

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
NOVEMBER 13, 2013 MEETING**

**AMENDMENTS TO THE AGENDA
(Updated 11/12/13)**

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#1	<p>Page 10 of 28 (lines 14-120), Exhibit C – Phase II PIA, Permanent Accessory Structures in RVPD.</p> <p>Reason for amendments: 1) Minor formatting clarification per Zoning staff; and, 2) Applicant is proposing additional site development standards to address concerns from residents in community with existing RVPD approvals, as follows: establishing a minimum RV site size requirement, clarifying exemption from Rural Design Guidelines which would have required additional square footage for porches (porches would still be allowed subject to maximum 200 s.f. size limit), and provision of foundation planting areas (Staff Note: non-residential accessory structures are exempt from foundation planting requirements per Art. 7.D.11.A.5).</p>
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Applicant's Proposed Language:	Staff Recommendation:
<p>1) <u>Maximum of 200 square feet in size;</u></p> <p>2) <u>Minimum ten-foot separation between buildings;</u></p> <p>3) <u>Sleeping accommodations are prohibited;</u></p> <p>4) <u>Full kitchens or cooking facilities shall be prohibited. Sinks, refrigerators and cabinets/counters shall be allowed;</u></p> <p>5) <u>HVAC and bathroom facilities may be permitted;</u></p> <p>6) <u>Minimum RV site size shall be 3,000 square feet;</u></p> <p>7) <u>Accessory structures shall be exempt from the requirements of Art. 5.C.1.H.g.4), Porches and Entryways; and,</u></p> <p>8) <u>Accessory structures shall be exempt from the Foundation Planting requirements of Table 7.C.3, Minimum Tier Requirements, provided that a minimum of 40 percent of the perimeter façade shall have a foundation planting a minimum of two feet in width.</u></p> <p>....</p>	<p>Staff has no objections to these clarifications.</p>

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#2	<p>Pages 16 of 20, Exhibit H, Finished Grade and Measurement of Fence, is hereby deleted.</p> <p>Reason for amendment: Amendment postponed to ULDC Amendment Round 20134-01. Additional research and analysis required.</p>
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Notes:

Underlined indicates **new** text. If being relocated destination is noted in bolded brackets [**Relocated to:**].

~~Stricken~~ indicates text to be **deleted**.

Italicized indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:**].

.... A series of four bolded ellipses indicates language omitted to save space.

**EXHIBIT I - DEVELOPMENT REVIEW OFFICER
LDRAB – NOVEMBER 13, 2013**

**ARTICLE 2, DEVELOPMENT REVIEW PROCEDURES
CHAPTER D ADMINISTRATIVE PROCESS
Section 1 Development Review Officer (DRO)**

CURRENT ULDC LANGUAGE (Supplement 15)	Development Review Advisory Committee (DRAC) (October 22, 2013)	Land Development Regulation Advisory Board (LDRAB)
2. Agency Review	2. Agency Review Expedited Administrative Modifications a. Purpose <i>To establish procedures to allow for expedited approvals of specific minor corrections, additions and amendments to approved Final Plans. [Ord. 2007-001] [Partially relocated from 2.D.4.A, Purpose]</i>	2. Agency Review Expedited Administrative Modifications a. Purpose <i>To establish procedures to allow for expedited approvals of specific minor corrections, additions and amendments to approved Final Plans. [Ord. 2007-001] [Partially relocated from 2.D.4.A, Purpose]</i>
Agency Review is utilized for applications that may require the submittal of a new plan, or amendment(s) to an existing approved plan. This type of application requires review, comment, and conditions by five or fewer DRO Agencies as necessary to authorize the amendment. The Zoning Division shall determine which Agencies are required to review the amendment based upon the request and compliance with County Ordinances. Typical amendments may include, but not be limited to the following, provided Section Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001]	2b. Agency Review Agency Review is utilized for applications that may require the submittal of a new plan, or amendment(s) to an existing approved plan(s). This type of application requires review, comments, and conditions by five or fewer DRO Agencies as necessary to authorize the amendment. The Zoning Division DRO shall determine which Agencies are required to review the amendment based upon the request and compliance with County Ordinances. Typical Amendments may include, but not be limited to the following, provided Section Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001]	2b. Agency Review Agency Review is utilized for applications that may require the submittal of a new plan, or amendment(s) to an existing approved plan(s). This type of application requires review, comments, and conditions by <u>a maximum of five</u> or fewer DRO Agencies as necessary to authorize the amendment. The Zoning Division DRO shall determine which Agencies are required to review the amendment based upon the request and compliance with County Ordinances. Typical Amendments may include, but not be limited to the following, provided Section Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001]
a. Increases in building square footage; [Ord. 2008-003]	a-1) Increases in building square footage; <u>three percent or 2,500 square feet, whichever is less;</u> [Ord. 2008-003]	a-1) Increases in building square footage; <u>three percent or up to a maximum 2,500 square feet, whichever is less;</u> [Ord. 2008-003]
b. Relocation of building square footage; [Ord. 2008-003]	b-2) Relocation of building square footage; <u>up to a maximum fifteen percent;</u> [Ord. 2008-003]	b-2) Relocation of building square footage; <u>up to a maximum fifteen percent;</u> [Ord. 2008-003]
c. Transfer of building square footage; [Ord. 2008-003]	c. Transfer of building square footage; [Ord. 2008-003]	c. Transfer of building square footage; [Ord. 2008-003]
d. Alternative Landscape Plans (ALPs); [Ord. 2008-003] [Ord. 2011-001]	3)d-Modifications to approved Alternative Landscape Plans (ALPs); [Ord. 2008-003] [Ord. 2011-001]	3)d-Modifications to approved Alternative Landscape Plans (ALPs); [Ord. 2008-003] [Ord. 2011-001]
N/A	4) Modifications to approved phase lines;	4) Modifications to approved phase lines;

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CURRENT ULDC LANGUAGE (Supplement 15)	Development Review Advisory Committee (DRAC) (October 22, 2013)	Land Development Regulation Advisory Board (LDRAB)
N/A	<u>5) New uses that require DRO approval provided all improvements to the use are interior to the structure;</u>	<u>5) New uses that require DRO approval, provided all improvements to the use are interior to the structure, with the exception of the following minor exterior improvements:</u> <u>a) Modifications to existing parking areas;</u> <u>b) Outdoor dining areas;</u> <u>c) Walk-in coolers; or,</u> <u>d) Above ground tanks.</u>
e. Palm Beach County School Board Projects; and, [Ord. 2008-003]	e.6) Palm Beach County School Board Projects; and, [Ord. 2008-003]	e.6) Palm Beach County School Board Projects; and, [Ord. 2008-003]
f. Type IB Excavation. [Ord. 2008-003] [Ord. 2011-001]	f.7) <u>Modifications to approved</u> Type IB Excavation; [Ord. 2008-003] [Ord. 2011-001]	f.7) <u>Modifications to approved</u> Type IB Excavation; [Ord. 2008-003] [Ord. 2011-001]
N/A	<u>8) Minor Modifications to approved architectural elevations provided consistent with previously approved elevations and conditions of approval; and,</u>	<u>8) Minor Modifications to approved architectural elevations provided consistent with previously approved elevations and conditions of approval; and,</u>
N/A	<u>9) Proposed or relocated guard houses.</u>	<u>9) Proposed or relocated guard houses.</u>
Applications shall be submitted in accordance with the Zoning Calendar, and pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. The applicant shall be responsible for obtaining the recommendation of approval and any comments from the affected DRO agencies, in a form and manner established by the Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]	Applications shall be submitted in accordance with the Zoning Calendar, and pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. The applicant shall be responsible for obtaining the recommendation of approval and any comments from the affected DRO agencies, in a form and manner established by the Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]	Applications shall be submitted in accordance with the Zoning Calendar, and pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. The applicant shall be responsible for obtaining the recommendation of approval and any comments from the affected DRO agencies, in a form and manner established by the Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]
3. Zoning Review Zoning review is utilized for applications that require	3c. Zoning Review Zoning review is utilized for applications that require only	3c. Zoning Review Zoning review is utilized for applications that require only

**EXHIBIT I - DEVELOPMENT REVIEW OFFICER
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CURRENT ULDC LANGUAGE (Supplement 15)	Development Review Advisory Committee (DRAC) (October 22, 2013)	Land Development Regulation Advisory Board (LDRAB)
only Zoning Division approval of: minor corrections to tabular, additions and amendments to an existing approved site or subdivision plan. Typical amendments may include, but not be limited to the following: [Ord. 2008-003]	Zoning Division approval of: minor corrections to tabular data , additions and amendments to an existing approved site or subdivision plan. Typical Amendments may include, but not be limited to the following: [Ord. 2008-003]	Zoning Division approval of: minor corrections to tabular <u>data</u> , additions and amendments to an existing approved site or subdivision plan. Typical Amendments may include, but not be limited to the following: [Ord. 2008-003]
a. Change in sign location; [Ord. 2008-003]	a.1) Change in sign location; [Ord. 2008-003]	a.1) Change in sign location; [Ord. 2008-003]
b. Minor modifications to parking areas (such as relocation of handicapped parking spaces or removal of spaces exceeding ULDC requirements); [Ord. 2008-003]	b.2) Minor modifications to <u>approved</u> parking areas (such as relocation of handicapped parking spaces or removal of spaces exceeding ULDC requirements); [Ord. 2008-003]	b.2) Minor modifications to <u>approved</u> parking areas (such as relocation of handicapped parking spaces or removal of spaces exceeding ULDC requirements); [Ord. 2008-003]
c. Relocation of terminal islands to accommodate trees or utility lines; [Ord. 2008-003]	c.3) Relocation of terminal islands to accommodate trees or utility lines; [Ord. 2008-003]	c.3) Relocation of terminal islands to accommodate trees or utility lines; [Ord. 2008-003]
d. Reduction in building size; [Ord. 2008-003]	d.4) Reduction in building size, provided there are no changes to approved architectural elevations; [Ord. 2008-003]	d.4) Reduction in building size, provided there are no changes to approved architectural elevations; [Ord. 2008-003]
e. Proposed canopies; [Ord. 2008-003]	e.5) Proposed canopies; [Ord. 2008-003]	e.5) Proposed canopies; [Ord. 2008-003]
f. Minor revisions to lot lines to be consistent with plat; [Ord. 2008-003]	f.6) Modification to approved Minor revisions to lot lines to be consistent with plat; [Ord. 2008-003]	f.6) Minor modifications to approved revisions to lot lines to be consistent with plat; [Ord. 2008-003]
g. Temporary sales trailers (must first have been issued a Special Permit); and, [Ord. 2008-003]	g.7) Temporary sales trailers (must first have been issued pursuant to a Special Permit); and, [Ord. 2008-003]	g.7) Temporary sales trailers (must first have been issued pursuant to a Special Permit); and, [Ord. 2008-003]
h. Other minor structures. [Ord. 2008-003]	h.8) Proposed fences; and,	h.8) Proposed fences; and,
	h.9) Other minor structures subject to approval by the DRO. [Ord. 2008-003]	h.9) Other minor structures subject to approval by the DRO. [Ord. 2008-003]
The Zoning Director shall maintain PPM Z0-0-29, outlining a list of minor amendments, subject to periodical update, indicating which items are exempt from the Zoning Administrative Review process.	d. The Zoning Director shall maintain PPM Z0-0-29, <u>subject to periodical update</u> , outlining a list of minor amendments; subject to periodical update, indicating which and establishing items <u>that</u> are exempt from the <u>Zoning</u>	d. The Zoning Director shall maintain PPM Z0-0-29, <u>subject to periodical update</u> , outlining a list of minor amendments; subject to periodical update, indicating which and establishing items <u>that</u> are exempt from the <u>Zoning</u>

**EXHIBIT I - DEVELOPMENT REVIEW OFFICER
LDRAB – NOVEMBER 13, 2013**

CURRENT ULDC LANGUAGE (Supplement 15)	Development Review Advisory Committee (DRAC) (October 22, 2013)	Land Development Regulation Advisory Board (LDRAB)
<p>Applications shall be submitted on deadlines established on the Zoning Calendar, and consistent with application requirements pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. [Ord. 2008-003] [Ord. 2011-001]</p>	<p>Administrative Review Expedited Administrative Modifications process. Applications shall be submitted on deadlines established on the Zoning Calendar, and consistent with application requirements pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. [Ord. 2008-003] [Ord. 2011-001]</p>	<p>Administrative Review Expedited Administrative Modifications process. Applications shall be submitted on deadlines established on the Zoning Calendar, and consistent with application requirements pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. [Ord. 2008-003] [Ord. 2011-001]</p>



November 6, 2013

**Department of Planning,
Zoning & Building**

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb



**Palm Beach County
Board of County
Commissioners**

Steven L. Abrams, Mayor
Priscilla A. Taylor, Vice Mayor
Hal R. Valeche
Paulette Burdick
Shelley Vana
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

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Affirmative Action Employer"

Mr. Wesley Blackman, AICP, Chairman, and
Members of the Land Development Regulation Advisory Board (LDRAB)
241 Columbia Drive
Lake Worth, FL 33460

RE: November 13, 2013 LDRAB/LDRC Hearing

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC hearing on Wednesday, November 13, 2013.

The meeting will commence at **2:00 p.m.** in the Vista Center 1st Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at WCross@pbcgov.org, or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

Monica Cantor for WC
William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: November 13, 2013 LDRAB/LDRC Agenda

- c: Verdenia C. Baker, Deputy County Administrator
- Rebecca D. Caldwell, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Maryann Kwok, Chief Planner, Zoning
- Monica Cantor, Senior Site Planner, Zoning

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PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC)

NOVEMBER 13, 2013

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Raymond Puzzitiello (Florida Atlantic Builders Assoc.)

Richard S. Kozell, III (District 1)

Joni Brinkman (Palm Beach League of Cities)

Barbara Katz (District 3)

Terrence N. Bailey (Florida Engineering Society)

Jim Knight (District 4)

Jerome I. Baumoehl (American Institute of Architects)

Lori Vinikoor (District 5)

Edward E. Tedtmann (Environmental Organization)

Mike Zimmerman (District 6)

Frank Gulisano (Realtor's Assoc. of the Palm Beaches)

Henry D. Studstill, (District 7)

Gary Rayman (Fl. Surveying and Mapping Society)

James M. Brake (Member at Large/Alternate)

Vacant (Condominium Association)

Leo Plevy (Member at Large/Alternate)

Vacant (Association Gen. Cont. of America)

Board of County Commissioners

Steven L. Abrams, Mayor, District 4

Priscilla A. Taylor, Vice Mayor, District 7

Hal R. Valeche
Commissioner, District 1

Paulette Burdick
Commissioner, District 2

Shelley Vana
Commissioner, District 3

Mary Lou Berger
Commissioner, District 5

Jess R. Santamaria
Commissioner, District 6

Robert Weisman
County Administrator



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**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**WEDNESDAY, NOVEMBER 13, 2013 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.**

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of October 23, 2013 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B Privately Initiated Amendment (PIA) – Commercial Communication Tower
2. Exhibit C Privately Initiated Amendment (PIA) - RVPD Accessory Structure
3. Exhibit D Property Affected by Eminent Domain Proceedings
4. Exhibit E Planned Industrial Park Development (PIPD) Building Coverage
5. Exhibit F Residential Play Equipment
6. Exhibit G Rooftop Solar
7. Exhibit H Finished Grade and Measurement of Fence
8. Exhibit I Development Review Officer

C. CONVENE AS LDRC

1. Proof of Publication
2. Consistency Determinations
 - a. See Exhibits listed above B.1 thru B.8
 - b. Previously presented at October 23 LDRAB meeting:
 - 1) Exhibit J Art. 14, Environmental Standards
 - 2) Exhibit K Height Exceptions
 - 3) Exhibit L Use of the Term Prohibited
 - 4) Exhibit M Decision Making Bodies

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. LDRAB SUBCOMMITTEE UPDATES

1. Use Regulations Project

F. PUBLIC COMMENTS

G. STAFF COMMENTS

H. ADJOURN

EXHIBIT A

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

Minutes of October 23, 2013 Meeting

On Wednesday, October 23, 2013 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 Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 16

Wesley Blackman (PBC Planning Congress)
David Carpenter (District 2)
Richard Kozell (District 1)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Michael Zimmerman (District 6)
Henry Studstill (District 7)***
Terrence Bailey (Florida Eng. Society)
Jerome Baumohl (AIA)
Joni Brinkman (League of Cities) **
Frank Gulisano (PBC Board of Realtors)
Leo Plevy (Member At Large/Alternate)
Raymond Puzzitiello (Gold Coast Build. Assoc.)*
Gary Rayman (Fl. Surveying & Mapping Society)
Edward Tedtmann, Environmental Organization) ****

Members Absent: 1

James M. Brake (Member at Large/Alternate)

Vacancies: 2

(Assoc. General Contractors of America)
(Condominium Association)

County Staff Present:

Leonard Berger, Assistant County Attorney
Jon MacGillis, ASLA, Zoning Director
Robert Kraus, Senior Site Planner, ERM
John Rupertus, Senior Planner, Planning
Bryan Davis, Principal Planner, Planning
William Cross, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Lauren Dennis, Site Planner II, Zoning
Scott Rodriguez, Site Planner II, Zoning
David Nearing, Site Planner I, Zoning
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

The Chair noted that there were no additions, substitutions, or deletions to the agenda.

3. Motion to Adopt Agenda

Motion to adopt agenda by Ms. Lori Vinikoor, seconded by Ms. Barbara Katz. Motion passed (12 - 0) */**/**/****.

4. Adoption of July 24, 2013 Minutes (Exhibit A)

Motion to adopt minutes by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (12 - 0) */**/**/****.

B. ULDC AMENDMENTS

1. Exhibit B - Art. 14, Environmental Standards

Mr. Kraus explained the amendment adds language to address maintenance of native vegetation after development or a natural disaster; and, clarify the exemption application to stand alone agricultural parcels as opposed to larger scale agricultural operations comprised of co-joined parcels with gross acreage greater than 10 acres.

Mr. Raymond Puzzitiello arrived at 2:04 p.m.*

Motion by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (13 - 0) **/**/****.

2. Exhibit C - Use of the Term Prohibited

Ms. Cantor explained that the amendment clarifies the applicability of the term "prohibited", to preclude use of variance relief.

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (13 - 0) **/**/****.

Ms. Joni Brinkman arrived at 2:07 p.m.**

3. Exhibit D - Decision Making Bodies

Mr. Cross explained that the County's policies and procedures governing advisory boards, committees and commissions, have been updated under Resolution 2013-0193, which includes a new limit of three consecutive three-year terms for all County advisory board members. Mr. Cross advised that effective March 2, 2013 the three consecutive three year term limitation applies to the following: LDRAB, Environmental Appeals Board,

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of October 23, 2013 Meeting

Environmental Control Hearing Board, Groundwater and Natural Protection Board, Impact Fee Appeals Board, Impact Fee Review Committee, Planning Commission, and Zoning Commission.

Mr. Berger explained the regulation was effective March 2, 2013.

Motion by Mr. Puzzitiello, seconded by Ms. Motion passed (14 - 0) ***/****.

Mr. Henry Studstill arrived at 2:14 p.m.***

4. Exhibit E - Height Exceptions

Ms. Cantor explained the amendment clarifies that the height exception applies to rooftop structures constructed on top of an elevator or a stairwell that provides access to the roof of a building for the purpose of the functioning of the structure, such as access to mechanical equipment or reroofing, and not to extend occupancy.

Mr. Bailey asked where the measurement is taken from on a slanted roof. Ms. Cantor explained the amendment was related to the flat roof and that additional clarification will be provided at the next meeting.

Motion by Mr. Bailey, seconded by Mr. Gulisano. Motion passed (15-0) ****.

C. ULDC AMENDMENTS - Use Regulations Project

1. Exhibit F - Industrial Uses

Mr. Blackman expressed he was pleased with Staff and public participation at the Use Regulations Project Subcommittee in August. Mr. Cross did a brief presentation on how the Use Regulations Project amendments will be handled.

Mr. Edward Tedtmann arrived at 2:35pm. ****

Ms. Brinkman posed a question with regards to the consolidated use matrix and when would the complete project be presented to the BCC. Ms. Cantor clarified that the consolidated use matrix will be presented for each use classification prior to presentation the BCC in early 2015.

Staff presented all industrial uses and LDRAB requested clarification of the following uses:

- Medical or Dental Laboratory - Mr. Baumohl requested clarification what type of licensed medical professional would need to be associated with the use. Zoning staff clarified the reason for requesting a licensed medical professional was this use is not open to the public.
- Recycling Plant - Mr. Knight requested confirmation the Recycling Plant did not prohibit crushing of construction material at active construction sites. Mr. MacGillis confirmed the standards of Recycling Plant only apply to those sites where the principal use is Recycling Plant. Ms. Brinkman asked how Solid Waste Authority (SWA) Permit would be addressed as contained in the standards of the use since some applications are not subject to the SWA approval. Ms. Cantor will confirm with SWA and inform the Board when the use is presented again to the Land Development Regulation Commission (LDRC). Mr. Carpenter inquired about recycling of hazardous materials and how it would be addressed. Ms. Cantor clarified that during her research she found the Fire Department along with other agencies that deal with hazardous materials will be reviewing the use outside of the Zoning Code.
- Truck stop- Ms. Brinkman requested clarification with regards to collocated uses. Mr. Cross clarified the approval process for the collocated uses associated with a truck stop.

Motion by Mr. Puzzitiello, seconded by Mr. Knight including the changes discussed and additional information. Motion passed (16-0).

2. Exhibit G - Article 5, Supplementary Standards

Ms. Cantor made the presentation of the main topics in the amendment which included: relocation of language related to hours of operation and creation of a specific section that addresses this topic; relocation of barbed wire and flex space provisions from the industrial

EXHIBIT A

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

Minutes of October 23, 2013 Meeting

use standards in Article 4 to be consolidated in Article 5.B, Accessory and Temporary Uses; and, to expand and clarify outdoor storage and outdoor activities.

There were inquires into whether a Type III incompatibility buffer would be required if adjacent to residential and adjacent to a right of way buffer. LDRAB members recommended staff revisit the standard since walls are costly and may not be necessary in all situations. Ms. Cantor confirmed staff will remove requirement of the wall. The topic will be presented again to the Board as it affects other use classifications. There was discussion with regards to flex space and how parking calculations would be addressed.

Mr. Blackman asked if the hours of operation will be included in a motion today. Ms. Cantor stated the Article 5 items will be an on-going amendment and will not need to be part of the motion today. (Note: Mr. Cross clarified that a motion was being requested at this time, but confirmed that topics such as Hours of Operation will be revisited as it applies to each Use Classification).

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (16-0).

D. PUBLIC COMMENTS

Mr. Tedtmann requested clarification on Exhibit B (Art. 14, Environmental Standards) and how the acreage for exemptions will apply. Mr. Berger clarified the acreage is related to the use rather than the parcel. Mr. Tedtmann requested ERM contact him to discuss further.

E. LDRAB Subcommittee Updates

Ms. Cantor stated there will be a Subcommittee meeting in mid November and an invitation will be sent to all LDRAB members with a specific date and time.

F. STAFF COMMENTS

None

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 3:20 p.m.

Recordings 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: Lauren Dennis

EXHIBIT B

PHASE II PRIVATELY INITIATED AMENDMENT (PIA)
TO ALLOW COMMERCIAL COMMUNICATION TOWERS
IN RECREATION PODS OF PLANNED UNIT DEVELOPMENTS (PUDS)

SUMMARY OF REQUESTED AMENDMENTS
(Updated 11/6/13)

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Part 1. ULDC Art. 4.C, Commercial Communication Tower (page 113 of 171), is hereby amended as follows:

Reason for amendments: [Phase II Privately Initiated ULDC Amendment, application of Vertex Development, Law Offices of Lauralee G. Westine, P.A., Lauralee Westine, Agent.]: The public demand for uninterrupted, continuous wireless service has increased due to customers' reliance on "smart phones". Presently, the ULDC limits towers in PUDs to private or public civic and commercial pods only, thus, prohibiting towers from recreation pods. However, in PUD golf course communities, recreational pods can be large parcels on which the appearance of a tower can be minimized. The applicant is requesting that towers be allowed in recreation pods if approved by the BCC at a Public Hearing as a Class A Conditional Use. The applicant is not attempting to modify any other provisions currently set forth within Chapter C, such as separation or setbacks from residential parcels.
Zoning: The applicant has amended the request to address Zoning issues, including requirement for Class A Conditional Use Approval, towers are limited to Stealth or Camouflage (e.g. monopole, self support and guyed towers prohibited) and only where located on Golf Course facilities, which may include accessory uses such as Golf Course maintenance areas (where located within the Golf Course approval).

CHAPTER C COMMUNICATION TOWER, COMMERCIAL

....

Section 3 Siting Requirements

A. Stealth Towers

....

4. Stealth Towers in Certain Residential Zoning Districts

Subject to the limitations provided in this subsection, stealth towers may be permitted in the following residential zoning districts: RT (Residential Transitional), RS (Single-family Residential), RM (Multi-family Residential), and PUD (Planned Unit Development) commercial, recreation, public or private civic pods only.

e. Associated Uses

The stealth towers shall be permitted only in association with the following uses: assembly, nonprofit institutional; church or place of worship; college or university; electric power facility, excluding electrical transmission line streets as provided herein; government services; park, passive; park, public; golf course and associated facilities; school, elementary or secondary; solid waste transfer station; utility minor; or water or wastewater treatment plant; commercial, office or industrial development. Stealth towers in the form of flagpoles shall be exempt from Article 8.G.3.C, Flags and Freestanding Flagpoles.

B. Camouflage Towers

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4. Camouflage Towers in Certain Residential Zoning Districts

Subject to the limitations provided in this subsection, camouflage towers may be permitted in the following residential zoning districts: RT (Residential Transitional), RS (Single-family Residential), RM (Multi-family Residential), and PUD (Planned Unit Development) commercial, recreation, public or private civic pods only.

e. Associated Uses

The camouflage towers shall be permitted only in association with the following uses: assembly, nonprofit institutional; church or place of worship; college or university; electric power facility, excluding electrical transmission line streets as provided herein; government services; park, passive; park, public; golf course; school, elementary or secondary; solid waste transfer station; utility, minor; or water or wastewater treatment plant; commercial, office or industrial development.

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EXHIBIT B

PHASE II PRIVATELY INITIATED AMENDMENT (PIA)
TO ALLOW COMMERCIAL COMMUNICATION TOWERS
IN RECREATION PODS OF PLANNED UNIT DEVELOPMENTS (PUDS)

SUMMARY OF REQUESTED AMENDMENTS
(Updated 11/6/13)

1

Table 4.C.3.I - Residential District Tower Location and Type of Review

TOWER TYPE	AGR	AR/ RSA	AR/ USA	RE	RT	RS	RM	PUD Pods (1)		RVPD	MHPD	TND
								CIV or COM	REC			
Stealth Towers ≤ 100'	DE	DE	DE	DE	D	D	D	D	<u>A</u>	*	*	D
Stealth Towers >100' ≤125'	D	D	D	D	B	B	B	D	<u>A</u>	*	*	D
Stealth Towers > 125'	B	B	B	B	A	A	A	B	<u>A</u>	*	*	B
Camouflage Towers	BP	BP	BP	BP	D	D	D	D	<u>A</u>	*	*	D
Monopole Towers ≤ 60'	BP	D	D	D	*	*	*	D	-	*	*	D
Monopole Towers > 60' and ≤ 100'	D	B	B	B	*	*	*	B	-	*	*	B
Monopole Towers > 100' and ≤ 150'	B	B	B	B	*	*	*	B	-	*	*	B
Monopole Towers > 150' and ≤ 200'	B	B	B	B	*	*	*	*	-	*	*	*
Monopole Towers > 200' and ≤ 250'	A	A	A	*	*	*	*	*	-	*	*	*
Monopole Towers > 250'	A	A	A	*	*	*	*	*	-	*	*	*
Self Support Towers ≤ 60'	BP	D	D	B	*	*	*	D	-	*	*	D
Self Support Towers > 60' and ≤ 100'	D	B	B	A	*	*	*	B	-	*	*	B
Self Support Towers > 100' and ≤ 150'	B	A	A	A	*	*	*	A	-	*	*	A
Self Support Towers > 150' and ≤ 200'	A	A	A	*	*	*	*	*	-	*	*	*
Self Support Towers >200' and ≤ 250'	A	A	A	*	*	*	*	*	-	*	*	*
Self Support Towers > 250'	A	A	A	*	*	*	*	*	-	*	*	*
Guyed Towers ≤ 60'	BP	D	D	B	*	*	*	D	-	*	*	D
Guyed Towers > 60' and ≤ 100'	D	B	B	A	*	*	*	B	-	*	*	B
Guyed Towers > 100' and ≤ 150'	B	A	A	*	*	*	*	*	-	*	*	*
Guyed Towers > 150' and ≤ 200'	A	A	A	*	*	*	*	*	-	*	*	*
Guyed Towers > 200' and ≤ 250'	A	A	A	*	*	*	*	*	-	*	*	*
Guyed Towers > 250'	A	A	A	*	*	*	*	*	-	*	*	*
FDOT	D(2)	D(2)	D(2)	D(2)	D (2)	D (2)	D (2)	D (2)	*	D(2)	D(2)	D(2)
FPL (3)	D(3)	D(3)	D(3)	D(3)	D(3)	D(3)	D(3)	D(3)	<u>D(3)</u>	D(3)	D(3)	D(3)

Notes:

- D = Development Review Officer (No Public Hearing)
- DE = Expedited Review
- BP = Building Permit Review (No Public Hearing)
- B = Conditional use Review by ZC (1 Public Hearing)
- A = Conditional use Review by BCC (2 Public Hearings)
- (1) = Public or Private, Civic, and Commercial pods only, or, a Recreational Pod only when located on a Golf Course.
- (2) = I-95 and Florida Turnpike streets at least 250 feet in width.
- (3) = Electrical transmission streets at least 250 feet in width.
- * = Not permitted in zoning district, unless otherwise allowed in association with non-residential uses as provided in this Section.

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EXHIBIT B

PHASE II PRIVATELY INITIATED AMENDMENT (PIA)
TO ALLOW COMMERCIAL COMMUNICATION TOWERS
IN RECREATION PODS OF PLANNED UNIT DEVELOPMENTS (PUDS)

SUMMARY OF REQUESTED AMENDMENTS
(Updated 11/6/13)

1

Table 4.C.3.I - Distances for Towers Located in and Adjacent to Residential Districts
Separation and Setback

TOWER TYPE	AGR	RSA	AR/ USA	RE	RT	RS	RM	PUD (1)	RVPD	MHPD	TND
....											
[Ord. 2005-002]											
Notes:											
(1) = Permitted in public or private civic, and commercial pods <u>only; or, a Recreational Pod only when located on a Golf Course.</u>											
(2) = Percent measured as a separation between lower and adjacent residential structures											
(3) = Measured as a setback from property lines of lower location											
(4) = Height tower type and setbacks limited as provided in this section											

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EXHIBIT C

PHASE II PRIVATELY INITIATED AMENDMENT (PIA)
PERMANENT ACCESSORY STRUCTURES IN RVPD
SUMMARY OF AMENDMENTS
(Updated 10/28/13)

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Part 1. ULDC Art. 3.E.7.G, Supplemental Standards [Related to Permanent Accessory Structures in Recreational Vehicle Planned Development District (RVPD)] (page 184 of 229), is hereby amended as follows:

Reason for amendments: [Phase II Privately Initiated ULDC Amendment, application of L.A. Vander Putten by Urban Design Kilday Studios, Agent.]

To allow for detached accessory structures, a maximum of 200 square feet in size to be permitted on individual RV lots. As the industry and market trends for typical recreational vehicle developments evolve, the industry is seeing an increased demand for luxury motorcoach resorts. These resorts provide a variety of upscale amenities and various individual lot layouts. Each lot layout includes a pad and is outfitted with utility hookups and also may provide for cable/internet services.

A much desired upgrade option includes a detached accessory structure on the lot, which may serve as storage and for entertaining purposes. These structures are not dwelling units and may not be used as habitable structures. These often are served by utilities and may contain areas for storage, washer/dryer, mini kitchens and an entertainment area with a television.

The demographics of the purchasers of luxury motorcoaches expect such options as coach houses as part of the amenity packages available. The provision of the coach houses allows for a sustainable high quality planned development.

Zoning: Additional revisions to limit use of proposed accessory structures clarifies that the structure will be classified as "storage" which per Building Code, would preclude residential kitchen and sleeping accommodations or use.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 7 Recreational Vehicle Planned Development District (RVPD)

G. Supplemental Standards

1. Permanent Structures or Additions

- a. Permanent structures or additions attached to an RV, such as screen rooms, carports, or utility sheds, shall be prohibited except as provided for under b. below.
- b. Detached accessory structures used for storage, utilities or entertainment are permitted on individual RV sites subject to the following:
 - 1) Maximum of 200 square feet in size.
 - 2) Minimum ten foot separation between buildings.
 - 3) Sleeping accommodations are prohibited.
 - 4) Full kitchens or cooking facilities shall be prohibited. Sinks, refridgerators and cabinets/counters shall be allowed.
 - 5) HVAC and bathroom facilities may be permitted.

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EXHIBIT D

PROPERTIES AFFECTED BY EMINENT DOMAIN PROCEEDINGS
SUMMARY OF AMENDMENTS
(Updated 11/6/13)

1 Part 1. ULDC Art. 1.G.1, Properties Affected by Eminent Domain Proceedings (page 26 of 119),
2 is hereby amended as follows:
3

Reason for amendments: [Zoning] 1) Clarify ability to develop or redevelop property affected by Eminent Domain Proceedings; 2) Clarify that presumption of hardship is one of seven criteria; and, 3) Allow Type II Variance application to request reduction of a minimum lot size required by Art. 4.B, Supplementary Use Standards commensurate with reduction resulting from Eminent Domain Proceedings.

4 CHAPTER G EMINENT DOMAIN

5 Section 1 Properties Affected by Eminent Domain Proceedings

6 B. Development Standards

7 Properties and site improvements impacted by eminent domain action may continue to exist and
8 may expand as outlined below:

9

10 3. Redesign of Sites

11

12 a. Variance Required for New Deviation From Regulations

13 A variance shall be obtained for any additional deviation from required property
14 development regulations or site design standards proposed by the redesign. Any
15 redesign or expansion which reduces an existing deviation from required property
16 development regulations or site design standards shall not require a variance. When
17 applying the variance standards in Article 2.B.3, Type II Variance, and Art. 2.D.3, Type
18 1A and Type 1B Administrative Variances, the eminent domain action shall be presumed
19 to be sufficient evidence to demonstrate a hardship (only applies to Type II Variance
20 Standard number four of seven listed under Art. 2.B.3.E.4). To encourage site redesign,
21 in cases when a DRO site plan approval and a variance would both be required, only a
22 variance shall be required. [Ord. 2010-022]

23

24 6. ~~Vacant~~ Lots Reduced by Eminent Domain

25 A ~~vacant~~ lot reduced by an eminent domain action to any size or configuration below that
26 required by the applicable zoning district may be developed, subject to the following:

- 27 a. Uses subject to lot size requirements in Art. 4.B, Supplementary Use Standards, shall
28 comply with those standards. Type II Variance relief may be requested from this
29 requirement if it cannot be met as a result of the eminent domain action; and,
- 30 c. In all cases, required district setbacks shall be used.

31

34 Part 2. ULDC Art. 2.A.1.D.1.b.5 [Related to Zoning Commission and Authority] (page 11 of 8),
35 is hereby amended as follows:
36

Reason for amendments: [Zoning] Allow Type II Variance application to request reduction of a minimum lot size required by Art. 4.B, Supplementary Use Standards.

37 CHAPTER A GENERAL

38 Section 1 Applicability

39 D. Authority

40 1. Processes

41 b. Zoning Commission (ZC)

42 The ZC shall consider the following types of development order applications:

43

44 5) The ZC is not authorized to grant variances from the following Articles of the ULDC:
45 [Ord. 2006-036] [Ord. 2011-001]

46

47 e) Art. 4, USE REGULATIONS, unless specifically authorized in Article 4.B,
48 SUPPLEMENTARY USE STANDARDS; or, to allow for a reduction in minimum
49 lot size required for a use, in accordance with Art. 1.G.1.B.6, Lots Reduced by
50 Eminent Domain, Properties Affected by Eminent Domain Proceedings; [Ord.
51 2007-013] [Ord. 2008-003] [Ord. 2010-022]

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55 Proceedings.docx

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EXHIBIT E

PLANNED INDUSTRIAL PARK DEVELOPMENT (PIPD) BUILDING COVERAGE
SUMMARY OF AMENDMENTS
(Updated 10/28/13)

1
2 Part 1. ULDC Table 3.E.5.D, PIPD Property Development Regulations, Planned Industrial Park
3 Development (PIPD) (page 178 of 229), is hereby amended as follows:
4

Reason for amendments: [Zoning] Increase maximum building coverage permitted from 30 to 45 percent for consistency with the IL, IG and MUPD districts. While the purpose and intent of a PIPD implies more vertical building uses, it unfairly penalizes desirable job generating industrial uses which require more ground floor areas.

5
Table 3.E.5.D - PIPD Property Development Regulations

Pods	Lot Dimensions			Max. FAR (1)	Maximum Building Coverage	Setbacks			
	Size	Width and Frontage	Depth			Front	Side	Street	Rear
Light Industrial	1 ac	100	200		45-30%	25	C – 15 R – 40	25	C – 15 R – 40
General Industrial	2 ac	200	200		45-30%	25	C – 20 R – 40	25	C – 20 R – 40
....									
[Ord. 2004-040]									
Notes:									
....									
1. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted. [Ord. 2007-001]									

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EXHIBIT F

EXCEPTIONS FOR PLAYGROUND EQUIPMENT ON RESIDENTIAL LOTS
SUMMARY OF AMENDMENTS
(Updated 11/6/13)

1 Part 1. ULDC Art. 5.B.1.A.10, Outdoor Recreation Amenities (page 20 of 92), is hereby
2 amended as follows:
3

<p>Reason for amendments: [Zoning/Building]</p> <ol style="list-style-type: none"> To clarify that the subsection on setbacks does not apply to swimming pools and spas, which are covered by subsequent regulations. Creating a category specific to recreational amenities that are used by entire developments, and held and maintained in common. Creating a subsection which applies specifically to residential lots, including duplex, townhouse, condominium, etc., to regulate setbacks for recreation amenities. This specifically excludes accessory structures used for recreational purposes (like playhouses), which will be regulated by the Property Development Regulations (PDR's) for accessory structures. Specifies that only recreational amenities on residential lots which cover an area six foot by six foot in size or greater, and are greater than six feet in height must comply with Table 5.B.1.A setbacks for residential lots.

4 CHAPTER B ACCESSORY AND TEMPORARY USES CHAPTER

5 Section 1 Supplementary Regulations

6 A. Accessory Uses and Structures

7 10. Outdoor Recreation Amenities

8 An open-air amenity designed and intended to support recreation activities including but not
9 limited to: basketball courts, tennis courts, playgrounds and tot lots, excluding those uses
10 regulated elsewhere such as Outdoor Entertainment. [Ord. 2013-001]

11 a. Principal and Accessory Use

12 1) Principal Use

13 Any outdoor recreation amenities owned and operated as a commercial enterprise or
14 in combination with other commercial recreation uses on the same property shall be
15 considered a principal use subject to the PDRs of the applicable district. [Ord. 2011-
16 001] [Ord. 2013-001]

17 2) Accessory Use

18 Any outdoor recreation amenities operated by a non-profit assembly, social, civic
19 organization, Property Owners Association (POA), or resident of a dwelling unit shall
20 be considered an accessory use. The accessory use shall be located on the same
21 lot as the principal use except if operated by a residential POA. If operated by a POA,
22 the accessory use shall be located within the boundaries of the development, or a
23 Neighborhood Recreation Facility. [Ord. 2011-001] [Ord. 2013-001]

24 b. Setbacks – General

25 *The following setbacks shall apply to outdoor recreation amenities and equipment,*
26 *excluding swimming pools and spas, and shall be measured to the edge of the court*
27 *surface or fence, whichever is more restrictive:* [Relocated from below] [2013-]

28 1) Common Recreation Amenities

29 Outdoor recreation amenities operated by a non-profit assembly, social, civic
30 organization, or Property Owners Association (POA) on a community recreation
31 POD, tract, or designated area, shall be setback a minimum of 50 feet from any
32 residential property line, unless stated otherwise herein. ~~The following setbacks shall~~
33 ~~apply to outdoor recreation amenities, excluding swimming pools and spas, and shall~~
34 ~~be measured to the edge of the court surface or fence, whichever is more restrictive:~~
35 [Ord. 2006-004] [Ord. 2011-001] [2013-001] [Partially relocated above] [2013-]

36 2) Residential Lot Recreation Equipment

37 ~~Recreation equipment located on a residential lot, which require issuance of a~~
38 ~~building permit shall comply with the setbacks in Table 5.B.1.A – Setbacks – General.~~
39 ~~Unless otherwise specified, no recreation equipment shall be located in the required~~
40 ~~front or side street setback of any residential lot. [2013-]~~
41

Notes:

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EXHIBIT F

EXCEPTIONS FOR PLAYGROUND EQUIPMENT ON RESIDENTIAL LOTS
SUMMARY OF AMENDMENTS
(Updated 11/6/13)

1

Table 5.B.1.A – Setbacks – General

Zoning	Setbacks			
	Front	Side	Side Street	Rear
Residential Lot	25 feet	7.5 feet (3)	15 feet	7.5 feet (3)
Other (1)(2)	50 foot setback or separation to the nearest residential lot line			
[Ord. 2011-001] [2013-001] [Ord. 2013-]				
Note:				
1. Tennis courts with a valid Development Order approved prior to the adoption of setbacks for tennis courts permitted on other than residential lots shall be considered legally-conforming. [Ord. 2011-001]				
2. Golf course greens, excluding driving ranges, shall be exempt from these setbacks.				
<u>3. Setbacks for play sets may be reduced to five feet on a residential lot, excluding the AR district.</u>				

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EXHIBIT G
ROOFTOP SOLAR ENERGY SYSTEM
SUMMARY OF AMENDMENTS
(Updated 11/05/13)

1 **Part 1. ULDC Art. 1.I.2, Definitions (page 100 of 119), is hereby amended as follows:**
2

Reason for amendments: [Zoning] Establish definition for Solar Energy System to establish difference with Solar Renewable Energy Facility and clarify use of the term in new mechanical equipment screening exception in Article 5, Supplementary Standards.

3 **CHAPTER I DEFINITIONS & ACRONYMS**

4 **Section 2 Definitions**

5
6 **S. Terms defined herein or referenced Article shall have the following meanings:**

7 60. **Solar Energy System** - Any device or combination of devices which rely upon direct sunlight
8 as an energy source to convert solar energy to a usable form of energy, primarily to meet all
9 or part of the energy needs of the onsite user.

10

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12
13 **Part 2. New ULDC Art. 5.B.1.A.19, Mechanical Equipment (page 32 of 100), is hereby**
14 **established as follows:**
15

Reason for amendments: [Zoning] This amendment clarifies that roof mounted and ground mounted Solar Energy Systems commonly known as solar panels are exempted from the screening requirements of mechanical equipment contained in Article 5, Supplementary Standards. The exemption is included to allow optimal use of the System, free of obstruction for maximum exposition to solar energy.

16 **CHAPTER B ACCESSORY AND TEMPORARY USES**

17 **Section 1 Supplementary Regulations**

18 **A. Accessory Uses and Structures**

19 **19. Mechanical Equipment**

20 **a. Applicability**

21 **2) Screening Requirements**

22

23 **c) Screening Exemption**

24 Solar Energy Systems are exempted from the screening requirements.

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EXHIBIT H

FINISHED GRADE AND MEASUREMENT OF FENCE
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 1. ULDC Art. 5.B.1.A.2, Fences, Walls and Hedges [Related to Accessory and Temporary
3 Uses] (page 11 - 16 of 100), is hereby amended as follows:
4

Reason for amendments: [PZB] 1) To clarify how fence height will be measured for adjacent parcels with differing finished grades; and, 2) Minimal reorganization of the section to combine like standards and requirements.

5 CHAPTER B ACCESSORY AND TEMPORARY USES

6 Section 1 Supplementary Regulations

7 A. Accessory Uses and Structures

8 2. Fences, Walls and Hedges

9 a. Height

10 The height of a fence or wall shall be measured from finished grade in accordance with
11 ~~Article 7.F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS~~ Figure 1.C.4.C,
12 Typical Example of Fence / Wall Height. Hedges may be planted and maintained along
13 or adjacent to a lot line to a height not exceeding eight feet in the required side (to the
14 required front setback) and rear yards and not exceeding a height of four feet in the
15 required front yards. The height shall be measured adjacent to the hedge from the
16 lowest grade on either side of the hedge.

17 **1) Residential Districts**

18 *The maximum height for a fence or wall on or adjacent to a lot line or in a landscape*
19 *buffer shall be as follows: [Relocated from Art. 5.B.1.A.2.e]*

20 a) *Within required front setback: [Relocated from Art. 5.B.1.A.2.e.1]*

21 (1) *four feet, or [Ord. 2005-041] [Relocated from Art. 5.B.1.A.2.e.1.a]*

22 (2) *six feet for property owned by PBC for preservation or conservation*
23 *purposes. [Ord. 2005-041] [Relocated from Art. 5.B.1.A.2.e.1.b]*

24 b) *Within required side, side street, and rear setback: six feet. [Relocated from*
25 *Art. 5.B.1.A.2.e.2]*

26 c) *For a residential parcel adjacent to another residential parcel that has a different*
27 *elevation, an average finished grade shall be determined. The elevation for each*
28 *lot shall be measured at a distance of not less than two feet from the shared*
29 *property line. The elevations shall be added together and divided by two to*
30 *determine the average finished grade. The fence or wall height shall be*
31 *measured from the established average finished grade.*

32 (1) *The finished grade shall not exceed the required height, pursuant to Article*
33 *18 – Flood Damage Protection.*

34 (2) *Residential parcels adjacent to non-residential parcels shall comply with the*
35 *requirements for non-residential districts.*

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Notes:

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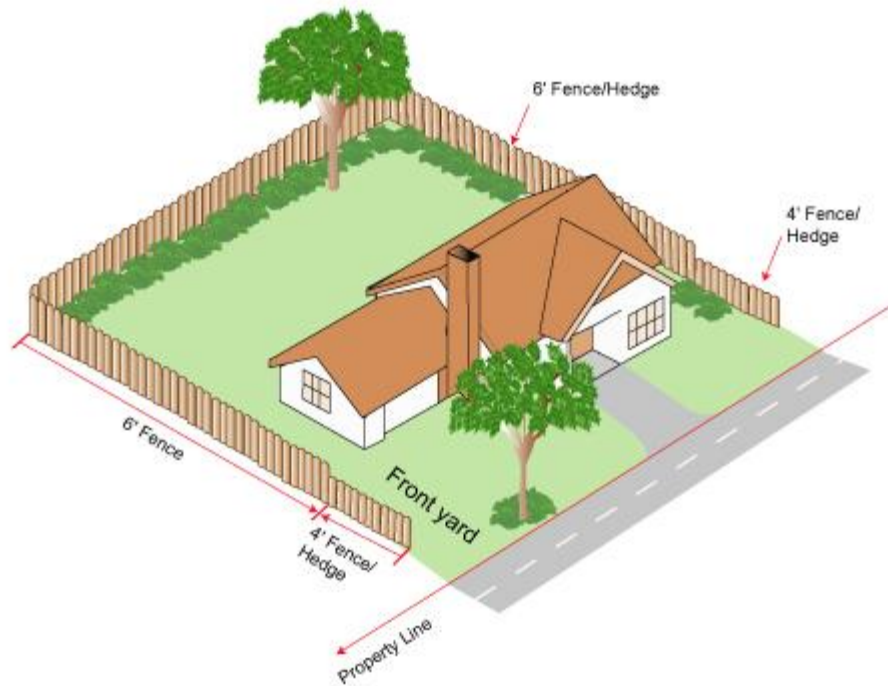
EXHIBIT H

FINISHED GRADE AND MEASUREMENT OF FENCE
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

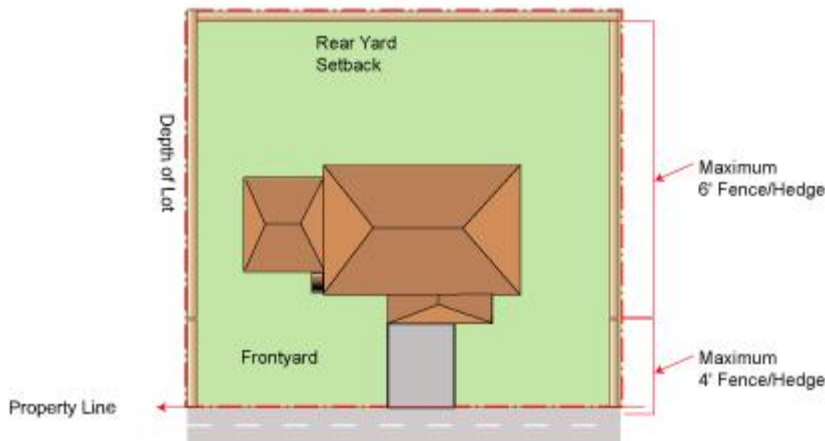
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Figure 5.B.1.A – Fence & Wall Height

RESIDENTIAL DISTRICT



PLAN VIEW



[Ord. 2005-041]
[Relocated from Art. 5.B.1.A.2.e]

2) Nonresidential Districts

The maximum height for a fence or wall on or adjacent to a lot line or in a landscape buffer shall be as follows: [Relocated from Art. 5.B.1.A.2.f]

- a) Within the required front setback: six feet. [Relocated from Art. 5.B.1.A.2.f.1]
- b) Within the required side, side street, and rear setback: eight feet. [Relocated from Art. 5.B.1.A.2.f.2]
- c) For parcels that that are required to have a fence or wall, adjacent to a parcel with a different elevation, the height shall be measured from the highest finished grade. This provision also applies when residential parcels and non-residential parcels are adjacent to each other.
 - (1) the finished grade shall not exceed the required height pursuant to Article 18 – Flood Damage Protection.

b. Appearance

The exterior surface of a wall shall be finished with paint, stucco, or other commonly accepted material, and continuously maintained in its original appearance.

c. Attachments

Gates, gateposts, decorative features, and lights attached to a fence or wall in the front setback shall not exceed three feet in any horizontal distance or two feet in height above the fence or wall. Decorative features and lights shall be spaced a minimum of eight feet apart. [Relocated from Art. 5.B.1.A.2.g]

Notes:

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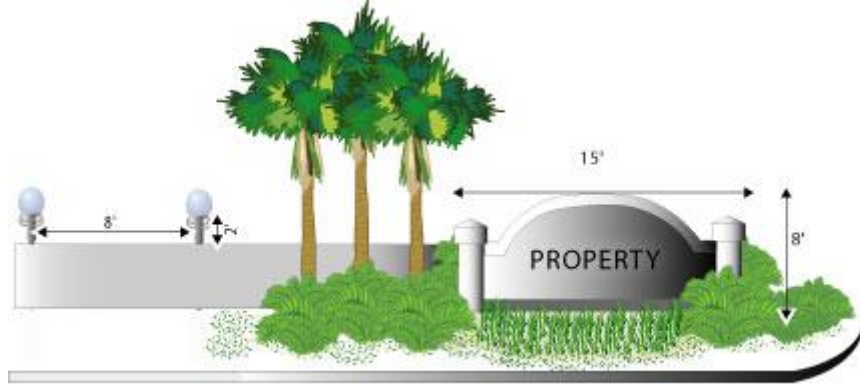
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EXHIBIT H

FINISHED GRADE AND MEASUREMENT OF FENCE
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

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Figure 5.B.1.A - Attachments to Walls



ATTACHMENT

[Relocated from Art. 5.B.1.A.2.g]

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d. Exceptions

- 1) *Fences and walls up to eight feet in height shall be permitted within a street buffer adjacent to a golf course. [Relocated from Art. 5.B.1.A.2.h.1]*
- 2) *Fences around tennis courts may exceed six feet in height, subject to the setback requirements in Table 5.B.1.A, Tennis Court Setbacks. [Relocated from Art. 5.B.1.A.2.h.2]*
- 3) *The ZC and BCC may require increased heights in order to ensure adequate screening and buffering between incompatible uses. [Relocated from Art. 5.B.1.A.2.h.3]*
- 4) *DRO may approve increased fence heights and modify allowable locations for fences with and without barbed wire for minor utilities, water and wastewater treatment plants. [Ord. 2007-013] [Relocated from Art. 5.B.1.A.2.h.4].*

ee. Dangerous Materials

- 1) Barbed Wire Exceptions
....
- 2) Electrified Fences - Exceptions and Regulations
....

ef. Sight Distance

Walls and fences shall comply with Article 11.E.9.E, Minimum Safe Sight Distance and Corner Clips at Intersection.

e. Residential Districts

~~The maximum height for a fence or wall on or adjacent to a lot line or in a landscape buffer shall be as follows: [Relocated to Art. 5.B.1.A.2.a.1]~~

- 1) ~~Within required front setback: [Relocated to Art. 5.B.1.A.2.a.1.a]
a) ~~four feet, or [Ord. 2005-041]~~ [Relocated to Art. 5.B.1.A.2.a.1.a.1]
b) ~~six feet for property owned by PBC for preservation or conservation purposes. [Ord. 2005-041] [Relocated to Art. 5.B.1.A.2.a.1.a.1]~~~~
- 2) ~~Within required side, side street, and rear setback: six feet. [Relocated to Art. 5.B.1.A.2.a.1.b]~~

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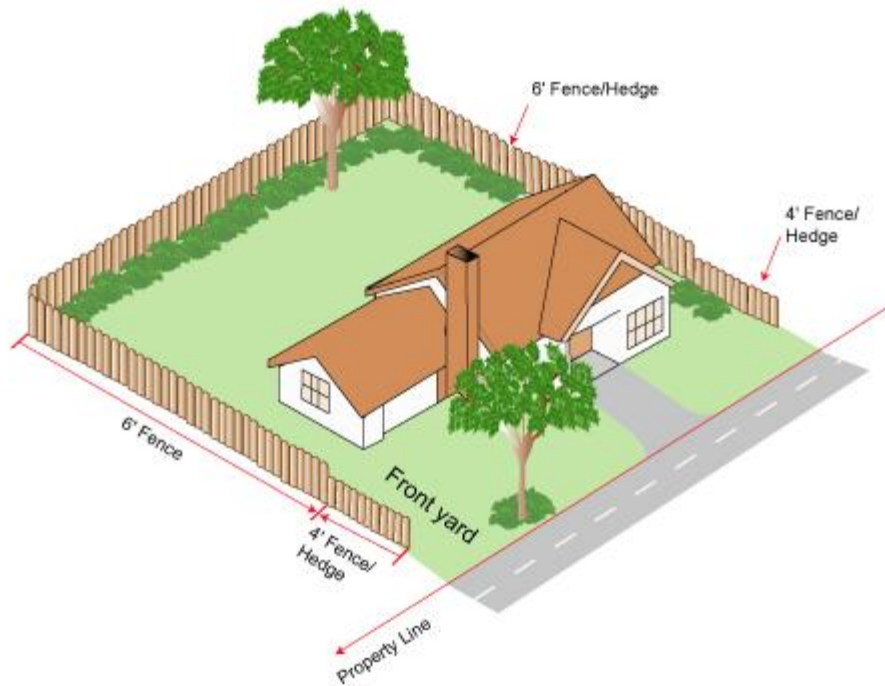
EXHIBIT H

FINISHED GRADE AND MEASUREMENT OF FENCE
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

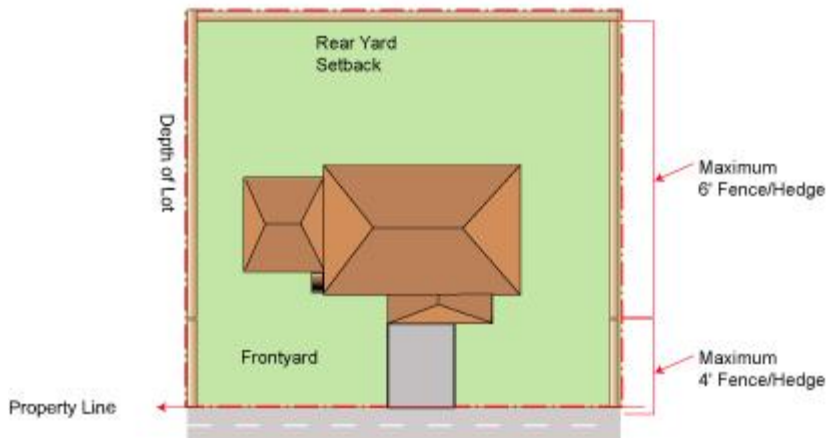
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Figure 5.B.1.A—Fence & Wall Height

RESIDENTIAL DISTRICT



PLAN VIEW



[Ord. 2005-041] [Relocated to 5.B.1.A.2.a.1]

f. Nonresidential Districts

The maximum height for a fence or wall on or adjacent to a lot line or in a landscape buffer shall be as follows: [Relocated to Art. 5.B.1.A.2.a.2]

1) Within the required front setback: six feet. [Relocated to Art. 5.B.1.A.2.a.2.a]

2) Within the required side, side street, and rear setback: eight feet. [Relocated to Art. 5.B.1.A.2.a.2.b]

g. Attachments

Gates, gateposts, decorative features, and lights attached to a fence or wall in the front setback shall not exceed three feet in any horizontal distance or two feet in height above the fence or wall. Decorative features and lights shall be spaced a minimum of eight feet apart. [Relocated to Art. 5.B.1.A.2.a.c]

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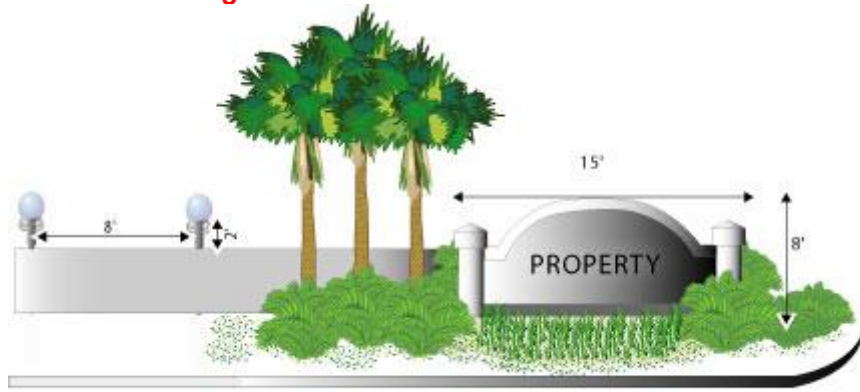
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EXHIBIT H

FINISHED GRADE AND MEASUREMENT OF FENCE
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

Figure 5.B.1.A – Attachments to Walls



ATTACHMENT

[Relocated to Art. 5.B.1.A.2.c]

h. Exceptions

- 1) ~~Fences and walls up to eight feet in height shall be permitted within a street buffer adjacent to a golf course.~~ [Relocated to Art. 5.B.1.A.2.d, Exceptions]
- 2) ~~Fences around tennis courts may exceed six feet in height, subject to the setback requirements in Table 5.B.1.A, Tennis Court Setbacks.~~ [Relocated to Art. 5.B.1.A.2.d, Exceptions]
- 3) ~~The ZC and BCC may require increased heights in order to ensure adequate screening and buffering between incompatible uses.~~ [Relocated to Art. 5.B.1.A.2.d, Exceptions]
- 4) ~~DRO may approve increased fence heights and modify allowable locations for fences with and without barbed wire for minor utilities, water and wastewater treatment plants.~~ [Ord. 2007-013] [Relocated to Art. 5.B.1.A.2.d, Exceptions]

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EXHIBIT I

DEVELOPMENT REVIEW OFFICER
SUMMARY OF AMENDMENTS
(Updated 11/1/2013)

Part 1. ULDC Art. 2.D.1.G, Administrative Review [Related to Administrative Process, DRO], (pages 39 - 41 of 88), is hereby amended as follows:

Reason for amendments: [Zoning] 1) Modify the title of Chapter G to more accurately reflect the process name. 2) Clarify purpose; and, 3) Expand and clarify thresholds under Zoning Agency Review (ZAR) and Zoning Review (ZZR) to distinguish from Development Review Office (DRO) thresholds.

CHAPTER D ADMINISTRATIVE PROCESS

Section 1 Development Review Officer (DRO)

G. Administrative Review Modifications to Prior Development Orders

The DRO may approve amendments to Preliminary Plans approved by the BCC/ZC, and approve Final Plans, in accordance with the following procedures. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2009-040][Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

1. Amendments Modifications to BCC/ZC Approvals

....

2. Agency Review Expedited Administrative Modifications

a. Purpose

To establish procedures to allow for expedited approvals of specific minor corrections, additions and amendments to approved Final Plans. [Ord. 2007-001] [Partially relocated from 2.D.4.A, Purpose]

b. Agency Review

Agency Review is utilized for applications that may require the submittal of a new plan, or amendment(s) to an existing approved plan(s). This type of application requires review, comments, and conditions by a maximum of five or fewer DRO Agencies as necessary to authorize the amendment. The Zoning Division DRO shall determine which Agencies are required to review the amendment based upon the request and compliance with County Ordinances. Typical Amendments may include, but not be limited to the following, provided Section Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001]

a.1) Increases in building square footage; up to a maximum 2,500 square feet; [Ord. 2008-003]

b.2) Relocation of building square footage; [Ord. 2008-003]

c. Transfer of building square footage; [Ord. 2008-003]

d. Modifications to approved Alternative Landscape Plans (ALPs); [Ord. 2008-003] [Ord. 2011-001]

4) Modifications to approved phase lines;

5) New uses that require DRO approval, provided all improvements to the use are interior to the structure, with the exception of the following minor exterior improvements:

a) Modifications to existing parking areas;

b) Outdoor dining areas;

c) Walk-in coolers; or,

d) Above ground tanks.

e.6) Palm Beach County School Board Projects; and, [Ord. 2008-003]

f.7) Modifications to approved Type IB Excavation; [Ord. 2008-003] [Ord. 2011-001]

8) Minor Modifications to approved architectural elevations provided consistent with previously approved elevations and conditions of approval; and,

9) Proposed or relocated guard houses.

Applications shall be submitted in accordance with the Zoning Calendar, and pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. The

applicant shall be responsible for obtaining the recommendation of approval and any comments from the affected DRO agencies, in a form and manner established by the Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]

c. Zoning Review

Zoning review is utilized for applications that require only Zoning Division approval of: minor corrections to tabular data, additions and amendments to an existing approved site or subdivision plan. Typical Amendments may include, but not be limited to the following: [Ord. 2008-003]

a.1) Change in sign location; [Ord. 2008-003]

b.2) Minor modifications to approved parking areas (such as relocation of handicapped parking spaces or removal of spaces exceeding ULDC requirements); [Ord. 2008-003]

Notes:

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EXHIBIT I

DEVELOPMENT REVIEW OFFICER
SUMMARY OF AMENDMENTS
(Updated 11/1/2013)

- ~~e.3)~~ Relocation of terminal islands to accommodate trees or utility lines; [Ord. 2008-003]
- ~~d.4)~~ Reduction in building size, provided there are no changes to approved architectural elevations; [Ord. 2008-003]
- ~~e.5)~~ Proposed canopies; [Ord. 2008-003]
- ~~f.6)~~ Minor modifications to approved revisions to lot lines to be consistent with plat; [Ord. 2008-003]
- ~~g.7)~~ Temporary sales trailers ~~(must first have been issued pursuant to a Special Permit);~~ and, [Ord. 2008-003]
- ~~h.8)~~ Proposed fences; and,
- ~~h.9)~~ Other minor structures subject to approval by the DRO. [Ord. 2008-003]
- d. The Zoning Director shall maintain PPM Z0-0-29, subject to periodical update, outlining a list of minor amendments, ~~subject to periodical update, indicating which and establishing~~ items that are exempt from the ~~Zoning Administrative Review Expedited Administrative Modifications~~ process.
~~Applications shall be submitted on deadlines established on the Zoning Calendar, and consistent with application requirements pursuant to the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures. [Ord. 2008-003] [Ord. 2011-001]~~

Part 2. ULDC Art. 2.D.4, Administrative Amendments, (pages 44 of 88), is hereby amended:

Reason for amendments: [Zoning] Relocate Administrative Amendment purpose under DRO Administrative Review applicable to ZAR and ZZR. Procedures and standards repeated elsewhere in Article 2.

CHAPTER D ADMINISTRATIVE PROCESS

~~Section 4~~ Administrative Amendments

~~A. Purpose~~

~~To allow minor corrections, additions and amendments to an approved site plan or subdivision plan requiring approval from the Zoning Division and a maximum of one additional agency. [Ord. 2007-001] [Partially relocated to Art. 2.D.1.G.2.a, Purpose]~~

~~B. Types of Administrative Amendments~~

~~Administrative Amendments permitted include, but are not limited to, change in sign locations, minor modifications to parking areas, relocation of terminal islands to accommodate trees or utility lines, reduction in building size, addition of canopies, minor revisions to lot lines, temporary sales trailers, and other minor structures. [Ord. 2007-001]~~

~~C. Procedures~~

- ~~1. Applicants shall be seen on a walk-in basis during a time frame established by the Zoning Director. [Ord. 2007-001]~~
- ~~2. Applicants shall be required to submit a complete administrative amendment application including any necessary approvals from an affected agency, and required authorization. [Ord. 2007-001]~~
- ~~3. Applicants shall be able to clearly identify the area being changed, provide all applicable information (square footage, height, width), adjust tabular and other site plan related data, and legibly make the change to the site plan. [Ord. 2007-001]~~

~~D. Standards~~

- ~~1. The proposed amendment shall comply with all applicable sections of the ULDC and the regulations of any other affected agency. [Ord. 2007-001]~~
- ~~2. The affected area shall only be used for the purpose identified in the application. [Ord. 2007-001]~~

[Renumber Accordingly]

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Notes:

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EXHIBIT J

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 1. ULDC Art. 14.C.7.A, Single Family Dwellings (page 34 of 52), is hereby amended as
3 follows:
4

Reason for amendments: [ERM] This amendment is intended to update chapter language for single family lots past the building permit process.

5 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

6 Section 7 Application, Process, and General Standards

7 A. Single Family Dwellings

8
9 2. Complete removal or eradication of prohibited invasive non native vegetation, as identified in
10 Appendix 5 Prohibited Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native
11 Vegetation, shall be completed for the entire parcel or parcels of the Development Order prior
12 to receipt of the CO. Planting or installation of vegetation identified in Appendix 5, Prohibited
13 Invasive Non-Native Vegetation, and Appendix 6, Invasive Non-Native Vegetation, is
14 prohibited. The parcel owner shall maintain the parcel free of prohibited vegetation. No
15 additional permit for such maintenance of vegetation shall be required. [Ord. 2005-002]
16 [Ord. 2006-004]

17 Notwithstanding anything in this Chapter to the contrary, all vegetation removal permits for
18 single family residences, single two unit (duplex) residences and accessory structures
19 associated with single family residential parcels in existence as of the date of the adoption of
20 this Chapter are void and of no effect, and all pending enforcement actions related thereto
21 are dismissed. Single family residential property owners are encouraged to maintain
22 preserved native vegetation after site development is completed and to minimize the removal
23 of native vegetation damaged by an extreme weather event such as a storm, hurricane or
24 other natural disaster. [Ord. 2008-040]

25
26
27 Part 2. ULDC Art. 14.C.7.B, Approval of Development for Commercial Projects, Government
28 Projects, Schools, New Construction of Utilities, Road Right-of-Way Projects, Projects
29 Requiring DRO Review and Agriculture of 10 Acres in Size or Greater (page 34 and 38
30 of 52), is hereby amended as follows:
31

Reason for amendments: [ERM] This amendment is intended to clarify the applicability of ULDC 14.C requirements to agricultural operations.

32 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

33 Section 7 Application, Process, and General Standards

34 B. Approval of Development for Commercial Projects, Government Projects, Schools, New
35 Construction of Utilities, Road Right-of-Way Projects, Projects Requiring DRO Review and
36 ~~Agriculture~~ Agricultural Operations of 10 Acres in Size or Greater

37 1. Requirements and Process

38 a. Projects involving the development of commercial projects, government projects, schools,
39 new construction of a utility, road right of way projects, projects requiring DRO review,
40 and agricultural ~~parcels operations~~ of 10 acres or greater shall apply to ERM for approval
41 of said project on forms provided by ERM. The provisions of the ULDC 14.C.7 shall not
42 apply on lands classified as bona fide agriculture when the regulatory activity is
43 preempted by State law. Projects that are exempt from the DRO process must make
44 application for approval to remove native vegetation to ERM within 30 days of making
45 application for an initial building permit for the project. [Ord. 2008-040] [Ord. 2009-040]
46
47

Reason for amendments: [ERM] This amendment is intended to provide a process for emergency removal of native vegetation planted as mitigation or restoration.

48 5. Mitigation or Restoration

49
50 h. Projects within the one year monitoring period may remove vegetation damaged by an
51 extreme weather event such as a storm, hurricane or other natural disaster under an
52 approval from ERM. Any mitigation vegetation removed must be replanted within 365
53 days of the removal date.
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Notes:

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EXHIBIT J

ARTICLE 14 – ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 3. ULDC Art. 14.C.7.C Standards of Issuance (page 38 of 52), is hereby amended as
3 follows:
4

Reason for amendments: [ERM] This amendment is intended to provide a language change in order to clarify that an approval is issued and not a permit.

5 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

6 Section 7 Application, Process, and General Standards

7 C. Standards of Issuance

8 No ~~permit approval~~ shall be issued unless the application demonstrates that the project:

- 9 1. Will not result in a net loss of wetland functions and values;
- 10 2. Complies with water quality rules and standards set forth in Chapter 62 302, F.A.C.;
- 11 3. Will not adversely affect the conservation of fish or wildlife or their habitats, or adversely
- 12 affect recreational fisheries or their habitats;
- 13 4. Will not adversely impact endangered or threatened species, and species of special concern,
- 14 or their habitat;
- 15 5. Incorporates into the design alternatives and modifications to avoid or minimize impacts to
- 16 native vegetation; and
- 17 6. Complies with any applicable federal, state or local designated preserve, conservation or
- 18 mitigation area.

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21 Part 4. ULDC Art. 14.C.8, Exemptions [Related to Vegetation Preservation and Protection
22 approvals] (page 38 – 40 of 52), is hereby amended as follows:
23

Reason for amendments: [ERM] This amendment is intended to clarify the exemption application to stand alone agricultural parcels as opposed to larger scale agricultural operations comprised of co-joined parcels with gross acreage greater than 10 acres.

24 CHAPTER C VEGETATION PRESERVATION AND PROTECTION

25 Section 8 Exemptions

26 The following activities do not require an approval under this Chapter: [Ord. 2008-040]

27 A. Botanical Gardens, Botanical Research Centers, Licensed Commercial Nurseries, or
28 **Bona fide Agricultural Operations**

29 ~~Vegetation alteration associated with subsequent harvesting activities, except within preserve~~
30 ~~areas or vegetated buffers, that are part of the on-going activities of the existing operation, the~~
31 ~~harvesting or alteration of vegetation previously planted and cultivated for production as part of an~~
32 ~~ongoing botanical garden, botanical research center, nursery or bona fide agricultural operation is~~
33 ~~an exempt activity. Initial clearing of a parcel is an exempt activity on parcels less than 10 acres,~~
34 ~~providing that the level of clearing does not exceed the area for crop production. After an initial~~
35 ~~clearing performed in accordance with this Chapter, the following are exempt if part of the~~
36 ~~ongoing activities of an existing operation: vegetation alteration associated with subsequent~~
37 ~~harvesting activities and harvesting or alteration of vegetation previously planted and cultivated~~
38 ~~for production as part of a botanical garden, botanical research center, nursery or agricultural~~
39 ~~operation. This exemption does not allow for the removal of vegetation within preserve areas or~~
40 ~~vegetated buffers. [Ord. 2012-027]~~

41
42 **P. Initial Clearing of Agricultural Operations Less Than 10 Acres**
43 Initial clearing of an agricultural operation less than 10 acres is exempt, provided that the level of
44 clearing does not exceed the area for crop production.

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Notes:

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EXHIBIT K
HEIGHT EXCEPTIONS

SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 1. ULDC Art. 3.D.1.E.4, Height Exceptions [Related to Property Development Regulations
3 (PDR)] (page 129 of 229), is hereby amended as follows:
4

Reason for amendments: [Zoning] 1) Delete scrivener's error for title referencing height exceptions applicable to uses when the list only applies to structures; 2) Clarify that height exception applies to rooftop structures constructed on top of an elevator or a stairwell that provides access to the roof of a building for the purpose of the functioning of the structure, such as access to mechanical equipment or reroofing, and not to extend occupancy; and, 3) Clarify height exception for parapet utilized to screen mechanical equipment by indicating that it applies only to the required parapet height that is equal to the highest point of the equipment that is screened. This amendment looks to avoid installation of large parapet for other purposes other than screening such as signage and still be subject to the height exception.

5 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

6 Section 1 PDRs for Standard Zoning Districts

7 E. Building Height

8 4. Height Exceptions

9 The following structures shall be exempt from the height restrictions in this Section, unless
10 otherwise stated:

11 a. ~~Uses Exempted from Height Restrictions~~

12 1) Church spires, religious domes, and religious ornamentation attached to a place of
13 worship;

14 **[Re-number Accordingly]**

15 ~~1.14) Elevator bulkhead Structure built over the top of a stairwell or elevator shaft providing~~
16 ~~access to the rooftop for maintenance purposes or to house elevator mechanical~~
17 ~~equipment;~~

18

19 ~~v.21) Required Parapet screening of mechanical equipment;~~ and,

20 ~~w.22) Mechanical equipment, less than five feet in height and any required screening,~~
21 measured from the roof deck. **[Ord. 2006-004]**

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Notes:

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EXHIBIT L

PROHIBITED
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 1. ULDC Art. 1.C.1.A.2.p, Prohibited [Related to Rules of Construction, particularly
3 Interpretation and Application] (page 7 of 119), is hereby amended as follows:
4

Reason for amendments: [Zoning] Clarify that when the term “prohibited” is utilized in the Code, it precludes eligibility for Variance relief for regulation that contains it or it is applied to.

5 CHAPTER C RULES OF CONSTRUCTION AND MEASUREMENT

6 Section 1 Rules of Construction

7 The rules set out in this Section shall be used to enforce and apply this code, unless such rules are
8 inconsistent with the Plan. References to Florida Statutes (F.S.) and the Florida Administrative Code
9 (F.A.C.) refer to citations published in 2003 as may be amended.

10 A. General

11 2. Interpretation and Application

12 p. Prohibited – ~~Shall mean n~~Not allowed ~~and precludes variance relief.~~ [Ord. 2010-022]
13
14

15 Part 2. ULDC Art. 1.I.2, Definitions (page 111 of 119), is hereby amended as follows:
16

Reason for amendments: [Zoning] 1) Clarify that eligibility to apply for variance is limited to some provisions of the Code; and, 2) Delete the term “use” as variances are not applicable to uses.

17 CHAPTER I DEFINITIONS & ACRONYMS

18 Section 2 Definitions

19 V. Terms defined herein or referenced Article shall have the following meanings:

20 6. Variance –

21 a. An abatement of ~~the terms of certain regulations in~~ the ULDC ~~for a use~~, where such
22 variance will not be contrary to the public interest and where, owing to conditions peculiar
23 to the property and not the result of the actions of the applicant, a literal enforcement of
24 this Code would result in unnecessary and undue hardship.
25
26
27

....

28 Part 3. ULDC Art. 2.A.1.D.1, Processes [Related to Authority and Processes] (pages 11 and 12
29 of 88), is hereby amended as follows:
30

Reason for amendments: [Zoning] Clarify for consistency with expanded definition of the term prohibited that when a specific ULDC regulation contains the term “prohibited”, the Zoning Commission or Zoning Director shall not consider such regulation for variances relief.

31 CHAPTER A GENERAL

32 Section 1 Applicability

33 D. Authority

34 1. Processes

35

36 b. Zoning Commission (ZC)

37 The ZC shall consider the following types of development order applications:
38
39

....

39 5) The ZC is not authorized to grant variances from ~~Code regulations with prohibited~~
40 ~~provisions, or~~ the following Articles of the ULDC: [Ord. 2006-036] [Ord. 2011-001]
41

....

42 d. Zoning Director

43 The Zoning Director, in accordance with the procedures, standards and limitations of this
44 Article, shall approve, approve with conditions, withdraw, deny or revoke the following
45 types of development order applications: [Ord. 2006-036]
46

....

47 3) Administrative Variances (Type IA and Type IB) ~~except when Code regulations~~
48 ~~include prohibited provisions;~~ [Ord. 2006-036]
49

....

50
51
52
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EXHIBIT M

ART. 2.G, DECISION MAKING BODIES
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

1
2 Part 1. ULDC Art. 2.G.2, General Provisions [Related to Decision Making Bodies] (page 71 of
3 88), is hereby amended as follows:
4

Reason for amendments: [Zoning] 1) To record that policies and procedures governing advisory boards, committees and commissions, have been updated and consolidated under Resolution 2013-0193; and, 2) delete open ended number of terms to be consistent with "...*limit of three consecutive three year terms...*" adopted by the BCC .

5 CHAPTER G DECISION MAKING BODIES

6 Section 2 GENERAL PROVISIONS

7 Unless otherwise noted, the following provisions shall apply to each appointed body described in this
8 Article. In addition, each board shall be governed by PBC Resolution No. ~~2002-1606~~ 2013-0193. In case
9 of conflict between the general provisions in this Section, and the specific provisions of each appointed
10 body, the specific provisions shall prevail.

11 A Board Membership

12

13 2. Term of Office

14 ~~a.~~ The term of office for each member shall be three years. All members serving on a board
15 on the effective date of this Code shall complete their terms according to their prior
16 appointments.

17 ~~b. There shall be no limit on the number of terms a person may serve on a board or~~
18 ~~commission.~~

19

20
21
22 Part 2. ULDC Art. 2.G.3, Appointed Bodies [Related to Decision Making Bodies] (pages 73 - 83
23 of 88), are hereby amended as follows:
24

Reason for amendments: [Zoning] Clarify term limits for County advisory boards to be consistent with BCC amendments to the Resolution containing the guidelines.

25 CHAPTER G DECISION MAKING BODIES

26 Section 3 APPOINTED BODIES

27 A. Land Development Regulation Advisory Board

28

29 3. Board Membership

30

31 c. Terms of Office

32 Members of the LDRAB shall hold office until the first Tuesday after the first Monday in
33 February of the year their term expires. Beginning on or after March 2, 2013, no person
34 shall be appointed or reappointed to this Board for more than three consecutive terms.

35

36 D. Environmental Appeals Board

37

38 3. Board Membership

39

40 b. Terms of Office

41 All EAB members shall serve a term of three years. Beginning on or after March 2, 2013,
42 no person shall be appointed or reappointed to this Board for more than three
43 consecutive terms.

44

45 E. Environmental Control Hearing Board

46

47 6. Term Limits

48 Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this
49 Board for more than three consecutive terms.

50 F. Groundwater and Natural Resources Protection Board

51

52 3. Board Membership

53

54 b. Terms of Office

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EXHIBIT M

ART. 2.G, DECISION MAKING BODIES
SUMMARY OF AMENDMENTS
(Updated 10/31/13)

All members shall serve a term of three years. Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. ~~All members serving on the GNRPB on the effective date of this Code shall complete their terms according to their prior appointments.~~

....
I. **Impact Fee Appeals Board**

....
3. **Board Membership**

....
c. **Terms of Office**

All IFAB members shall serve a term of three years. Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms.

....
J. **Impact Fee Review Committee**

....
6. Term Limits

Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms.

K. **Planning Commission**

....
3. **Board Membership**

....
a. **BCC Appointed Members**

....
3) **Terms of Office**

Members of the PLC shall hold office until the first Tuesday after the first Monday in June of the year their term expires. Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. [Ord. 2008-003]

....
M. **Zoning Commission**

....
3. **Commission Membership**

....
a. **BCC Appointed Members**

....
2) **Terms of Office**

Members of the ZC shall hold office until the first Tuesday after the first Monday in February of the year their term expires. Beginning on or after March 2, 2013, no person shall be appointed or reappointed to this Board for more than three consecutive terms. [Ord. 2009-040]

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