

## EXHIBIT A

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

(Updated 09/15/21)

#### Minutes of August 25, 2021 LDRAB/LDRC Meeting

On Wednesday, August 25, 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: 13**

Charles Millar (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)  
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)  
Terrence Bailey (Florida Engineering Society)  
Charles D. Drawdy (Assoc. General Contractors of America)  
Wesley Blackman (PBC Planning Congress)

##### **Members Absent: 5**

Ben Morris (District 6, Commissioner McKinlay)  
Frank Gulisano (Realtors Association of the Palm Beaches) \*\*\* \*\*\*\*  
Jim Sullivan, Florida Surveying and Mapping Society  
Tommy B. Strowd (Alternate At-Large #1)  
Abraham Wien (Alternate At-Large #2)\*

##### **County Staff Present: 19**

Jon MacGillis, Zoning Director\*  
Wendy N. Hernández, Deputy Zoning Director  
Jeff Gagnon, Principal Site Planner, Zoning  
Barbara Pinkston, Principal Site Planner, Zoning\*  
Imene Haddad, Senior Site Planner, Zoning\*  
Timothy Haynes, Senior Site Planner, Zoning\*  
Rafik Ibrahim, Senior Site Planner, Zoning/Building\*  
Carlos Torres, Senior Site Planner, Zoning\*  
Ed Tombari, Senior Site Planner, Zoning\*  
Jerome Ottey, Site Planner II, Zoning  
Alexander Biray, Site Planner I, Zoning  
Phil Myers, Zoning Technician, Zoning  
Scott A. Stone, Assistant County Attorney I  
Lisa Amara, Principal Planner, Planning\*\*  
Bryan Davis, Principal Planner, Planning  
Carolina Valera, Senior Planner, Planning\*  
Travis Goodson, Planner II, Planning\*  
Roberta Dusky, Environmental Program Supervisor, ERM\*  
Mark Meyer, Site Planner II, ERM\*

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

\* Present via Webex Events.

\*\* County Staff in audience.

\*\*\* Mr. Tokar and Mr. Gulisano arrived at 2:03 pm.

\*\*\*\* Mr. Gulisano left at 2:18 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. Harvey, by Dr. Vinikoor, seconded by Mr. Knight. The Motion passed unanimously (11-0).

##### 3. Additions, Substitutions, and Deletions

None.

##### 4. Motion to Adopt Agenda

Motion to adopt the Agenda, by Dr. Vinikoor, seconded by Mr. Knight. The Motion passed unanimously (12-0).

##### 5. Adoption of Minutes – May 26, 2021 (Exhibit A)

Motion to adopt the Minutes, by Mr. Kerr, seconded by Mr. Barnes. The Motion passed unanimously (12-0).

##### 6. Public Comments

None.

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#### B. ROUND 2021-02 INITIATION

##### 1. Attachment 1 – Initiation of 2021-02 Round of Code Amendments

Mr. Gagnon provided an overview of Code amendments anticipated for the Amendment Round.

##### a. Discussion

None.

\*\*\* Mr. Tokar and Mr. Gulisano arrived at 2:03 pm.

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

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

##### 1. Exhibit B – Art. 2, 7, 10, and 14, SFWMD Irrigation Guidelines

Mr. Gagnon explained the amendment updates and adds references to Ordinances initiated by County Administration based on the South Florida Water Management District's (SFWMD) irrigation conservation measures, and subject to concurrent Board of County Commissioners (BCC) approval. He further explained the amendment also updates unrelated Ordinances that have been repealed and replaced within the same text.

\*\*\*\* Mr. Gulisano left at 2:18 p.m. less than three-fourths of the meeting.

##### a. Discussion

None.

Motion to approve, by Mr. Knight, seconded by Mr. Drawdy. The motion passed unanimously (13-0).

##### 2. Exhibit C – Art. 3, Planned Unit Development Standards and Measurement

Mr. Biray explained the amendment removes an obsolete reference to the Zoning Technical Manual, and corrects and clarifies terminology.

##### a. Discussion

Mr. Blackman asked for clarification that references to the "Plan" in the Code are for the Comprehensive Plan. Mr. Gagnon confirmed it was.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Drawdy. The motion passed unanimously (13-0).

##### 3. Exhibit D – Art. 3, Lake Worth Drainage District Canals as Preserve Areas

Mr. Gagnon explained the amendment is to ensure consistency with a concurrent Plan text amendment. Mr. Davis further explained the amendments are per BCC direction and provided a PowerPoint presentation, giving an overview of the Agricultural Reserve preservation and development process as it relates to a Zoning application proposing to utilize certain Lake Worth Drainage District (LWDD) canals as Preserve Areas.

##### a. Discussion

Mr. Davis responded to Board questions associated with impacts to density, applicability to future development applications, LWDD lands, and Preserve Areas. He also clarified that the Plan Policy proposed to be references within the Code is specific to one specific Zoning application.

Motion to approve, by Mr. Bailey, seconded by Dr. Vinikoor. The motion passed (12-1). Mr. Kerr dissented.

##### 4. Exhibit E - Art. 4, Generators for Commercial Communication Towers

Mr. Ottey explained the amendment removes language limiting fuel types for Commercial Communication Tower generators in Article 4, defaulting requirements to Article 5.

##### a. Discussion

Dr. Vinikoor asked for clarification that diesel fuel types can be used for generators less than 125 kilowatts. Mr. Ottey confirmed it was.

Motion to approve, by Dr. Vinikoor, seconded by Mr. Drawdy. The motion passed unanimously (13-0).

#### C. CONVENE AS LDRC

The Land Development Regulation Advisory Board convened as the Land Development Regulation Commission at 2:33 p.m.

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##### 1. Proof of Publication

Motion to accept Proof of Publication, by Dr. Vinikoor, seconded by Ms. Kennedy. The Motion passed unanimously (13-0).

##### 2. Consistency Determination for Exhibits B and D

Mr. Davis stated the proposed Exhibits B and D are consistent with the Comprehensive Plan, including at the time of adoption for Exhibit D.

Motion to accept Planning Staff's recommendation, by Dr. Vinikoor, seconded by Mr. Drawdy. The Motion passed unanimously (13-0).

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

The Land Development Regulation Commission adjourned and reconvened as the Land Development Regulation Advisory Board at 2:34 p.m.

#### E. STAFF COMMENTS

##### 1. Introductions – Lisa Amara as Incoming Zoning Director and Phil Myers as New Zoning Technician

Mr. Gagnon introduced Lisa Amara as the new Zoning Director; Ms. Amara introduced herself. Mr. Gagnon also introduced the new Code Revision Zoning Technician, Phil Myers; Mr. Myers introduced himself.

##### 2. LDRAB Subcommittees

Mr. Gagnon explained the Art. 7, Landscaping Subcommittee will be reconvened to focus on review of landscape buffer width and placement of walls or fences within landscape buffers; the approval processes for the planting, removal, replacement, and mitigation of street trees, and a preferred species list; and, incorporating biodiversity while promoting habitat for pollinators and wildlife. He answered questions from the Board regarding the scheduling and number of meetings, and how many Subcommittee members are required.

Motion to appoint Dr. Vinikoor, Mr. Bailey, Ms. Hanners, and Ms. Kennedy to the Subcommittee, by Mr. Knight, seconded by Mr. Kerr. The Motion passed unanimously (13-0).

#### F. BOARD MEMBER COMMENTS

Dr. Vinikoor and Mr. Blackman congratulated Ms. Amara on Zoning Director position. Mr. Stone responded to questions regarding the possibility of meetings going full virtual, and policy for Applicant and public participation. Ms. Hanners asked about the location of Subcommittee meetings. Mr. Gagnon responded previous Subcommittees used the room across the hallway, but members will receive further information when the schedule is finalized.

#### G. ADJOURNMENT

The Land Development Regulation Advisory Board meeting adjourned at 2:43 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) 233-5302.