

# EXHIBIT A

## PALM BEACH COUNTY

### LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

#### Minutes of October 24, 2007 Meeting

On Wednesday, October 24, 2007 at 2:00 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also serving as the Land Development Regulation Commission (LDRC), met in the First Floor Conference Room (VC-1E-60), at 2300 North Jog Road, West Palm Beach, Florida:

#### A) Call to Order/Convene as LDRAB.

##### 1) Roll Call

Vice Chair David Carpenter called the meeting to order at 2:05 p.m. Paula Pritchard, Code Revision Secretary, called the roll.

##### Members Present

David Carpenter (District 2)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)  
Joni Brinkman (League of Cities)  
Edward Wronsky (A. I. A.)  
Rosa Durando (Environmental Org.)  
Wayne Fish (FL Soc. of Pro. Land Surveyors)  
Maurice Jacobson (Condominium Assoc.)  
Steven Dewhurst (Assoc. Gen. Cont. of Amer.)  
Joanne Davis (District 1)  
Jim Knight (District 4)  
Bill Gotthelf (District 6)

##### Members Absent

Wesley Blackman (PBC Planning Congress)  
Ron Last (FL Eng. Society)  
Duane Bennett (PBC Board of Realtors)  
Barbara Katz (District 3)  
Vacant (District 5)  
Martin Klein (District 7)

Members Present - 11

Members Absent - 5  
Vacant - 1

##### County Staff Present:

Barbara Alterman, Executive Director  
Barbara Pinkston-Nau, Principal Site Planner, Zoning  
William Cross, Senior Site Planner, Zoning  
Lenny Berger, Assistant County Attorney  
Ann DeVeaux, Site Planner I, Zoning  
Zona Case, Zoning Technician, Zoning  
Linda Monroe, Principal Planner, Monitoring  
Alan Seaman, Principal Planner, Zoning  
Allan Ennis, Assistant Director, Traffic Engineering  
Tim Granowitz, Principal Planner, Parks and Recreation  
John Rupertus, Senior Planner, Planning  
Paula Pritchard, Secretary, Zoning

##### 2) Additions, Substitutions, and Deletions

Staff presented an add/delete sheet with changes to Exhibit C, Article 2, Development Review Process, Exhibit D, Article 3, Overlays & Zoning Districts, Exhibit F, Supplementary Standards and Exhibit L, Palm Tran.

##### 3) Motion to Adopt Agenda

A motion was made by Maurice Jacobson, seconded by Steven Dewhurst, to adopt the agenda, as amended. The motion passed unanimously (11 - 0).

##### 4) Adoption of October 24, 2007 Minutes (Exhibit A)

A motion was made by Maurice Jacobson, seconded by Edward Wronsky, to adopt the October 24, 2007 minutes. The motion passed unanimously (11 - 0).

#### B) ULDC Amendments

##### 1) Article 1 - General Provisions (Exhibit B)

William Cross mentioned that the definition for the term commercial vehicle is to coincide with previously adopted ordinances. He also indicated that the other minor amendments to the Exhibit were clerical glitches.

Motion to approve, as amended, by Maurice Jacobson, seconded by Bill Gotthelf. The motion passed unanimously (11 - 0).

##### 2) Article 2 - Development Review Process (Exhibit C)

Barbara Pinkston-Nau stated that this amendment is to codify the streamlined administrative review process already in effect. William Cross added that the items relative to monitoring on

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the add/delete sheet were submitted by Linda Monroe, as directed by Barbara Alterman. Linda Monroe, Principal Planner explained that the monitoring items are for local development orders, but not a Development of Regional Impact (DRI). She further indicated that the reason for these amendments is due to the upcoming budget cuts.

Maurice Jacobson made a motion to approve, including the add/delete sheet, as amended, seconded by Bill Gotthelf. The motion passed unanimously (11 - 0).

**3) Article 3 - Overlays & Zoning Districts (Exhibit D)**

William Cross pointed out that the minor changes to the airport overlay were amended in previous ordinances. He went on to say that the amendment to Table 3.C.1.A-15, Use Regulations is to ensure that staff, the public and developers understand that subdivisions or new developments have to comply with the provisions in the table. He further added that the RM district is consistent with MR-5 FLU designation only for those areas already zoned RM, prior to the Plan's August 31, 1989 adoption.

Wayne Larry Fish made a motion to approve, including the add/delete sheet, as amended, seconded by Steven Dewhurst. The motion passed unanimously (11 - 0).

**4) Article 4 - Use Regulations (Exhibit E)**

William Cross stated that the amendment to Type II CLF location limitations was requested by Lenny Berger to ensure that the Code is legally sufficient. He also mentioned that mobile sales have district specific limitations in the Code under commercial uses for hours of operation. He further added that this amendment would ensure consistency and compatibility to aide Code Enforcement in monitoring these uses.

Motion to adopt, as amended, by Joanne Davis seconded by Edward Wronsky. The motion passed unanimously (11 - 0).

**5) Article 5 - Supplementary Standards (Exhibit F)**

Ann DeVeaux commented that the temporary staging of right-of-way construction material had brought about some problems for Code Enforcement resulting in the issuance of citations on residentially zoned parcels. She also pointed out that the Subcommittee met on several occasions and the amendment is the outcome of those meetings. Alan Seaman, Principal Planner summarized the technicalities of the Special Permit process.

Maurice Jacobson made a motion to approve, including the add/delete sheet, as amended, seconded by Larry Fish. The motion passed unanimously (11 - 0).

**6) Article 7 - Landscaping (Exhibit G)**

Barbara Pinkston-Nau pointed out that the amendment to the table is to clarify the existing land use versus the proposed use type. She also mentioned that for the protection of the single family resident, a Type I buffer is required to be installed if a Type II CLF is opened.

Motion to adopt, as amended, by Maurice Jacobson seconded by Steve Dewhurst. The motion passed unanimously (11 - 0).

**7) Article 8 - Signage (Exhibit H)**

Mr. Cross stated that the proposed language requested by Code Enforcement is to clarify small signs exemptions that were previously consolidated for legal purposes. The purpose of breaking up A and B is to make it easier to differentiate between the two types of signs. He explained that graphics do not supercede text and Code Enforcement asked staff to put the graphics back into the Code for clarity. He pointed out that balloons were added to the prohibitions because of the freestanding balloons otherwise permitted by a Special Permit. Mr. Cross added that the square footage for temporary sale signs standards should be consistent with other types of signs in the Code. He also stated that the amendment to increase the fine is because it is 15 years old.

Motion to adopt, as amended, by Joanne Davis seconded by Edward Wronsky. The motion passed unanimously (11 - 0).

**8) Article 12 - Traffic Performance Standards (Exhibit I)**

Allan Ennis, Assistant Director, Traffic, summarized the local history of Growth Management. He also explained all of the technicalities and elaborated on the reasons of the amendments.

Motion to adopt, as amended, by Maurice Jacobson seconded by Bill Gotthelf. The motion passed unanimously (11 - 0).

**9) Article 16 - Airport Regulations (Exhibit J)**

Barbara Pinkston-Nau mentioned that the proposed language was added to clarify that this section of the Code is to be interpreted by the Director of Airports.

Motion to adopt, as amended, by Bill Gotthelf seconded by Joanne Davis. The motion passed unanimously (11 - 0).

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- 10) Article 18 - Flood Damage Prevention (Exhibit K)**  
Barbara Pinkston-Nau stated that this amendment is to clarify that one Palm Beach County Building Official is responsible for interpreting flood damage prevention.

Motion to adopt, as amended, by Larry Fish seconded by Maurice Jacobson. The motion passed unanimously (11 - 0).

- 11) Palm Tran (Exhibit L)**  
Mr. Cross explained that Gerry Gawaldo, representing Palm Tran sits on the DRO and reviews projects. He specified that this amendment is to codify Palm Tran requirements for bus stop easements, to identify definitions, process, purpose and intent, and the thresholds.

Maury Jacobson made a motion to approve, including the changes to Page 27, Line 11 and 18, as amended, seconded Edward Wronsky. The motion passed unanimously (11 - 0).

- 12) Scientific Community Overlay (SCO) (Exhibit M)**  
William Cross noted that at the last LDRAB meeting staff indicated that several changes were to be made in anticipation of the settlement agreement for Mecca Farms. He also mentioned that this was to remove any language related to the Scientific Community Overlay as it was anticipated it would be amended in the Plan.

Motion to adopt, as amended, by Larry Fish seconded by Brian Waxman. The motion passed unanimously (11 - 0).

- 13) Development Review Process (Exhibit N)**  
Barbara Pinkston-Nau indicated that this item was brought before the Board previously for approval but there was a glitch brought to our attention by Eric McClellan, Site Planner in the Facilities Department. Eric McClellan explained that the scrivener's error in this section was presented in the last round of Code amendments. He clarified that the purpose of the amendment was to broaden the Board's authority to address the introduction of new procedures into the Code.

Motion to adopt, as amended, by Joanne Davis seconded by Maurice Jacobson. The motion passed unanimously (11 - 0).

### **C) Convene as the Land Development Regulation Commission (LDRC)**

#### **1) Consistency Determination**

John Rupertus, Senior Planner stated that the proposed amendments were consistent with the Comprehensive Plan. Lenny Berger added that the TPS and SCO amendments would be consistent if the corresponding Comp Plan amendments were found to be in effect.

Motion to approve as long as TPS and SCO are found in effect by Plan, by Maurice Jacobson, seconded by Bill Gotthelf. The motion passed (unanimously 11 - 0).

### **D) Reconvene as the Land Development Regulation Advisory Board (LDRAB)**

The Board reconvened.

### **E) Public Comments**

N/A

### **F) Staff Comments**

Barbara Pinkston-Nau expressed sincere thanks to the LDRAB members for attending meetings so regularly throughout the year considering that they are not paid. She noted that there was a quorum for every meeting and thanked the members for a job well done.

Barbara Alterman said that staff, Jon MacGillis, Zoning Director, and herself recognized the hard work that the Board had done this year and in recognition she presented Certificates of Appreciation for their participation and services rendered as Land Development Regulation Advisory Board members.

William Cross added that he really appreciated working with the Board on the amendments this year. He informed the Board that LDRAB would not be meeting again until next year. He also mentioned that the Nonconforming Provisions Subcommittee would meet in the near future and further information would be forthcoming.

### **G) Adjourn**

The Land Development Regulation Advisory Board meeting adjourned at 3:35 p.m.

Recorded tapes of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Secretary at (561) 233-5088.