deal of time generating ideas that could be extremely beneficial to Palm Beach County. He further explained that he saw no reason to rush this amendment through and felt many issues should be bundled together as opposed to dealing with Produce Stand amendments piecemeal. He felt there was confusion in the Subcommittee about the different tiers as it relates to Produce Stands and expressed it was worthwhile to wait to get direction from the BCC.

Mr. Klein inquired why staff wants to move forward despite objections from the subcommittee. Mr. MacGillis explained that the intent of the subcommittee was to address Produce Stands strictly in the U/S Tier and that the topic was expanded upon during the subcommittee. He explained that Zoning needed to move forward based off of the directive of the BCC. Mr. Klein believed the best solution was to wait to the January 17th BCC Planning Hearing for direction when the workshop item to address Agricultural Reserve Tier issues gets discussed. Ms. Katz stated there is not urgency in addressing this topic now especially when the Agricultural Reserve Tier is going to be discussed. He thought the subcommittee and LDRAB's suggestions should be relayed to the BCC.

Motion to table to a meeting subsequent to the January 17th BCC Planning Hearing workshop or by BCC Zoning Hearing decision by Martin Klein, seconded by Terrence Bailey. Mr. MacGillis clarified that he will explain LDRAB recommendation at the BCC meeting on December 1 for Round of Amendments 2011-02. Mr. Blackman clarified that if the BCC takes action approving this topic as it is, LDRAB is not going to see it again unless directed otherwise by BCC. The motion passed unanimously (11 - 0* **)

5. Exhibit F: Wellfield Protection Program

Mr. Kraus explained that this Exhibit was based off of the BCC direction that remove the wellfield protection program from an Ad Valorem funded program to a participating Water Utility Cost Share Program and the language proposed is to make that conversion. This topic was presented to the League of Cities at the October 26, 2011 meeting with no comments.

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Motion to adopt by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (11 - 0* **)

6. Exhibit G: Enclosed Auction in IND/MUPD

Mr. Cross began by explaining that an Enclosed Auction is permitted in an MUPD with an industrial future land use designation, subject to BCC approval as a Requested Use. The purpose of this amendment is to streamline the approval process to allow the use to be approved by the DRO in an IND/MUPD, provided there is sufficient parking.

Motion to adopt by Raymond Puzzitiello, motion seconded by Martin Klein. The motion passed unanimously (11 - 0* **)

C. CONVENE AS LDRC

1. Proof of Publication

Motion to approve by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (11 - 0* **)

2. Consistency Determinations

Mr. Rupertus stated that the proposed amendments B.2 to B.6 as well as the previously presented amendments Exhibits H through O are consistent with the Comprehensive Plan.

Motion to approve by Martin Klein, seconded by Raymond Puzzitiello. The motion passed unanimously (11 - 0* **)

*** Joanne Davis arrives at 2:37 p.m.

D. RECONVENE AS LDRAB

E. Public Comments

No public comments provided.

F. Staff Comments

Mr. Cross informed about new nominations from the League of Cities and 2 nominations for the Alternate Seat 19 and notified of letters been sent for re-nominations needed for the next term. He also clarified that staff anticipates next LDRAB meeting to be on Wednesday January 25 2012. Mr. Cross mentioned that he was grateful for the input Mr. Knight and Ms. Vinikoor provided while serving on the Produce Stand Subcommittee. He also mentioned about a potential amendment in the near future regarding Mobile Home Park using manufactured homes which is promoted by Habitat for Humanity and eventual need for subcommittee to address this issue. Mr. Knight indicated interest in joining that subcommittee and Mr. Puzzitiello volunteer to provide information regarding this topic.

Ms. Cantor made a comment informing all the members that there will be no LDRAB meeting in December.

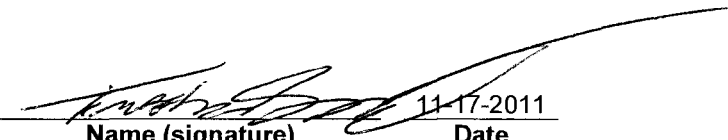
G. Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 2:45 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:

Timothy Sanford


Name (signature)

11-17-2011
Date