EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 9/20/17)

Minutes of August 23, 2017 LDRAB Meeting

On Wednesday, August 23, 2017 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Chair, Wesley Blackman called the meeting to order at 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 13

Wesley Blackman (PBC Planning Congress)*
David Carpenter (District 2)
Michael Peragine (District 1)
Philip Barlage (District 3)
Lori Vinikoor (District 5)**
Dr. Rena Borkhataria (District 6)
Robert J. Harvey (District 7)

Terrence Bailey (Florida Eng. Society)
Anna Yeskey (PBC League of Cities)
Frank Gulisano (PBC Board of Realtors)
Tommy Strowd (Environmental Organization)
Derek Zeman (FL Surveying & Mapping)
Abraham Wein (Member at Large, Alt. 1)*

Members Absent: 3

Jim Knight (District 4)

Daniel Walesky (Gold Coast Bld. Assoc.)

James McKay (AIA)

Vacancies: 2

Assoc. General Contractors of America

Member at Large, Alt #2

County Staff Present:

Jon MacGillis, Director, Zoning Leonard Berger, Assistant County Attorney Maryann Kwok, Deputy Director, Zoning Monica Cantor, Senior Site Planner Jehan Wallace, Site Planner 2 Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the distribution of an add/delete sheet, and requested that it be included in the motion to adopt the agenda.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (11 - 0)*,**.

Mr. Blackman welcomed new Member, Ms. Anna Yeskey, who replaces Ms. Joni Brinkman as the League of Cities representative on the Board.

4. Adoption of July 26, 2017 Minutes (Exhibit A)

Motion to adopt by Mr. Peragine, seconded by Mr. Carpenter. Motion passed (11 - 0)*,**.

B. Initiation of Amendment Round 2017-02 (Attachment 1)

Ms. Cantor referred to Attachment 1, the summary of proposed ULDC amendments scheduled for Round 2017-02, some of which are included in the this agenda. She summarized the amendments on each page, briefly highlighting the main topics to be addressed.

*Mr. Wein arrived at 2:10 p.m.

C. ULDC AMENDMENTS

1. Exhibit B - Art. 3, Overlays & Zoning Districts [Related to Requested Uses Reference] Ms. Cantor explained that the minor changes are to delete the references to Requested Use in various sections of Article 3, for consistency with the changes made through the Use Regulations Project as contained in Ordinance 2017-007.

Motion to adopt by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed (12 - 0)**.

2. Exhibit C - Art. 3.E.1.E.1.c, Housing Classification and Type

Ms. Cantor indicated that the proposed amendment removes the restriction that allows conversion from attached to detached housing, related to modifications by the Development Review Office (DRO) to Master Plan, Subdivision Plan or Regulating Plans.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed (12 - 0)**.

3. Exhibit D - Art. 7, Landscaping

Ms. Kwok opened the discussion on Exhibit D and explained that Article 7 is being reorganized with the goal of consolidating, clarifying and updating the article. Through four

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sub-committee meetings, each lasting approximately two hours, industry and interested participants provided input for the amendments.

Ms. Kwok also clarified that the purpose of Article 7 is to provide general direction, minimum landscaping standards and design principles, required to ensure compliance with the Managed Growth Tier System (MGTS). The re-organization addresses the submittal and review process, the requirements for buffers, standards for plant materials, preservation of native vegetation, installation and maintenance, and enforcement of code requirements. In the process, many sections have been relocated to facilitate consolidation and clarity, many were deleted to eliminate redundancies, and graphics were updated.

Ms. Kwok suggested a brief page by page review, during which she pointed out significant changes and responded to questions. The following amendments were noted:

- On page 24 an outline of the submittal and review process, including inspection, and the process for optional special certificate of compliance in lieu of landscape inspections and certification by PZB.
- Requirements for eligibility to apply for a Type 1 Waiver include Right of Way (R-O-W) and incompatibility buffers, berms, foundation planting and landscape islands.
- Measurements, locations and exemptions allowing for flexibility, are provided for R-O-Ws, compatibility and incompatibility buffers in order to avoid having to use the waiver process.
- It was noted that AGR PUD landscape buffer requirements is being relocated from Article 3 to Art. 7, Landscaping.
- Calculation of interior landscaping for both residential and non-residential are listed in Table 7.C.3.A, Interior Landscaping Requirements. Quantities of trees and shrubs shall be based on pervious surface, excluding perimeter buffers, lakes, preservation and retention areas.
- Foundation plantings for rear facades of non-residential structures in the AGR, Glades, Exurban and Rural Tiers are reduced, as most of the loading and service activities are located in the rear of buildings. Identification of the primary pedestrian entrance is introduced to assist with the applicability of foundation planting required per façade.
- ** Ms. Vinikoor arrived at 2:50 p.m.
- The distance between landscape islands in rows of parking spaces will be allowed provided such islands are increased in width. In response to Mr. Carpenter's inquiry about the process for requesting increases, Ms. Kwok said applications will be addressed through the DRO process.
- Revisions include minimum standards required for plant materials and ground treatment
 and address requirements for landscape barriers, such as hedges, walls and fences. A
 substitute for Canopy Tree is also provided. Additionally, regulations on height and
 spacing of hedges, walls and fences are clearly defined and location of wall or fence in a
 Landscape Buffer is specified.
- The preservation of native vegetation chapter codifies PPM ZO-060 which gives the Zoning Director the authority to address native trees outside of the Environmental Resources Management (ERM)'s preservation goals.
- Table 7.E.3.c, Tree Credit and Replacement, provides the formula for preservation, replacement, or mitigation. Mr. Rodney Swonger, Landscape Inspector, clarified that a Tree survey indicating which trees are being retained and those to be disposed of, is required. The document is recorded and the site checked one year later for compliance. Thereafter, Code Enforcement is responsible for compliance.
- Phasing: Required landscaping may be installed in phases but shall be designated on the approved Zoning plan and a formula is set out for the quantity of plant materials for each development phase.
- Irrigation systems are required to comply with the irrigation standards, no amendments were made to this portion of the Code. Mr. Wein inquired about regulations regarding wells and Mr. MacGillis responded that these are regulated by the Building Division.
- It was noted in Chapter G, Enforcement, that the Executive Director of Planning, Zoning
 and Building may temporarily suspend the standards of Article 7, in relation to damaged
 landscape material due to events such as a hurricane, freeze, a period of drought, or
 similar events.

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- Pages 76 to 90 of the Exhibit consisted mainly of relocated and deleted text due to consolidation, redundancy, or for clarification purposes.
- The list of preferred species in the Appendix on Page 93 will be reviewed at a later date.

Continuing the review, Ms. Kwok noted that page 95 contained amendments to definitions in Article 1, which were affected by the amendments in Art. 7, Landscaping. Amendments to Articles 2, 3, 5 and 8 were mostly references due to the re-organization of Article 7.

Dr. Vinikoor questioned the definition of Pervious Surface and suggested changing the title to Penetrable Material Surface, as the use of the word pervious for both the title and the material is in need of clarification. After discussion it was agreed that the issue would be reviewed.

The Chair indicated that two members of the public had submitted forms requesting to speak on the landscape portion of the packet.

Mr. Drew Martin, speaking on behalf of the Sierra Club, said his focus is to advocate for landscaping regulations for the betterment of the environment. He acknowledged that Palm Beach County protects some lands, but animals and birds do not stop at borders. He noted that, although not specific to the revision of Article 7, developers are taking out and putting back native trees and shrubs. These are better for migratory birds as native trees have to be established - they need the soil. The process of taking out and putting back creates the need for more chemicals, which are bad for the environment, and more water at a time when water supply is dwindling. Mr. Martin added that irrigation should be part of the landscape code and he again emphasized protecting the native plants for the environment.

Ms. Chris Lockhart, Conservation Chair, Florida Native Plant Society, commended staff and thanked them for their tremendous effort over the past few months to streamline landscape regulations, making it easier for developers to meet the requirements of 60 percent native requirements. There are some challenges, but most will be able to meet them. She continued by saying that reduced height requirement on some of the trees also makes the regulations easier to meet and recommended advance planning with the nursery of choice when large projects are being undertaken.

Mr. Blackman thanked members who participated in the landscape re-organization process and said he recognized that sometimes it was difficult to get representatives from the Board but in the end, the product is good.

Motion to approve by Mr. Peragine, seconded by Mr. Carpenter. Motion passed (13 - 0).

C. PUBLIC COMMENTS

Mr. Drew Martin was allowed to add another comment and he expressed concern about GL Homes' Transfer of Rights from one place to another. He was of the view that a permanent preserve should remain permanent and not be subject to having its permanence overturned.

D. STAFF COMMENTS

Ms. Cantor informed the Board that the Landscape Service Subcommittee meeting is scheduled for September 5, 2017 and Article 2 Subcommittee meeting will be held on September 14.

E. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:45 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 Section at (561) 233-5213.

Minutes drafted by:

Zona Case, Zoning Technician

Date

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LDRAB

September 27, 2017