

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
MARCH 25, 2015 MEETING

AMENDMENTS TO THE AGENDA  
(Updated 3/19/15)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

#1	Exhibit C – Type II Kennels – Standards for Outdoor Runs, page 27 of 27 (line 30). New Part 2 - ULDC Article 4.B.1.A.136.d, Outdoor Runs [Related to Veterinary Clinic], Page 107 of 171, is hereby amended as follows: <b>Reason:</b> Outdoor Run and Waste Disposal standards are proposed to be updated consistent with the revision of Type II Kennel.
----	--

**Reason for amendments:** [Zoning] 1) Update sanitary requirements for outdoor runs to be consistent with current standards adopted for Type III Kennels, which simply ensures compliance with appropriate regulatory agencies. Includes deletion of “hard surfaced or grassed” which would be addressed through compliance with applicable Animal Care and Control requirements for animal enclosures; and, 2) Clarify that opaque hedges are only required when visible (i.e. may be screened by landscape buffers, buildings, etc.).

**CHAPTER B SUPPLEMENTARY USE STANDARDS**

**Section 1 Uses**

**A. Definitions and Supplementary Standards for Specific Uses**

**136. Veterinary Clinic**

**d. Outdoor Runs**

....

**4) Standards**

~~Outdoor runs shall have a hard surface or grass with drains every ten feet, and shall be connected to an approved sanitary facility.~~ A six foot high fence shall be required around the runs. If the fence is not opaque or screened from view of adjacent properties or R-O-W, a continuous opaque hedge, a minimum of four feet at installation, shall be provided around the run. **[Ord. 2010-055]**

**5) Waste Disposal**

A Veterinary Clinic shall meet the ECR I and ECR II standards and shall be subject to all applicable rules and regulations of the FDEP, PBCHD and SWA.

....

U:\Zoning\CODEREV\2015\LDRAB\Meetings\3-25-15\4- Final Packet\0 - Amendments to the Agenda 3-19-15.docx

**Notes:**  
Double underlined indicates new text or previously stricken text to remain.  
~~Double 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.



March 18, 2015

**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](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

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

**County Administrator**

Robert Weisman

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

**RE: March 25, 2015 LDRAB Annual Organizational Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB hearing on Wednesday, March 25, 2015.

The meeting will commence at **2:00 p.m.** in the Vista Center 1<sup>st</sup> 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](mailto:WCross@pbcgov.org), or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at [MCantor@pbcgov.org](mailto:MCantor@pbcgov.org).

Sincerely,

William Cross, AICP  
Principal Site Planner, Zoning Division

Attachments: March 25, 2015 LDRAB Agenda and Supporting Materials

- 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

"An Equal Opportunity  
Affirmative Action Employer"

U:\Zoning\CODEREV\2015\LDRABMeetings\3-25-15\4- Final Packet\1 Transmittal Letter.docx

# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

**MARCH 25, 2015**

### BOARD MEMBERS

**Wesley Blackman, AICP, Chair** (PBC Planning Congress)

**David Carpenter, RLA, Vice Chair** (District 2)

**Michael J. Peragine** (District 1)

**Barbara Katz** (District 3)

**James Knight** (District 4)

**Lori Vinikoor** (District 5)

**Vacant** (District 6)

**Henry D. Studstill,** (District 7)

**Daniel J. Walesky** (Gold Coast Builders Assoc.)

**Joni Brinkman** (Palm Beach League of Cities)

**Terrence N. Bailey** (Florida Engineering Society)

**Jerome I. Baumoehl** (American Institute of Architects)

**Tommy B. Strowd** (Environmental Organization)

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

**Gary Rayman** (Fl. Surveying and Mapping Society)

**Vacant** (Association Gen. Cont. of America)

**James M. Brake** (Member at Large/Alternate)

**Leo Plevy** (Member at Large/Alternate)

### Board of County Commissioners

**Shelley Vana, Mayor, District 3**

**Mary Lou Berger, Vice Mayor, District 5**

**Hal R. Valeche**  
Commissioner, District 1

**Paulette Burdick**  
Commissioner, District 2

**Steven L. Abrams,**  
Commissioner, District 4

**Melissa McKinlay**  
Commissioner, District 6

**Priscilla A. Taylor**  
Commissioner, District 7

**Robert Weisman**  
County Administrator



"An Equal Opportunity – Affirmative Action Employer"  
2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



## **LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**WEDNESDAY, MARCH 25, 2015 AGENDA**

**2300 NORTH JOG ROAD**

**1<sup>ST</sup> FLOOR KENNETH S. ROGERS HEARING ROOM (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. Annual Election of Chair and Vice-Chair
5. Adoption of November 12, 2014 Minutes (Exhibit A)

### **B. ANNUAL ORGANIZATION DISCUSSION**

1. Useful Internet Links for LDRAB/LDRC Members (Attachment 1)
  - a. Advisory Board Quick Reference Guide (Attachment 2)
2. 2014 LDRAB Attendance (Attachment 3)
3. 2014 Amendments
  - a. Amendment Round 2014-01 Summary (Attachment 4)
  - b. Agricultural Enclave Overlay (AEO) Amendment Summary (Attachment 5)
  - c. Amendment Round 2014-02 Summary (Attachment 6)
4. 2015 LDRAB Members (Attachment 7)
5. 2015 Meeting Schedule and Work Plan (Attachment 8)
  - a. Deadlines/Scheduling for 2015 Amendments (Attachment 9)
  - b. Initiation of Amendment Round 2015-01 (Attachment 10)
  - c. Status of Subcommittee and Appointments (Attachment 11)

### **C. ULDC AMENDMENTS**

1. Exhibit B – Zero Lot Line Home Fences and Walls
2. Exhibit C – Type II Kennels, Standards for Outdoor Runs

### **D. PUBLIC COMMENTS**

### **E. STAFF COMMENTS**

### **F. ADJOURN**

**EXHIBIT A**

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

**Minutes of November 12, 2014 Meeting**

On Wednesday, November 12, 2014, the Palm Beach County Land Development Regulation Advisory Board (LDRAB) and Land Development Regulation Commission (LDRC) 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 2:01 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 11**

Wesley Blackman, Chair (PBC Planning Congress)  
Michael J. Peragine (District 1) \*\*  
David Carpenter, Vice Chair (District 2)  
Barbara Katz (District 3)  
Jim Knight (District 4) \*  
Lori Vinikoor (District 5)  
Terrence N. Bailey (FL Engineering Society)  
Jerome Baumoehl (American Institute of Architects)  
Frank Gulisano (PBC Board of Realtors)  
Gary Raymond (FL Surveying and Mapping Society)  
Leo Plevy (Member at Large, Alt.)

**Vacancies: 3**

(Assoc. General Contractors of America)  
(Environmental Organization)  
(Condominium/HOA Association)

**Members Absent: 5**

Mike Zimmerman (District 6)  
Henry Studstill (District 7)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)  
Joni Brinkman (League of Cities)  
James Brake (Member At Large, Alt.)

**County Staff Present:**

Lenny Berger, Chief Assistant County Attorney  
Jon MacGillis, Zoning Director  
MaryAnn Kwok, Chief Planner, Zoning  
John Rupertus, Senior Planning, Planning  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Lauren Dennis, Site Planner II, Zoning  
Zona Case, Zoning Technician, Zoning

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

Mr. Blackman noted that minor additions to the agenda would be read into the record during the presentation of some exhibits, and that Exhibits G and H would be combined for expediency. Mr. Cross explained a minor correction to the Agenda, under Agenda Item C.2.a, B.7 should be corrected to read B.8.

**3. Motion to Adopt Agenda**

Motion to adopt agenda by Ms. Katz, seconded by Mr. Gulisano. Motion passed (9 - 0)\*, \*\*.

\* Jim Knight arrived at 2:03 p.m.

**4. Adoption of October 22, 2014 Minutes (Exhibit A)**

Mr. Cross pointed out a minor correction to the Minutes by clarifying that the meeting date was erroneously indicating July instead of October. There were no other changes.

Motion to approve, as amended by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (10 -0)\*\*.

**B. ULDC AMENDMENTS**

**1. Exhibit B – Fences, Walls and Hedges**

Mr. Cross indicated the purpose of the amendment was to provide clarity on the allowed height of a wall or fence when adjacent to a lot that is elevated. He gave an example of a similar situation where a homeowner attached an additional wall or fence on top of the bulkhead of an adjacent lot. For the convenience of Code users, staff has revised language and associated graphics in Article 7, related to hedges and the measurement of wall or fence height.

Mr. Baumoehl questioned if a gate located in the front of a property is allowed to swing into the street or sidewalk area. Mr. Cross explained that this may be a Building Code issue and that he would check and follow up with Mr. Baumoehl.

Motion to adopt by Mr. Bailey, seconded by Mr. Carpenter. Motion passed (10-0)\*\*.

\*\* Michael J. Peragine arrived at 2:15 p.m.

**2. Exhibit C – Hotel Accessory to Public Park**

Mr. Cross acknowledged representatives from the Palm Beach County (PBC) Facilities Development and Operations (FDO) Department and PBC Parks and Recreation Department.

## EXHIBIT A

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

#### Minutes of November 12, 2014 Meeting

Mr. Cross explained the Morikami Park Master Plan as presented to the Board of County Commissioners (BCC) delineates future improvements which include a Ryoken (Japanese Inn). FDO and Parks staff acknowledged in the BCC Agenda Item that a ULDC amendment would be required as a hotel use in not a permitted use in Park Future Land Use (FLU) and Public Ownership (PO) Zoning District. He clarified the amendment is to recognize PBC Parks and Recreation terminology "park resource base" and establish the type of park and park resource base that is most appropriate for a collocated hotel.

In response to a query from Mr. Carpenter, Mr. McClellan affirmed the County would retain ownership of the underlying land and FDO would develop and pursue a request for proposal (RFP) to identify a hotel operator. The operator would construct and oversee the hotel facility on County owned property. A RFP would be awarded by the BCC. Mr. Carpenter expressed the view that the Riverbend location could potentially be a viable location and wondered about the effect of this amendment. Mr. McClellan responded that the Riverbend Master Plan for the Park does not anticipate a hotel.

Ms. Vinikoor asked if definitions exist for Heritage Tourism and Eco Tourism. Mr. Cross replied that there was no definition of either in the ULDC and that staff is comfortable with referencing the Comprehensive Plan or deferring to Parks and Recreation.

Mr. Cross explained the clarification and change in the exhibit title from Accessory to Collocated; the need to add staff's concern about the 30 percent for accessory; and, that the clarification will be reviewed further during the Use Regulations Project.

Mr. Carpenter opened discussion on removing the language associated with "*Rooming and Boarding House*" and "*SRO*" contained in the definition, and suggested this be done during this round rather than wait until the Use Regulations Project review. Ms. Katz also expressed a similar concern, citing the need to eliminate confusion. Mr. MacGillis pointed out the proposed language identifies that regulations would apply to a hotel only. Mr. Blackman cited the definition of hotel, motel, and asked staff to clarify its intent. Mr. Cross pointed out the additional limits on the uses in question and suggested that the reason for amendment could be made to address this concern.

Mr. Gulisano asked if the developer or facilitator of the land would be paying real estate taxes to the County. Mr. McClellan responded that the underlying land is Public Ownership and exempt from taxation.

Mr. McClellan responded to Mr. Carpenter's comment that he would like to see the hotel on the perimeter of the park, by saying the proposed hotel would be interior, associated with the Morikami Park. He added this was proposed for two reasons: proximity to the park as it is interior, and to eliminate the perception of a commercial regional establishment.

Ms. Katz asked if the proposed hotel would impact the existing restaurant. Mr. McClellan responded that it would not.

Mr. Carpenter questioned the location of the hotel and expressed concern about disturbing the rest of the park with increased traffic impacts, citing Riverbend Park in Jupiter as an example. Mr. Granowitz of Parks and Recreation Department responded that a hotel would not be a part of Riverbend Park. He explained that at most, camping would be the appropriate use.

During discussion of the motion, Mr. Blackman reiterated concerns for the proliferation of hotels in regional parks in the future.

Motion to approve as amended by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (11-0).

### **3. Exhibit D – Mechanical Equipment Screening Exceptions**

This amendment accommodates owners who live in multi-family residential buildings who may have financial challenges in keeping up with screening requirements for replacement of existing mechanical equipment. Mr. Cross emphasized that staff is still in discussion about the regulation related to the painting of mechanical equipment to match the building (line 41, page 16). The concern is that this provision may impact the warranty of the equipment or may not be financially feasible. Mr. Cross also emphasized that changes to

**EXHIBIT A**

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

**Minutes of November 12, 2014 Meeting**

the Building Code also contributed to this amendment in that all future replacement equipment must be elevated.

Mr. Baumoehl expressed disagreement with existing Code language that waives roof mounted equipment from screening based on structural issues since all structures are designed to hold extra weight. He also asked to add the word "architecture" to text in page 17, line 12 after "building". The motion was made without the inclusion of the proposed change.

Mr. Carpenter asked if the screening material included lattice work. Mr. MacGillis responded by saying yes, the County has allowed lattice material as long as it is secure (e.g. complies with wind load standards) and compatible.

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (11-0).

**4. Exhibit E – Minimum Acreage Required for Cemeteries**

Mr. Cross reiterated that this minor amendment is moving forward per BCC direction, and that additional changes may be undertaken as of the Use Regulations Project. The amendment addresses updates to Florida Statutes, which included an increase in the minimum acreage requirements from 15 to 30 to be licensed as a new cemetery, and to recognize the limited exceptions in licensing outlined in the Statute. State regulations do not preempt local zoning ordinances and the County may consider an exception with BCC approval. The County is willing to accommodate requests that meet the minimum acreage exceptions incorporated into the ULDC.

Mr. Blackman asked if the County licenses municipal cemeteries and if any currently exist. Mr. Cross responded by explaining that one may exist within County limits, it would be State licensed and requires BCC approval. Mr. Cross explained that the requirement relative to places of worship would apply here. Mr. Blackman questioned why language "County and municipal cemeteries" (line 22, page 17) is needed as it may be redundant, but relented to keeping it within the proposed language.

Ms. Vinikoor asked if setbacks are required, why it is not addressed in the proposed Code language and added that property owners adjacent to places of worship may have concerns if a cemetery is added. Mr. Cross responded that setback language was not included. Mr. MacGillis added that cemeteries would be subject to buffer requirements, and if above ground would have to meet property development regulations, e.g. setbacks.

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (11-0).

**5. Exhibit F – Adult Entertainment**

Mr. Cross explained that this amendment was recommended by the County Attorney's Office, in part to recognize that adult entertainment is only allowed in certain commercial and industrial districts and subject to separation requirements. These standards have the potential to limit the number of locations available for the current trend of including food service with adult entertainment, which is crucial to freedom of speech rights. Mr. Cross clarified that this amendment would allow an adult entertainment establishment approved in an industrial zoning district to include food service. He also noted that there are two minor revisions to standards for conformities, to delete redundant text and encourage exterior renovations; and, language clarifying that the County has historically recognized certain types of adult entertainment uses include cocktail lounges

Mr. Blackman asked if these changes would apply to establishments within the Urban Redevelopment area. Mr. Cross confirmed that the use is allowed in Urban Center (UC) 1 and 2, and Urban Infill (UI) 1, but noted that new establishments would need to meet the separation distance requirements.

Ms. Vinikoor questioned if zoning regulations would enforce any smoking laws. Mr. Cross responded by saying that the State would enforce.

Mr. Gulisano questioned the difference in wording between restaurant and food service and Mr. MacGillis responded by saying that the wording is to protect industrial districts from establishments claiming to be adult entertainment in an attempt to develop a restaurant type use. The proposed language is to allow accessory food service to address this

## EXHIBIT A

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

#### Minutes of November 12, 2014 Meeting

concern. Mr. Baumoehl questioned if specific parking requirements are included for food services, to which staff responded no, as food service is accessory.

Motion to adopt by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (11-0).

#### 6. Exhibit G – Art. 2.D, Administrative Process

Mr. Blackman reminded the Board to make one motion for Exhibits G and H.

Ms. Dennis pointed out that the word “DRO” contained in Part 1, reason 1 needs to be stricken as the language on lines 6-17 only pertains to amendments to ZC and BCC plans. She clarified that the proposed regulation relates to relocation of building square footage to be limited to 25 percent of the total BCC or ZC approved site plan, and maximum relocation of 25 percent for individual buildings. The amendment also references Policies and Procedures Manual (PPM) 49 to allow certain accessory structures to be added to the site without becoming subject to the relocation requirements; and clarify that final DRO has ability to approve relocation or deletion of emergency access ways as requested by the PBC fire department. Ms. Cantor clarified that amendments to approved elevations contained in Art. 5.C, Design Guidelines as developed in Exhibit H, was relocated to Art. 2.D.1.G.1 as it is the appropriate location for the regulations.

Mr. MacGillis clarified to Mr. Blackman that PPMs are not always codified, and they are done that way in order to provide some flexibility.

Ms. Dennis continued by indicating the amendments also include modifications that the Expedited Administrative Modification Process (DRO plans) solely approved by DRO, are now subject to thresholds, and relocated language related to minor modifications to architectural elevations from Agency Review to Zoning Review.

Ms. Cantor added that amendments in Article 2 also establish thresholds for administrative review of approved elevations to be done through Zoning Review process. The thresholds are de minimis and necessary for the buildings to maintain the character of the architecture and comply with Article 5.C. Mr. Baumoehl offered to volunteer pro-bono to assist staff in the determination of an upper level of approval when amendments to approved elevations are made. Ms. Cantor explained that the Zoning Division has an architect in the team that reviews elevations.

Ms. Dennis clarified that Special Permits may be issued for both structures and uses; clarified that they will be subject to sufficiency determination and that the time frame for review process was added. Regarding Reasonable Accommodation, she explained that the amendment would clarify that this process is available only when other ULDC process has been exhausted and, clarified sufficiency determination and reasonable accommodation time frames. Two minor changes were read into the record, as follows:

First change: page 24, beginning on line 45 “The applicant shall have 15 days from the date of the written notice to respond to the request for additional information not to exceed 60 days from the date of sufficiency “determination”. This is to connect the references to reasonable accommodation to limit confusion.

Second change: Line 53 on page 24, staff added “15 days” from “15 day period...”

Ms. Dennis inserted two sentences in reason 1 consistent with Part 1, and added language related to emergency access ways, as requested by the PBC fire department as a DRO threshold. She indicated that stricken language related to intensity increase is already addressed in other parts of the Code.

Mr. Carpenter asked staff to clarify the addition of square footage and what provisions apply to the entire project versus individual buildings. Ms. Dennis clarified the threshold being amended in this round related only to relocation of previously approved square footage.

#### 7. Exhibit H – Art. 5.C, Design Standards

Ms. Cantor explained that an LDRAB Architectural Subcommittee was created as directed by the BCC to address a request from the Zoning Commission to require architectural elevations for projects subject to Zoning Commission approval. She explained that current regulations allow developments to provide elevations at public hearings, Development Review Officer (DRO) review or building permit unless there is a condition of approval to

**EXHIBIT A**

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

**Minutes of November 12, 2014 Meeting**

provide elevations at a specific step in the approval process. She clarified that as mentioned in Exhibit I, thresholds were included in Art. 2 to allow administrative amendments to the approved elevations without forcing developments to go back to the Board.

Motion to adopt Exhibit G and Exhibit H, as amended, motion by Ms. Vinikoor, seconded by Mr. Gulisano. The additions include the sufficiency determination language to be included and the revision of the language from "15 days" to "the 15 day period". Ms. Vinikoor also praised staff for Exhibits G and H.

There was a brief discussion on the motion regarding the "15 days" reference. Staff clarified that the "days" referenced is consistent with rules of construction in Article 1 and shall mean working days. Motion passed (11-0).

**8. Exhibit I – Nonconforming Use**

Ms. Cantor explained that the amendment was to clarify the minor non-conforming use definition in the Code by indicating that either of the conditions that apply in current language has to be present in order to determine a minor non-conforming use.

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

**C. CONVENE AS LDRC**

**1. Proof of Publication**

Motion to approve by Ms. Katz, seconded by Ms. Vinikoor. Motion passed (11-0).

**2. Consistency Determination**

Mr. John Rupertus stated that the proposed amendments B.1 through B.8 and the previously presented amendments Exhibits J, K and L were consistent with the Comprehensive Plan.

Motion to approve consistency determination by Mr. Carpenter, seconded by Ms. Katz. The motion passed (11 - 0).

**D. ADJOURN AS LDRC AND RECONVENE AS LDRAB**

**E. PUBLIC COMMENTS**

There were no public comments.

**F. STAFF COMMENTS**

There were no staff comments.

**G. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:23 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:                     Scott Rodriguez

## ATTACHMENT 1

### USEFUL INTERNET LINKS FOR LDRAB/LDRC MEMBERS

The following provides a few helpful links to web pages containing information applicable to Land Development Regulation Advisory Board (LDRAB) and Land Development Review Committee (LDRC) members:

**Palm Beach County (PBC) Unified Land Development Code (ULDC) Article 2.G.2, General Provisions (see pages 70 – 71):** <http://www.pbcgov.com/pzb/uldc/articles/Article2.pdf>

**PBC ULDC Article 2.G.3.A, Land Development Regulation Advisory Board (LDRAB) (see pages 71 - 73):** <http://www.pbcgov.com/pzb/uldc/articles/Article2.pdf>

**Palm Beach County Commission on Ethics:** <http://www.palmbeachcountyethics.com/>

- Palm Beach County Code of Ethics (Effective June 1, 2011):  
[http://www.palmbeachcountyethics.com/pdf/Code\\_of\\_Ethics\\_Ordinance\\_June\\_1\\_2011.pdf](http://www.palmbeachcountyethics.com/pdf/Code_of_Ethics_Ordinance_June_1_2011.pdf)
- Palm Beach County Code of Ethics – Guide for Elected Officials and Advisory Board Members:  
[http://www.palmbeachcountyethics.com/pdf/Training\\_Guide\\_for\\_Elected\\_Officials\\_and\\_Advisory\\_Board\\_Members.pdf](http://www.palmbeachcountyethics.com/pdf/Training_Guide_for_Elected_Officials_and_Advisory_Board_Members.pdf)
- Quick Reference to Advisory Board Conflicts, Disclosures and Waivers:  
[http://www.palmbeachcountyethics.com/pdf/Advisory\\_Boards\\_Reference\\_Guide.pdf](http://www.palmbeachcountyethics.com/pdf/Advisory_Boards_Reference_Guide.pdf)

**LDRAB Rules of Procedure:** <http://www.pbcgov.com/pzb/zoning/code/rulesofprocedure.pdf>

**Palm Beach County Charter:** <http://www.pbcgov.com/countycommissioners/pdf/charter.pdf>

# Quick Reference to Advisory Board Conflicts, Disclosures and Waivers as Required by The Palm Beach County Code of Ethics

---

Board Type		Contract Oversight?		Code Requirement
Purely Advisory	+	YES	=	Waiver
Purely Advisory	+	NO	=	Disclosure
Not Purely Advisory	+	NO	=	Disclosure
Not Purely Advisory	+	YES	=	Prohibited

## What Type of Board do you serve? Purely Advisory or Not Purely Advisory

Most governments create other boards to assist in various decision making processes. They are often referred to generally as advisory boards, though some of them are not purely advisory. What's the difference?

- A **purely advisory board** is authorized only to make recommendations to some other board, like the governing body, or perhaps a government administrator or hearing officer.
- A board that is **not purely advisory** is authorized to make final decisions. A final decision does not go to any other arm of the government. These decisions can be challenged only in circuit court. Some boards have both functions. We use the term "purely" to emphasize that a board with any measure of final decision making authority is **not** purely advisory. Your staff liaison can answer any question you have regarding the nature of your board.

## Does your board have Contract Oversight?

If you, your employer, or your own business has a contract with the government that created your board, you must determine whether your board will have anything to do with this contract. If your board will play any role in the oversight, regulation, management, or policy-setting recommendations regarding this contract, then your board exercises contract oversight for the purposes of this chart. The same considerations apply if you already serve on a board and you, your employer, or you own business seeks to contract with the government. There are exceptions. Page two lists those contracts that are not subject to the requirements of this chart.

## What does the Code require? There are three possible outcomes in the above chart. (The exceptions and waiver section of the Code of Ethics is listed on the next page)

- A **waiver** will require the governing body, upon full disclosure of the contract at a public meeting, to waive the conflict. If you were appointed by the entire governing body, a majority plus one is required. If you were appointed by only one board member, that board member alone can waive the conflict.
- **Disclosure** requires only that the existence of the contract is made public. This should occur either at the time of your appointment, or when the subject contract is approved.
- If the chart indicates "**prohibited**" for your situation, you must **decline the appointment or terminate the contract**. If the possibility of the contract occurs after you have been appointed, you must resign from the board or withdraw the offer to contract with the government.

# Quick Reference to Advisory Board Conflicts, Disclosures and Waivers as Required by The Palm Beach County Code of Ethics

---

## **EXCEPTIONS:**

### **Section 2-443. Prohibited Conduct.**

#### **(e) *Exceptions and waiver.***

- (1) The business is awarded under a system of sealed, competitive bidding to the lowest bidder and:
  - a. The official or employee or member of his or her household has in no way participated in the determination of the bid specifications or the determination of the lowest bidder;
  - b. The official or employee or member of his or her household has in no way used or attempted to use the official or employee's influence to persuade the agency, governmental entity or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
  - c. The official or employee, prior to or at the time of the submission of the bid, has filed a statement with the supervisor of elections and the commission on ethics, disclosing the nature of the interest in the outside employer or business submitting the bid.
- (2) An emergency purchase or contract which would otherwise violate a provision of subsection (d) must be made in order to protect the health, safety, or welfare of the citizens of the county or municipality as applicable.
- (3) The outside employer or business involved is the only source of supply within the county or municipality as applicable and there is full disclosure by the official or employee of his or her interest in the outside employer or business to the county or municipality as applicable and the ethics commission prior to the purchase, rental, sale, leasing, or other business being transacted.
- (4) The total amount of the contracts or transactions in the aggregate between the outside employer or business and the county or municipality as applicable does not exceed five hundred dollars (\$500) per calendar year.

**ATTACHMENT 3**

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
2014 ATTENDANCE MATRIX**  
(Updated 11/12/14)

Seat	Member	District or Organization	Term Expires	2014 Dates									
				1/22 Cancelled	2/26	3/26	4/23	5/28	6/25 Special	7/23	8/27 Cancelled	10/22	11/12
1	Richard Kozell	District 1	Feb. 2, 2016	-	Y	Y	Y	Vacant	-	-	-	-	-
1	Michael J. Peragine	District 1	Feb. 2, 2016	-	-	-	-	Vacant	Y	Y	-	Y	Y
2	David Carpenter	District 2	Feb. 3, 2015	-	N	Y	Y	N	Y	Y	-	Y	Y
3	Barbara Katz	District 3	Feb. 2, 2016	-	Y	Y	Y	N	N	Y	-	Y	Y
4	James Knight	District 4	Feb. 3, 2015	-	Y	Y	Y	Y	Y	Y	-	Y	Y
5	Lori Vinikoor	District 5	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	-	Y	Y
6	Mike Zimmerman	District 6	Feb. 3, 2015	-	Y	Y	Y	Y	Y	N	Y	-	N
7	Henry Studstill	District 7	Feb. 2, 2016	-	Y	Y	N	Y	Y	Y	-	Y	N
8	Raymond Puzitiello	Gold Coast Builders Association	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	N	-	N
9	Joni Brinkman	League of Cities	Feb. 3, 2015	-	Y	Y	Y	Y	Y	N	Y	-	N
10	Terrence Bailey	Florida Eng. Society	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	Y	-	N
11	Jerome Baumoehl	American Institute of Architects	Feb. 3, 2015	-	Y	Y	Y	N	Y	Y	N	-	Y
12	Edward E. Tedtmann	Environmental Org.	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	Y	Vacant	Vacant
13	Frank Gulisano	PBC Board of Realtors	Feb. 3, 2015	-	N	Y	Y	Y	Y	Y	Y	-	Y
14	Gary Rayman	Florida Society Prof. Surveyors	Feb. 2, 2016	-	Y	Y	N	Y	Y	Y	N	-	Y
15	Vacant	Condominium/HOA	May 22, 2013	-	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
16	Vacant	Assoc. General Contractors of America	Feb. 3, 2010	-	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
17	Wes Blackman	PBC Planning Congress	Feb. 3, 2015	-	Y	N	Y	Y	Y	Y	Y	-	Y
18	James Brake	Alternate #1	Feb. 2, 2016	-	N	Y	N	Y	Y	N	Y	-	Y
19	Leo Plevy	Alternate #2	Feb. 3, 2015	-	Y	Y	Y	Y	Y	N	Y	-	Y
<b>Total Attendees:</b>				-	14	16	14	13	12	14	-	13	11

<b>Legend/Notes:</b>	
Y	Present
*Y*	Present (Participated via teleconference with quorum physically present and Board approval)
N	Absent
*N	Absent (Attended less than ¾ of meeting)
**	Attendance reflects previous LDRAB member.
*	Special meetings will not be a factor in calculating total attendance.
ULDC Art. 2.G.2.B.1.c, Attendance: 1) "Lack of attendance is defined as a failure to attend three consecutive meetings..." or 2) "...a failure to attend at least two-thirds of the meetings scheduled during the calendar year. Also "Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting."	
A total of 9 meetings are scheduled for 2014. The Meeting scheduled for January was cancelled. A special meeting will be held on June 25, 2014. Minimum attendance – six meetings of all meeting scheduled. (cancelled meetings are counted towards the total of meetings attended). Members cannot miss any more than three meetings.	

## ATTACHMENT 4

### UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-01 SUMMARY OF PROPOSED AMENDMENTS

(UPDATED 08/22/14)

#### BCC PUBLIC HEARINGS

AUGUST 28, 2014– ADOPTION

JULY 24, 2014 - 1st READING

JUNE 26, 2014 – REQUEST FOR PERMISSION TO ADVERTISE

#### LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

JULY 23, 2014 (ALSO INCLUDES LDRC)

JUNE 25, 2014 (ALSO INCLUDES LDRC)

MAY 28, 2014 (ALSO INCLUDES LDRC)

APRIL 23, 2014

MARCH 26, 2014

1. **Exhibit A – Privately Initiated Amendment (PIA) – Bay Door Orientation**
  - Introduce exceptions for General Repair and Maintenance use to allow service bay doors to face residential properties which support utilities uses, canal ROW, or easements a minimum of 80 feet in width, while upgrading the landscape buffer requirements.
2. **Exhibit B – Art. 7, Landscaping**
  - The Zoning Division convened a Landscape Subcommittee comprised of industry professionals, County staff and interested persons to address various minor revisions and clarifications helpful to industry and staff while remaining consistent with overall goals and objectives for landscaping requirements.
3. **Exhibit C – Art. 11, Subdivision, Platting, and Required Improvements**
  - Various minor revisions to definitions, delete redundant text, clarify, correct and update text related to Subdivision, Platting and Required Improvements.
4. **Exhibit D – Art. 12, Traffic Performance Standards**
  - Modify the source reference of the trip generation rates from ULDC Article 13, Impact fees, to that published on the PBC Traffic Engineering web site.
5. **Exhibit E – Article 13, Impact Fees**
  - Replace the Impact Fee Appeals Board with Hearing Officers to hear appeals from decisions of the Impact Fee Coordinator and clarify conditions related to impact fee refund.
6. **Exhibit F – SFWMD Accessory Radio Towers**
  - Recognize that SFWMD telemetry towers are an accessory use to overall water management and Everglades restoration efforts within the Glades Tier, when located on SFWMD or State owned lands.
7. **Exhibit G – Inland Logistics Center**
  - Introduce exceptions for Planned Industrial Park Development (PIPD) developments within the GAO related to: minimum frontage; phasing; maximum commercial acreage; architectural review; hours of operation; parking, loading and landscaping in industrial pods; along with options for Type 1 Waivers.
8. **Exhibit H – Northlake Boulevard Overlay Zone (NBOZ)**
  - Amend the timeframe for property owners to comply with the Northlake Boulevard Overlay Zone (NBOZ) Design Guidelines for both Landscape and Signage, to be consistent with the overall compliance date for other NBOZ task team municipalities.
9. **Exhibit I – URO/IRO Alternative Parking Lot**
  - Revise language to correct scrivener's errors and clarify the options for required parking lot landscaping.
10. **Exhibit J – Residential Setback Exceptions And Zero Lot Line Encroachments**
  - Allow setback encroachments for hurricane impact shutters and decorative façade treatments.
11. **Exhibit K – RVPD Real Estate Office**
  - Expand provisions for temporary real estate sales offices permitted within a Recreational Vehicle Park Development (RVPD).
12. **Exhibit L – Economic Development Center (EDC)**
  - Codify current policy for the EDC FLU designation, including standards for Multiple Use Planned Development (MUPD) and Planned Industrial Park Development (PIPD).
13. **Exhibit M – Outdoor Shooting Range**
  - Adopt updated standards for Outdoor Shooting Range previously developed as part of the Use Regulations Project, in anticipation of Mecca Farms Shooting Range.
14. **Exhibit N – Modifications to BCC/ZC Approvals**
  - Clarify standards allowing addition of square footage to BCC/ZC approved plans by the DRO, limited to 5% or 5,000 SF for any freestanding building up to 5,000 SF of the total approved square footage.
15. **Exhibit O – Digital Fuel Price Signage**
  - Amendment to accommodate digital fuel price signs at gas stations, per BCC direction and as relates to the recently adopted County Fuel Price Posting Ordinance (Ord. 2014-005).

#### HEALTH REGULATIONS

16. **Exhibit A - Article 15, Health Regulations**
  - To place fire hydrant testing responsibility on the operators of systems and the Fire Department.

## ATTACHMENT 5

# UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENTS AGRICULTURAL ENCLAVE OVERLAY (AGEO) SUMMARY OF PROPOSED AMENDMENTS

(UPDATED 09/02/14)

### BCC PUBLIC HEARINGS

JULY 24, 2014 – REQUEST FOR PERMISSION TO ADVERTISE

AUGUST 27, 2014– 1ST READING

OCTOBER 29, 2014 – ADOPTION HEARING

### LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS

JUNE 25, 2014 (ALSO INCLUDES LDRC)

#### EXHIBIT A

1. **Art. 1.1.2.A, – Definitions and Acronym**
  - Delete redundant requirements related to the Allocation Plan.
2. **Art. 1.1.3, Abbreviations and Acronyms**
  - Delete redundant requirements related to the Allocation Plan.
3. **Art. 2.A.1.G.3.h.3, Agricultural Enclave Allocation Plan**
  - Delete redundant requirements related to the Allocation Plan.
4. **Art. 3.A.3.C, FLU Designation and Corresponding Planned Development Districts**
  - Revisions required recognizing deletion of Allocation Plan. Delete reference to Village Center, the Plan will delineate where TMD and MUPD are permitted.
5. **Art. 3.B.17, Agricultural Enclave Overlay**
  - Delete references to Allocation Plan to be addressed through the AGE Future Land Use Atlas (FLUA) in the Plan to include a Conceptual Plan and Implementing Principles (mix of land uses, range of densities and intensities, location and minimum/maximum acreages for Transects and other binding standards).

**Art. 3.B.17.D (new) Development Review Procedures**

  - Clarify requirements to incorporate AGE FLUA Conceptual Plan into all applicable Zoning Plans.

**Art. 3.B.17.E (new), Use Regulations and Standards**

  - Revised for consistency with proposed amendments to Comprehensive Plan Policies allowing for additional uses within an Employment Center of an AGE; Revise established AGEO provisions to allow continuation of agricultural activities and development of governmental uses; and Recognize FLUE requirements for an AGE Natural Transect. Permitted uses and related development will be established within the AGE FLUA Conceptual Plan.

**Art. 3.B.17.F (new) Traditional Town Development (TTD) Exceptions**

  - Additional standards for TTD to recognize the special requirements of an Agricultural Enclave.; minimum areas for civic pods to be consolidated to address public facilities; prohibit Rural standards for Collectors within individual TMD or TND pods.
6. **Art. 3.C.1.C.1.d – Agricultural Enclave Overlay (AGE)**
  - AR Zoning District standard no longer required with deletion of Allocation Plan.
7. **Art. 3.E.1.B, Table PUD Density**
  - Simplify reference to AGE Future Land Use Atlas (FLUA) Conceptual Plan.
8. **Art. 3.E.2.H, Agricultural Enclave (AGE) PUD**
  - AGE PUD standards are no longer necessary with deletion of the Allocation Plan.
9. **Art. 3.F.1.C, Review and Approval Process**
  - To re-affirm approval of a Preliminary Site Plan is still required for a TMD, MUPD or Requested Use.
10. **Art. 3.F.1.F, Use Regulations**
  - Reference Term "Pod" is to acknowledge Table 3.F.5.D establishes "Land Use Allocations" by designating, TMD, TND, PUD, MUPD "Pods" within a TTD.
  - Hotel not currently permitted in TMD would now be a Requested Use within a TMD.
11. **Art. 3.F.2.A.b, Block Structure**
  - Allow for greater design flexibility and simpler method of determining compliance in block structures; review maximum block perimeters; and, ensure pedestrian networking is addressed by expanding minimum block face standards on perimeter lots adjacent to lakes, drainage, etc.
12. **Art. 3.F.2.A.1.b, Block Structure**
  - Correct glitch in Table 3.F.2.A from TTD to TDD and recognize 15 ft sidewalk (one per side of street is located within the R-O-W).
13. **Art. 3.F.2.A.1.f.2)a), Street Lighting**
  - Apply Rural and Exurban standards for shielded street lighting; clarify standards for shielded street lights to be consistent with requirements in Art. 5 for outdoor lighting.
14. **Art. 3.F.2.A.4, Landscaping and Buffering**
  - Reduce minimum street trees required to allow for greater flexibility for sidewalks, utilities, street crossings, etc, associated with dense small lot neighborhoods.
15. **Art. 3.F.3.A, Specific Purposes**
  - Recognize that there are other forms of non-vehicular transportation that are desirable within a TND.
16. **Art. 3.F.3.C.3, Minimum Development Threshold**
  - Exception for AGE TND related to minimum development thresholds are no longer applicable with deletion of the Allocation Plan.
17. **Art. 3.F.3.E.4.b.6, Required Amenities**
  - Increase the minimum seating square footage requirements from 30 SF to 100 SF in TMD.
18. **Art. 3.F.3.E.5.e, Garages**

- Allow for increase in garage size for front load garages in TND Residential uses.
- 19. **Art. 3.F.3.E.5.g and h, Porches and Balconies and Patios**
  - Allow for alternative means of achieving requirement for a raised front porch; and, allow for encroachment of porches and porta cochere's within a front setback, space permitting.
- 20. **Art. 3.F.3.E, TND Residential Lot Size and Setback Regulations**
  - Delete requirement for minimum or maximum multi-family lot size and clarify that rear load garages fronting on an alley shall be setback a minimum of 5 feet.
- 21. **Art. 3.F.4.A, Purpose [Related to Traditional Marketplace Development]**
  - Allow for any required mixed uses to be vertically or horizontally integrated to provide greater flexibility in uses within non-residential.
- 22. **Art. 3.F.4.D.1.b, Permitted Locations [Related to TMD]**
  - Term Village Center deleted with Allocation Plan.
- 23. **Art. 3.F.4.D.9, Exemptions [Related to Building Design and Transparency in a TMD]**
  - Allow for minor expansion of exemption from building transparency requirements for uses requiring privacy.
- 24. **Art. 5.A.3.B, Agriculture Enclave (AGE) [Related to Deviations]**
  - Current Deviations language is no longer applicable. Deleted for consistency with amendments to Art. 3.
- 25. **Art. 5.B.1.A.1.d.2, AR District and Rural Transect**
  - Reference to AGE Rural Transect is no longer applicable. Deleted for consistency with amendments to Art. 3.
- 26. **Art. 5.F.1.B.2, AG Enclave, AGE**
  - AGE language no longer applicable due to TTD rezoning.
- 27. **Art. 7.C, MGTS Tier Compliance**
  - AGE landscape exemptions related to the minimum tier requirements are no longer applicable. Deleted for consistency with amendments to Art. 3.
- 28. **Art. 8.G.1.A, Wall Sign Standards and Freestanding Sign Standards**
  - Signage language is no longer applicable. Requires deletion to be consistent with amendments to Art. 3.

## ATTACHMENT 6

### UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2014-02 SUMMARY OF PROPOSED AMENDMENTS (UPDATED 1-8-15)

**BCC PUBLIC HEARINGS**  
DECEMBER 4, 2014 – REQUEST FOR PERMISSION TO ADVERTISE  
JANUARY 08, 2015 – FIRST READING  
JANUARY 29, 2015 – ADOPTION

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS**  
OCTOBER 22, 2014  
NOVEMBER 12, 2014 (ALSO INCLUDES LDRC\*)

1. **Exhibit A - Article 2, Development Review Procedures**
  - Clarify maximum percentages of building square footage which can be relocated administratively through the Development Review Officer (DRO); allow DRO to add freestanding structures not subject to concurrency review; and, grant DRO the ability to add or relocate emergency access way.
  - Clarify Thresholds addressed under Expedited Administrative Modifications are applicable to plans approved by the BCC, ZC, and Full DRO.
  - Reasonable Accommodation - Introduce provision related to exhausting all administrative options for filing the applicable Zoning application, prior to a request for Reasonable Accommodation.
2. **Exhibit B – Article 5.C, Design Standards**
  - To make mandatory, submittal of architectural elevations for all projects subject to Zoning Commission and Board of County Commissioners approval, and establish thresholds to amend approved elevations through Administrative (DRO) process.
3. **Exhibit C – Article 11, Subdivision, Platting and Improvements**
  - Delete redundant density language from the subdivision code since density is governed by the Comprehensive Plan as well as ULDC plan requirements.
4. **Exhibit D – Hotel Collocated to Public Park**
  - Allow a hotel to be collocated with a PBC Regional Park subject to Class A Conditional Use approval (e.g. Morikami Regional Park Ryokan).
5. **Exhibit E – Minimum Acreage Required for Cemeteries**
  - Update minimum acreage required for a cemetery from 15 to 30 acres, and include exceptions to minimum acreage, to match Division of Funeral Cemetery and Consumer Services interpretation of Florida Statutes regulating the licensing of cemeteries.
6. **Exhibit F – Nonconforming Use**
  - Clarify existing definition of Minor nonconforming use by indicating that the current language applies to any or all of the circumstances currently listed instead of to all of them as it presently reads.
7. **Exhibit G – Adult Entertainment**
  - Allow accessory food service and lounges for certain types of Adult Entertainment uses located in Industrial Zoning districts, to respond to industry trends and ensure “that there are a sufficient number of available locations for new adult entertainment uses.”
8. **Exhibit H – Commercial Communication Tower**
  - Minor revisions to address scrivener's errors and glitches in the table “Distance for Towers Located in Non-Residential District Separation and Setback”, identified as part of the Use Regulations Project (URP). This amendment was moved forward in this Round by the Zoning Director to facilitate the processing of current applications.
9. **Exhibit I – Fences, Walls and Hedges**
  - Clarify measurement and maximum heights permitted for walls or fences when there is grade difference between two residential properties; and, allow installation of guardrail on top of walls when required by the Building Code.
10. **Exhibit J – Mechanical Equipment Screening Exemptions**
  - Address unintended financial challenges for owners and condominium associations with older multi-family residential buildings, resulting from changes to Florida Building Code requirements for elevated mechanical equipment, and ULDC requirements for mechanical equipment screening.

\* The LDRAB also sits as the Land Development Regulation Commission (LDRC) for the purpose of reviewing amendments for consistency with the Comprehensive Plan.

(1) Provisions for emergency access amended by add/delete on 12/4 and as part of 1/8/15 agenda item.

(2) Provisions for architectural elevations amended as part of 1/8/15 agenda item.

## ATTACHMENT 7

### 2015 PALM BEACH COUNTY ZONING DIVISION LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATION COMMISSION (LDRC) MEMBER LIST

(Updated: March 12, 2015)

SEAT	MEMBER (OCCUPATION)	DISTRICT OR ORGANIZATION	SEAT TERM (1)		MEMBER TERM COMPLETED (2)
			BEGAN	ENDS	
1	<b>Michael J. Peragine</b> (Real Estate Broker)	District 1 Commissioner Valeche	February 5, 2013	February 2, 2016	0
2	<b>David Carpenter</b> (Landscape Architect)	District 2 Commissioner Burdick	February 4, 2015	February 6, 2018	1
3	<b>Barbara Katz</b> (Land Use Advisor)	District 3 Commissioner Vana	February 5, 2013	February 2, 2016	0
4	<b>James Knight</b> (Builder/Developer)	District 4 Commissioner Abrams	February 4, 2015	February 6, 2018	1
5	<b>Lori Vinikoor</b> (Community Activist)	District 5 Commissioner Berger	February 5, 2013	February 2, 2016	0
6	<b>Vacant</b>	District 6 Commissioner McKinlay	February 4, 2012	February 3, 2015	
7	<b>Henry Studstill</b> (Director of Sales/Teacher)	District 7 Commissioner Taylor	February 5, 2013	February 2, 2016	0
8	<b>Daniel J. Walesky</b> (Residential Builder)	Gold Coast Builders Association	February 4, 2015	February 2, 2018	0
9	<b>Joni Brinkman</b> (Municipal Rep.)	PBC League of Cities	February 4, 2015	February 6, 2018	1
10	<b>Terrence N. Bailey</b> (Engineer)	Florida Engineering Society	February 5, 2013	February 2, 2016	0
11	<b>Jerome I. Baumohl</b> (Architect)	American Institute of Architects	February 4, 2015	February 6, 2018	1
12	<b>Tommy B. Strowd</b> (Environmentalism)	Environmental Organization	February 4, 2015	February 2, 2018	0
13	<b>Frank J. Gulisano</b> (Realtor)	Realtor's Association of the Palm Beaches	February 4, 2015	February 6, 2018	1
14	<b>Gary Rayman</b> (Surveyor)	Florida Surveying & Mapping Society	February 5, 2013	February 2, 2016	0
15	<b>Vacant</b>	Associated General Contractors of America	February 5, 2013	February 2, 2016	-
16	<b>C. Wesley Blackman, AICP</b> (AICP Planner)	PBC Planning Congress	February 4, 2015	February 6, 2018	1
17	<b>James Brake</b> (Real Estate Consultant)	Alternate #1	February 5, 2013	February 2, 2016	0
18	<b>Leo Plevy</b>	Alternate #2	February 4, 2015	February 6, 2018	1

(1) **Art. 2.G.2.A.2. Term of Office [Related to Decision Making Bodies General Provisions]** The term of office for each member shall be three years. All members serving on a board on the effective date of this Code shall complete their terms according to their prior appointments.

(2) **Art.2.G.3.A.3.c, Terms of Office [Related to LDRAB Membership]** Members of the LDRAB 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.

## ATTACHMENT 8

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

#### 2015 MEETING DATES

(Updated 02/03/15)

DATE	DAY
January 28, 2015 <i>(Canceled)</i>	Wednesday (4 <sup>th</sup> )
February 25, 2015 <i>(Canceled)</i>	Wednesday (4 <sup>th</sup> )
March 25, 2015	Wednesday (4 <sup>th</sup> )
April 22, 2015	Wednesday (4 <sup>th</sup> )
May 27, 2015	Wednesday (4 <sup>th</sup> )
June 24, 2015*	Wednesday (4 <sup>th</sup> )
July 22, 2015	Wednesday (4 <sup>th</sup> )
August 26, 2015	Wednesday (4 <sup>th</sup> )
September 23, 2015*	Wednesday (4 <sup>th</sup> )
October 28, 2015	Wednesday (4 <sup>th</sup> )
November 18, 2015**	Wednesday (3 <sup>rd</sup> )
December 9, 2015*	Wednesday (2 <sup>nd</sup> )
January 27, 2016*	Wednesday (4 <sup>th</sup> )
<b>Notes:</b>	
* <i>Back-up dates to be used if necessary.</i>	
** <i>Meeting date rescheduled to accommodate holidays</i>	

**Meeting location and start times are typically as follows:**

Planning, Zoning and Building Department  
Vista Center  
2300 North Jog Road  
West Palm Beach, Florida 33411  
Kenneth S. Rogers Hearing Room (VC-1W-47)  
Meetings typically commence at 2:00 p.m.

(1) **DISCLAIMER:** Meetings are subject to change, cancellation, or may be continued, rescheduled, relocated, or commenced at a different time as necessary. (Reasons for the change include but not limited to length of agenda, as needed to respond to Hurricanes or other similar natural disasters, etc.).

U:\Zoning\CODEREV\2015\LDRAB\Meetings\3-25-15\4- Final Packet\12 Attach 8 - 2015 LDRAB Meeting Schedule.docx

**ATTACHMENT 9**



**INTER-OFFICE COMMUNICATION  
DEPARTMENT OF PLANNING, ZONING AND BUILDING  
ZONING DIVISION**

**TO:** Interested County Staff, Related Agencies and Public in General

**FROM:** Jon MacGillis, ASLA, Zoning Director

**DATE:** December 5, 2014 (Revised February 3, 2015) *JC for Jon MacGillis -*

**RE:** **Deadlines/Scheduling for Proposed 2015 Unified Land Development Code (ULDC) Amendments: County Agencies and Privately Initiated Amendments**

**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](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

Shelley Vana, Mayor

Mary Lou Berger, Vice Mayor

Hal R. Valeche

Paulette Burdick

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

This memo serves to notify County Agencies and individuals seeking Privately Initiated Amendments (PIA) of the scheduling for 2015 ULDC amendments. To minimize redundancy and staffing needs, County Agencies are required to submit amendments in accordance with the timeframes and deadlines indicated below. Applicants proposing to submit PIAs are encouraged to utilize the County submittal dates but may also seek to proceed under a separate timeline; however, this may incur additional expense to cover required legal advertisements. It is critical that all applicants coordinate with Zoning Division staff to meet the established schedules and deadlines for any amendments.

**ULDC Amendment Rounds:**

The Zoning Division is proposing to undertake two rounds of amendments for 2015. The tentative schedules for both rounds are as follows:

<b>AMENDMENT ROUND 2015-01</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATES</b>
Land Development Review Advisory Board (LDRAB) Meeting	January 28, 2015 (4) (Cancelled) February 25, 2015(4)(Cancelled)
* Land Development Regulation Commission (LDRC) is typically scheduled for the May LDRAB meeting.	March 25, 2015(1) April 22, 2015 May 27, 2015 *
BCC Hearing – Request for Permission to Advertise	June 25, 2015
BCC Hearing – 1 <sup>st</sup> Reading	July 23, 2015
BCC Hearing – 2 <sup>nd</sup> Reading and Adoption	August 27, 2015
(1) Annual Meeting	

<b>AMENDMENT ROUND 2015-02</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATES</b>
Land Development Review Advisory Board (LDRAB)	June 24, 2015 July 22, 2015
* LDRC is typically scheduled for the November LDRAB meeting.	August 26, 2015 September 23, 2015 October 28, 2015 November 18, 2015 *
BCC Hearing – Request for Permission to Advertise	December 3, 2015
BCC Hearing – 1 <sup>st</sup> Reading	January 7, 2016
BCC Hearing – 2 <sup>nd</sup> Reading and Adoption	January 28, 2016

## **Deadlines for County Agencies:**

<b>AMENDMENT ROUND 2015-01</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATE</b>
Deadline to submit amendment requests	January 9, 2015
Deadline to submit backup documentation	February 27, 2015
First available LDRAB meeting for Agency Request	March 25, 2015

<b>AMENDMENT ROUND 2015-02</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATE</b>
Deadline to submit amendment requests	June 12, 2015
Deadline to submit backup documentation	July 10, 2015
First available LDRAB meeting for Agency Request	August 26, 2015

Initial submittal of amendment requests must include the following:

- 1) Cover letter from Department or Division Director, or other authorized staff;
- 2) Name, title and contact information of primary contact person (will be required to attend LDRAB, LDRC and BCC Hearings to answer any questions);
- 3) Location in ULDC of proposed amendment(s), to include exact article citation and title (or nearest relevant title), and page number(s); and,
- 4) A detailed summary of each proposed amendment.

Backup documentation shall include the following for each proposed amendment:

- 1) Verification that any interested or affected persons or organizations have been consulted during the initiation of amendments, and are being updated where applicable;
- 2) A detailed background and summary; and,
- 3) Preparation of amendment exhibits using the file template provided by Zoning, providing citation and title, a concise "reason for amendment", and text, tables or images to be deleted, relocated or added.

## **Privately Initiated Amendments:**

In 2012 the BCC adopted the privately initiated code amendment process to assist the public. The County will coordinate with interested parties who choose to submit a privately initiated amendment and ensure it follows the newly established process. For a copy of the flow chart process and fee's for a PIA, please visit the [Zoning Web Page](#).

## **Pre-application Meeting:**

A pre-application meeting is required prior to submittal of a County or privately initiated amendment. Please contact Code Revision staff at (561) 233-5566 to schedule an appointment.

If you have any questions or require additional information regarding the proposed schedules, please contact me at 561-233-5234, or William Cross, Principal Site Planner, at (561) 233-5206, or at [WCross@pbcgov.org](mailto:WCross@pbcgov.org).

JPM/WJC/MC

- C. Hard Copy to:  
Verdenia Baker, Deputy County Administrator  
Rebecca D. Caldwell, Executive Director PZB  
Leonard Berger, Chief Assistant County Attorney

Electronic Copy to: Distribution List (attached)

## DISTRIBUTION LIST

### **Primary Recipients:**

Honorable Shelley Vana, Mayor, and Members of the Board of County Commissioners  
Verdenia Baker, Deputy County Administrator  
Robert P. Banks, Chief Land Use County Attorney  
Leonard Berger, Chief Assistant County Attorney  
James C. Stiles, Director, Water Utilities  
Liz Bloeser, Director, Financial Management and Budget  
Chuck Cohen, Deputy Director, Palm Tran  
Lisa DeLaRionda, Director, Public Affairs Department  
Eric Call, Director, Parks and Recreation  
Bonnie Finneran, Division Director, Environmental Resources Management  
Sherry Howard, Deputy Director, Department of Economic Sustainability  
Edward Lowery, Director, Department of Economic Sustainability  
Vincent Bonvento, Assistant County Administrator and Director, Public Safety Department  
Bruce Pelly, Director, Department of Airports  
Channell Wilkins, Director, Community Services  
Joanne Keller, Director of Land Development  
Gary M. Sypek, Director of Planning, Department of Airports  
Richard C. Radcliffe, Executive Director, League of Cities  
Maurice Tobon, Director Utilities Eng. Division, Water Utilities  
Robert Robbins, Director, Environmental Resources Management  
Nick Uhren, Executive Director, Metropolitan Planning Organization  
George Webb, County Engineer  
Dan Weisburg, Director Traffic Engineering, Engineering and Public Works  
Robert Weisman, County Administrator  
Audrey Wolf, Director, Facilities Development and Operations

### **Other Internal Distribution**

Lorenzo Aghemo, Director, Planning Division  
Lisa Amara, Senior Planner, Planning Division  
Rebecca D. Caldwell, Executive Director, PZB  
William Cross, AICP, Principal Site Planner, Zoning Division  
Bryan Davis, Principal Planner, Planning Division  
Ramsay Bulkeley, Director of Code Enforcement  
Wendy Hernandez, Zoning Manager, Community Development Review, Zoning Division  
Michael Howe, Senior Planner, Planning Division  
Isaac Hoyos, Principal Planner, Planning Division  
Robert Kraus, Senior Site Planner, Environmental Resources Management  
Maryann Kwok, AICP, Chief Planner, Zoning Division  
John Rupertus, Senior Planner, Planning Division  
Patrick Rutter, Chief Planner, Planning Division  
Alan Seaman, Principal Site Planner, Admin Review, Zoning Division  
Willie Swoope, Impact Fee Coordinator, PZ&B  
Houston L. Tate, Director, Office of Community Revitalization  
Bruce Thomason, Principal Planner, Planning Division – Monitoring  
Doug Wise, Director, Building Division

### **Other Key Contacts**

Dr. Alina Alonso, M.D., Director, Health Department  
Peter Banting, Real Estate Specialist, Facilities Development and Operations  
Richard Bogatin, Property Specialist, Facilities Development and Operations  
Kristin Garrison, Director, Planning and Real Estate, School District of Palm Beach County  
Tim Granowitz, Principal Planner, Parks and Recreation Department  
Michael Hambor, Engineer Supervisor III, Palm Beach County Health Department  
Arthur Kirstein, IV, Agricultural Economic Development Coordinator, PBC Coop. Ext. Service  
Thomas LeFevre, Engineer Supervisor, Palm Beach County Health Department  
Jean Matthews, Senior Planner, Parks and Recreation  
Timothy Mayer, Director, Division of Environmental Health and Engineering  
Eric McClellan, Senior Site Planner, Facilities Development and Operations  
Elizee Michel, Executive Director, Housing and Community Development



**ATTACHMENT 10**

**MEMORANDUM**

**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**

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

**County Administrator**

Robert Weisman

*"An Equal Opportunity  
Affirmative Action Employer"*

Official Electronic Letterhead

**TO:** The Honorable Shelley Vana, Mayor, and  
Members of the Board of County Commissioners

**THRU:** Rebecca D. Caldwell, Executive Director, PZ&B *RDC*

**FROM:** Jon MacGillis, ASLA, Zoning Director *JM*

**DATE:** February 11, 2014

**RE:** **Unified Land Development Code (ULDC)  
Initiation of Amendment Round 2015-01**

This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the initiation of amendment topics that have been prioritized for inclusion in ULDC Amendment Round 2015-01 (Attachment 1). In addition to the 2015-01 Round Zoning staff will continue to focus on completing the 2013-15 ULDC Use Regulations Project, which had been extended to accommodate Commercial amendments to the Comprehensive Plan, and requests to wait until after the AGR Tier Workshop and the conclusion of the Winter harvest.

The 2015-01 Initiation Round will be on the February 26, 2015 BCC Zoning Hearing for discussion under "Zoning Director Comments". In addition, staff has scheduled meetings with each Commissioner in advance of the Hearing to discuss each of the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JMMWJC

Attachment 1 – Initiation of ULDC Amendment Round 2015-01

**C:** Verdenia Baker, Deputy County Administrator  
Wes Blackman, Chair and Members of the LDRAB  
Leonard Berger, Chief Assistant County Attorney  
Robert Banks, Chief Land Use Assistant County Attorney  
Lorenzo Aghemo, Planning Director  
Maryann Kwok, AICP, Chief Planner, Zoning  
William Cross, AICP, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Zoning Division Staff

U:\Zoning\CODEREV\2015\BCC Hearings\2-26-15 Kick Off Memo\Drafts\2-11-15 FINAL ULDC Round 2015-01 Cover Memo.docx

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2015-01**  
 (Updated 2/17/15)

**ULDC AMENDMENT ROUND 2015-01 SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS**

<b>BCC ZONING HEARINGS:</b>	<b>LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:</b>
<ul style="list-style-type: none"> <li>▪ June 25, 2015: Request for Permission to Advertise</li> <li>▪ July 23, 2015: 1<sup>st</sup> Reading</li> <li>▪ August 27, 2015: 2<sup>nd</sup> Reading/Adoption</li> </ul>	<ul style="list-style-type: none"> <li>▪ March 25, 2015</li> <li>▪ April 22, 2015</li> <li>▪ May 27, 2015 (LDRC)</li> </ul>

**PRIORITIZATION AND STAFFING:**

On a scale of **1 to 3**, staff has ranked both the priority and the level of staffing required for each of the proposed amendments, as follows:

**“Priority” Column:**

- 1 Indicates an issue required to ensure compliance with Federal or State law, or the Comprehensive Plan, or most in need of updating for relevancy or efficiency of operations.
- 2 Generally refers to an issue that is highly recommended for inclusion but not required.
- 3 Includes issues recommended for inclusion but may be postponed to a later Amendment Round.

**“Staffing” Column:**

- 1 Will require a higher level of staff resources, including but not limited to: need for in depth research, public or industry outreach, LDRAB Subcommittee’s or other Task Force, coordination with IPARC or LOC, or other labor intensive process.
- 2 Generally requires a moderate level of staff resources, typically involving lower profile issues that still require public or industry outreach.
- 3 Routine updates requiring lower levels of staff resources or time.

<b>AMENDMENT/TASK</b>	<b>LEAD AGENCY</b>	<b>SUMMARY OF TASK REQUIREMENTS</b>	<b>PRIORITY</b>	<b>STAFFING</b>
<b>Art. 2, Development Review Procedures</b>				
<b>Art. 2.A.1.J.1, Newspaper Publication</b>	<b>Zoning</b>	Codify the requirements for newspaper publications so it applies to Development Order Abandonments (DOA) and Corrective Resolutions, per County Attorney.	<b>1</b>	<b>3</b>
<b>Art. 3, Overlays and Zoning Districts</b>				
<b>Art. 3.A.3.E.3, Planned Development Districts</b>	<b>Zoning</b>	Amend corresponding Planned Development District standards so that a prior Special Exception for a Planned Industrial Development equate to the site’s Light Industrial (IL) or General Industrial (IG) Zoning and not a Multiple Planned Unit Development.	<b>1</b>	<b>2</b>
<b>Art. 3.B.4, Glades Area Overlay</b>	<b>Zoning</b>	Update outdated provisions and implement the recommendations of the Draft Glades Region Master Plan (GRMP) developed under the HUD Community Challenge Planning Grant.	<b>1</b>	<b>1</b>

**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2015-01**

(Updated 2/11/15)

<b>AMENDMENT/TASK</b>	<b>LEAD AGENCY</b>	<b>SUMMARY OF TASK REQUIREMENTS</b>	<b>PRIORITY</b>	<b>STAFFING</b>
<b>Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO)</b>	<b>WCRA/Zoning</b>	General updates recommended by the Westgate Community Redevelopment Agency (WCRA) to accommodate changes in industry trends since the 2004 WCRA Community Redevelopment Plan; address incompatible commercial parking lots; and, enable more design flexibility for WCRA and industry.	<b>1</b>	<b>1</b>
<b>Art. 3.D.2.C.9.c, Maintenance and Roof Overhang Easement (see also Art. 11.D.1.B.14, Restriction on Obstruction of Easements)</b>	<b>Zoning</b>	Clarify a 2014 amendment made by Land Development that consent is not required from an easement holder, as relates to exceptions for fences and other similar improvements, where a fence or wall traverses a Zero Lot Line home maintenance or roof easement.	<b>1</b>	<b>2</b>
<b>Art. 4, Use Regulations</b>				
<b>Art. 4.B.1.A.74-1.a)3)b), Standards [Related to Type II Kennel]</b>	<b>Zoning</b>	Eliminate reference to requirements for sanitary facility connection for outdoor runs.	<b>1</b>	<b>3</b>
<b>Art. 7, Landscaping</b>				
<b>Art. 7.F, Perimeter Buffers</b>	<b>Zoning</b>	Codify internal Policy and Procedure Memorandum that clarifies exceptions to perimeter buffer requirements located in-between certain Planned Development District Pods, to accommodate situations where residential and recreational uses may be combined (e.g. apartments or condos facing a pool amenity).	<b>1</b>	<b>2</b>
<b>Art. 8, Signage</b>				
<b>Art. 8.G.3.B, Electronic Message Signs</b>	<b>Zoning</b>	Allow for Electronic Message Center signage to relay information about meetings, events, etc. within a Planned Unit Development (PUD).	<b>1</b>	<b>2</b>
<b>Other</b>				
<b>2015 Legislative Session</b>	<b>Zoning</b>	PENDING: Review of laws adopted in 2015 Session to determine if any ULDC amendments are required for consistency.	<b>N/A</b>	<b>PENDING</b>

# ATTACHMENT 11

## LDRAB SUBCOMMITTEES

**2015  
Land Development Regulation Advisory Board (LDRAB)  
Subcommittees**

**LANDSCAPE**

The Landscape Subcommittee reconvened in October of 2012 and continued to meet in 2013 and 2014 for a comprehensive revision of Article 7, Landscaping, and to address pending topics from the 2010 Subcommittee. There were three meetings in 2014. Topics discussed included Bamboo in landscape buffers, tree height and location, bio-swailes, grade changes, Alternative Landscape Plans (ALP) standards and xeriscape.

Additional Subcommittee meetings will be scheduled to continue analysis and discussion of landscape definitions and provisions that respond to industry trends, correct glitches in the Code and create consistency between different land development regulations. Amendments are tentatively proposed to be included in Round 2015-02, for adoption by the Board of County Commissioners in January 2016.

Project Manager(s): Barbara Pinkston-Nau / Rodney Swonger

**LDRAB Subcommittee Members in 2014:**

- Terrence Bailey
- David Carpenter
- Mike Zimmerman

**USE REGULATIONS PROJECT**

This long-term project is intended to simplify definitions, approval processes and supplemental standards for all uses contained in the Unified Land Development Code (ULDC), by eliminating redundancies or glitches, recognizing new industry trends, streamlining the approval processes where feasible, which includes review of the uses allowed in Zoning Districts, determining the appropriate permits, and ensuring consistency with the Comprehensive Plan.

The main goal of this Subcommittee is to improve predictability to encourage development and reduce unnecessary regulations while continuing to protect the health, safety and welfare of County residents, by mitigating the adverse impacts of incompatible land uses. The Subcommittee assists staff in the analysis and applicability of the proposed Code changes.

This Subcommittee will continue to meet in 2015 for the completion of the Project by reviewing pending use classifications: Utilities and Excavation, Public and Civic, Commercial, and Agriculture. In 2014 the Subcommittee held two meetings related to proposed formatting of Article 4, Recreation and Residential Uses.

Project Manager(s): Monica Cantor / William Cross

**LDRAB Subcommittee Members in 2014:**

- Jerome I. Baumohl
- Wes Blackman
- Joni Brinkman
- David Carpenter
- Jim Knight

**2014 Land Development Regulation Advisory Board (LDRAB) Subcommittees  
In 2014, additional LDRAB Subcommittee meetings were held for the following items:**

**Architecture**

At the May 22, 2014 BCC Zoning hearing, the Zoning Commission requested that the Unified Land Development Code (ULDC) be amended to require that projects subject to Article 5.C, Design Guidelines, needing Zoning Commission recommendation or approval, provide preliminary architectural elevations for review. The BCC directed staff to convene a subcommittee to determine if such amendments are needed and two subcommittee meetings were held in 2014. The amendments were pulled out from Round 2014-02 at the adoption BCC Zoning hearing on January 29, 2015.

**LDRAB Subcommittee Members**

- Terrance N. Bailey
- Jerome I. Baumohl
- Wes Blackman
- James Brake
- Jim Knight

**Light-Emitting Diode (LED) Signage**

This subcommittee was created in response to the Board of County Commissioners (BCC) direction at the Zoning Hearing on December 5, 2013 related to the use of Light-Emitting Diodes (LEDs) for gas station signage. The LED Signage Subcommittee meeting was held once in 2014 to consider performance standards that addressed possible adverse impacts of LED signs on adjacent properties and traffic.

**LDRAB Subcommittee Members**

- Terrance N. Bailey
- Jerome I. Baumohl
- Jim Knight

## EXHIBIT B

# ZERO LOT LINE HOME FENCES AND WALLS SUMMARY OF AMENDMENTS

(Updated 3-2-15)

1  
2 **Part 1. ULDC Art. 3.D.2.C.9.c, Maintenance and Roof Overhang Easement (page 137 of 234), is**  
3 **hereby amended as follows:**  
4

**Reason for amendments:** [Zoning/Building] Re-affirm Zero Lot Line (ZLL) homeowners rights to construct fences or walls on their property, including within the ZLL Maintenance and Roof Overhang Easement of an abutting ZLL home (contingent on HOA approval), as historically intended by the existence of gate and access provisions. The standard was inadvertently revised in Round 2012-02, which intended to clean up required Plat dedication language and establish consistency with Land Development standards in Art. 11, Subdivision, Platting and Improvements.

## 5 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

### 6 **Section 2 PDRs for Specific Housing Types**

#### 7 **C. ZLL Design Standards**

##### 8 **9. Permitted Openings and Attachments**

##### 9 **c. Maintenance and Roof Overhang Easement**

10 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment  
11 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the  
12 portion of the home with a zero setback and to accommodate any overhang of the roof  
13 eave and gutter. Should a fence or wall traverse or be located within a maintenance and  
14 roof easement, written permission from the HOA all-easement beneficiaries will be  
15 required prior to the issuance of a permit by PBC. A gate for access and maintenance  
16 purposes will be required. Access for the owner of the lot abutting the easement and the  
17 easement beneficiaries shall be provided after advanced notification and during  
18 reasonable hours. No construction, landscaping, mechanical equipment, fence or wall  
19 shall prevent perpetual access to said easement by the owner of the lot abutting the  
20 easement or the easement beneficiaries. **[Ord. 2013-001]**  
21

22  
23 **Part 2. ULDC Art. 11.D.1.B.14, Restriction on Obstruction of Easements (page 28 of 46), is**  
24 **hereby amended as follows:**  
25

**Reason for amendments:** [Zoning/Building/Land Development] Re-affirm Zero Lot Line (ZLL) property owners right to construct fences or walls on their property, including within the ZLL Maintenance and Roof Overhang Easement of an abutting ZLL home, as historically intended by the existence of gate and access provisions. The standard was inadvertently revised in Round 2012-02, which intended to clean up required Plat dedication language and establish consistency with Land Development standards in Art. 11, Subdivision, Platting and Improvements.

## 26 **CHAPTER D PLATTING**

### 27 **Section 1 Requirements for the Preliminary and Final Plat**

#### 28 **B. Final Plat**

##### 29 **14. Restriction on Obstruction of Easements**

30 The plat shall contain a statement that no buildings or any kind of construction or trees or  
31 shrubs shall be placed on any easement without prior written consent of all easement  
32 beneficiaries and all applicable PBC approvals or permits as required for such encroachment,  
33 or as otherwise exempted for ZLL maintenance and overhang easements in accordance with  
34 Art. 3.D.2.C.9.c.1, Easement Access.  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

U:\Zoning\CODEREV\2015\LDRAB\Meetings\3-25-15\4- Final Packet\Exhibit B - Zero Lot Line Home Fences and Walls.docx

#### **Notes:**

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to: ]**.

*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 C

## TYPE II KENNELS – STANDARDS FOR OUTDOOR RUNS SUMMARY OF AMENDMENTS

(Updated 3-13-15)

1  
2 Part 1. ULDC Art. 4.B.1.A.74-1, Type II Commercial Kennel (page 64 of 171), is hereby  
3 amended as follows:  
4

**Reason for amendments:** [Zoning] 1) Update sanitary requirements for outdoor runs to be consistent with current standards adopted for Type III Kennels, which simply ensures compliance with appropriate regulatory agencies. Includes deletion of “hard surfaced or grassed” which would be addressed through compliance with applicable Animal Care and Control requirements for animal enclosures; and, 2) Clarify that opaque hedges are only required when visible (i.e. may be screened by landscape buffers, buildings, etc.).

### 5 CHAPTER B SUPPLEMENTARY USE STANDARDS

#### 6 Section 1 Uses

##### 7 A. Definitions and Supplementary Standards for Specific Uses

##### 8 74. -1. Kennel, Type II (Commercial)

9  
10 a. Limitations of Use

11  
12 3) Outdoor Runs

13 a) Setbacks

14 Outdoor runs or animal exercise area shall not be located within 50 feet of any  
15 property line adjacent to a residential district, use or where mixed use is required,  
16 or 25 feet of any property line adjacent to a non-residential district. [Ord. 2006-  
17 036] [Ord. 2008-037]

18 b) Fencing and Screening **Standards**

19 ~~Outdoor runs or animal exercise area shall be hard surfaced or grassed with~~  
20 ~~drains provided every ten feet and shall be connected to an approved sanitary~~  
21 ~~facility.~~ A minimum six-foot high safety fence shall be required around outdoor  
22 runs. If the safety fence is not opaque or screened from view of adjacent  
23 properties or R-O-W, a continuous solid opaque hedge a minimum of four feet at  
24 installation shall be provided around the outdoor run\area. [Ord. 2006-036]

25 c) **Waste Disposal**

26 A Type II kennel shall meet the ECR I and ECR II standards and shall be subject  
27 to all applicable rules and regulations of the FDEP, PBCHD and SWA.  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

U:\Zoning\CODEREV\2015\LDRAB\Meetings\3-25-15\4- Final Packet\Exhibit C - Type II Kennels-Standards for Outdoor Runs.docx

#### Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [**Relocated to:** ].

*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.