

## EXHIBIT A

### PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 04/15/21)

#### Minutes of March 24, 2021 LDRAB/LDRC Meeting

On Wednesday, March 24, 2021, 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 and via Cisco Webex Events communications media technology (CMT).

#### A. CALL TO ORDER/CONVENE AS LDRAB

##### 1. Roll Call

Chair Mr. Wesley Blackman, called the meeting to order at 2:00 p.m. Mr. Alexander Biray, Code Revision Site Planner I, called the roll.

##### **Members Present: 17**

Joanne Davis (District 1, Commissioner Marino)\*\*\*\*

Ned Kerr (District 2, Commissioner Weiss)

Ari Tokar (District 3, Commissioner Kerner)\*

Jim Knight (District 4, Commissioner Weinroth)

Dr. Lori Vinikoor (District 5, Commissioner Sachs)

Ben Morris (District 6, Commissioner McKinlay)\*

Robert J. Harvey (District 7, Commissioner Bernard)\*

Donald R. Barnes (Gold Coast Builders Association)

Anna Yeskey (League of Cities)\*\*\*

Lucille Hinners (American Institute of Architects)

Susan A. Kennedy (Environmental Organization)

Frank Gulisano (Realtors Association of the Palm Beaches)\*

Jim Sullivan, Florida Surveying and Mapping Society

Charles D. Drawdy (Assoc. General Contractors of America)

Wesley Blackman (PBC Planning Congress)

Tommy B. Strowd (Alternate At-Large #1)

Abraham Wien (Alternate At-Large #2)\*

##### **Vacancies: 0**

##### **Members Absent: 1**

Terrence Bailey (Florida Engineering Society)\*\*\*\*\*

##### **County Staff Present:**

Whitney Carroll, Deputy Planning, Zoning and Building Executive Director\*\*

Jon MacGillis, Zoning Director

Wendy N. Hernández, Deputy Zoning Director

Jeff Gagnon, Principal Site Planner, Zoning

Adam Mendenhall, Senior Site Planner, Zoning

Joyce Lawrence, Senior Site Planner, Zoning\*\*

Timothy Haynes, Senior Site Planner, Zoning\*

Ryan Vandenburg, Senior Site Planner, Zoning\*

Jerome Ottey, Site Planner II, Zoning

Marie Derose, Site Planner II, Zoning\*\*

Alexander Biray, Site Planner I, Zoning

Tianna Washington, Student Paraprofessional, Zoning\*

Dorine Kelley, Customer Relations Manager, Zoning\*\*

Bob Banks, Chief Land Use County Attorney

Scott A. Stone, Assistant County Attorney I

Patricia Behn, Planning Director\*

Bryan Davis, Principal Planner, Planning

Lisa A. Amara, Principal Planner, Planning\*

Carolina Valera, Senior Planner, Planning\*

Nora G. Acord, Planning Technician, Planning\*

Jan Rodriguez, Building Division Operations Manager\*

Rafik Ibrahim, Senior Site Planner, Zoning/Building\*

Michael R. Stahl, Environmental Resources Management (ERM) Deputy Director\*\*

Bonnie Finneran, ERM (Environmental) Director\*\*

Roberta Dusky, Environmental Program Supervisor, ERM\*\*

Robert Kraus, Deputy Director Senior Site Planner, ERM

Mark Meyer, Site Planner II, ERM\*\*

Kelley A. Burke, Senior County Commission Administrative Assistant (Commissioner McKinlay)\*

Lorinda J. Goldsmith, Senior Network Administrator\*

\* Present via Webex Events.

\*\* County Staff in audience.

\*\*\* Ms. Yeskey arrived at 2:04 p.m.

\*\*\*\* Ms. Davis arrived at 2:11 p.m.

\*\*\*\*\* Mr. Bailey left at 3:04 p.m. less than three-fourths of the meeting.

##### 2. Motion to Approve Remote Participation by CMT Due to Extraordinary Circumstances

Motion to approve remote attendance by CMT based on extraordinary circumstances of the coronavirus pandemic for Mr. Tokar, Mr. Morris, Mr. Harvey, Mr. Gulisano, and Mr. Wien, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (11-0).

##### 3. Introductions – Ned Kerr, Ben Morris, Donald R. Barnes, and Lucille Hinners as New Board Members

Mr. Kerr, Mr. Morris, Mr. Barnes, and Ms. Hinners introduced themselves, their backgrounds, and who they represent.

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\*\*\* Ms. Yeskey arrived at 2:04 p.m.

#### 4. Additions, Substitutions, and Deletions

Mr. Blackman noted an Add/Delete sent to the Board in advance, amending Exhibit B, Community Residences, Congregate Living, and Nursing & Treatment Facilities and Exhibit C, Art. 1, 2, 7, and 14, Vegetation Preservation and Protection; moving Exhibit B, Community Residences, Congregate Living, and Nursing & Treatment Facilities to Exhibit E and re-lettering the Agenda; and, adding the Consistency Determination for Exhibit B (re-lettered as Exhibit E).

#### 5. Motion to Adopt Agenda

Motion to adopt the Agenda as amended, by Dr. Vinikoor, seconded by Ms. Kennedy. The Motion passed unanimously (16-0).

A moment of silence was observed for the passing of Ms. Darlene Perez, Code Revision Zoning Technician.

#### 6. Adoption of Minutes – January 27, 2021 (Exhibit A)

Motion to adopt the Minutes, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (16-0).

#### 7. Public Comments

Mr. Blackman noted public comment cards received for specific items and will be acknowledged when the items are open for discussion. There were no public comments for items not on the Agenda.

### B. UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS

#### 1. Exhibit B (Formerly C) – Art. 1, 2, 7, and 14, Vegetation Preservation and Protection

Mr. Kraus explained the amendment and changes made to address Board, Industry, and Staff concerns since it was tabled by the Board at the December 16, 2020 meeting.

\*\*\*\* Ms. Davis arrived at 2:11 p.m.

#### a. Discussion

Mr. Kraus addressed questions of the Board.

Mr. Nicholas Mihelich and Ms. Collene Walter of Urban Design Studio, Mr. Steve Pickett of JMorton Planning & Landscape Architecture, and Mr. George Gentile and Ms. Emily O'Mahoney of Gentile Glas Holloway O'Mahoney & Associates spoke in support of the amendment.

Motion to approve as amended, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (16-0).

#### 2. Exhibit C (Formerly D) – Art. 2, Administrative Development Order Appeals to Hearing Officers

Mr. Gagnon explained the amendment.

#### a. Discussion

Mr. Gagnon addressed questions of the Board.

Motion to approve, by Mr. Bailey, seconded by Mr. Drawdy. The Motion passed unanimously (16-0).

#### 3. Exhibit D (Formerly E) – Art. 5, Dumpster Setbacks

Mr. Gagnon explained the amendment and noted a typographical error to be corrected in a new Figure to add reference specifically to residential setbacks.

#### a. Discussion

Mr. Gagnon and Mr. MacGillis addressed questions of the Board.

Motion to approve, by Ms. Kennedy, seconded by Mr. Kerr. The Motion passed unanimously (16-0).

#### 4. Exhibit E (Formerly B) – Community Residences, Congregate Living, and Nursing & Treatment Facilities

Dr. Vinikoor noted a Subcommittee met several times to review the amendment drafts, in coordination with Mr. Daniel Lauber, the Consultant hired by the County, and Interested Parties including Assistant State Attorney Mr. Al Johnson who also chairs the Sober Homes Task Force.

Ms. Hernandez introduced Mr. Lauber on CMT, and explained the amendment and noted Add/Delete where applicable. She further noted references, terminology, and other inconsistencies will be corrected.

\*\*\*\*\* Mr. Bailey left at 3:04 p.m. less than three-fourths of the meeting.

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##### a. Discussion

Staff and Mr. Lauber answered questions from the Board during Mrs. Hernandez's presentation of the amendment on a page-by-page basis. Staff and Board members noted several corrections and clarification to be made, and discussion ensued on various topics.

Ms. Joni Brinkman of Urban Design Studio expressed concern about Congregate Living Facility (formerly Type 3 CLF) distance requirements and recommended a Waiver. Mrs. Hernandez clarified the distance requirement and that prior approvals not meeting it will be legally conforming. She further expressed concern about the definition of "dwelling unit" specifying Congregate Living "quarters" being inconsistent with the terminology for parking requirements. Mrs. Hernandez responded that Staff will look into resolving Ms. Brinkman's concerns.

Motion to approve as amended, by Dr. Vinikoor, seconded by Ms. Kennedy. The Motion passed unanimously (16-0).

##### C. CONVENE AS LDRC

The Land Development Regulation Advisory Board convened as the Land Development Regulation Commission at 4:48 p.m.

##### 1. Proof of Publication

Motion to accept Proof of Publication, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (16-0).

##### 2. Consistency Determination for Exhibit B

Mr. Blackman noted the Comprehensive Plan Consistency Determination for Proposed ULDC Amendments memorandum. Mr. Davis stated the proposed amendment Exhibit E (formerly B) is consistent with the Comprehensive Plan as amended and recommended by the Board.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (16-0).

##### D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

The Land Development Regulation Commission adjourned and reconvened as the Land Development Regulation Advisory Board at 4:50 p.m.

##### E. ANNUAL ORGANIZATIONAL DISCUSSION

##### 1. Election of Chair and Vice-Chair

Motion on the nomination of Mr. Blackman for Chair, by Ms. Kennedy, seconded by Dr. Vinikoor. The Motion passed unanimously (16-0).

Motion on the nomination of Dr. Vinikoor for Vice-Chair by, Ms. Kennedy, seconded by Mr. Knight. The Motion passed unanimously (16-0).

Mr. Gagnon noted the Attachments provided in the Agenda packet as a resource for Board members. Mr. MacGillis noted the Board Rules of Procedure attached, which had not been amended since 2013, and for any suggested changes be addressed for the next meeting. He also asked the Board to confirm attendance in the attached attendance matrix.

##### F. STAFF COMMENTS

None.

##### G. BOARD MEMBER COMMENTS

Mr. Knight asked where the Consultant's Community Residential Housing Study can be found. Mr. MacGillis responded that the News Release hyperlink can be sent to the Board members.

##### H. ADJOURNMENT

The Land Development Regulation Advisory Board meeting adjourned at 4:58 p.m.

Recordings of all LDRAB meetings are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5243.