

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) USE REGULATIONS PROJECT SUBCOMMITTEE

JUNE 11, 2015 MEETING SUMMARY

Prepared by Monica Cantor, Senior Planner

On Thursday, June 11, 2015, the Use Regulations Project Subcommittee held a meeting at the Vista Center, Room VC-1E-47 Conference Room at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER

The meeting commenced at 2:05 p.m. and Mr. Jim Knight, Subcommittee Chair called the meeting to order.

1. Introduction

LDRAB Subcommittee Members: Jerome Baumohl, Barbara Katz, Jim Knight, and, Lori Vinikoor.

Interested Parties: Cliff Hertz, Sandra Megrue, Jean Salem, Jon Schmidt, and Seth Sheitelman.

County Staff: Rebecca Caldwell, Jon MacGillis, Maryann Kwok, Bob Kraus, Erin Fitzhugh-Sita, Jean Matthews, Elizee Michel, Kimberly Graham, Jackie Michels, Mike Rawls, William Cross, Lauren Dennis, Scott Rodriguez, and Monica Cantor.

2. Additions, Substitutions and Deletions

Mr. Cross noted that there was an add/delete sheet, with additional minor revisions to be read into the record during the discussion of the applicable use.

3. Motion to Adopt Agenda

Motion to adopt agenda by Ms. Vinikoor seconded by Ms. Katz (4 - 0).

4. Adoption of June 18, 2014 Meeting Summary (Exhibit A)

Ms. Vinikoor clarified that she was not present at the previous meeting but she read the minutes and did not find any contradictory information. Motion to adopt June 18, 2014 Meeting Summary by Ms. Vinikoor seconded by Ms. Katz (4 - 0).

B. SUBCOMMITTEE RULES AND PROCEDURES

Mr. Knight reminded participants of the rules and procedures used in previous meetings that consisted of allowing staff to present all of the amendments, and proceed with questions for each use by going page by page through the exhibits. Mr. Cross clarified that the Chair will recognize speakers to avoid multiple conversations on the proposed amendments.

C. OVERVIEW

1. General Changes to the ULDC

Ms. Cantor presented a general overview of the project including the timeline. She noted the reclassification and reorganization of Utilities and Excavation Uses as follows: some uses were relocated to the Industrial Use classification or the new Temporary Uses classification; Excavation Uses were reorganized into a new use classification; and, the remaining Utility uses were kept under its own classification.

2. Presentation Format for Subcommittee

This topic was discussed as part of the Subcommittee Rules and Procedure item in the agenda.

D. UTILITY USES

1. Article 4, Use Regulations (Exhibit B)

Mr. Rodriguez and Ms. Dennis presented all Utility Uses in the following order: Recycling Center, Chipping and Mulching, Composting Facility, Electric Distribution Substation, Electric Power Facility, Landfill or Incinerator, Minor Utility, Renewable Energy Solar Facility, Renewable Energy Wind Facility, Solid Waste Transfer Station, and, Water or Wastewater Treatment Plant. Discussion took place for few of the uses in this manner:

Recycling Center

- Staff clarified the use is proposed to be relocated under the Industrial Use Classification;
- Noted that revisions to the use definition are made for consistency with Florida State Statutes and new standards were created to clarify functionality of the use.
- The Subcommittee suggested staff review proposed 500 foot separation distance from residential is adequate to address any adverse impacts on adjacent properties. Staff agreed to this request.

Chipping and Mulching / Composting Facility

- These uses would be revised to be permitted when accessory to Bona-Fide Agriculture in the Agriculture Production (AP) Zoning District. Discussion included a request to reconsider deleting the uses from Agricultural **Production** (AP) Zoning District. Staff agreed to address request.
- The Subcommittee suggested staff check proposed pile height restriction of 15 feet or 12 feet, respectively, as it may not be the regular practice by industry.
- Staff acknowledge that these uses need to have additional discussion regarding Florida Right to Farm Act as it pertains to regulation of agricultural activities.

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Electric Distribution Substation

- Address Florida Power and Light safety recommendation regarding landscape maximum height of mature vegetative material to be no more than 14 feet height pursuant to Florida Statute.
- Staff was asked to consider revising requirements for landscape buffering in residential areas to be consistent with State Statutes. Staff agreed to this request to be presented at LDRAB meeting.

Electric Power Facility

- Florida Power and Light representative requested change of use name to Electric Power Plant for consistency with State Statutes.
- Staff noted that this use would be limited to Biomass in the Agriculture Production (AP) Zoning District. Discussion included a request from the public to reconsider limiting the use in the Agricultural **Production** (AP) Zoning District. Staff to consider request.

Electric Transmission Substation

- Include in the use definition the term “bulk” applicable to the transfer of electrical energy.

Staff clarified that the barbed wire standard indicated as deleted in multiple uses will be consolidated and relocated to Article 5.B, Accessory and Temporary Uses.

E. EXCAVATION USES

Ms. Cantor explained the scope of work applicable to the Excavation uses by clarifying that staff reformatted the existing Code language for consistency with the new construction of the Use Regulations.

1. Article 1.B., Interpretation of the Code (Exhibit C)

Ms. Cantor indicated that the amendment was made to update and clarify what agencies have the authority to interpret the Excavation regulations as the topic pertains to the County Engineer, The Director of the Environmental Resource Management (ERM) and the Planning, Zoning and Building (PZ&B) Executive Director.

2. Article 4, Use Regulations (Exhibit D) Excavation

Ms. Cantor indicated that limited amendments were proposed that relate to the introduction of definitions for Excavation types; update hauling regulations governed by the County Engineer, and correct minor glitches and update references. The following was discussed:

Agricultural Excavation

- Staff will coordinate further discussion on Right to Farm Act with industry and applicability of the excavation provisions, particularly for the West County Agricultural Area (WCAA). Staff clarified that issues related to agricultural uses will be discussed at a later time.

Type 2 Excavation

- Staff agreed to determine how the ULDC will address reconfiguration of lakes after development is built out, particularly on residential developments.

Ms. Cantor clarified that the most restrictive approval process is to be indicated in Use Matrix for consistency with the construction of the ULDC. Staff will be presenting an amendment in Round 2015-02 to reflect the approval for Agricultural Excavation and Type 2 Excavation, to be consistent with provisions already included in the supplementary standards for these two excavation types.

Motion by Ms. Vinikoor to move staff's recommendations to LDRAB with the tentative changes discussed along with recommendations made during the Subcommittee meeting. Ms. Katz seconded the motion (4 - 0).

F. STAFF COMMENTS

1. Public and Civic Uses

Ms. Cantor informed that staff is currently reviewing Public and Civic uses and will notify the public in advance of the next subcommittee meeting date.

2. Commercial Uses

Staff encouraged participants to get actively involved in the Commercial Uses as this classification includes multiple uses that are typically controversial.

4. Agricultural Uses

Ms. Cantor clarified that Zoning staff is not making changes that affect standards that pertain to the Agricultural Reserve (AGR) Tier or Zoning District. Any tentative amendments may be presented as a separate ordinance, pending final direction from the Board of County Commissioners on related Plan policies.

G. ADJOURN

The meeting adjourned at 4:12 p.m.