



## **DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)**

**MAY 6, 2016, 2:00 PM - 4:00 PM**

**PZ&B – VISTA CENTER**

**2300 NORTH JOG RD., WEST PALM BEACH, FL 33411**

**2<sup>ND</sup> FLOOR CONFERENCE ROOM (VC-2E-12)**

### **MINUTES**

**PREPARED BY ZONING DIVISION STAFF**

#### **CALL TO ORDER**

Gladys DiGirolamo – GL Homes – Chair called the meeting to order at 2:05 p.m.

#### **MEMBERS PRESENT –**

Gladys DiGirolamo – GL Homes - Chair  
Collene Walter – UDKS  
Scott Mosolf-UDKS  
Kevin McGinley-Land Research Management, Inc  
Bradley Miller, Miller Planning  
Lauren McClellan-Morton Planning, Landscape Architecture

#### **INTERESTED PARTIES –**

Josh Nichols, Jon E Schmidt & Associates  
Alec Dickerson, 2GHO

#### **ZONING/ENGINEERING/PLANNING/BUILDING -**

Jon MacGillis, Zoning Director  
Maryann Kwok, Deputy Zoning Director  
Wendy Hernandez, Zoning Manager  
Alan Seaman, Principal Site Planner, AR/PI Section  
Barbara Pinkston, Principal Site Planner, Zoning Division  
William Cross, Principal Site Planner, Code Section  
Carrie Rechenmacher, Senior Site Planner, CD Section  
Jan Rodriguez, Senior Site Planner, AR/PI Section  
Monica Cantor, Senior Site Planner, Code Section  
Roger Ramdeen, Sr. Site Planner II, CD Section  
Carlos Torres, Site Planner II, Zoning Division, CD Section  
Diego Penalozza, Site Planner I, Zoning Division, CD Section  
John Zadjura, Site Planner II, Zoning Division, CD Section  
Josue Leger, Site Planner II, Zoning Division, CD Section  
Joyce Lawrence, Site Planner II, Zoning Division, CD Section  
Osniel Leon, Site Planner II, Zoning Division, CD Section  
Yoan Machado, Site Planner II, Zoning Division, CD Section  
Zubida Persaud, Site Plan Tech, Zoning Administration

Patricia Rice, Senior Secretary, Zoning Administration  
Brad Brown, Deputy Building Official, Building Division  
Joe Rosselot, Construction Plans Examiner III, Building Division  
Cooky Stonehill, Building Permit Technician III, Building Division  
Scott Cantor, Professional Engineer, Land Development  
Ken Wilson, Health Department  
Erin Fitzhugh, Senior Planner, Planning Division

**1) REVIEW OF THE FEBRUARY 5, 2016 MINUTES - (ATTACHMENT 1) – GLADYS**

No changes to minutes. Collene made a motion to approve, Scott second the motion.

**2) REVIEW DRAC OPEN TASK LIST - (ATTACHMENT 2) – WENDY**

Jon MacGillis stated on page 7 of the handout presented was the DRAC 2016 List of Tasks. There are currently 3 open tasks. All three topics will be discussed individually on today's agenda, so no discussion at this time.

**3) DRO CONCURRENT REVIEW-WENDY**

- PPM DRO CONCURRENT REVIEW PROCESS - **(ATTACHMENT 3)**
- AFFIDAVIT OF UNDERSTANDING NOT TO GO THROUGH DRO PRE-APPLICATION CONF - **(ATTACHMENT 4)**
- REVIEW MONITORING CHART FOR CONCURRENT REVIEW –DISCUSS SUCCESS OF PROCESS **(ATTACHMENT 5)**

Jon MacGillis started the discussion on this topic by providing some background on the DRO Concurrent Review process from when it was introduced and implemented in 2006. The intent was to allow flexibility to the applicant/property owners to get concurrent approvals for various application processes (Zoning, Land Development and Building) prior to the Final Site Plan being approved. He referred everyone to pages 13-19 of the handout regarding research that Zoning Staff prepared showing how many applicants applied for Concurrent DRO Pre-application Conference and how many actually followed through on submittal of Concurrent Review applications. He referred to page 19 for "Summary of DRO Concurrent Type II and II Application Process"; from 2009 to 2016 that reflects in the early years from 2009 to 2012 of the process applicants did the Pre-Application Conference and followed through with submitting all 3 applications concurrently. However, in 2013 and 2016 we see that applicants who did the Pre-Application Conference did not always submit their applications to Zoning, Land Development and Building concurrently, some did submit within months and in a few cases not at all. Jon said since this process is not outlined in Article 2 of the ULDC we have been following the procedures outlined in PPM ZO-O-041 for both County staff and the applicant. He said, as part of the 2016 effort by Zoning Management to rewrite Article 2, he hopes that this process will be included to be codified at that time. However, until that is done PPM ZO-O-041 (pages 8-11 of handout) is still in effect. Staff is asking DRAC to commit to agreeing to submit their concurrent applications within a **10 day time frame** before or after submitting to the Zoning Division for final DRO approval of their plan. The DRAC Members agreed that this seemed to be a reasonable request by staff and understands staff's effort to make this process work and ensure applications are truly "concurrent". We also discussed the Pre-Application Conference and the request from certain DRAC members to make the PAC an optional rather than a mandatory requirement to attend, as the current PPM requires. Jon said he agreed this could be changed and on page 12 of the handout was a new "**Affidavit of Understanding**" form

which was created by Zoning. The applicant would sign and notarize if they choose not to do the formal Pre-Application Conference. We discussed the new process; if someone chooses not to do the formal PAC process, they would fill out the Affidavit of Understanding, submit it along with their request to be on the DRO Agenda. Staff will put the item on the Agenda and alert the Agencies that this is on Agenda simply to track the DRO date and the assigned dates for Concurrent Review submittal. Brad Brown, Deputy Building Official stated he preferred submittal of the building permit to the Building division was submitted after the Zoning application, so they know a site plan is being processed by Zoning. It was discussed for the Building submittal a notation would be placed on the plan “**Subject to Concurrent Review**” so this would alert the Building staff an approved site plan is pending. Jon suggested that if an applicant would be willing to participate in walking through this new process with staff we can work out the final details so all agencies and applicants are clear on how it will work. Gladys agreed, she would volunteer to participate in this new process and assist staff with working out the details.

**4) DESIGN STANDARDS-UPDATE ON ULDC AMENDMENT AND TECHNICAL MANUAL UPDATE-JON**

Jon MacGillis introduced this topic by stating that as everyone knows the ULDC has a requirement that a Regulating Plan must be submitted with application for public hearing and final DRO approval. In certain cases the applicant may choose to submit Design Standards. The Design Standards were introduced into the ULDC as an option when Scripps application was being processed since it was determined at that time; a regulating plan would be difficult to prepare and submit for such a large project at the initial BCC approval of the project. Applicants have very rarely requested to submit to the Zoning Director a Design Standards in lieu of the Regulation Plan at time of initial BCC approval of the project. Jon explained that the ULDC and Technical Manual do not have specific provisions or standards on how this document is to be prepared and reviewed by Staff. In 2015 and 2016 there were two Design Standard Task Team Meetings to discuss the intent of the Design Standards and how to proceed with clarifying their intent, the submittal and review requirement in the ULDC and Tech Manual. The direction was to allow them for any type of project, however, ensure the code language and Technical Manual outline clearly what was allowed and how to review it. Jon then proceeded to explain that when staff was following up to on the Task Team direction to draft new ULDC code language and update the Technical Manual to add a new Chapter for Design Standards, staff questioned the need to have Design Standards or for that matter Regulating Plan. The current Regulating Plans in most cases simply show common details (HC space, dumpster enclosure, bike rack, etc) that were of little use to staff or the applicant, but results in added cost to the property owner to have their agent prepared and staff's time to review.

Jon asked if DRAC Members had a problem with the new idea of eliminating both the Design Standards and Regulating Plan from the ULDC. The consensus was the idea was worth exploring further. Bradley and Collene stated that sometimes the Regulating Plan explains a condition of approval or illustrates a code requirement for future documentation and subsequent implementation at time of permitting. Staff explained that sometimes the Regulating Plan, ULDC and conditions of approval are not always consistent and this leaves too much room for interpretation on which document prevails when interpreting the details. It was agreed that perhaps the Regulating Plan in the future would simply be submitted based on BCC/ZC or DRO conditions of approval so this would put everyone on alert of the importance of the Regulating Plan. Jon stated in the 2016-01 Round staff is removing the reference from the ULDC for Design

Standards and in 2016-02 staff will look at updating the Regulation Plan provisions to reflect today's discussion.

**5) UPDATE ON DRO ADMINISTRATIVE ONLINE SUBMITTAL-JON/ALAN**

Jon explained that both the Zoning and ISS staff have been working on developing the new ePZB screens for DRO Administrative Online submittal by the Applicant. Jon turned it over to Alan for further details. Alan explained that staff has finalized their Q and A of the new screens and ISS is reviewing and finishing the changes to the screens. He said the new ePZB online submittal will allow the applicant to fill in all applicable application information online and submit to the Zoning Division without having to come to our office. He said it is very similar to the current Administrative Variance online submittal process. He asked if he could have a couple of volunteers to come into the Zoning Division office to test the system this month so in July the new screens can be released to the public. Kevin McGinley volunteered to participate in the testing.

**6) ULDC UPDATES – BILL**

**A. Status - Round 2016-01 and PIAs in Progress**

**B. Use Regulations Project-Monica**

- General Status & Schedule
- Commercial Uses
- Other Remaining Uses

**C. Upcoming Plan Amendments**

**D. Use Regulation Project Update-MONICA**

Bill Cross provided an update on the Florida Power and Light (FPL) Privately Initiated Amendment (PIA) that both LDRAB and BCC supports the amendment. The BCC provide staff direction to proceed with the amendment as recommended by staff. The other PIA in process is the Indian Trails Gove by GL Homes, to introduce the new WCR-Western Community Residential Overlay into the Code and new provisions for the WCRDO PUD. There were no comments or questions regarding the PIA Amendments from DRAC Members.

He also provided an update on the 2016-02 Round and gave specifics to the amendments on this Round going to LDRAB this month for final approval. The Hearing dates are June, July and August adoptions. The amendments can be found on the Zoning Code Web Page.

Monica provided an update on the Use Regulation Project. She explained the Communication Towers has been reviewed by both the LDRAB Subcommittee and LDRAB in April. The BCC will be provided with an update on Transportation Uses under Zoning Director comments at the May 26, 2016 BCC Zoning Hearing. She also provided an update on Commerical Use and gave highlights to those uses and standards that staff will be amending and updating. The agricultural uses will have minimal changes in the Use Regulation Project and will probably be looked at in 2017 as a separate topic.

The ULDC Use Project will be ready for adoption in fall 2016. Code Staff sends out regular updates on meetings and key topics, if you are on our mailing list.

**7) LANDSCAPE SUBCOMMITTEE MEETING - (ATTACHMENT 6) - MARYANN**

Maryann provided an update on the proposed amendments to Article 7, the main purpose of the amendments is to replace the Alternative Landscape Plan (ALP) process with the Type I Waiver process. Maryann went through the Standards that can be altered through the Type I Waiver for Landscaping, and she also mentioned that they had a Landscape Subcommittee that worked with Staff since last year, and is now proposing to go to the May 25 LDRAB for a recommendation to the BCC.

**8) COMMITTEE MEMBER TOPICS:**

**BRADLEY MILLER - (ATTACHMENT 7)**

1. MUPD/MASTER PLAN
2. RESUBMITTAL FEES

**MUPD/MASTER PLAN**-Bradley explained that he has been in discussions with Maryann on how to update MUPD Master Plan, especially when his client has only authorized certain updates to the project. It was agreed Zoning would continue to discuss this matter and report back to DRO, if a solution can be offered.

**Resubmitted Fees**-concerned that changes requested by staff on items missed during reviews are being found and require a resubmittal fee which their client is being charged with additional fees. Wendy said sometimes the missing items are the result of a resubmittal or from another review Agency. It was agreed we are all doing our best to submit and review plans that comply with code from the beginning so that re-submittals are limited and extra fees are minimal.

**9) TOPICS FOR NEXT MEETING – GLADYS**

Gladys opened the floor for topics of next meeting scheduled for August 5, 2016. Gladys asked, how to address “open space” on the site plan to satisfy planning ongoing requirements could be added to these topics for discussion. No other topics were offered.

**10) ELECTION OF CHAIR AND VICE CHAIR**

Gladys was nominated to fill another term as Chair and Pat Lentini was also re-elected to another term as Vice Chair.

**11) ADJOURN**

Meeting adjourned at 3:45 p.m