

# EXHIBIT A

## PALM BEACH COUNTY

### LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

#### Minutes of June 27, 2007 Meeting

On Wednesday, June 27, 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, at 2300 North Jog Road, West Palm Beach, Florida:

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

##### 1) Roll Call

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

##### Members Present

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)  
Joni Brinkman (League of Cities)  
Ron Last (FL Eng. Society)  
Edward Wronsky (A. I. A.)  
Rosa Durando (Environmental Org.)  
Duane Bennett (PBC Board of Realtors)  
Maurice Jacobson (Condominium Assoc.)  
Joanne Davis (District 1)  
Barbara Katz (District 3)  
Bill Gotthelf (District 6)  
Martin Klein (District 7)

Members Present - 13

##### Members Absent

Larry Fish (FL Soc. of Pro. Land Surveyors)  
Steven Dewhurst (Assoc. Gen. Cont. of Amer.)  
Vacant (District 4)  
Vacant (District 5)

Members Absent - 2  
Vacant - 2

##### County Staff Present:

Barbara Pinkston-Nau, Principle Site Planner, Zoning  
William Cross, Senior Site Planner, Zoning  
Lenny Berger, Assistant County Attorney  
John Rupertus, Senior Planner, Planning  
Bryan Davis, Principal Planner, Planning  
Melanie Borkowski, Manager, Facilities  
Eric McClellan, Senior Site Planner, Facilities  
Ann DeVeaux, Site Planner I, Zoning  
Zona Case, Zoning Technician, Zoning  
Paula Pritchard, Secretary, Zoning

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

Staff presented an add/delete sheet with changes to Exhibit D, Article 4, Use Regulations; Exhibit E, Article 5, Supplementary Standards; and Exhibit H, Westgate Community Redevelopment Area Overlay.

##### 3) Motion to Adopt Agenda

A motion was made by Maurice Jacobson, seconded by Martin Klein, to adopt the agenda, as amended. The motion passed unanimously (13 - 0).

##### 4) Adoption of May 23, 2007 Minutes (Exhibit A)

A motion was made by Martin Klein, seconded by Maurice Jacobson, to adopt the May 23, 2007 minutes. The motion passed unanimously (13 - 0).

#### B) ULDC Amendments

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

William Cross pointed out that this amendment, which is also detailed under Article 5, Supplementary Standards, is to clarify that clubhouses in PUD's renovated by more than 75 percent of the assessed value would have to comply with the generator requirements. He also explained that under Article 1.E, Nonconformities, there are provisions that would tell how to apply the Code to previous approvals or previously built structures.

A motion was made by Joanne Davis, seconded by Martin Klein. The motion passed unanimously (13 - 0)

##### 2) Article 3 - Overlays & District Zoning (Exhibit C)

Mr. Cross stated that the language related to restaurants was pulled from last month's meeting at David Carpenter's request. Staff had made the revisions and included the language from

## EXHIBIT A

Article 4, Use Regulations to show the uses for both Type I and Type II Restaurants. This is not going to be included in the Ordinance as this was shown specifically for Mr. Carpenter to be able to compare the two Use Regulation tables. Mr. Cross also mentioned that Kilday & Associates requested a change to the text only and it would not result in the change to the Type I Restaurant. Mr. Cross further explained that the second request by Kilday & Associates to allow Type II Restaurant in excess of 5,000 square feet in the commercial pod of a PUD had been changed to allow such as a requested use.

Motion to approve, as amended, by Martin Klein, seconded by Maurice Jacobson. The motion passed unanimously (13 - 0).

### 3) **Article 4 - Use Regulations (Exhibit D)**

William Cross reiterated that Mr. Gotthelf had some concerns at the May 23 meeting regarding the minimum acreage requirement for a landscape service and wanted to meet with staff. Staff met with him and incorporated most of the changes that he felt comfortable with. Since that time, the Code Enforcement Director added small provisions to home occupational landscape services and will be responsible for the follow up. William Cross further related that staff met with the Board of County Commissioners (BCC) and was directed to insert additional language. The Board recommended that Part 1, Lines 21-27, a & b language be excluded from the Exhibit.

Joanne Davis made a motion to approve including the add/delete sheet, as amended, seconded by Martin Klein. The motion passed (12 - 1)

a) Joni Brinkman representing Kilday Associates recused herself from voting on Part 2, Line 61, Restaurant, Type I.

### 4) **Article 5 - Supplementary Standards (Exhibit E)**

Mr. Cross explained that after the hurricanes two years ago, the BCC directed staff to ensure that the Code stipulates certain sized clubhouses must provide generators. The proposed amendment, were BCC directed and will lesson the threshold for applicability. He further elaborated that any changes to a clubhouse in a PUD would be subject to Article 1, General Provisions would have to apply the generator standards.

Martin Klein made a motion to approve including the add/delete sheet, as amended, seconded by Joanne Davis. The motion passed unanimously (13 - 0)

### 5) **Article 14 - Environmental Standards (Exhibit F)**

William Cross explained that this was pulled from the previous two meetings due to Board recommending that the language be revised by Environmental Resources Management staff. Lenny Berger and ERM staff made some minor revisions to the language for clarity including the changes recommended by the Board.

Bill Gotthelf made a motion to approve including the changes recommended by the Board, as amended, seconded by Maurice Jacobson. The motion passed unanimously (13 - 0)

### 6) **Facilities, Development & Operations (Exhibit G)**

Barbara Pinkston-Nau explained that a presentation from Facilities on these amendments was presented at last month's meeting. Eric McClellan, Senior Site Planner stated that the County would be required to apply for concurrency, and the only thing that will be affected is the time frame for which concurrency is valid for government facilities. He also specified that their goal is to ensure equal playing field with other local or state providers.

Joni Brinkman made a motion to approve including the add/delete sheet, as amended, seconded by Bill Gotthelf. The motion passed unanimously (13 - 0)

### 7) **WCRAO (Exhibit H)**

Mr. Cross noted that some recent findings and complaints indicated that residents were not happy with the potential appearance residential units on 25-foot wide lots. The CRA staff's goal is to have an applicant obtain a letter of recommendation from the CRA prior to filing for a building permit. Thuy Shutt, Assistant Director representing Westgate explained that the original intent was to allow flexibility. She also thanked Code Revision staff for working closely with them on the amendments.

Martin Klein made a motion to approve including the add/delete sheet, as amended, seconded by Edward Wronsky. The motion passed unanimously (13 - 0)

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

### 1) **Proof of Publication**

Motion to approve by Maurice Jacobson, seconded by Martin Klein. The motion passed (unanimously 13 - 0)

### 2) **Consistency Determination**

## EXHIBIT A

John Rupertus, Senior Planner stated that the proposed amendments were consistent with the Comprehensive Plan.

Motion to approve by Maurice Jacobson, seconded by Bill Gotthelf. The motion passed (unanimously 13 - 0).

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

The Board reconvened.

**E) Public Comments**

N/A

**F) Staff Comments**

William Cross informed the Board that Jack Miles resigned today, and there are currently two vacancies. He also introduced Bryan Davis, Principal Planner of the Planning Division who did a brief presentation of the Urban Redevelopment Area (URA).

**G) Adjourn**

The Land Development Regulation Advisory Board meeting adjourned at 4:05 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.