

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

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Meeting Date: April 15, 2008

Department: Planning Division

Submitted By: Lorenzo Aghemo, Planning Director

Advisory Board Name: Planning Commission

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: The reappointment of Neil Merin to the Planning Commission, formerly known as the Land Use Advisory Board (LUAB), beginning on June 6, 2006 through June 5, 2009.

<u>Reappointment Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Neil Merin	Business	15	Commissioner Greene Commissioner Aaronson Commissioner Koons Commissioner Marcus

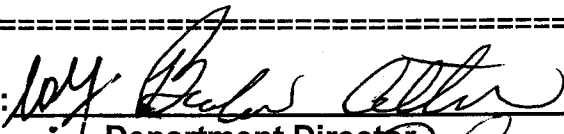
Summary: The Land Use Advisory Board was reestablished by Resolution No. R-90-1987. The Planning Commission was created by Ordinance 2008-003 and replaces the LUAB. The Planning Commission consists of 16 members; 15 BCC appointed members and one representative of the School District of PBC and serves three (3) year terms. The nominee has expressed an interest in serving another term and is eligible for reappointment. On June 26, 2007, a memo was distributed to the County Commissioners requesting nominations to this Board. No other nominations have been received. Countywide (RPB)


Background and Justification: The ULDC provides that although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

Attachments:

1. Ordinance 2008-003 (excerpts)
2. Board Appointment Forms
3. Current List of Planning Commission Members
4. Board Meeting Dates
5. Memo dated June 26, 2007 to the Commissioners requesting nominations

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Recommended By:  3/31/08
Department Director Date

Legal Sufficiency:  3/31/08
Assistant County Attorney Date

ORDINANCE 2008 -003

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1** - GENERAL PROVISIONS; CHAPTER I - DEFINITIONS AND ACRONYMS; **ARTICLE 2** - DEVELOPMENT REVIEW PROCESS; CHAPTER A - GENERAL; CHAPTER B - PUBLIC HEARING PROCEDURES; CHAPTER D - ADMINISTRATIVE PROCESS; CHAPTER E - MONITORING; **ARTICLE 3** - OVERLAYS & ZONING DISTRICTS; CHAPTER B - OVERLAYS; CHAPTER C - STANDARD DISTRICTS; CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER B - SUPPLEMENTARY USE STANDARDS; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER B - ACCESSORY AND TEMPORARY USES; CHAPTER D - PARKS & RECREATION - RULES AND RECREATION STANDARDS; CHAPTER G - DENSITY BONUS PROGRAM; **ARTICLE 7** - LANDSCAPING; CHAPTER D - GENERAL STANDARDS; CHAPTER F - PERIMETER BUFFER LANDSCAPE REQUIREMENTS; **ARTICLE 8** - SIGNAGE; CHAPTER B - EXEMPTIONS; CHAPTER C - PROHIBITIONS; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; CHAPTER G - STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER I - ADMINISTRATION AND ENFORCEMENT; **ARTICLE 12** - TRAFFIC PERFORMANCE STANDARDS; CHAPTER B - STANDARD; **ARTICLE 14** - ENVIRONMENTAL STANDARDS; CHAPTER C - VEGETATION PRESERVATION AND PROTECTION; **ARTICLE 16** - AIRPORT REGULATIONS; CHAPTER C - AIRPORT LAND USE REGULATIONS; **ARTICLE 17** - DECISION MAKING BODIES; CHAPTER C - APPOINTED BODIES; **ARTICLE 18** - FLOOD DAMAGE PREVENTION; CHAPTER A - FLOOD DAMAGE PREVENTION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, as amended from time to time; and

WHEREAS, the BCC desires to further amend the ULDC, based upon public participation and advice from the Palm Beach County Land Development Regulation Advisory Board; and

WHEREAS, the BCC has determined that the proposed amendments further a legitimate public purpose; and

WHEREAS, the Land Development Regulation Commission has found the amendments to the ULDC in Exhibits A through M and O to be consistent with the Palm Beach County Comprehensive Plan; and the amendments to the ULDC in Exhibit N to be consistent with the Plan pending the adoption of related amendments to the Plan; and

EXHIBIT K

LAND USE ADVISORY BOARD
SUMMARY OF AMENDMENTS
(Updated 1/24/08)

1
2 **Part 1. ULDC, Art. 1.1.3, Abbreviations and Acronyms, Land Use Advisory Board (page 102-103**
3 **of 104), is hereby amended as follows:**

4
5 **CHAPTER I DEFINITIONS AND ACRONYMS**

6 **Section 3 Abbreviations and Acronyms**

....
LUAB ~~Land Use Advisory Board~~

....
PLC Planning Commission

7
8
9 **Part 2. ULDC, Art. 17.C.11, Land Use Advisory Board (pages 17 and 18 of 25), is hereby**
10 **amended as follows:**

11
12 **CHAPTER C APPOINTED BODIES**

13 **Section 11 ~~Land Use Advisory Board~~ Planning Commission**

14 **A. Establishment**

15 There is hereby established a ~~Land Use Advisory Board (LUAB)~~ Planning Commission (PLC).

16 **B. Powers and Duties**

17 The LUAB PLC shall have the following powers and duties under the provisions of this Code:

- 18 1. to serve as the Local Planning Agency (LPA) per F.S. § 163.3174, and to provide
19 recommendations on the preparation of the Plan, or any element or portion thereof, and any
20 text amendments thereto to the BCC;
- 21 2. to initiate, review, hear, consider and make recommendations to the BCC to approve,
22 approve with conditions, or deny applications to amend the Plan, including Site Specific
23 (Future Land Use Map) amendments to the Plan;
- 24 3. to initiate, review, hear, consider and make recommendations to the BCC to approve,
25 approve with conditions, or deny applications for the VDB Program;
- 26 4. to make its special knowledge and expertise available upon written request and authorization
27 of the BCC to any official, department, board, commission or agency of PBC, the State of
28 Florida or Federal governments;
- 29 5. to make additional or amended rules of procedure not inconsistent with this Section to govern
30 the LUAB PLC's proceedings;
- 31 6. to make studies of the resources, possibilities and needs of PBC and to report its findings
32 and recommendations, with reference thereto, from time to time, to the BCC;
- 33 7. to submit an Annual Report to the BCC summarizing its annual activities; and
- 34 8. to review and make recommendations to the BCC on Transportation Concurrency
35 Management Area (TCMA) and Constrained Road at Lower Levels of Service (CRALLS) or a
36 major thoroughfare on which a lower LOS is set pursuant to Art. 12, Traffic Performance
37 Standards.

38 **C. Board Membership**

39 **1. BCC Appointed Members**

40 The LUAB PLC shall be comprised of 16 members; 15 BCC appointed members and one
41 representative of the School District of PBC.

42 **a. Qualifications**

43 Although no specific experience requirements shall be necessary as a prerequisite to
44 appointment, consideration shall be given to applicants who have experience or
45 education in planning, law, architecture, natural resource management, real estate, and
46 related fields.

47 **b. Appointment**

48 Each member of the BCC shall appoint two members to the LUAB. One member of the
49 LUAB shall be appointed at large by a majority vote of the BCC.

50 **c. Terms of Office**

51 Members of the PLC LUAB shall hold office until the first Tuesday after the first Monday
52 in June of the year their term expires.

53 **2. School District Member**

54 The School District of PBC shall appoint a representative to attend those meetings at which
55 the LUAB PLC will consider a Plan amendment, which would, if approved, increase
56 residential density of the property that is the subject of the application. The school member
57 shall be a non-voting member and shall not count toward quorum.

58 **D. Officers; Secretary; Staff**

59 **1. Chair and Vice-Chair**

Notes:

Underlined language indicates proposed new language.

Language ~~crossed-out~~ indicates language proposed to be deleted.

.... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

EXHIBIT K

LAND USE ADVISORY BOARD
SUMMARY OF AMENDMENTS

(Updated 1/24/08)

~~There shall be no limit on the number of consecutive terms that may be served by the Chair or Vice chair. The Chair and Vice Chair positions shall rotate annually and shall only be held by regular members. No Board member shall serve consecutive terms as Chair or Vice-Chair.~~

2. **Secretary**

The Planning Director of PZB shall serve as Secretary of the PLC LUAB. The Secretary shall keep minutes of all proceedings, which minutes shall be a summary of all proceedings before the PLC LUAB, which shall include the vote of all members upon every question, and be attested to by the Secretary. The minutes shall be approved by a majority of the PLC LUAB members voting. In addition, the Secretary shall maintain all records of PLC LUAB meetings, hearings, proceedings, and the correspondence of the PLC LUAB. The records of the PLC LUAB shall be stored with the agency serving as Secretary herein, and shall be available for inspection by the public, upon reasonable request, during normal business hours.

3. **Staff**

The Planning Division of PZB shall be the professional staff of the PLC LUAB. The Planning Division staff shall be responsible for, providing a recommendation to the PLC LUAB on all items scheduled for it's consideration. Plan amendments, including amendments to any maps included as part of the Plan.

E. **Rules Applicable to Local Planning Agency**

1. The agenda of the PLC LUAB sitting as the LPA shall be as prepared and presented by the PBC Planning Division and such agenda shall not be deviated from without a two-thirds vote of a quorum of the LPA.
2. Failure of the LPA to make a recommendation on any Plan Amendment to the BCC prior to the final transmittal hearing of the amendments shall constitute the item being sent to the BCC with an LPA recommendation of denial pursuant to F.S. § 163.3174, as may be amended from time to time.

F. **Meetings**

General meetings of the PLC LUAB shall be held as needed to dispense of matters properly before the PLC LUAB. Special meetings may be called by the Chair or in writing by a majority of the members of the PLC LUAB. Staff shall provide 24-hour written notice to each PLC LUAB member before a special meeting is convened.

U:\zoning\CODEREV\2007\BCC Hearings\2007-02 Round\Minutes\Exhibit K - Article 17 LUAB.doc

Notes:

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**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: Land Use Advisory Board

At Large Appointment

or

District Appointment

Term of Appointment: 3 Years.

From: 6/6/06

To: 6/5/09

Seat Requirement: N/A

Seat #: N/A

*Reappointment

or

New Appointment

or to complete the
term of _____

Due
to: _____

resignation other

Completion of term to
expire on: _____

Part II:

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Merin

Neil

Last

First

Middle

Occupation/Affiliation: _____

Business Name:

Merin, Hunter & Codman

Business Address:

1601 Forum Place #200

City & State

West Palm Beach, Florida

Zip Code:

33401

Residence Address:

N/A

City & State

Zip Code: _____

Home Phone: () _____

Business Phone: (561) 471-8000

Ext. _____

Cell Phone: (561) 714-3880

Fax: () _____

Email Address: nmerin@mhcreal.com

Mailing Address preference: Business Address Residence

Minority Identification Code:

IF (Native-American Female)

IM (Native-American Indian Male)

AF (Asian-American Female)

AM (Asian-American Male)

BF (African-American Female)

BM (African-American Male)

HF (Hispanic-American Female)

HM (Hispanic-American Male)

WF (Caucasian Female)

WM (Caucasian Male)

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on:

~~August 21, 2007~~

April 15, 2008

***When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.**

0 Number of previously disclosed voting conflicts during the previous term

Signature: *Neil Merin*

Date: _____

PLANNING COMMISSION MEMBERS

District 1 (Commissioner Marcus)

1. Judy Daversa - Term Expires June 2010
19050 Loxahatchee River Road
Jupiter, FL 33458
746-1790 (home)
262-7016 (cell)
746-5707 (fax)
judydaversa@hotmail.com
2. Katharine Murray - Term Expires June 2009
135 Lighthouse Drive
Tequesta, FL 33469
575-6778 (work)
575-9996 (fax)
kmurray@eq-inc.com

District 2 (Commissioner Koons)

3. Sam Shannon - Term Expires June 2010
1500 N Swinton Avenue
Delray Beach, FL 33444
561-243-8167 (home)
Sam.shannon@comcast.net
- 4.

District 3 (Commissioner Kanjian)

5. Sandra Greenberg - Term Expires June 2008
9633 Harbour Lake Circle
Boynton Beach, FL 33437
364-7113 (home)
364-7113 (fax)
sandy9633@comcast.net
6. Dennis Koehler - Term Expires June 2009
2511 Westgate Avenue, Suite 7
West Palm Beach, FL 33409
964-9235 (home)
561-684-2844 (work)
684-9370 (fax)
koehlerlaw@bellsouth.net

District 4 (Commissioner McCarty)

7. Michael Weiner, Esq. - Term Expires June 2008
102 North Swinton Avenue
Delray Beach, FL 33444
561-265-2666 (work)
302-7258 (cell)
561-272-6831 (fax)
mweiner@zonelaw.com
- 8.

District 5 (Commissioner Aaronson)

9. Harvey Arnold - Term Expires June 2008
15441 Lake Gardenia Place
Delray Beach, FL 33484
561-496-3226 (home)
561-276-1250 (work)
561-496-1447 (fax)
nohanash@aol.com
10. Larry Zalkin - Term Expires June 2009
7204 Francisco Bend Drive
Delray Beach, FL 33446
561-498-0740 (home)
561-653-6500 (work)
561-691-3626 (fax)
lzalkin@wescott.com

Attachment 3

District 6 (Commissioner Santamaria)

11. **Dennis Lipp** - Term Expires June 2010
13402 North Road
Loxahatchee Groves, FL 33470
793-6013 (home)
596-6357 (cell)
D_Lipp@comcast.net
12. **Jerry Greenfield** - Term Expires June 2009
10201 Heronwood Lane
West Palm Beach, FL 33412
622-0270 (home)
389-0915 (cell)
622-0270 (fax)
paparomy@comcast.net

District 7 (Commissioner Greene)

13. **Ashley Foster Pinnock** - Term Expires June 2011
151 Apalachee Lane
Jupiter, Florida 33408
304-5127 (work)
329-1925 (cell)
ashley_pinnock@fpl.com

14. Open

Member At Large

15. **Neil Merin** - Term Expires June 2009
1601 Forum Place, #200
West Palm Beach, FL 33401
471-8000 (business)
622-1100 (home)
561-640-7844 (fax)
nmerin@mhcreal.com

**Palm Beach County Vista Center
2300 North Jog Road
West Palm Beach, FL 33410
561-233-5300 (Main)
561-233-5365 (Fax)**

**Alisa Hallberg
Planning Commission
Recording Secretary
2300 North Jog Road
West Palm Beach, FL 33410
561-233-5591 (Main)
561-233-5365 (Fax)**

**VC-1E-60 Hearing Room
561-233-5005**

Meeting Dates for 2008

The dates below are the recommended PLANNING COMMISSION meeting dates for 2008. As shown, there is now only one meeting per month, with the exception of February, March and June, which have an extra meeting scheduled to accommodate the large scale Comprehensive Plan amendment rounds.

- Friday, January 18, 2008
- Friday, February 8, 2008
- Friday, February 22, 2008
- Friday, March 7, 2008
- Friday, March 28, 2008
- Friday, April 11, 2008
- Friday, May 9, 2008
- Friday, June 6, 2008
- Friday, June 20, 2008
- Friday, July 11, 2008
- Friday, August 15, 2008
- Friday, September 12, 2008
- Friday, October 10, 2008
- Friday, December 12, 2008

T:\planning\LUAB\PLANNING COMMISSION INFO\2008 PLC Meeting Dates.doc

Attachment 4



Mr. Aghemo - fyi

JUN 28 2007

No action taken by Commissioner

Newell.

Chuck Suits 6/28/07

RECEIVED

JUN 29 2007

PLANNING DIVISION

INTER-OFFICE COMMUNICATION
DEPARTMENT OF PLANNING, ZONING AND BUILDING
PLANNING DIVISION

TO: The Honorable Addie L. Greene, Chair, and Members of the Palm Beach County Board of County Commissioners

FROM: Lorenzo Aghemo *L.A.*
Planning Director

DATE: June 26, 2007

RE: Expiration of Term, Land Use Advisory Board/Local Planning Agency (LUAB/LPA)

The At-Large position of the Land Use Advisory Board has expired June, 2007. The position is currently held by Neil Merin, who is eligible for reappointment for another term.

Each member of the Board of County Commissioners shall appoint two (2) members. One member of the Advisory Board shall be appointed at-large by a majority vote of the Board of County Commissioners. The term of office of each member shall be three (3) years. There is no limit on the number of terms a person may serve on the LUAB.

The function of the Land Use Advisory Board is to provide the County Administrator and BCC with recommendations and advice on policies for preparation of the Land Use Plan. The LUAB also serves as the Local Planning Agency for Comp Plan amendments.

The attendance record for Mr. Merin during the three years of his current term is shown below:

	Meetings Attended	Meetings Absent
2005	11	3
2006	10	4
2007	8	1

Mr. Merin has not had any disclosed voting conflicts.

Please sign the attached Blue form if you wish to support the reappointment of Mr. Merin's LUAB position by July 9, 2007, so that the item can be placed on the BCC agenda for approval.

attachment 5

Department of Planning,
Zoning & Building

2300 North Jog Road

West Palm Beach, FL 33411-2741

(561) 233-5000

Planning Division 233-5300

Zoning Division 233-5200

Building Division 233-5100

Code Enforcement 233-5500

Contractor Certification 233-5525

Administration Office 233-5005

Executive Office 233-5228

www.pbcgov.com/pzb

Palm Beach County
Board of County
Commissioners

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Warren H. Newell

Mary McCarty

Burt Aaronson

Jess R. Santamaria

County Administrator

Robert Weisman

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