



LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
ULDC ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES SUB-COMMITTEE

OCTOBER 10, 2017, 2:00 PM – 4:00 PM
2300 NORTH JOG ROAD, ROOM VC-1E-58

MEETING SUMMARY

A. CALL TO ORDER – 2:00 PM

1. ATTENDANCE:

Subcommittee Members: Jim Knight and Daniel Walesky

Industry Representatives: Joni Brinkman, Bradley Miller, Josh Nichols, Lauren McClellan

Zoning Staff: Maryann Kwok, William Cross, Monica Cantor

2. Meeting Summary July 25, 2017

The meeting summary from July 25, 2017 was reviewed and accepted as presented. Motion to Adopt by Mr. Knight, seconded by Mr. Walesky.

3. Motion to Adopt the Agenda

There were no additions, substitutions and deletions to the agenda. Motion to adopt by Mr. Knight, seconded Mr. Walesky.

B. STATUS UPDATE ON PREVIOUS AMENDMENTS:

Ms. Kwok provided a summary of the updates for Chapters 2.A, 2.B and 2.C. She mentioned that most of the changes are related to formatting and establishing consistency between Chapters 2.B, Public Hearing Processes and 2.C, Administrative Processes. She also mentioned that the Purpose for each Chapter has been revised to provide a more comprehensive summary of the intent of the Chapter.

Mr. Walesky asked whether his comments related to the Pre-application Conference and Meeting have been incorporated. He remembered the first draft was not clear, and the Subcommittee members questioned which application is subject to the Pre-application Conference (PAC) or pre-application meeting. Ms. Kwok explained that the pre-application meeting has been renamed to Pre-Application Appointment (PAA), per the Zoning Director.

Table 2.A.5, PAC and PAA has been amended to clarify only applications in the IRO, PRA and Type 2 and 3 Concurrent Review will be subject to a PAC (fee will be imposed), and PAA is required for applications such as Types 1 and 2 Variances, and Types 1 and 2 Waivers, Privately-Initiated ULDC Amendments, Formal and Non-Specific Zoning Confirmation Letters, and Density Bonus Programs such as WHP/AHPTDR.

Ms. Kwok indicated that she will send the Subcommittee members and interested parties a copy of the latest draft.

With regard to Chapter G, Ms. Cantor said that there were no changes since the last meeting but modifications related to the Planning Commission are planned, references to the Zoning Director are to be updated, and also amendments to the DRO process.

C. REVIEW OF PROPOSED AMENDMENTS DRAFT

1. Exhibit B – Chapter I, Coordinated School Planning (Planning Division)
Mr. Berger explained that the new Coordinated School Planning Chapter added to Article 2 replaced School Concurrency regulations that are no longer mandatory by State law. State law requires that the Palm Beach County School District enter into Interlocal Agreements with the County and every city in its district boundary, to ensure coordinated decision making between school districts and affected local governments with regards to school placement, site development, and student capacity. Palm Beach County and the District entered into such an agreement earlier in the year and the County amended its Comprehensive Plan to reflect the change from Concurrency to Coordinated Planning. The ordinance changes here implement the Comprehensive Plan changes and the terms of the Interlocal Agreement.

The Committee asked how this would affect existing application procedures and Mr. Berger reminded the group that the Agreement has been in place, and that application procedures used today should reflect that.

2. Exhibit C – Chapter D, ULDC Privately Initiated Amendments (Zoning Division)
Mr. Cross explained that the amendments are to establish a new Chapter D which addresses the Privately Initiated Amendment (PIA) process which is based on BCC authority. The process is entirely discretionary and is intended to provide a transparent application procedure to allow for outside entities to lobby the BCC to initiate amendments to the ULDC. He gave a brief outline of the two phases required and he described the measures that would be in place to assure transparency is accomplished. He also confirmed that there will be no violation of State, Federal or government laws, and amendments will be consistent with the current Comprehensive Plan or otherwise submitted with a concurrent Plan amendment.

Standards and requirements related to the process were clearly stated in the Exhibit.

Ms. Lauren McClellan also brought up the issue of allowing an applicant/agent to pay a deposit and not the full fee at time of application. She previously brought up the same topic at the 10/8 DRAC meeting. Ms. McClellan explained that Zoning staff is always busy, and unable to provide her the full fee estimate. The other reasons are that some clients share the application fees, and it is difficult for her to get several checks adding up to the correct application fee amount. She suggested to allow a deposit at application intake and then pay in full before the first review by Staff.

Ms. Kwok said Staff will review her request, but reminded her that there is always a FEE CALCULATOR, and she can use that without staff input.

3. Exhibit D – Miscellaneous Amendments Related to Art. 2 (Zoning Division)
Ms. Cantor explained that the amendments were mainly related to the revisions to various processes in Article 2

D. INPUT AND COMMENTS

Ms. Kwok expressed that she is comfortable with moving forward with the Zoning portions of Article 2, Chapters A, B, C and G but Planning has indicated that they require more time to review their portions, Chapters H and I. Mr. Cross explained the benefits of moving forward in October, and Mr. Knight was in agreement with the timeframe. Mr. Walesky explained that he was meeting with a group from industry on Friday and the changes being considered will be up for discussion. He anticipated that he will get input from that group and will advise accordingly. It was decided that the committee would await the input from Mr. Walesky.

E. ADJOURN AT 3:15 PM