

**EXHIBIT A**

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

**Minutes of August 24, 2011 Meeting**

On Wednesday, August 24, 2011 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the First Floor Conference Room (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

**A. Call to Order/Convene as LDRAB**

**1. Roll Call**

Vice-Chair David Carpenter called the meeting to order at 2:07 p.m. Monica Cantor, Code Revision Senior Site Planner, called the roll.

**Members Present: 10**

David Carpenter (District 2)  
Joanne Davis (District 1)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Rosa Durando (Environmental Organization)  
Michael Cantwell (PBC Board of Realtors)  
Terrence Bailey (Florida Eng. Society)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)  
Jose Jaramillo (AIA)

**Members Absent: 4**

Wesley Blackman (PBC Planning Congress)  
Maurice Jacobson (Condominium Assoc.)  
Martin Klein (District 7)  
Gary Rayman (Fl. Soc. of Prof. Land Surv.)

**Member At Large: 1 (Not Attending)**

Robert Schulbaum (Member At Large, Alt.)

**Vacancies: 4**

Vacant (League of Cities)  
Vacant (Assoc. Gnrl. Contractors. of America)  
Vacant (District 6)  
Vacant (Member At Large, Alt.)

**County Staff Present:**

Barbara Alterman, Executive Director, Planning, Zoning & Building Department  
Leonard Berger, Assistant County Attorney  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Bryan Davis, Principal Planner, Planning  
John Rupertus, Senior Site Planner, Planning  
Timothy Sanford, Site Planner I, Zoning  
Willie Swoope, Impact Fee Coordinator, Financial Management and Budget Division

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

No amendments were presented.

**3. Motion to Adopt Agenda**

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

**4. Adoption of May 25, 2011 Minutes (Exhibit A)**

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

**B. ULDC Amendments**

**1. Exhibit B: Article 2, Development Review Procedures**

Ms. Katz expressed concerns regarding the deletion of Neighborhood Plan standards from the Code as it weakens an important element considered by neighborhood coalitions. Mr. Cross stated that many of the provisions in neighborhood plans including design guidelines are in conflict with specific Code requirements and they were the result of previous agreements. The compliance with this standard for Rezoning, Conditional Uses, Requested Uses and Development Order Amendments approvals is addressed by the Standard requiring consistency with the Plan.

Motion to adopt by David Carpenter, seconded by Lori Vinikoor. The motion passed (9-1). Barbara Katz voted nay.

**2. Exhibit C: Article 4, Use Regulations**

No discussion took place regarding this exhibit.

Motion to adopt by Lori Vinikoor, seconded by Raymond Puzzitiello. The motion passed (10-0).

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#### 3. Exhibit D: Article 9, Archaeological and Historic Preservation

Discussion ensued regarding removal of the regulation of color as one of the development standards for historic buildings. Ms. Katz stated that color is an important element that characterizes architectural styles. She requested further clarification on why the amendment is proposing the change. Mr. Cross clarified that the intent of this amendment is to encourage properties to eventually designate structures as historical and color is one of the impediments they may find. Mr. Carpenter requested further explanation from the Historic Resources Review Board (HRRB) on why this change is taking place.

Mr. Rupertus explained that in other jurisdictions such as Delray and West Palm Beach with large amount of architectural buildings subject to preservation, color is not regulated, and generally is considered on a case by case basis. Mr. Jaramillo considered necessary to maintain color within the standards. Ms. Davis reminded the team that the County does not have historical districts.

Motion to adopt by Raymond Puzzitiello, seconded by Jim Knight. The motion failed (5-5).

Ms. Katz asked if the amendment could be made to state that color is to be considered on case by case bases and not to be eradicated completely from the Code.

Ms. Cantor requested the Board to allow additional discussion at the end of the meeting to have another representative of the Planning Division present and explain further on the subject.

Motion to postpone the topic at the end of the meeting by Joan Davis, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

#### 4. Exhibit E: Article 11, Subdivision, Platting and Required Improvements

Mr. Cross explained the amendment is to match previous amendments for plats that expedited process for combining lots without requiring a re-plat.

Motion to adopt by Raymond Puzzitiello, seconded by Lori Vinikoor. The motion passed unanimously (10-0).

#### 5. Exhibit F: Article 13, Impact Fees

Mr. Swoope presented the amendment and explained that it provides an option where one municipality may decide to allow another municipality to provide additional services such as review permits and collect those impact fees. He further explained the amendment requires municipalities with inter-local agreements to maintain separate records from those fees collected to be submitted to the County as it is currently mandated by Article 13, Impact Fees.

Motion to adopt by Raymond Puzzitiello, seconded by Joanne Davis. The motion passed unanimously (10-0).

#### 6. Continuation of Exhibit D: Article 9, Archaeological and Historic Preservation

Mr. Davis clarified the code amendment is coming from recommendations originated by the Historic Resources Review Board (HRRB) during the consideration of the Wenger House that was subject to certification of appropriateness for change of color.

Mr. Bailey stated his interest to know if this was the only method the County to prevent owners from doing extreme things with colors on historical buildings. Mr. Davis explained the Wenger House is the only building that does not belong to the County and there are no other privately owned historical structures; therefore the HRRB did not want to consider this building every time the owners wanted to paint it.

Ms. Katz stated the County does not need to make changes to the Code based on one house and in her opinion this was not a hardship. She suggested to place some guidelines for it and clarified that at some point in time many buildings will be subject to the preservation guidelines of 50 years or more, and concluded by stating that many need to be protected. Mr. Bailey indicated the need to see in the future the use of color for other buildings that may become protected and if the requirement is removed now, it

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may not come back. He also added that it may be needed for other buildings such as the court house and not necessarily for residential buildings only. Mr. Davis clarified that County buildings are also subject to HRRB requirements but most of the county buildings have not color, they have finished materials such as stone that provide the color to the building.

Motion to postpone to next meeting by Terrence Bailey to allow a member of the HRRB to present the reason for the amendment. At this time this motion did not move forward.

Mr. Carpenter suggested moving the amendment as proposed since the County does not have a large number of historical buildings. Motion by Lori Vinikoor, seconded by Raymond Puzitiello. Motion failed (5-5).

Ms. Alterman suggested having the appropriate staff, Christian Davenport, at the next meeting and if one of the members of the HRRB can attend they may be able to clarify any questions the Board may have.

Motion to postpone exhibit for further explanation from staff and HRRB member by Mr. Bailey, seconded by Ms. Katz. Motion passed unanimously (10-0).

**C. Public Comments**

There were no public comments.

**D. Staff Comments**

1. Response to LDRAB Inquiry on Meeting Procedures

Ms. Cantor explained that staff considered the suggestion made by Mr. Klein to have consent agenda for the LDRAB meetings but due to the character of the Board the amendments still need to be subject to discussion or explanation of questions.

2. Code of Ethics – Board Members Re-Training Notification

Mr. Cross reminded the Board members to complete the Code of Ethics if they have not done it yet.

3. ULDC Supplement 10 – Paper copies versus web page version

The Board was asked if anyone was interested in using electronic copies versus paper copies of the ULDC or LDRAB amendment packets. Mr. Cross expressed staff intention to assist Board members to get familiar with the County web page and use of the on-line Code.

LDRAB members were notified that Patrick Gleason resigned as an alternate/ member at large and that Michael Zimmerman was expected to be reappointed to the District 6 appointment.

Mr. Cross updated the Board on the upcoming changes to the Renewable Energy, Wind amendments related to shadow flicker setbacks to be included as part of the add-delete sheet for the BCC hearing on August 29.

**G. Adjourn**

The Land Development Regulation Advisory Board meeting adjourned at 3:10 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:

Monica E. Cantor

  
Name (signature)

10-26-2011

Date