



DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)

JANUARY 24, 2020 (2:00 p.m. – 4:00 p.m.)

**PZ&B – VISTA CENTER, 2300 NORTH JOG ROAD
WEST PALM BEACH, FL 33411
2ND FLOOR MEETING ROOM VC-2E-12**

MINUTES

CALL TO ORDER: At 2:05 p.m.

ATTENDANCE:

Members Present: Gladys DiGirolamo, Lauren McClellan, Bill Whiteford, Bradley Miller, Kevin McGinley, Collene Walter, Josh Nichols

Interested Parties: Evelyn Pacheco from GLHomes

County Staff: Zoning Division: Jon MacGillis, Maryann Kwok, William Cross, Wendy Hernandez, Monica Cantor, Melissa Matos, Barbara Pinkston, Carrie Rechenmacher, Meredith Leigh, Ryan Vandenburg, Jan Rodriguez, Adam Mendenhall, Albert Jacob, Miriam De Santiago, Nancy Frontany, Lindsey Walter, Susan Goggin and Zubida Persaud; **Planning Division:** Sussan Gash; **Land Development:** Scott Cantor; **ERM:** Robert Krauss, John Reiser, Michael Stahl, Roberta Dusky and Mark Godwin.

AGENDA

1) Review Minutes – Gladys

Gladys DiGirolamo opened the meeting at 2:06 p.m. The agenda was modified to introduce the add/delete and rearrange the order of the agenda to let item 3.b and 3.e be presented at the beginning. She noted that the November 1, 2019 Minutes needed some minor corrections due to typos. The minutes were approved with minor typo corrections.

Reorganized Items in the Agenda

3.b) Final Version of Sufficiency Checklist – Monica

Monica Cantor noted that there have been no changes to the Sufficiency Checklist since its effective date on November 1, 2019.

3.e) ERM/Zoning Coordination 2020 – Maryann

- Minutes of ERM/Zoning Coordination meeting
- Revised Sufficiency Checklist – update requested by ERM

Collene Walter questioned when is the Tree Disposition Chart approved as it is reviewed frequently through the Zoning approval. She also mentioned for those Public Hearing applications, usually the agents/applicants would not have information on grading because the civil plans are not done at that time. She said, often times they would have to guesstimate those grades to meet Code requirement in Art. 7 E.

She asked whether this requirement could be removed from the current Code. Maryann explained that the preliminary grade requirement can also be found under the Environmental Assessment in General Application Form 1.

Maryann also explained that the preliminary grade is required only in areas where those trees are to be preserved. The applicant/agent should be familiar with the site whether there is existing vegetation on the site. The Pre-Application appointment should be done prior to submission of application to ensure Staff and applicant will reach some preliminary agreement on preservation of trees. Zoning's role is to coordinate and ensure the proposed preserved vegetation will not impact the design layout of the site.

Collene Walter also pointed out that there are conflicts between the size of trees that ERM and Zoning wants to save. ERM usually starts with 6 inches; however, Zoning wants those 6 inches and under trees to be saved. She suggested to establish some consistency between ERM and Zoning.

Michael Stahl from ERM explained the reasons for making changes to the Sufficiency Checklist. He emphasized on how critical is to have the pre-application appointment (PAA) because the conversation of preservation needs to begin at PAA because if staff/applicant reaches a preliminary agreement on the preserved vegetation, there will be less issues during the review of the application. He also indicated that they usually received poor quality submittal on the Veg Survey and Disposition Chart with a lot of inaccurate information. Therefore, recommends the Survey/Chart to be signed and sealed by a qualified professional such as an arborist or Landscape Architect.

DRAC members pointed out the accuracy on the Disposition Chart/Veg Survey should be a certification issue, and not a Sufficiency issue, since they do not have accurate information about the site until later on in the project. They compared this to the Traffic and Drainage Statement/Study, which means at submittal time, Zoning should be checking whether those documents are submitted and will then distribute it to the Agencies for review after Sufficiency Review.

DRAC members agreed that the pre-application appointment is essential, but recommend that the proposed revised "Checklist" be changed to include "Missing Vegetation Survey and Disposition Chart" (i.e. leave out the required term "accurate information"). ERM has not agreed to the changes yet.

Maryann will add the requirement of the Vegetation Survey/Chart to be signed and sealed by a certified arborist/registered Landscape Architect to the Zoning Technical Manual until the Code is amended.

2) Member Items:

All participant discussed the following questions/topics submitted by DRAC members:

a. Discuss the Community Residential Housing code, it is my understanding they have or are hiring a consultant?

Gladys DiGirolamo mentioned that this item was raised by Pat Lentini, who was not present. Jon MacGillis stated that we have hired a consultant to review our Code for the purpose of modifying it to address Community Residential Homes, which includes sober home facilities, and Congregate Living Facilities, etc. Wendy Hernandez mentioned that we were at the beginning stage of the review. It may be a stand alone ordinance or rolled into 2020-02 Round of amendments.

b. What is the process that Zoning utilizes to review Building Permits? Is there a timeline? How do the permits get routed?

Gladys DiGirolamo explained she wanted clarification on how Zoning reviews Building permit applications, since she found it difficult to navigate online. Melissa Matos explained Zoning is just an agency reviewer for the Building Division, and that permits are reviewed on a first-come first-serve basis, unless the permit is expedited by Building. Melissa stated a lot of staff time goes into chasing down the status of permits, when applicants can use the Building Permit Tracking website. It was mentioned the Building website screens were difficult to navigate, and therefore was recommended Building provide DRAC Members a training session. Melissa to send requested to Building, who will coordinate this session.

c. Monument Signs – does the Regulating Plan need to match exactly the SF included on the permit?

For instance if the regulating plan shows the SF of the sign face at 24 SF and building permit comes in at 23.54 SF, should that trigger a ZAR?

Zoning Staff clarified that if the sign area in the building permit is less than what is shown in the Sign Plan or Regulating Plan, that should not be required to be subject to an amendment. Melissa Matos indicated that those requests are typically coming from Building Division staff that may not be very well informed. Monica Cantor clarified that if the development is subject to architectural requirements, sign changes related to the design will have to be done through the Administrative Review procedures as long as they are in compliance with Art. 5.C of the ULDC or conditions of approval related to compatibility. She noted that staff has been looking lately to get architectural elevations at building permit rather than condition the sites at Public Hearing or DRO approval to avoid constant amendments to the plans. In addition, she noted that staff has been looking to get schematics of the signs instead of specific design elements that can always be provided as part of the Final Master Sign Plan at tie of Building Permit Review.

d. **Staff still not citing ULDC sections when issuing comments.**

Monica Cantor presented examples of comments and issues to indicate that some of them are very generic and do not require references to the ULDC or to the Technical Manual, which most of the time are common sense related. She acknowledged that there are some instances where staff should be providing the references and they are not, we are working to ensure that Administrative Review and Community Development staff are making an effort to provide the references. William Cross agreed.

e. **Agencies still not finalizing comments before due date.**

Monica Cantor noted that in the last six-months, few agencies are delinquent but in general, all agencies have been doing much better. She clarified that e-mails are sent to the agencies the day before and on the due date to remind the DRO agencies to sign off. ePZB staff is looking into programming changes that will send an automatic e-mail reminders. Gladys DiGirolamo asked; why not remove those agencies that do not have any say to some of the projects.

f. **Calculation of Time Extension Fees - \$88 for a TE letter.**

An Agent recently asked for a TE for 6 months because they had a couple FDOT issues that needed a couple months to work out. They were charged 6 times \$88 fee. William Cross clarified that staff is still having meetings, and monitoring status and progress during the TE period, therefore the additional charge is appropriate. Jon MacGillis clarified that we only give time extensions for 30 days at a time, in extenuating circumstances a request for time may be allowed.

g. **Waiting on agency sign off for final certification even if they had no issues during the process.**

This topic is already discussed and addressed under item "e", above. Kevin McGinley brought up the subject of submitting proof that "Notification Signs" were removed from the site as required by Code. He wanted to confirm if just an email from the owner was sufficient. Maryann Kwok confirmed that this should be entered as comment / response in the epzb system even if an email is sent, the email from the owner with confirmation may be added as an attachment.

h. **Discuss Tree Disposition plans and Vegetation Review Process.**

Agents are submitting tree disposition tables and plans with Rezoning/DOA/Cond Use applications, and getting some review comments, usually from ERM. When applications are submitted with the same documents for final approvals, Agents get a whole new list of issues from both ERM and Landscape as if the plans were not ever reviewed before. DRAC members requested to provide update on current coordination between Landscape and ERM during the entitlement processes, and for the vegetation barricade permit process.

3) Staff Items:

a. **DRAC 2020 Task List – Jon (Attachment 2)**

Jon MacGillis indicated that currently there are no pending DRAC Tasks open on the chart. In 2019 we addressed all pending tasks.

- b. **Final Version of Sufficiency Checklist – Monica (Attachments 3A and 3B)**
Item discussed at the beginning of the meeting due to reorganization of the agenda as reflected in the add/delete.
- c. **ULDC Round 2020 Overview – Wendy**
Wendy Hernandez summarized the schedule and the list of items for the 2020-01 Round of Amendments that was presented at the BCC hearing on January 27, 2020. Will be discussed in February LDRAB, and BCC in June or July. Items includes; remove CRE zoning district with RR flu; Electric Vehicles – allow charging stations; looking at changes in Glades tier, Temporary Uses, vegetation preservation, drainage review, etc.
- d. **ULDC Art. 2.C, Administrative Processes Amendment Status – Monica**
Monica Cantor commented that staff is working on Art. 2.C, Administrative Modification amendments language and will be programming meetings with the Subcommittee members to discuss the tentative changes that include: administrative modification criteria, clarification on the determination of the five agencies for ZAR applications and clarification of the applicable process for any references to the DRO noted in different sections of the ULDC. She also noted that it may be a good opportunity to review the Fees Schedule and update it if necessary. Maryann Kwok clarified the amendments to the Code are mainly pertaining to the section that allows modifications to BCC or Zoning Commission approvals.
- e. **ERM/Zoning Coordination 2020 – Maryann (Attachment 4)**
Item discussed at the beginning of the meeting due to reorganization of the agenda as reflected in the add/delete.
- f. **CD/AR Intake/Resubmittal Appointment Procedures and Timeliness – Bill**
William Cross reiterated ongoing problems staff are having with appointments for application submittal: agents need to be on time and arrive at their scheduled time; agents are showing up with additional applications not included in fee invoice requested, which requires additional time, causing a backup of the next appointment; there are too many no shows without courtesy of notifying of cancellation; agents are signing in and then going down to Building or another division then returning late to the appointment and expecting to be taken in at a later time. William Cross explained we schedule appointments back to back and therefore must keep the schedule.
- 4) General:**
- a. **Topics for next Meeting – Gladys**
- Invite Keri Smith, Senior Environmental Analyst, Environmental Resources Management to next meeting;
- b. **Election of Chair and Vice-Chair:**
Mr. Bill Whiteford nominated Ms. Gladys DiGirolamo as Chair and Ms. Lauren McClellan as Vice Chair all DRAC Members confirmed they were in favor so motion passed unanimously.

ADJOURN- 4:01 pm