

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

(Updated 2/28/23)

Minutes of January 17, 2023 LDRAB/LDRC Meeting

On Tuesday, January 17, 2023, the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Kenneth S. Rogers Hearing Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call

Chair Mr. Wesley Blackman, called the meeting to order at 2:00 p.m. Ms. Valerie Flores, Site Plan Technician, called the roll.

Members Present: 12

Charles Millar (District 1, Commissioner Marino)
Ned Kerr (District 2, Mayor Weiss)
Matthew Barnes (District 3, Commissioner Barnett)
Jim Knight (District 4, Commissioner Woodward)*
Dr. Lori Vinikoor (District 5, Vice Mayor Sachs)
Josh Nichols (District 6, Commissioner Baxter)
Anna Yeskey (League of Cities)
Terrence Bailey (Florida Engineering Society)
Susan A. Kennedy (Environmental Organization)
Frank Gulisano (Realtors Association of the Palm Beaches)
Wesley Blackman (PBC Planning Congress)
Drew Martin (Alternate At-Large #1)**

Members Absent: 3

Robert J. Harvey (District 7, Commissioner Bernard)
Lucille Hinners (American Institute of Architects)
Jim Sullivan, Florida Surveying and Mapping Society

County Staff Present: 12

Lisa Amara, Director, Zoning Division
Wendy N. Hernández, Deputy Director Zoning Division
Imene Haddad, Senior Site Planner, Zoning Division
Jerome Ottey, Senior Site Planner, Zoning Division
Alexander Biray, Site Planner II, Zoning Division
Valerie Flores, Site Plan Technician, Zoning Division
Darren Leiser, Assistant County Attorney II
Bryan Davis, Principal Planner, Planning Division
Travis Goodson, Senior Planner, Planning Division
Megan S. Houston, Office of Resilience (OOR) Director
Natalie Frenberg, Resilience And Sustainability Analyst, OOR
Gonzalo Castillo, Intern, OOR

Vacancies: 3

Gold Coast Builders Association
Association General Contractors of America
Alternate At-Large #2

** Mr. Knight left the dais at 2:33 p.m. and returned at 3:00 p.m.*

*** Mr. Martin left at 2:57 p.m.*

2. Additions, Substitutions, and Deletions

None.

3. Motion to Adopt Agenda

Motion by Mr. Gulisano, to adopt the Agenda, seconded by Mr. Martin. The Motion passed unanimously (12-0).

4. Approval of Minutes – October 26, 2022

Motion by Dr. Vinikoor, to approve the Minutes, seconded by Mr. Gulisano. The Motion passed unanimously (12-0).

5. Public Comments

None.

B. UNIFIED LAND DEVELOPMENT CODE (ULDC) REVISIONS

1. CR-2020-0001 – Electric Vehicle Charging Stations, Art. 1, 4, and 6

Mr. Ottey provided a PowerPoint presentation and overview of the Electric Vehicle Charging Stations (EVCSs), and explained the County initiated a “Phase I” to revise and update the EVCS regulations. The Board of County Commissioners directed Staff to remove restrictions to the installation of EVCSs allowing for easier installation through a more streamline process.

a. Discussion

Board discussion included accessibility of spaces for the handicapped, as well as, raising the charging station parking space cap from twenty percent (20%) to fifty percent (50%). Property owners would be the ones to determine the amount of parking spaces they need to accommodate their guests/customers. County-owned properties are not being addressed at this time.

b. Motion

Motion to approve, by Mr. Martin, seconded by Mr. Guilsano. The Motion passed unanimously (12-0).

2. CR-2018-0063 – Residential Future Land Use Designations, Art. 1, 3, 4, and 5

Mr. Ottey presented the County-proposed item that would revise the Unified Land Development Code (ULDC) to implement amendments to the Comprehensive Plan (the “Plan”) adopted by Planning Ordinance No. 2018-031. Accessory uses and structures that need to be revised for consistency are also included in this revision. A portion of this item was previously presented to the LDRAB in 2021. The item would remove restrictions to agricultural uses in Urban/Suburban Tier, allow the Multifamily Residential Zoning (RM) designation on parcels with a Medium Residential, 5 units per acre (MR-5) Future Land Use (FLU) designation when Transfer of Development Rights (TDR) or Workforce Housing Programs (WHP) are utilized, remove the FLU Consistency Table from Article 3 as it is established and regulated by the Comprehensive Plan, lots zoned Agricultural Residential (AR) will be able to subdivide to a maximum density of one unit per acre without having to rezone in the Urban/Suburban Tier, and revise the property development regulations (PDRs) for the AR and Residential Estate (RE) Zoning Districts.

a. Discussion

Staff answered questions from the Board regarding how many lots would be affected, relationship with the Comprehensive Plan, and range of influence for residential subdivisions as it relates to infill, Legal Lot of Record regulations, and housing types.

b. Motion

Motion to approve, by Mr. Guilsano, seconded by Ms. Kennedy. The Motion passed unanimously (12-0).

2. CR-2022-0006 – Commerce Future Land Use Designations, Art. 3 and 4

*2:33 Prior to staff presenting item, Mr. Knight disclosed a voting conflict and excused himself from the dais. Form 8B, Memorandum of Voting Conflict was submitted.

Ms. Amara presented the County-initiated item which proposes revising the ULDC to implement amendments to the Plan to establish a new industrial FLU designation called Commerce (CMR). This item will establish light and heavy industrial uses, add a column for the new CMR FLU designation in the Use Matrix and assign allowable uses and approval processes, add PDRs and Planned Development District (PDD) thresholds for CMR, and modify Supplementary Use Standards to incorporate the new CMR FLU designation.

a. Discussion

Ms. Amara answered questions from the Board regarding Distribution Facility and Warehouse with accessory office uses, how the new FLU designation would be applied, and maximum building square footage and floor area ratios.

b. Motion

Motion to approve, by Dr. Vinikoor, seconded by Mr. Barnes. The Motion passed 10-1-1, with Mr. Martin dissenting and Mr. Knight abstaining.

**2:57 p.m. Mr. Martin excused himself from the Public Hearing*

C. CONVENE AS LDRC

The Land Development Regulation Advisory Board convened as the Land Development Regulation Commission at 2:58 p.m.

1. Proof of Publication

Motion to accept Proof of Publication, by Mr. Guilsano, seconded by Dr. Vinikoor. The Motion passed unanimously (10-0).

2. Consistency Determination for Items B.1. through B.3.

Motion by Dr. Vinikoor, to approve, seconded by Mr. Kerr. The Motion passed unanimously (10-0).

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

The Land Development Regulation Commission adjourned and reconvened as the Land Development Regulation Advisory Board at 2:59 p.m.

***3:00 p.m. Mr. Knight returned to the dais*

E. STAFF COMMENTS

1. Incorporating Resilience in Development Review

Ms. Amara introduced Meghan S. Houston, Director, Office of Resilience. Ms. Amara discussed how Ms. Houston is being invited to work alongside Staff when writing Staff Reports to assist in helping plan for the future and incorporate resilience features into developments.

Ms. Houston shared her excitement in working with staff to integrate resiliency into land use planning and is eager to hear ideas from the Board.

The Board expressed their interest in organizing a subcommittee to help contribute to the effectiveness of resiliency.

a. Motion

Motion to establish a sub-committee on resiliency factors made by Mr. Bailey, seconded by Ms. Kennedy. The Motion passed unanimously (11-0).

F. BOARD MEMBER COMMENTS

None.

G. ADJOURNMENT

The Land Development Regulation Advisory Board meeting adjourned at 3:19 p.m.

Recordings of all LDRAB meetings are kept on file in the Palm Beach County Zoning/Sustainability and Infill Office and can be requested by contacting Valerie Flores at (561) 233-5352.