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**INFILL/REDEVELOPMENT SUBCOMMITTEE
A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
MINUTES OF THE JUNE 3, 2009 SUBCOMMITTEE MEETING**

PREPARED BY EILEEN PLATTS, ZONING SECRETARY

On Wednesday, June 3, 2009 at 2:00 p.m. the Infill/Redevelopment Subcommittee met in the Second Floor Conference Room (VC-2E-12), at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER

1) Roll Call

Maryann Kwok, Chief Planner of Zoning called the meeting to order at 2:10 p.m., Eileen Platts, Zoning Secretary, called the roll.

Members Present - 9

Wendy Tuma – Chair
Joni Brinkman – Vice Chair
David Carpenter – LDRAB/BCC Dist. 2
Barbara Katz – LDRAB/BCC Dist. 3
Jim Knight – LDRAB/BCC Dist. 4
Ray Puzzitiello – LDRAB/GCBA
Bradley Miller – Planner
Jeff Brophy – ASLA
Chris Roog – Gold Coast Builders Assoc.

Members Absent - 10

Joanne Davis – LDRAB/BCC Dist. 1
Ron Last – LDRAB/FES
Jose' Jaramillo – LDRAB/AIA
Edward Wronsky – AIA
Steven Dewhurst – LDRAB/AGCA
Wes Blackman – LDRAB/PBC Plan Cong.
Ken Tuma – Engineer
Katharine Murray – LUAB
Rick Gonzalez – Architect
Nancy Lodise – Interested Citizen

Zoning Staff Present:

Maryann Kwok (Zoning)
William Cross (Zoning)
Eileen Platts (Zoning)

Other:

Chris Barry – Jon E. Schmidt & Assoc.

Other Staff:

Joanne Koerner (Land Development)
Edward Nessenthaler (Planning)
Rebecca Caldwell (Building)
Stephanie Gregory (Planning)
Houston Tate (OCR)
Audley Reid (OCR)

2) Amendment & Motion to Adopt Agenda

Wendy Tuma asked if anyone had any Amendments to the Agenda. Maryann Kwok explained that Bryan Davis, Principal Planner-Planning Division, was not here today so Item C will be pulled from the Agenda. Jim Knight made the motion to adopt the June 3, 2009 Agenda as amended, Barbara Katz seconded the motion. The motion passed unanimously (9-0).

3) Adoption of May 13, 2009 Minutes – (Exhibit A)

Wendy Tuma asked if anyone had any amendments to the May 13, 2009 Minutes, seeing there were no amendments, Raymond Puzzitiello made the motion to adopt the Minutes, Barbara Katz seconded the motion. The motion passed unanimously (9-0).

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B. ARTICLE 1.F NON-CONFORMITIES

Maryann Kwok briefed the Subcommittee Members on the amendments being made to Article 1.F Non-Conformities. She explained that most of the changes are minor (i.e. rewording and relocation of the existing language) with the exception of two major changes. The first major change is fixing the discrepancies between the Comprehensive Plan and the Zoning Code in terms of Non-Conforming Uses. The Comprehensive Plan restricts improvements to Non-conformities to 10% and based on the structure's original value; however, the ULDC has further broken down the nonconformities to major and minor and have percentage variation for improvements, and the improvement value is based on the current assessed value of the structure per the County's Property Appraiser Office. Zoning and Planning staff have met on these issues; and Planning agreed to take out the details of Non-Conforming Uses that are in the Comprehensive Plan and will reference the Zoning Code for those details instead.

Maryann stated that the second major change is to clarify the differences between Major and Minor Non-Conforming Uses. A Major Non-Conforming Use is defined as a Use that is prohibited in any Zoning District, is not allowed per current Code and is considered to be detrimental to the neighborhood. Therefore many restrictions were placed on Major Non-Conforming Uses so they can eventually be phased out. A Minor Non-Conforming Use is defined as a use that is allowed in the Zoning Code and the Use Matrix and was legally established but over time the Code has changed and requires the use to be subject to a higher level of approval process.

Maryann explained to the Subcommittee Members that the dollar amount of allowable improvements to a Non-Conforming Use/Structure comes from the Current Assessed Value of the structure being multiplied by the percentage allowed on Table 1.F.1.F. Discussion focused on which value should be used to calculate the percentage of allowable improvements to a Non-Conforming structure, should it remain the Assessed Value or would the Market Value of the structure be the better way to go and if the Contractor that is working on that project could provide the Current Assessed/Market Value for the Structure. Staff will look into this option.

Maryann informed the Members that the next step will be to go through Art. 1.E, Prior Approvals and will possibly combine certain sections of this article to Art. 1.F.

C. URA UPDATE

Bryan Davis, Principal Planner, Planning Division was out today so this item was pulled. Bryan will give an update on the URA at the July 1st Meeting.

D. NEXT MEETING TOPICS

Update on the URA, Review; Purpose and Intent, Use Regulations, and Use Approval.

E. ADJOURNMENT

Wendy Tuma asked if there was a motion to adjourn the meeting, Joni Brinkman made the motion to adjourn, and Raymond Puzitiello seconded the motion. The motion passed unanimously (9-0).

The Infill/Redevelopment Subcommittee meeting adjourned at 3:45 pm.