#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:

**Reason:** 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.

---

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

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 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,

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
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
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 Baumoeohl (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
(None)

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. Baumoeohl 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. Baumoeohl.

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.
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
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
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 Commission on Ethics:** [http://www.palmbeachcountyethics.com/](http://www.palmbeachcountyethics.com/)


**Palm Beach County Charter:** [http://www.pbcgov.com/countycommissioners/pdf/charter.pdf](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

**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 your 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.
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<td>Feb. 2, 2016</td>
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**Total Attendees:** 14 16 14 13 12 14 - 13 11

**Legend/Notes:**
- **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.
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.
EXHIBIT A

   ▪ Delete redundant requirements related to the Allocation Plan.

2. Art. 1.I.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).

   ▪ 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

8. Art. 3.E.2.H, Agricultural Enclave (AGE) PUD
   ▪ AGE PUD standards are no longer necessary with deletion of the Allocation Plan.

   ▪ 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.2a), 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.

    ▪ 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.

    ▪ 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
19. Art. 3.F.3.E.5.g and h, Porches and Balconies and Patios
   - Allow for increase in garage size for front load garages in TND Residential uses.

20. Art. 3.F.3.E, TND Residential Lot Size and Setback Regulations
   - 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.

   - 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.

   - Allow for minor expansion of exemption from building transparency requirements for uses requiring
     privacy.

   - 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.

   - Signage language is no longer applicable. Requires deletion to be consistent with amendments to Art.
     3.
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)

### Member List

<table>
<thead>
<tr>
<th>Seat</th>
<th>Member (Occupation)</th>
<th>District or Organization</th>
<th>Seat Term (1)</th>
<th>Member Term Completed (2)</th>
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<tr>
<td>1</td>
<td>Michael J. Peragine (Real Estate Broker)</td>
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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)

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<td>January 27, 2016*</td>
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**Notes:**
- * Back-up dates to be used if necessary.
- ** Meeting date rescheduled to accommodate holidays

**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

LDRAB  
March 25, 2015
ATTACHMENT 9

ATTACHMENT 9

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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)

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

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:

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<th>AMENDMENT ROUND 2015-01</th>
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<td>Land Development Review Advisory Board (LDRAB) Meeting</td>
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<td>BCC Hearing - Request for Permission to Advertise</td>
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<td>BCC Hearing - 1st Reading</td>
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<tr>
<td>BCC Hearing - 2nd Reading and Adoption</td>
<td>August 27, 2015</td>
</tr>
<tr>
<td>(1) Annual Meeting</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AMENDMENT ROUND 2015-02</th>
<th>SCHEDULED DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Development Review Advisory Board (LDRAB)</td>
<td>June 24, 2015</td>
</tr>
<tr>
<td>* LDRC is typically scheduled for the November LDRAB meeting.</td>
<td>July 22, 2015</td>
</tr>
<tr>
<td>BCC Hearing - Request for Permission to Advertise</td>
<td>August 26, 2015</td>
</tr>
<tr>
<td>BCC Hearing - 1st Reading</td>
<td>September 23, 2015</td>
</tr>
<tr>
<td>BCC Hearing - 2nd Reading and Adoption</td>
<td>October 28, 2015</td>
</tr>
<tr>
<td>(1) Annual Meeting</td>
<td>November 18, 2015</td>
</tr>
</tbody>
</table>

"An Equal Opportunity Affirmative Action Employer"

Official Electronic Letterhead
Deadlines for County Agencies:

<table>
<thead>
<tr>
<th>AMENDMENT ROUND 2015-01</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACTIVITY</strong></td>
</tr>
<tr>
<td>Deadline to submit amendment requests</td>
</tr>
<tr>
<td>Deadline to submit backup documentation</td>
</tr>
<tr>
<td>First available LDRAB meeting for Agency Request</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AMENDMENT ROUND 2015-02</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACTIVITY</strong></td>
</tr>
<tr>
<td>Deadline to submit amendment requests</td>
</tr>
<tr>
<td>Deadline to submit backup documentation</td>
</tr>
<tr>
<td>First available LDRAB meeting for Agency Request</td>
</tr>
</tbody>
</table>

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.

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**

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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**
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Lisa Amara, Senior Planner, Planning Division  
Rebecca D. Caldwell, Executive Director, PZB  
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Bryan Davis, Principal Planner, Planning Division  
Ramsay Bulkeley, Director of Code Enforcement  
Wendy Hernandez, Zoning Manager, Community Development Review, Zoning Division  
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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 Thomson, 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
MEMORANDUM

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

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

FROM: Jon MacGillis, ASLA, Zoning Director

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.

JM/WJC

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

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

<table>
<thead>
<tr>
<th>BCC ZONING HEARINGS:</th>
<th>LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 25, 2015: Request for Permission to Advertise</td>
<td>March 25, 2015</td>
</tr>
<tr>
<td>July 23, 2015: 1st Reading</td>
<td>April 22, 2015</td>
</tr>
<tr>
<td>August 27, 2015: 2nd Reading/Adoption</td>
<td>May 27, 2015 (LDRC)</td>
</tr>
</tbody>
</table>

### 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.

### AMENDMENT/TASK SUMMARY OF TASK REQUIREMENTS PRIORITY STAFFING

<table>
<thead>
<tr>
<th>AMENDMENT/TASK</th>
<th>LEAD AGENCY</th>
<th>SUMMARY OF TASK REQUIREMENTS</th>
<th>PRIORITY</th>
<th>STAFFING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 2, Development Review Procedures</td>
<td>Zoning</td>
<td>Codify the requirements for newspaper publications so it applies to Development Order Abandonments (DOA) and Corrective Resolutions, per County Attorney.</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Art. 3, Overlays and Zoning Districts</td>
<td>Zoning</td>
<td>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.</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Art. 3.B.4, Glades Area Overlay</td>
<td>Zoning</td>
<td>Update outdated provisions and implement the recommendations of the Draft Glades Region Master Plan (GRMP) developed under the HUD Community Challenge Planning Grant.</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>
## ATTACHMENT 1
### INITIATION – ULDC AMENDMENT ROUND 2015-01

(Updated 2/11/15)

<table>
<thead>
<tr>
<th>AMENDMENT/TASK</th>
<th>LEAD AGENCY</th>
<th>SUMMARY OF TASK REQUIREMENTS</th>
<th>PRIORITY</th>
<th>STAFFING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO)</td>
<td>WCRA/Zoning</td>
<td>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.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>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)</td>
<td>Zoning</td>
<td>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.</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Art. 4, Use Regulations</td>
<td>Zoning</td>
<td>Eliminate reference to requirements for sanitary facility connection for outdoor runs.</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Art. 7, Landscaping</td>
<td>Zoning</td>
<td>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).</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Art. 8, Signage</td>
<td>Zoning</td>
<td>Allow for Electronic Message Center signage to relay information about meetings, events, etc. within a Planned Unit Development (PUD).</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2015 Legislative Session</td>
<td>Zoning</td>
<td>PENDING: Review of laws adopted in 2015 Session to determine if any ULDC amendments are required for consistency.</td>
<td>N/A</td>
<td>PENDING</td>
</tr>
</tbody>
</table>
LDRAB SUBCOMMITTEES

2015
Land Development Regulation Advisory Board (LDRAB) Subcommittees

<table>
<thead>
<tr>
<th>LANDSCAPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>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-swales, 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.</td>
</tr>
<tr>
<td>Project Manager(s): Barbara Pinkston-Nau / Rodney Swonger</td>
</tr>
<tr>
<td>LDRAB Subcommittee Members in 2014:</td>
</tr>
<tr>
<td>Terrence Bailey</td>
</tr>
<tr>
<td>David Carpenter</td>
</tr>
<tr>
<td>Mike Zimmerman</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USE REGULATIONS PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
<tr>
<td>Project Manager(s): Monica Cantor / William Cross</td>
</tr>
<tr>
<td>LDRAB Subcommittee Members in 2014:</td>
</tr>
<tr>
<td>Jerome I. Baumoehl</td>
</tr>
<tr>
<td>Wes Blackman</td>
</tr>
<tr>
<td>Joni Brinkman</td>
</tr>
<tr>
<td>David Carpenter</td>
</tr>
<tr>
<td>Jim Knight</td>
</tr>
</tbody>
</table>

| 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.

<table>
<thead>
<tr>
<th>LDRAB Subcommittee Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrance N. Bailey</td>
</tr>
<tr>
<td>Jerome I. Baumoehl</td>
</tr>
<tr>
<td>Wes Blackman</td>
</tr>
<tr>
<td>James Brake</td>
</tr>
<tr>
<td>Jim Knight</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Terrance N. Bailey</td>
</tr>
<tr>
<td>Jerome I. Baumoehl</td>
</tr>
<tr>
<td>Jim Knight</td>
</tr>
</tbody>
</table>
EXHIBIT B
ZERO LOT LINE HOME FENCES AND WALLS
SUMMARY OF AMENDMENTS
(Updated 3-2-15)

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

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.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 2 PDRs for Specific Housing Types

C. ZLL Design Standards

9. Permitted Openings and Attachments

3 c. Maintenance and Roof Overhang Easement

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

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

Reason for amendments: [Zoning/Building/Land Development] Re-affirm Zero Lot Line (ZLL) property owners rights 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.

CHAPTER D PLATTING

Section 1 Requirements for the Preliminary and Final Plat

B. Final Plat

14. Restriction on Obstruction of Easements

The plat shall contain a statement that no buildings or any kind of construction or trees or shrubs shall be placed on any easement without prior written consent of all easement beneficiaries and all applicable PBC approvals or permits as required for such encroachment, or as otherwise exempted for ZLL maintenance and overhang easements in accordance with Art. 3.D.2.C.9.c.1, Easement Access.

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.

LDRAB March 25, 2015
EXHIBIT C

TYPE II KENNELS – STANDARDS FOR OUTDOOR RUNS
SUMMARY OF AMENDMENTS
(Updated 3-13-15)

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

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

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

.....

a) Limitations of Use

.....

3) Outdoor Runs

a) Setbacks

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

b) Fencing and Screening Standards

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

c) Waste Disposal

A Type II kennel 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.

.....