

EXHIBIT A

PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of August 22, 2007 Meeting

On Wednesday, August 22, 2007 at 2:00 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB), 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. Wes Blackman introduced Jim Knight as a new LDRAB member appointed by the District 4 Commissioner.

Members Present

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Raymond Puzitiello (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Ron Last (FL Eng. Society)
Edward Wronsky (A. I. A.)
Rosa Durando (Environmental Org.)
Wayne Larry Fish (FL Soc. of Pro. Land Surveyors)
Steven Dewhurst (Assoc. Gen. Cont. of Amer.)
Joanne Davis (District 1)
Barbara Katz (District 3)
Jim Knight (District 4)
Bill Gotthelf (District 6)
Martin Klein (District 7)

Members Present – 14

Members Absent

Duane Bennett (PBC Board of Realtors)
Maurice Jacobson (Condominium Assoc.)
Vacant (District 5)

Members Absent - 2
Vacant - 1

County Staff Present:

Barbara Pinkston-Nau, Principal Site Planner, Zoning
William Cross, Senior Site Planner, Zoning
Lenny Berger, Assistant County Attorney
Ann DeVeaux, Site Planner I, Zoning
John Rupertus, Senior Planner, Planning
Linda Monroe, Principal Planner, Zoning
Paula Pritchard, Secretary, Zoning

2) Additions, Substitutions, and Deletions

Staff presented an add/delete sheet with changes to Exhibit B, Article 2, Development Review Process. A motion to accept was made by Martin Klein, seconded by David Carpenter. The motion passed (14 - 0).

3) Motion to Adopt Agenda

A motion was made by Martin Klein, seconded by David Carpenter, to adopt the agenda, as amended. The motion passed unanimously (14 - 0).

4) Adoption of August 22, 2007 Minutes (Exhibit A)

A motion was made by Bill Gotthelf, seconded by Martin Klein, to adopt the August 22, 2007 minutes. The motion passed unanimously (14 - 0).

B) ULDC Amendments

1) Article 2 - Development Review Process (Exhibit B)

Ann DeVeaux pointed out that this amendment is to include the BCC approval authority for waivers and unique structures, and to clarify that variance relief may be sought, pursuant to Article 1.F.3.B.1, to allow 30% renovation of a non-conforming structure. She also explained that the amendments to the language are to reflect the Zoning Division reorganization and to codify streamlining of the Zoning review process. Barbara Pinkston-Nau also mentioned that some of the changes that are being made reflect what already exists in the Code. Wes Blackman pointed out that when an applicant addresses certain certification issues and make comments, the information is not updated for the next DRO meeting. He further stated that those comments and certification issues should be issued prior to the DRO meetings. Barbara Pinkston-Nau assured the Board this concern would be brought back to staff for further review. Linda Monroe, Principal Planner explained all of the technicalities and elaborated on the reasons for the amendments to Chapter E, Monitoring. The Board recommended that staff pull Part 6, Chapter E, Monitoring subject to further review.

EXHIBIT A

Martin Klein made a motion to approve, excluding Part 6, Line 5, Page 8 of 10 to be brought back in September, as amended, seconded by Wayne Larry Fish. The motion passed unanimously (14 - 0).

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

Barbara Pinkston-Nau stated that staff amended the Use Matrix for warehouses so that they could be allowed in the commercial high land use designation of a MUPD. This will address flex warehouse/office space and since there is a shortage, this will allow an applicant to go to the Board of County Commissioners (BCC) to request this use.

- a) Joni Brinkman recused herself from voting on Exhibit C, Part 1, Line 12, Future Land Uses and Density because she works for the party who was involved with the amendment.

Motion to approve, as amended, by Martin Klein, seconded by David Carpenter. The motion passed (13 - 0).

3) Article 7 - Landscaping (Exhibit D)

William Cross indicated that Kilday & Associates brought to our attention that when the Code was rewritten in 2003 under the Management Growth Tier System project that consultants recommended that incompatibility buffers, and a Type III incompatibility buffer be mandated to require a wall. He further stated that all other buffers as well as Type III in the previous Code could be required to meet an incompatibility buffering requirement through a combination of a berm, hedge, fence or a wall.

- a) Joni Brinkman representing Kilday & Associates recused herself from voting on Exhibit D, Part 1, Line 18, Incompatibility Buffer because she represents the party who requested the amendment.

Motion to approve, as amended, by Bill Gotthelf seconded by Edward Wronsky. The motion passed (13 - 0).

C) Public Comments

N/A

D) Staff Comments

William Cross mentioned that the General Subcommittee, by previous vote, which includes all members, experiences difficulty reaching a quorum. We have a Form Base Code subcommittee that was convened to address TDD's, redevelopment, and the upcoming URA. Jim Knight agreed to participate on the Subcommittee.

E) Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 2:45 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.