

News Release



FOR IMMEDIATE RELEASE ON: **Updated June 26, 2008**
FOR MORE INFORMATION, CALL: Barbara Pinkston-Nau, 233-5232

2008 ULDC Amendment Schedule

This serves to notify interested parties of the tentative schedules for upcoming amendments to the Unified Land Development Code (ULDC). The Zoning Division is proposing to undertake two rounds of amendments to the ULDC for 2008. The tentative schedule for Round 2008-01 is provided below:

ULDC Amendments – Round 2008-01

Activity	Date
Land Development Review Advisory Board (LDRAB)/Land Development Regulation Commission (LDRC) Meetings.	*February 27, 2008 March 26, 2008 May 28, 2008 June 25, 2008
BCC Hearing – Request for Permission to Advertise.	June 30, 2008
BCC Hearing – 1 st Reading.	July 24, 2008
BCC Hearing – 2 nd Reading and Adoption.	August 28, 2008
* Annual Meeting	

All 2008-01 dates subject to change.

ULDC Amendments – Round 2008-02

The BCC has approved the Zoning Division request to not process a 2008-02 Round of Amendments. The Zoning Division will reassign existing Code Staff to other critical functions in the Zoning Division. The 2009-01 Round will begin in January.

If you should have any questions and/or require additional information regarding Round 2009-01, please contact Barbara Pinkston-Nau, Principal Planner, 561-233-5232, or at BCPinkst@co.palm-beach.fl.us

Department of Planning, Zoning & Building

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Zoning Division 233-5200

Building Division 233-5100

Code Enforcement 233-5500

Contractors Certification 233-5525

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DRAFT - ULDC Amendment Round 2008-01
Article Status – Updated May 30, 2008

Scheduled LDRAB or LDRC Meeting Dates:

- February 27, 2008 [Annual Meeting]
- March 26, 2008
- ~~April 23, 2008~~ Cancelled
- May 28, 2008

BCC Zoning Hearing Dates:

- June 26, 2008 (Request for Permission to Advertise)
- July 24, 2008 (First Reading)
- August 28, 2008 (Adoption)

Article - Title	Priority	Key Topic or ULDC Article	Amendment Summary/Comments	Meeting Dates		PM	Subcommittee
				LDRAB	LDRC		
Art. 1 – General Provisions							
		Art. 1.E.1.C.2, Structural Renovations and Additions (Page 15 of 107)	[FD&O] Amend to establish thresholds for Governmental and Non-Governmental Facilities to address appraisals that do not adequately reflect the value of government properties.	05/28	05/28	EM/BPN	Yes
		Art. 1.F.2.E, Maintenance (Page 17 of 107)	[FD&O] Amend to establish thresholds for Governmental and Non-Governmental Facilities to address appraisals that do not adequately reflect the value of government properties.	05/28	05/28	EM/BPN	Yes
		Art. 1.F.3, Nonconforming Structure (Page 18 of 107)	[FD&O] Amend to establish thresholds for Governmental and Non-Governmental Facilities to address appraisals that do not adequately reflect the value of government properties.	05/28	05/28	EM/BPN	Yes
		Art. 1.I.2.A.7, Definitions and Acronyms (Page 26 of 107)	[Zoning] Add definition for “Accent Lighting” for the purposes of Art. 5.E.4.E, Lighting	05/28	05/28	BPN	N/A
		Art. 1.I.2.A.21, Definitions and Acronyms (Page 27 of 107)	[Zoning] Add definition for “adjacent parcel of land”	05/28	05/28	BPN	N/A
		Art. 1.I.2.D.4, Definitions and Acronyms (Page. 45 of 107)	[Zoning] Delete definition for “Day” due to conflict	05/28	05/28	BPN	N/A
		Art. 1.I.2.L.46 and 47 Definitions and Acronyms (Page 63 of 107)	[Zoning] Add definitions for “Loading Area” and “Loading Bay” and “Loading Dock” for the purposes of Article 6, Parking.	05/28	05/28	BPN	N/A
		Art. 1.I.2.M. 7 and 29 Definitions and Acronyms (Pages 65 and 66 of 107)	[Zoning] Add definitions for “Maneuvering Area” and “Mechanical Equipment” for the purposes of Art. 6 and Art. 5, respectively.	05/28	05/28	BPN	N/A
		Art. 1.I.2.N.1 Definitions and Acronyms (Page 68 of 107)	[Zoning] Add definition for “Nadir” for the purposes of Art. 5.E.4.E, Lighting.	05/28	05/28	BPN	N/A
		Art. 1.I.2.P.65 Definitions and Acronyms (Page 75 of 107)	[Zoning] Add definition for “Preliminary Assessment Letter (PAL)”, for the purposes of Article 4.D, Excavation.	05/28	05/28	BPN	N/A
		Art. 1.I.2.S. 53, Definitions and Acronyms (Page 90 of 107)	[Zoning] Add definition for “Single Tenant” for the purposes of Art. 6.B.1, Loading.	05/28	05/28	AD	N/A
		Art. 1.I.2.S.104, Definitions and Acronyms (Page 90 of 107)	[Zoning] Add definition for “Street Layout Plan” for the purposes of Art. 3.E.2, Planned Unit Development.	05/28	05/28	AD	N/A
		Art. 1.I.3, Abbreviations & Acronyms (Page 103 of 107)	[Zoning] Add acronym “ACOE”	05/28	05/28	BPN	N/A
		Art. 1.I.3, Abbreviations & Acronyms (Pages 103 and 105 of 107)	[Zoning] Add acronyms: DEP, Department of Environmental Protection; PAL – Preliminary Assessment Letter and TDS – Total Dissolved Solids.	05/28	05/28	BPN	N/A

Legend:

Priority	1 - High	2 - Medium	3 - Low	Other Agency Request - ▲
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Status:	Pending	Withdrawn	Complete	On Schedule	Past Due
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DRAFT - ULDC Amendment Round 2008-01
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				LDRAB	LDRC		
Art. 2 – Development Review Procedures							
		Art. 2.E.2.D.8.b.4, Decision of BCC or ZC for Failure to Comply with the following	[Monitoring] Amend to delete the BCC option to impose limits on development orders permitting construction that exceeds entitlement density or intensity.	05/28	05/28	AD/LM	N/A
Art. 3 – Overlays and Zoning Districts							
		Art. 3.B.3.D, COZ, Conditional Overlay Zone, (Page 18 of 148)	[Zoning] Amend to allow a COZ to be placed on county initiated rezoning requests without property owner agreement to ensure consistency with the Comp Plan.	03/26	05/28	BPN/MM K	N/A
		Art. 3.B.10.F.1.a, Lot Size [Related to minimum requirements for rezoning in the PBIA Overlay] (Page 28 of 148)	[Zoning] Amend to eliminate inconsistencies with existing legal lots of record with an IND FLU designation that cannot comply with this or related provisions.	03/26	05/28	BPN	N/A
		Art. 3.D.2.A.5, Replacement of Similar Structure (Page 59 of 148)	[Zoning] Amend to add new requirements that allow for the replacement of destroyed or removed townhouses.	03/26	05/28	BPN	N/A
		Art. 3.D.2.B, Zero Lot Line (ZLL) [Related to Replacement] (Page 61 of 148)	[Zoning] Amend to add new requirements that allow for the replacement of destroyed or removed ZLL homes.	03/26	05/28	BPN	N/A
		Art. 3.D.3.A.2, All Commercial Districts, (Page 66 of 151)	[Zoning] Amend to clarify that additional PDRs shall apply to all Standard Commercial Districts, PDDs and TDDs.	05/28	05/28	BPN	N/A
		Art. 3.E.1.C.2.a.5, Cul-de-Sacs (Page 78 of 151)	[Zoning] Amend to: 1) address direction from BCC to clarify standards for Waivers for cul-de-sacs; 2) address how to calculate total number of streets necessary to determine number of cul-de-sacs by right and waiver; and 3) include standards for BCC consideration when granting a waiver.	05/28	05/28	BPN	N/A
		Art. 3.E.2.B.2, Required Performance Standards [Related to PUD] (Page 87 of 151)	[Zoning] Amend PUD exemplary standards by deleting drainage as an exemplary standard while adding Decorative Street Lighting and Pedestrian Pathways which the BCC is currently approving by Conditions of Approval.	05/28	05/28	EM/BPN	N/A
		Table 3.E.2.C, PUD Land Use Mix (Page 87 of 151)	[FD&O] Amend to require PUD public civic sites of 1.5 acres to be designated as private and be required in CCRT areas.	05/28	05/28	EM/BPN	Yes
		Table 3.E.2.D, PUD Property Development Regulations (Page 88 and 89 of 151)	[FD&O] Amend to increase the size of public civic sites to 1.5 acre or greater.	05/28	05/28	EM/BPN	Yes
		Art. 3.E.2.E.4, Public Civic (Page 92 of 151)	[FD&O] Amend to add provisions and establish procedure to facilitate the joint development of co-located public civic pods and adjoining public lands located outside the boundary of a PUD.	05/28	05/28	BPN	N/A
		Art. 3.E.2.F.3.g, Boundary Plat, (Page 91 of 148)	[Land Dev/Planning/Zoning] Amend to delete requirement to plat. Replace with Conservation Easement as allowed by the Plan.	03/26	05/28	ZC/KR	N/A
		Art. 3.E.3.B.2.e.2), Loading Area Screening;(Page 97 of 148)	[Zoning – WH/DRO] Amend to delete redundant loading screening requirements.	03/26	05/28	AD/WH	N/A
Art. 4 Use Regulations							
		Art. 4.B.1.A.85.c.1), Lot Size (Page 60 of 155) Related to lot size for mobile home dwellings accessory to agriculture.	[Zoning] Amend to clarify the minimum lot size requirement for a mobile home used as an accessory to agriculture for the AR District in Urban Suburban Area and the RR-20 FLU designation.	05/28	05/28	AD/AS	N/A

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				LDRAB	LDRC		
		Art. 4.B.1.A.119.f, Mobile Home (Page 82 of 155)	[Zoning] Amend to clarify the minimum acreage requirement for a mobile home used as security caretaker quarters in the AGR, AP, and AR districts. The lot size requirement is in compliance to Art. 4.B.1.A.85.c.1).	05/28	05/28	AD/AS	N/A
		Art. 4.B.1.A.138, Warehouse (Page 94 of 155)	[Zoning] Amend to clarify that parking for a warehouse use in a PDD shall comply with the requirements in Table 6.A.1.B, Minimum off-street Parking and Loading Requirements.	05/28	05/28	BPN	N/A
		Art. 4.D.4.B.14 and 15, Prohibitions and Exemptions (Pages 131 and 132 of 155)	[ERM] Amend to reduce redundancy and provide clarification to exemptions for excavations performed by Public Agencies.	05/28	05/28	RK	N/A
		Art. 4.D. 5, Excavation Standards, (Page 129 –141 of 155)	[Zoning]/ERM/Planning] (1) Amend excavation review procedures to address BCC direction given at the 2008 Mining Summit, to require a pre-application checklist and review by Department of Environmental Protection (DEP) prior to Type III Excavation being certified for Public Hearing; (2) add words “and procedures” for consistency in code language; (3) to clarify and adopt, by reference, the Florida Administrative Code standards defining natural ground-water conditions; and (4) requirement for Type III Excavation Extraction Fee to offset impacts of mining, as required by the BCC.	05/28	05/28	JM/MK	N/A
Art. 5 – Supplementary Standards							
		Art. 5.B.1.A.1.d.1).b), ZLL	[Zoning] Amend to correct reference for accessory structures in PUD, to refer to Table 3.D.2.B, ZLL PDRs and not Table 3.D.2.A, Townhouse PDRs..	05/28	05/28	BPN/ZC	N/A
		Art. 5.B.1.A.1.d.4, Dimensions (Page 8 of 75)	[Building] Amend to clarify the total area of all accessory structures is calculated when determining if the maximum structure occupies the 25% distance between property lines	05/28	0528	BC	N/A
		Art. 5.B.1.A, Accessory Uses and Structures, (Page 23 of 75)	[Zoning] 1) Relocated language from Architectural Review Standards to Accessory and Temporary Uses as amended. 2) add new provisions related to applicability and enforcement. (Related to 5.C.1.H.1.b, Mechanical Equipment Screening).	05/28	0528		
		Art. 5.B.1.B.3.c, Real Estate Sales and Management Office (P 26-27 of 75)	[BCC] The BCC directed staff to coordinate with industry additional provisions to allow temporary signs for residential development during construction phase. Industry stated current temporary sign provisions are too restrictive on number, size and duration.	05/28	05/28	BPN	N/A
		Art. 5.C.1.H.1.b, Mechanical Equipment Screening (Page 32 of 75) (Language relocated to Art. 5.B.1.A)	[Zoning] Amend to relocate language for mechanical equipment currently located under Architectural Review Standards in Article 5.C. See Exhibit F, Part 3 of this document.	05/28	05/28	AD	N/A
	▲	Art. 5.D.2.B, Parks and Recreation Requirements (Pages 39-42 of 75)	[WCRAO] Amendment to provide alternative Parks and Recreation requirements in recognition of site constraints and issues specific to the WCRAO.	05/28	05/28	BPN	N/A
		Art. 5.D.2.G.2, County Park Landscape Standards (Page 41 of 75)	[WCRAO] Amendment to provide alternative Parks and Recreation requirements in recognition of site constraints and issues specific to the WCRAO	05/28	05/28	AD	N/A

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		Art. 5.E.4.E, Outdoor Lighting (Pages 45 – 75)	[Zoning] Clarify maximum lighting permitted for IESNA lower tiered sporting facilities; and, [Industry] Request to make minor revisions and changes to improve purpose, intent and applicability of Lighting Ordinance while making minor amendments to allow for limited up-lighting of landscape focal points, architecture or other art such as statues, fountains, etc.	05/28	05/28	BPN/MC	N/A
		Art. 5.G.1.E.1, Supplementary Standards	[WCRAO] To implement the CRA Inclusionary Housing Policy and limit the number of required WHP off-site low income housing units to be constructed within the WCRAO	05/28	05/28	BPN	N/A
		Art. 5.H.3, Site Plan and Plat Dedication Language [Related to Mass Transit Standards]	[FDO & Palm Tran] Amend in response to the unique relationship between Palm Beach County as property owner and Palm Tran as a Palm Beach County department. Consideration of standard procedure for Palm Tran infrastructure/facilities located on properties that are owned by Palm Beach County was inadvertently overlooked during the drafting and approval process for the Palm Tran related ULDC provisions that were adopted during Amendment Round 2007-02. This corrective amendment will resolve procedural terminology and real estate conflicts that would arise through a literal interpretation and/or strict application of the recently adopted code language	05/28	05/28	EM/BPN	Yes
Art. 6 – Parking							
		Table 6.A.1.B.1, Minimum Off Street Parking and Loading Requirements (Page 5 of 37)	[Zoning] Amend to clarify the parking requirements by excluding the car wash tunnel from calculations.	05/28	05/28	BPN	N/A
		Art. 6.A.1.D, Off Street Parking [Related to Parking Limitations] (page 29 of 37)	[Zoning] Amend to establish limitations for parking of vehicles on residential lots, per BCC direction	05/28	05/28	BPN	N/A
		Art. 6.B.1, Loading Areas [Related to Screening] (Page 30 of 37)	[Zoning] 1) Amend to consolidate redundant loading screening requirements of Art. 3, PDD, Loading Area Screening into Art. 6.B, Loading Standards; 2) to clarify the minimum loading space requirement for each building; 3) to reorganize loading screening requirements for applicability and enforcement.	03/26	05/28	AD	N/A
Art. 7 – Landscaping							
		Art. 7.E.4, Maintenance (Page 27 of 47)	[Code Enforcement] Request to move the Vacant Lot section to the end of the section on Maintenance. This minor change will clarify that the maintenance requirements are applicable to all properties and not just to vacant lots.	05/28	05/28	MD/ZC	N/A
Art. 8 – Signage							
		Art. 8.D.5, Temporary Residential Development Signs ([Page 17 of 40)	[Zoning] Amend to: 1) extend the timeframe for temporary residential development signs; and 2) address ongoing Gold Coast Builders Association/Code Enforcement issues regarding the need to clarify the types of flags, banners or balloons permitted for advertising new residential or non-residential properties for sale.	05/28	05/28	BPN	N/A
Art. 9 – Archeological and Historic Preservation							
		Art. 1.1.2, Definitions, (Pages 29-104)	[Planning] Amend to add various definitions – related to Archeological and Historic Preservation	03/26	05/28	ZC/CD	N/A

Legend:

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				LDRAB	LDRC		
		Art. 1.1.3, Abbreviations & Acronyms. (Pages 103 of 104)	[Planning] Amend to add various acronyms – related to Archaeological and Historic Preservation	03/26	05/28	ZC/CD	N/A
		Art. 9.A.1.B.4 through 7, Applicability (Pages 3 and 4 of 15)	[Planning] This amendment allows for better protection of known and unknown historic resources. 4 addresses the frequency of the identification of resources due to state and federal mandates; 5 addresses the incomplete documentation of historic resources; 6 is to bring Art. 9 up to language on existing certificate to dig; 7 is in an effort to account for any local knowledge or conditions that support or strongly suggest the presence of a historic resource, though it was not previously documented.	03/26	05/28	ZC/CD	N/A
		Art. 9.A.3.A, Procedures (Page 4 of 15)	[Planning] Amend to allow for the applicant to understand how the evaluation of a historic resource is judged by the county. The decision is based on a set of criteria modeled after the United States Secretary of the Interior Standards. The inclusion of section e. accounts for nationally but not locally designated historic resources e.g. The Dubois House	03/26	05/28	ZC/CD	N/A
		Art. 9.A.3.A.4, Map of Known Archaeological Sites	[Planning] Amend to (a) move text from Art. 9.A.3.A.4; (b) to prevent undue economic hardship and to expedite permitting process for applicants.	03/26	05/28	ZC/CD	N/A
		Art. 9.A.3.E, Single Family Home Owner Certificate to Dig	[Planning] Add language to prevent undue economic hardships for single-family homeowners whose properties are located on or near archaeological sites or conservation areas. Miami-Dade County has similar operating procedures, though not in code.	03/26	05/28	ZC/CD	N/A
		Art. 9.B.2.B, Criteria for Designation of Historic Site and District	[Planning] Include Structures and Districts to complete previous adopted code	03/26	05/28	ZC/CD	N/A
		Art. 9.B.3.B.3 [Related to Public Hearings Required for Historic Site or District Designation]	[Planning] Extend dates due to the availability of HRRB members	03/26	05/28	ZC/CD	N/A
Art. 10 – Code Enforcement							
		N/A – No changes submitted to date.					
Art. 11 – Subdivision, Platting and Required Improvements							
		N/A – No changes submitted to date.					
Art. 12 – Traffic Performance Standards							
		N/A – No changes submitted to date.					
Art. 13, Impact Fees							
	▲	Art. 13.A.11.A.4, In Kind Contributions (Page 12 of 42)	[County Atty/Zoning/Building] Response to request for clarification on civic sites to ensure that impact fees are offset as intended [see e-mails from Jon and Lenny dated 12/10 and 12/11]. NOTE: This and other Impact Fee related amendments may be processed as a separate Ordinance in early 2008.	02/27	05/28	LB/WS	N/A
Art. 14, ERM							
		Art. 14.C.11.B.2, Technical Requirements for a Standard Permit; (Page 37 of 56)	[ERM] Amend to change name of fund into which payments made in lieu of mitigation are made.	03/26	05/28	ZC/AD	N/A
Art. 15 – Health Regulations							
		N/A – No changes submitted to date.					

Legend:

Priority	1 - High	2 - Medium	3 - Low	Other Agency Request - ▲
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				LDRAB	LDRC		
Art. 16 – Airport Regulations							
		N/A – No changes submitted to date.					
Art. 17 – Decision Making Bodies							
		Art. 17.D.7.C, Comments and Recommendations, (page 21 of 24),	[Zoning] For Type III Excavation purposes, amend to include the Department of Environmental Protection (DEP) in the list of agencies deemed appropriate by the DRO.	05/28	05/28	MK	N/A
Art. 18 – Flood Damage Prevention							
		N/A – No changes submitted to date.					
Additional Topics or Applications							
Animal Shelter							
		Art. 1.1.2.A, Definitions and Acronyms (Page 32 of 107)	[Zoning] Add definition for “Animal Shelter”	05/28	05/28	BC	N/A
		Art. 1.1.2.A, Definitions and Acronyms (Page 32 of 107)	[Zoning] Add definition for “Animal Control Facility”	05/28	05/28	BC	N/A
		Art. 1.1.2.H Definitions and Acronyms (Page 57 of 107)	[Zoning] Add definition for “Humane Society”	05/28	05/28	BC	N/A
		Table 3.E.1.B, PDD Use Matrix (Pages 70,71,73 and 74 of 151)	[Zoning] 1) Relocate Type I Private Kennel to the Residential Use category; 2) Relocate Type II Commercial Kennel to the Commercial Use category [note prior allowance for Commercial Pod of a PIPD was not relocated, as a more restrictive provisions applies and is added to the Use Regulations elsewhere]; 3) Clarify that a Type III Commercial Kennel is enclosed and delete allowance to permit use in the Commercial Pod of a PIPD, as the most restrictive provisions allowing such use are notated in the Use Regulations text; and 4) Add Type IV Animal Shelter Kennel.	05/28	05/28	BC	N/A
		Table 3.F.1.F, Traditional Development Permitted Use Schedule (Pages 115-116 of 151)	[Zoning] 1) Add Type I Private Kennel in the Residential Use category; 2) Clarify that a Type III Commercial Kennel is enclosed; and 3) Add Type IV Animal Shelter Kennel.	05/28	05/28	BC	N/A
		Table 4.A.3.A, Standard District Use Matrix (Pages 13, 15, and 16 of 155)	[Zoning] 1) Relocate Type I Private Kennel to Residential Use category; 2) Relocate Type II Commercial Kennel to Commercial Use category; 3) Clarify that a Type III Kennel is enclosed; and, 4) Add Type IV Animal Shelter Kennel use.	05/28	05/28	BC	N/A
		Art. 4.B.1.A.63, Government Services (Page 51 of 155)	[Zoning] Re-affirm that a ACC administered Animal Control Facility (see Planning definition in Part 1 is a Governmental Services use.	05/28	05/28	BC	N/A
		Art. 4.B.1.A.73, Type 1 Kennel (Private) (Pages 55 and 56 of 155)	[Zoning] Add guard dog exemption to recognize similar provisions of ACC Ordinance 98-022.	05/28	05/28	BC	N/A

Legend:

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				LDRAB	LDRC		
		Art. 4.B.1.A.74-1, Type II Kennel (Commercial) (Page 56 of 155)	[Zoning] Add reference to Plan Policy that mandates that PIPD commercial uses be local serving – this is a continuation of ensuring that the most restriction allowances for uses are in the Supplemental Standards, thus preventing any confusion when solely using Use Regulations matrices.	05/28	05/28	BC	N/A
		Art. 4.B.1.A, Type III Kennel (Commercial) (Pages 56 and 57 of 155)	[Zoning] Minor change to add brackets, but to also provide complete text for reference if needed.	05/28	05/28	BC	N/A
		Art. 4.B.1.A, Definitions and Supplementary Standards for Specific Uses (Page 57 of 155)	[Zoning] See white paper.	05/28	05/28	BC	N/A
Bio-Fuels							
		Art. 1.1.2.B, Definitions & Acronyms (Page 36, 51 and 52 of 107) – Definitions for Biomass; Ethanol; and Feed Stock	[Zoning] Amend per BCC direction to provide language to encourage and allow the production of bio-fuels or renewable fuels. Amend to add related definitions for: Biomass; Ethanol; Feed Stock, “clean vegetative matter” and “clean wood”.	05/28	05/28	BPN	N/A
		Table 4.A.3.A, Standard Use Matrix	[Zoning] Amend per BCC direction to provide language to encourage and allow the production of bio-fuels or renewable fuels.	05/28	05/28	BPN	N/A
		Art. 4.B.1.A, Definitions and Supplementary Standards for Specific Uses (Page 28 of 155)	[Zoning] Amend per BCC direction to provide language to encourage and allow the production of bio-fuels or renewable fuels.	05/28	05/28	BPN	N/A
		Table 6.A.1.B.1, Minimum Off Street Parking and Loading Requirements (Page 9 of 37)	[Zoning] Amend per BCC direction to provide language to encourage and allow the production of bio-fuels or renewable fuels.	05/28	05/28	BPN	N/A
Parks & Recreation							
		Art. 5.D.2.G.2.a, R-O-W Buffers (Page 41 of 75)	[Parks and Recreation] Revise Park R-O-W Buffers to be consistent with standard widths in Table 7.F.7.A-5, and to allow buffer trees to be planted in a more natural pattern.	05/28	05/28	AD	N/A
Rezoning and Nonconforming Lots							
		Art. 1.F.4, Non-conforming Lot (Page 21-23 of 107)	[Zoning] To clarify that in some instances, existing non-conforming legal lots of record may be permitted to develop (including rezoning) or combine through the platting (including plat waiver) and any related site plan approval processes, without obtaining variance relief for existing lot dimensional non-conformities.	05/28	05/28	BC	N/A
		Art. 3.C.1, Future Land Use (FLU) Designation and Corresponding Districts (page 50 of 151)	[Zoning] 1) Add additional clarification to Table to reinforce rezoning requirements of Art. 3.C.1.A, Purpose and Intent. In summary, in some instances users are not properly reading the text of this Section, and are incorrectly relying solely on the minimal note within the table itself; and, 2) Add reference to another existing exemption (agricultural uses in the U/S Tier) that is better retained in it's current location.	05/28	05/28	BC	N/A
		Art. 3.E.1.B, Future Land Uses and Density [Related to PDDs] (pages 68 and 69 of 151)	[Zoning] Need to clarify that re-zonings are intended to implement The Plan by ensuring consistency with FLU designations.	05/28	05/28	BC	N/A

Legend:

Priority	1 - High	2 - Medium	3 - Low	Other Agency Request - ▲
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Status:	Pending	Withdrawn	Complete	On Schedule	Past Due
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DRAFT - ULDC Amendment Round 2008-01
Article Status – Updated May 30, 2008

Article - Title	Priority	Key Topic or ULDC Article	Amendment Summary/Comments	Meeting Dates		PM	Subcommittee
				LDRAB	LDRC		
		Art. 3.F.1.E, Residential Density and Plan Land Use Designations Density [Related to TDDs] (Page 113 of 151)	[Zoning] Need to clarify that re-zonings are intended to implement The Plan by ensuring consistency with FLU designations.	05/28	05/28	BC	N/A
Transfer of Development Right (TDR) Program							
	▲	Art. 3.D.1.B.2, Infill Subdivisions (page 55 of 1510)	[Planning/Zoning] Delete redundant provision for infill subdivisions using TDR density bonus program, and amend reference to Policy 1.2.2-a to clarify that lot sizes shall be in accordance with RT deviations for the WHP program. The rationale is that projects having an MR-5 or higher FLU designation already may be zoned to use the RS district PDRs, and the proposed deviations better ensure compatibility with FLU designation.	05/28	05/28	BC	N/A
		Art. 5.G.1.D.4.f, Option 1 – AR, RE and RT Districts (page 57 of 75)	[Planning/Zoning] 1) Delete redundant text: The 30% WHP density bonus limit for the LR-1, LR-2 and LR-3 FLU designation is already stated in Table 5.G.1.B, Workforce Housing Program; 2) Clarify that in order to qualify for AR, RE and RT deviations, the property must be zoned with the appropriate district corresponding to the parcels FLU designation; and, 3) By deleting redundant 30% text, allows for proper TDR use of Table 5.G.1.D, RT Deviations for WHP without creating appearance of conflict.	05/28	05/28	BC	N/A
		Table 5.G.1.D, RT Deviations for WHP (page 57 of 75)	[Planning/Zoning] 1) Add new column to address new reference from Art. 3.D.1.B.2, Infill Subdivisions and TDR program (due to 50% provision for WHP units); 2) Add LR-1 to recognize need to ensure compatibility with TDR density bonus provisions and Infill Subdivisions; and, 3) Increase building coverage for LR-2 and LR-3 to provide additional incentives to the building industry to utilize TDRs in the LR-2 and LR-3 FLU designation.	05/28	05/28	BC	N/A
		Art. 5.G.2.H.4, TDR Buffer (page 65 of 75)	[Planning/Zoning] To <u>amend</u> TDR and other incompatibility buffer requirements previously mandated by the Plan, due to the deletion of Plan Policy 2.6-I, which required additional incompatibility and density determination factors. Incompatibility is currently addressed by Art. 7, Landscaping by factors such as uses, housing type (MF and SF) and building height; <u>however, while LR-1, 2 and 3 density bonus limits of 100% in combination with RT lot size provisions help to mitigate incompatibilities in the RT district, the use of a PDD allows these low density projects to include all housing types (TH, ZLL and MF), in addition to being able to use the RS Zoning district PDRs for SFDs.</u> Subsequently, there is a need to retain some minimal buffering upgrades to mitigate any such PDD incompatibilities with existing or future low density development.	05/28	05/28	BC	N/A
		Art. 5.G.2.I, TDR Density Bonus Limitations, Transfer of Development Rights (TDR) Special Density Bonus Programs (page 66 of 75)	[Planning/Zoning] To adopt similar density bonus limits for the LR-1 and LR-3 FLU designations as those used for the WHP, so as to ensure compatibility in these lower density residential use areas, better ensuring that the density bonus and related development will be more consistent with the fabric of surrounding neighborhoods and residential uses.	05/28	05/28	BC	N/A

Legend:

Priority	1 - High	2 - Medium	3 - Low	Other Agency Request - ▲
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Status:	Pending	Withdrawn	Complete	On Schedule	Past Due
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**DRAFT - ULDC Amendment Round 2008-01
Article Status – Updated May 30, 2008**

Article - Title	Priority	Key Topic or ULDC Article	Amendment Summary/Comments	Meeting Dates		PM	Subcommittee
				LDRAB	LDRC		
WCRAO							
		Art. 3.B.15.H.1, Density Bonus Program	[WCRAO] 1) To implement the recent modification of Plan TE Policy 1.2-r, Conditions 4 and 5 adopted by the BCC on November 26, 2007; 2) to continue to require 40% of the Density Bonus to be affordable while limiting the number of low to very low income units within the WCRA area; and, 3) to encourage more mixed income developments to stabilize the CRA area (approximately 66% of CRA households are low and very-low income households) by providing an incentive for a shorter maintenance of affordability period is also proposed.	05/28	05/28	BC	N/A
		Art. 5.G.1.E, WHP Off site Options	[WCRAO] To implement the CRA Inclusionary Housing Policy and limit the number of required WHP off-site low income housing units to be constructed within the WCRAO.	05/28	05/28	BC	N/A
AGR PUD Screen Enclosure Setbacks							
		Art. 3.D.1.D.4, Open Space (related to setback reductions) [Pages 58-59 of 151]	[Zoning] Additional reference to AGR-PUD, so as to recognize that both 1) the PDR's for residential lots in a PUD are permitted to use the RS district standards, where applicable; and 2) that the residential pod of an AGR-PUD characteristically uses the same PDR's and related development standards as PUDs in the U/S Tier.	05/28	05/28	BC	N/A
		Art. 5.B.1.A.10.b.2)b), Single Family and ZLL Homes (related to exceptions for pool and spa setbacks) [Page 15 of 75]	[Zoning] Glitch correction to ensure that only those more urban lots in the U/S Tier or the residential pod of an AGR-PUD qualify for urban/suburban setback reductions for pools and spas. This is a clarification to amendments made for other similar setback reductions are part of the MGTS code rewrite, Ord. 2003-067.	05/28	05/28	BC	N/A
		Art. 5.B.1.A.11.b.1)b), Single Family and Zero Lot Line Homes [Related to Setbacks for Screened Enclosures with Screened Roofs] (page 18 of 75), is hereby amended as follows:	[Zoning] Glitch correction, addressing related change to Art. 3.D.1.D.4 in Part 1 above, to allow setback reduction in the residential pod of an AGR-PUD. Note that the pre 2003-067 ULDC provided for a three foot setback by reduction; however, such reference (Supplement #11) was a scrivener's error and was actually applied as a zero-foot setback up until the adoption of Ord. 2003-067. This correction also addresses a second glitch, in that it clarifies that the reduction does not apply to side street homes, which are intended to have setbacks similar to front of subject housing types.	05/28	05/28	BC	N/A

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Legend:

Priority	1 - High	2 - Medium	3 - Low	Other Agency Request - ▲
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Status:	Pending	Withdrawn	Complete	On Schedule	Past Due
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**Department of Planning,
Zoning & Building**

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**INTER-OFFICE COMMUNICATION
PALM BEACH COUNTY
PLANNING, ZONING & BUILDING**

TO: The Honorable Addie L. Greene, Chairperson
and Members of the Board of County Commissioners

FROM: Jon MacGillis, ASLA
Zoning Director

Thru: Barbara Alterman, Executive Director

DATE: May 20, 2008

RE: **Zoning Request to not process 2008-02 Round of ULDC
Amendments**

The Zoning Division is requesting the Board of County Commission support staff's request to not process any Unified Land Development Code amendments for the 2008-02 Round. This request is the result of limited staffing in the Division due to extended medical leave combined with positions not being filled pending budget decisions. The Code Revision staff will be reassigned to other critical duties in the Zoning Division during this six-month period.

Staff has made a concerted effort to process all pending amendments resulting from 2008 Comp Plan changes, BCC direction, industry and various county departments in the 2008-01 Round. These amendments are scheduled for adoption in August 2008. Also, staff has informed the Development Review Officer Oversight Committee (DROOC), the Industry that will be requesting BCC approval of this request, and the Land Development Regulation Advisory Board (LDRAB).

The 2009-01 Round of Amendments begins in January 2009 with staff taking requests for amendments that will be scheduled for adoption in August 2009.

Staff will follow this path unless the BCC directs otherwise.

If you have any question, contact me at 561-233-5223.

JM/BA/jm

c: Bob Weisman, County Administrator
Verdenia Baker, Deputy County Administrator
Barbara Alterman, Executive Director, PZ&B
Lenny Berger, Assistant County Attorney
Wes Blackman, Chair, and LDRAB Members
Collene Walter, Chair, and DROOC Members
Maryann Kwok, Chief Planner
Barbara P. Nau, Principal Site Planner

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