



**DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)
MINUTES OF THE FRIDAY, OCTOBER 22, 2013 SUBCOMMITTEE MEETING
PZ&B – VISTA CENTER
2300 NORTH JOG RD., WEST PALM BEACH, FL 33411
2ND FLOOR CONFERENCE ROOM (VC-2E-12)
Time: 2:30 pm to 4:00 pm**

PREPARED BY ZONING DIVISION STAFF

1. CALL TO ORDER.

Chairman Scott Mosolf called the meeting to order at 2.35 pm.

Members Present –

Scott Mosolf – UDKS – Chair
Gladys DiGirolamo – GL Homes - Vice Chair
Collene Walter - UDKS
Kevin McGinley - Land Research Management
Jeff Brophy - Land Design South

Members Absent –

Bradley Miller - Miller Planning
Chris Barry - UDKS
Bill Whiteford - Team Plan
Jon Schmidt - Jon Schmidt & Associates
Jan Polson - Cotleur & Hearing

Interested Parties –

Pat Lentini - 2GHO
Gary Brandenburg - B&A
Ann Perry - Lake Worth Drainage District
Nicole Smith - Lake Worth Drainage District

Zoning/ Engineering -

Jon MacGillis, Zoning Director
Maryann Kwok, Chief Planner, Zoning Division
Wendy Hernandez, Zoning Manager – Community Development Section (CD)
Alan Seaman, Principal Site Planner, Zoning Division
Barbara Pinkston, Principal Site Planner, Zoning Division
William Cross, Principal Site Planner, Zoning Division
Carrie Rechenmacher, Senior Site Planner, CD Section
Carol Glasser, Site Planner II, CD Section
Autumn Sorrow, Senior Site Planner, CD Section
Patricia Rice, Senior Secretary, Administration Section
Jan Rodriguez, Senior Site Planner, Administrative Review/Public Information Section
Donna Adelsperger, Site Planner I, CD Section
Roger Ramdeen, Site Planner II, CD Section
David G. McGuire, Site Planner II, CD Section
Inna Stafeychuk, Site Planner I, Administration Section
David Nearing, Site Planner I, Code Revision Section
Monica Cantor - Senior Site Planner, Code Revision Section
Scott Rodriguez - Site Planner II, Code Revision Section
Lauren Dennis, Site Planner II, Code Revision Section
Joanne M Keller, Land Development Director

A. INTRODUCTIONS

B. REVIEW OF THE AUGUST 23, 2013 MINUTES – (ATTACHMENT 1)

Scott Mosolf asked if anyone had any amendments on the August 23, 2013 Minutes. There were no comments/changes to the minutes. Minutes were adopted as presented. Staff will publish the adopted version to the Zoning DRAC Web Page.

C. USE REGULATIONS PROJECT UPDATE - BILL

- **Overview of Industrial Use Amendments (Attachment 2, Exhibit A)**
- **Article 5, Supplementary Standards (Attachment 2, Exhibit B)**

Bill Cross noted that all DRAC members are on the Use Regulations Project distribution list and confirmed that everyone in attendance had been receiving and reviewing the monthly newsletters. He advised that the amendments for Industrial Uses have been reviewed by the Subcommittee and are scheduled for tomorrow's LDRAB meeting. He pointed out that there is one consolidated Use Matrix and that this should be referenced as staff presents an overview of amendments for each individual Industrial Use, after which staff would answer questions. Code Revision staff then presented an overview of amendments to Industrial Uses and related provisions in Art. 5.B, Supplementary Standards. Monica Cantor clarified that any provisions relocated from Art. 4 into Art. 5. would allow for option of applying for Variance Relief if warranted.

Discussion:

Gary Brandenburg inquired if Variances would be allowed for Use Regulations, staff clarified no, only for any standards relocated to Art. 5. He also spoke on behalf of residents who live next to the North County Airport. He expressed concern that almost every use is permitted in PO Zoning District in the Airport Overlay Zone. He said that uses permitted as DRO Approval such as rock crushing, recycling stations and other heavy industrial uses will not require Public Hearing process and residents have no opportunity to oppose any of such uses.

Bill Cross explained that the Board reviews and approves all Airport Master Plans. Per the Department of Airports, this is the forum where the public has an opportunity to comment. Bill asked how Mr. Brandenburg would like to voice his concerns further. He also clarified that not all Industrial Uses are permitted within the AZO's, emphasizing that Heavy Industry was not permitted whether an airport or non-airport related use. Monica Cantor clarified that under current Code the Overlay provisions prevail.

Colleen Walter asked what uses are next.

Jon explained that next will be Recreational Uses.

Monica Cantor invited all interested parties to next October 31, 2013 meeting to discuss residential uses ad currently contained in the Code and enquire if additional housing types need to be included.

Mr. Cross again confirmed that members had received e-mail notification of the upcoming Residential Uses Kick Off meeting. He advised that the meeting would focus on any issues related to the Use Regulations Project, such as definitions, districts allowed and approval processes, and supplemental use standards.

Mr. MacGillis clarified that staff had consulted with Verdenia Baker, Deputy County Administrator and Rebecca Caldwell, PZB Director, and that staff would hear feedback on other residential related issues but the main focus of the meeting is related to Residential Uses. If warranted, a separate process might be established to look at issues that don't fit within the Use Regulations Project.

D. ULDC AMENDMENT ROUND 2013-02 - BILL/ALAN/WENDY

- **(DRO Administrative Agency Review (Attachment 3, Exhibit C))**

Alan and Lauren explained the proposed ULDC code amendment related to the DRO Agency Review as found in Attachment 3. Lauren reviewed each of the proposed amendments and asked if there was any input. Also, Alan reviewed the proposed increase in fees for this process.

Member's voice concern with the ULDC amendment provisions related to how much square footage can be added or relocated on the approved site plan. They asked why did staff propose a 3% or 2, 500 square foot increase to building square footage limitation. Alan explained that the intent of the DRO Agency Review was to assist the public/contractors with minor site plan changes; however, over time more complex requests are coming to Administrative Review Staff through the Agency Review. This is slowing down the process since many of the DRO Agencies assign priority to the full DRO review. This amendment is staff's attempt to find a balance between the need for industry to be able to amend plans in a timely manner and Agency staff not being overloaded with these amendments that they cannot review them in a timely manner. Staff will look at removing the 3% cap on this provision. With respect to the maximum relocation of square footage up to a maximum of 15% staff concluded that Full DRO can approve a maximum of 25% therefore the 15% was to find a balance once between the two processes. Staff did research the approvals in 2013 and concluded that the majority of applicants taking advantage of the relocation provision were within the 15% range.

There was discussion on the proposed amendment fee for this process. Currently, staff only charges a flat fee and no Resubmittals fees. Staff once again is trying to balance the fee to address the staff time involved to the request. The proposed amended fee would charge a flat fee for the request that would include 5 amendments, with 50 dollars for each additional request. The first 2 Resubmittals would be included in the original flat fee with a charge for more than 3 Resubmittals. The Members stated they would rather a higher fee upfront then trying to figure out what constitute an "amendment". There was discussion between Members and Alan on how he determined what an amendment was so they were clear how he would calculate the proposed fee. After a lengthy discussion it seems the consensus from members was an increase in the flat fee.

After the DRAC Meeting Alan sent an email to Members that included the proposed amendment, the proposed fee and the current PPM on what is exempt from the DRO Agency Review. He asked for input on the documents so staff can finalize the code amendment and new fee resolution.

E. REVIEW DRAC OPEN TASK - WENDY (ATTACHMENT 4)

Wendy reviewed the open tasks on Attachment 4.

- The fee being charged for Concurrency for School Board is still pending. She spoke with Planning staff and they said no change in status of the inquiry.
- Conditions-Zoning and ITS have been working on enhancements to the ePZB Conditions screens. We are almost finished our review of the changes and hope to launch the new screens later this year. DRO Agencies will need to be trained on the new features in November. Also, tied to this task is training for all Agency staff on when to close out conditions as being satisfied during the various stages of the review process.
- Information on Master Plan-Maryann and Wendy convened a Task Team which some of the DRAC members participated on. Staff would like another meeting to follow up on the suggested changes. The changes involve coordination between Zoning and Land Development on what needs to be on the plans.
- Timeframes for DRO Agency Review-Staff discussed this topic at today's meeting. Alan is recommending amendments to the DRO Agency review process in order to ensure staff can process the amendments being requested in a timely manner. Staff reviewed those amendments with DRAC and followed up after the meeting by sending everyone a copy of the amendments, the current PPM on amendments not subject to DRO Agency Review etc and asked for input so the amendment can proceed to the November LDRAB Meeting.

F. REQUEST BY DODI GLAS-CAN PAT LENTINI BECOME A FULL MEMBER OF DRAC?

Members voted unanimously for Pat Lentini to become a full member of DRAC.

G. DISCUSS RESIDENTIAL PLANS COMING OFF BOARD AND THE REQUIREMENT FOR RECREATION PODS TO HAVE THEIR OWN SITE PLANS. – JEFF BROPHY

Residential Site Plans off the BCC approval with Master Plans-

Jeff explained his issue with not being able to get Site Plans associated with a off the Board Master Plan approved at the same DRO Meeting. Jeff said Agencies are reviewing the Site Plan as part of the Public Hearing process and does not clearly understand why staff cannot do the Master and Site Plans at same meeting Wendy explained the BCC is only approving the Master Plan and staff is not reviewing the site plans as part of the Public Hearing process. The Master Plan off the Board must be approved at one meeting and the next DRO meeting the corresponding Site Plans can be approved. Wendy said the Master and Site Plans can be submitted to DRO at the same DRO Intake but cannot be approved at same DRO Meeting.

Requirement of Site/Subdivision Plan for Recreation Parcel Land Design South had sent several requests to the Zoning Division asking for clarification on the process to ensure consistency among staff. Sometimes a separate site plan is required for the Recreation Parcel and other times staff allows them to show it on the Regulation Plan. Maryann Kwok indicated that the current Unified Land Development Code (Article 2) does not require a Site or Subdivision Plan to be approved by the BCC; the BCC only approved the Master Plan for a rezoning of a property to a Planned Unit Development (PUD). To show exemplary standards, an applicant may utilize the Regulating Plans. The applicant may choose to reflect those exemplary standards on a Site or a Subdivision Plan, but the BCC does not approve those plans, only the Master Plan. Jeff Brophy indicated the Zoning Staff asked for those plans. Maryann will follow up with Wendy to ensure consistency in Plan requirements. Maryann further explained sometimes with the Site/Subdivision Plans will be subject to changes based on the BCC's conditions of approval, so those plans will need to be revised at Final DRO.

H. NEXT MEETING FEBRUARY 7, 2014. MEETING AGENDA 2014 (ATTACHMENT 5)

I. ADJOURNMENT

THE MEETING ADJOURNED AT 3:55 PM.