

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

(Updated 05/13/21)

Minutes of April 28, 2021 LDRAB Meeting

On Wednesday, April 28, 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: 15

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)* ****
Donald R. Barnes (Gold Coast Builders Association)
Anna Yeskey (League of Cities)
Terrence Bailey (Florida Engineering Society)
Lucille Hinnens (American Institute of Architects)
Susan A. Kennedy (Environmental Organization)
Frank Gulisano (Realtors Association of the Palm Beaches)
Jim Sullivan, Florida Surveying and Mapping Society
Wesley Blackman (PBC Planning Congress)
Tommy B. Strowd (Alternate At-Large #1)

Members Absent: 3

Robert J. Harvey (District 7, Commissioner Bernard)
Charles D. Drawdy (Assoc. General Contractors of America)
Abraham Wien (Alternate At-Large #2)

County Staff Present: 26

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
Monica Cantor, Principal Site Planner, Zoning*
Barbara Pinkston, Principal Site Planner, Zoning*
Adam Mendenhall, Senior Site Planner, Zoning
Imene Haddad, Senior Site Planner, Zoning*
Timothy Haynes, Senior Site Planner, Zoning*
Rafik Ibrahim, Senior Site Planner, Zoning/Building*
Albert Jacob, Senior Site Planner, Zoning*
Joyce Lawrence, Senior Site Planner, Zoning*
Carlos Torres, Senior Site Planner, Zoning*
Ryan Vandenburg, Interim Principal Site Planner, Zoning*
Jerome Ottey, Site Planner II, Zoning
Alexander Biray, Site Planner I, Zoning
Dorine Kelley, Customer Relations Manager, Zoning**
Elizee Michel, Westgate Community Redevelopment Agency Executive Director
Denise Pennell, Senior Planner, Westgate Community Redevelopment Agency**
Scott A. Stone, Assistant County Attorney I
Bryan Davis, Principal Planner, Planning
Carolina Valera, Senior Planner, Planning*
Nora G. Acord, Planning Technician, Planning*
Roberta Dusky, Environmental Program Supervisor, ERM*
Mark Meyer, Site Planner II, ERM*
Lorinda J. Goldsmith, Senior Network Administrator*

Vacancies: 0

* Present via Webex Events.

** County Staff in audience.

*** Mr. Tokar arrived at 2:08 p.m.

**** Mr. Morris could not be heard until Exhibit B.

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. Morris, by Dr. Vinikoor, seconded by Mr. Knight. The Motion passed unanimously (13-0).

3. Additions, Substitutions, and Deletions

None.

4. Motion to Adopt Agenda

Motion to adopt the Agenda, by Mr. Gulisano, seconded by Dr. Vinikoor. The Motion passed unanimously (13-0).

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5. Adoption of Minutes – March 24, 2021 (Exhibit A)

Motion to adopt the Minutes, by Dr. Vinikoor, seconded by Mr. Knight. The Motion passed unanimously (13-0).

6. Public Comments

None.

B. UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS

1. Exhibit B – Art. 3, WCRAO Use Regulations, Property Development Regulations, and Supplementary Standards

Ms. Pennell introduced Mr. Josh Nichols, consultant for the WCRA, and Mr. Michel present, and explained the amendment renames Tables, relocates text, and corrects scrivener's errors for clarification and consistency, and introduces a new Single Family housing type based on lot configuration in the NRM Sub-area.

*** Mr. Tokar arrived at 2:08 p.m.

a. Discussion

Ms. Pennell and other Staff answered questions from the Board regarding the acronyms used, workforce housing, density, and property development regulations.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Gulisano. The Motion passed unanimously (15-0).

2. Exhibit C – Art. 5, Release of Unity of Title Reference

Mr. Gagnon explained the amendment is to correct a repealed Policies and Procedures Memorandum (PPM) reference to the applicable ULDC Section where it was codified.

a. Discussion

None.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Knight. The Motion passed unanimously (15-0).

C. PRIVATELY INITIATED AMENDMENTS – INITIATION (PHASE 1)

1. Exhibit D – PIA-2020-02168, Dog Friendly Dining

Mr. Gagnon explained the PIA process to the Board. Mr. Jared Taylor, Agent for the Applicant Lazy Dog Restaurants, LLC, explained the business model of allowing customers to dine with their dogs outdoors, and compliance with the Florida Statutes for Local Governments to establish an official process for all outdoor dog-friendly dining establishments.

a. Discussion

Mr. Taylor and Staff answered questions from the Board regarding the establishment layout and access without entering indoors, pets allowed beyond dogs, approval/permitting process, food service and sanitation, controlling dangerous dogs, existing related County regulations, creating non-conformities, municipal jurisdiction applicability, and allowance for additional regulations the County may require beyond State law. Mr. Gagnon also noted the Applicant met the six standards for initiation.

Motion to recommend approval of Phase 1 and initiate Phase 2 as a standalone Ordinance with an independent review schedule and with no Subcommittee (LDRAB Option 2), by Ms. Kennedy, seconded by Mr. Gulisano. The Motion passed unanimously (15-0).

D. STAFF COMMENTS

1. Follow-Up on LDRAB Rules of Procedure Amendments as Required or Desired by the Board

Mr. Gagnon explained the item is a follow-up on any modifications to the Rules of Procedure required by an Ordinance adopted by the Board of County Commissioners (BCC) allowing an in-person quorum of 25 percent of appointed members, or as requested by the Board. Mr. Stone added the Ordinance only changes the in-person requirement and supersedes anything in conflict. He recommended changing Article IV, Meetings, subparagraph B.1 from "That the quorum necessary to take action and transact business is physically present at the meeting..." to "25 percent of the appointed members are physically present at the meeting..." and subparagraph B.2 from "...by a majority vote of the quorum present..." to "...by a majority vote of the members physically present..."

a. Discussion

Ms. Yeskey asked if the rule could change and how it relates to State law. Mr. Stone responded the Ordinance was the result of quorum issues with the Planning Commission, applicable to all County-created boards, and not addressed by the State.

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Motion to approve, by Mr. Gulisano, seconded by Dr. Vinikoor. The Motion passed unanimously (15-0).

E. BOARD MEMBER COMMENTS

Dr. Vinikoor asked for clarification about an email invitation received from Mr. Biray for a Community Residential Housing meeting on Tuesday, May 4th from 6:00-7:30 p.m. Mr. Gagnon responded, per request from the Board of County Commissioners during the Request for Permission to Advertise hearing for the amendment, it is a virtual informational meeting open to the public for discussion before the First Reading.

Ms. Davis informed the Board it is her last meeting as the District Commissioner intends to appoint someone else, and thanked Staff and the Board.

F. ADJOURNMENT

The Land Development Regulation Advisory Board meeting adjourned at 2:47 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.