

**EXHIBIT A**

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

(Updated 10/08/20)

**Minutes of September 23, 2020 LDRAB Meeting**

On Wednesday, September 23, 2020, 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 Zoning Technician, called the roll.

**Members Present: 14**

Joanne Davis (District 1, Commissioner Valeche)\*

Drew Martin (District 2, Commissioner Weiss)

Ari Tokar (District 3, Commissioner Kerner)\*

Glenn E. Gromann (District 4, Commissioner Weinroth)

Dr. Lori Vinikoor (District 5, Commissioner Berger)

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

Daniel J. Walesky (Gold Coast Builders Association)\*

Anna Yeskey (League of Cities)\*

Jaime M. Plana (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)

**Members Absent: 3**

Myles Basore (District 6, Commissioner McKinlay)

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

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

Abraham Wien (Alternate At-Large #2)

**County Staff Present: 12**

Jon MacGillis, Zoning Director\*

Wendy N. Hernández, Deputy Zoning Director

Adam Mendenhall, Senior Site Planner

Jerome Ottey, Site Planner II

Alexander Biray, Zoning Technician

Scott A. Stone, Assistant County Attorney I

Patricia Behn, Planning Director\*

Bryan Davis, Principal Planner

Bruce O. Thomson, Principal Planner\*

Carolina Valera, Senior Planner\*

Joanne Keller, Land Development Director\*

Jake Leech, Environmental Analyst\*

**Vacancies: 0**

\* Present via Webex Events.

\*\* Mr. Bailey was present to vote at less than three-fourths of the meeting.

**2. Additions, Substitutions, and Deletions**

There were no additions, substitutions, and deletions.

**3. Motion to Adopt Agenda**

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

**4. Adoption of August 26, 2020 Minutes (Exhibit A)**

Mr. Martin recommended changing “contemplated” to “recommended” or “suggested” in his comment under the Round 2020-02 Initiation Discussion. Mrs. Yeskey recommended adding “and asked how this will be coordinated with municipalities to prevent further clustering” in her comment under the Community Residential Housing Consultant Study Discussion.

Motion to adopt the Minutes with the changes, by Dr. Vinikoor, seconded by Mr. Gromann. The Motion passed unanimous (14-0).

**5. Public Comments**

There were no public comments.

Mr. Stone reminded the Board that Staff is monitoring CMT time extensions, and if the Governor does not extend, a physical quorum of nine Board members will have to be present for future meetings.

**B. ULDC AMENDMENTS – NEW**

**1. Exhibit B – Art. 1 and 2, Release of Unity of Title**

Mrs. Hernández explained the amendment codifies a Policy and Procedures Memorandum (PPM) for an Administrative process to Release a Unity of Title (ROUT) if multiple lots are proposed to be split.

**a. Discussion**

Mr. Martin asked for clarification on whether anything new is being added. Mrs. Hernández responded that nothing is being changed beyond codifying existing policy.

Motion to approve, by Mr. Martin, seconded by Mr. Gromann. The Motion passed unanimous (14-0).

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##### 2. Exhibit C – Art. 2, Monitoring Development Phases

Mr. Davis explained the amendment is a cleanup and correction following a rewrite of the monitoring Chapter in the last Round of Amendments, by clarifying the simplified phasing processes and limitations. He also read into the record changes to eliminate redundancy, whereas lines 25, 26, and 27 repeat the same provision as lines 30 and 31, and removing line 42 and merging lines 40 and 41.

###### a. Discussion

Mr. Blackman asked about if the Table was removed before. Mr. Davis responded it was, and the new language is intended to be more concise.

Dr. Vinikoor noted a singular/plural discrepancy on line 25 for “DOs.” Mr. Gromann responded the “S” is stricken out and is correct.

Mr. Martin asked for clarification on whether anything new is being added. Mr. Davis responded it is putting language back in and has not affected any Development Orders (DOs).

Motion to approve as amended, removing lines 30, 31, and 42, merging lines 40 and 41, and resetting the numbering, by Mr. Gromann, seconded by Mr. Martin. The Motion passed unanimous (14-0).

##### 3. Exhibit D – Art. 4, Planning Determination for Infill Density Exemption

Mr. Davis explained the amendment removes a requirement for determination from the Planning Director for an Infill Density Exemption for older residential subdivisions wishing to utilize the Planned Unit Development (PUD) density allowance, which has become irrelevant after Plan amendments and density bonus programs, and overlooked in the Code Use Regulations Project (URP).

###### a. Discussion

Mr. Blackman and Mr. Martin confirmed the change wouldn't affect encouraging infill development. Mr. Davis responded the determination requirement is actually an impediment.

Mrs. Hernández noted the underlining on lines 25, 27, and 31 will be corrected to reflect correct strikeout for renumbering.

Motion to approve as amended, with the renumbering, by Dr. Vinikoor, seconded by Mr. Gromann. The Motion passed unanimous (14-0).

#### C. STAFF COMMENTS

##### 1. Attachment 1, Electric Vehicle Charging Station (EVCS)

Mrs. Hernández explained the EVCS Subcommittee was voted on last February, and following coordination with the Office of Resilience (OOR) and industry, the OOR presented to the Board of County Commissioners (BCC) their findings for moving forward with Code amendments to require infrastructure for Multifamily and Business or Professional Offices of level 2 category, and DC fast for Retail Gas and Fuel Sales. The BCC also asked Staff to consider Retail Sales and substantial renovations. Staff will reach out to industry for further discussion, and to Board members for possible Subcommittee meeting dates and times.

##### 2. Attachment 2, Community Residential Housing

Mrs. Hernández explained Staff is moving forward with Code amendments based on the consultant study presented to the Board last month, and following discussion with the BCC, may establish an LDRAB Subcommittee and BCC Workshop. She alluded to the Medical Use Subcommittee from 2018 for Reasonable Accommodation and same topic, and whether the Board wants to continue it, or establish a new one as previous members are no longer on the Board. Staff will reach out to industry for further discussion, and to Board members for possible Subcommittee meeting dates and times.

Motion to establish a Community Residential Housing Subcommittee by Dr. Vinikoor, seconded by Mr. Gromann. The Motion passed unanimous (14-0). Mr. Martin, Mr. Gromann, Dr. Vinikoor, Mr. Walesky, Mrs. Yeskey, Mr. Bailey, Mrs. Kennedy, Mr. Gulisano, and Mr. Blackman volunteered.

#### D. BOARD MEMBER COMMENTS

Mr. Martin noted current events regarding wildfires and hurricanes attributed to climate change, and hoped it will be an opportunity for codes to be enhanced for resiliency.

Mrs. Kennedy commended Staff for their efforts in conducting meetings with CMT.

#### E. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 2:50 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.