

AGENDA

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD LAND DEVELOPMENT REGULATION COMMISSION MAY 11, 2005

BOARD MEMBERS

Wes Blackman, AICP Chair

D. J. Snapp, III, Vice Chair

Barbara Katz

Barbara Suflas Noble

Rosa Durando

Wayne Larry Fish, P.S.M.

Maurice Jacobson

Jack Miles

Brian Waxman, Esq., Alternate

Frank Palen, Esq., Alternate

Joanne Davis

Ron Last, P.E.

Chuck Congdon

Stephen Dechert

Martin Klein, Esq.

David Carpenter, RLA

Thomas Kastner

Carmine Priore

Scott Worley

**Tony Masilotti
Chair, District 6**

**Addie L. Greene
Vice Chair, District 7**

**Karen T. Marcus
Commissioner, District 1**

**Jeff Koons
Commissioner, District 2**

**Warren H. Newell
Commissioner, District 3**

**Mary McCarty
Commissioner, District 4**

**Burt Aaronson
Commissioner, District 5**



**Robert Weisman
County Administrator**



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRA B)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
Wednesday, May 11, 2005 AGENDA
100 Australian Avenue
4th Floor Conference Room, 2:00 p.m.**

A. Call to Order/Convene as the Land Development Regulation Advisory Board (LDRA B)

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of February 9, 2005, and March 3, 2005 Minutes (Attachment A)

B. ULDC Amendments

Attachment B Article 3 – Overlays and Zoning Districts
Attachment C Article 4 – Use Regulations
Attachment D Article 5 – Supplementary Standards

C. Convene as the Land Development Regulation Commission (LDRC)

1. Proof of Publication
2. Consistency Determinations

D. Reconvene as the Land Development Regulation Advisory Board (LDRA B)

E. Sub-committees

1. General Issues
2. Unique Structures
3. Westgate Belvedere Homes CRA Overlay and Urban Redevelopment Area (URA)
4. Landscaping

F. Public Comments

G. Staff Comments

H. Adjourn

PALM BEACH COUNTY

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

Minutes of March 3, 2005 Meeting

On Thursday, March 3, 2005 at 2:40 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB) met in the Fourth Floor Conference Room, at 100 Australian Avenue, West Palm Beach, Florida, for their annual organizational meeting:

A) Call to Order/Convene as LDRAB.

1) Roll Call

Chair Wes Blackman called the meeting to order at 2:40 p.m. Leticia Stinson, Code Revision Secretary, called the roll.

Members Present

Wesley Blackman
Chuck Congdon
Rosa Durando
Barbara Katz
Ron Last
Frank Palen (alternate)*
Carmine Priore
D.J. Snapp
Scott Worley

Members Present - 9

Members Absent

David Carpenter
Joanne Davis
Stephen Dechert
Larry Fish
Maurice Jacobson
Martin Klein
Barbara Noble
Brian Waxman (alternate)*

Members Absent - 8

*Includes 2 alternates

County Staff Present:

Barbara Alterman, PZB Director
Robert T. Buscemi, R.A, Principal Planner, Zoning
William Cross, Senior Planner, Zoning
Isaac Hoyos, Principal Planner, Planning
Izabela Aurelson, Planner I, Zoning
Leticia Stinson, Code Revision Secretary, Zoning
Lenny Berger, Assistant County Attorney

2) Additions, Substitutions and Deletions

Robert Buscemi opened the meeting with a formal welcome extended to all the members, in particular Mr. Scott Worley, Mr. Carmine Priore and Mr. Chuck Congdon who were recently appointed to the Board.

A nomination of a Chair and a Vice Chair was added as an item to the agenda.

3) Nominations

Wes Blackman was elected as Chair of the LDRAB and D.J. Snapp a Vice Chair. Motion was made by Barbara Katz, seconded by D.J. Snapp to adopt the nominations.

4) Motion to Adopt Agenda

A motion was made by Barbara Noble, seconded by D.J. Snapp, to adopt the agenda. The motion passed unanimously (9 - 0).

5) Adoption of February 9, 2005 Minutes

The February 9, 2005 minutes were not available for the meeting.

B) 2005 Workplan

1) 2005 Meeting Schedule

Changes to the proposed 2005 LDRAB meeting schedule were discussed by the members during an open forum. Various suggestions were made with the final recommendation that staff conduct an email or phone poll to better determine specific conflicts and room availability for the future meetings.

2) Summary of 2005 Proposed Amendments

Bill Cross presented an overview of the proposed 2005 amendments to the Unified Land Development Code. These were organized by articles and are subject to change. The subject of PUD golf courses drew particular attention of the members. D.J. Snapp pointed out that a policy might be needed to ensure that PUD golf courses cannot be

developed or converted to other uses or, if they are, that the benefits are directed to the community. The Board resolved to consider the specific aspects of all the proposed amendments at the time of the relevant meeting.

3) Summary of 2004 Adopted Amendments

Bill Cross directed the members to refer to the Appendix A for the summary of all the 2004 adopted amendments.

C) Meeting Procedures

1) Robert's Rules of Order

Lenny Berger provided a brief summary of the Robert's Rules of Order, which in a slightly modified way are being utilized during the LDRAB proceedings.

2) Code of Ethics/Sunshine Laws

Lenny Berger summarized the fundamentals of the Palm Beach County Sunshine Laws and the Code of Ethics. He invited the members to peruse the "Working in the Sunshine" booklet, which was included in their meeting packet.

3) Rules of Procedure

Lenny Berger presented an overview of the "Rules of the Procedure", that the LDRAB adopted on May 20, 2004. He reminded the members that it is their prerogative to make amendments to these rules, should they decide that there is a need for it.

D) Miscellaneous

1) Membership and New Appointments

Bill Cross presented the Board with a new membership list.

2) PZB Website Resources

Bill Cross reminded the members of the wealth of information that is available to them on the zoning website. He directed them to consult the Code Revision webpage for specific information concerning LDRAB.

3) Attendance

Bill Cross asked the members to refer to the included 2004 Attendance Matrix for statistical information concerning the attendance of meetings in the past year. He reminded the members that absence from three consecutive meetings constitutes a reason for dismissal of a member from the Board.

E) Staff Comments

Barbara Alterman announced Jon MacGillis' acceptance of the Zoning Director's position and congratulated him on his promotion.

G) Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 3:55 p.m.

Recorded tapes of all Land Development Regulation Advisory Board are kept on file in the Palm Beach County Zoning/Code Revision office.

PALM BEACH COUNTY

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

Minutes of February 9, 2005 Meeting

On Wednesday, February 9, 2005 at 2:00 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB) met in the Fourth Floor Conference Room, at 100 Australian Avenue, West Palm Beach, Florida, for their annual organizational meeting:

A) Call to Order/Convene as LDRAB.

1) Roll Call

Chair Wes Blackman called the meeting to order at 2:00 p.m. Leticia Stinson, Code Revision Secretary, called the roll.

Members Present

Wesley Blackman
David Carpenter
Joanne Davis
Larry Fish
Maurice Jacobson
Barbara Katz
Martin Klein
Frank Palen (alternate)*
Brian Waxman (alternate)*

Members Absent

Stephen Dechert
Rosa Durando
Ron Last
Barbara Noble
D.J. Snapp

Members Present – 9

Members Absent – 5

*Includes 2 alternates

County Staff Present:

Barbara Alterman, PZB Director
Jon MacGillis, ASLA, Zoning Director
Robert T. Buscemi, R.A, Principal Planner, Zoning
William Cross, Senior Planner, Zoning
Isaac Hoyos, Principal Planner, Planning
Izabela Aurelson, Planner I, Zoning
Leticia Stinson, Code Revision Secretary, Zoning
Lenny Berger, Assistant County Attorney
Bob Banks, Assistant County Attorney

2) Additions, Substitutions and Deletions

None.

3) Motion to Adopt Agenda

A motion was made by Maurice Jacobson, seconded by Martin Klein, to adopt the agenda. The motion passed unanimously (9 – 0).

4) Adoption of January 5, 2005 Minutes

A motion was made by Maurice Jacobson, seconded by Martin Klein, to adopt the January 5, 2005 minutes. The motion passed unanimously (9 – 0).

B) ULDC Amendments

Bill Cross presented an overview of the proposed Loxahatchee Groves moratorium. . Bob Banks pointed out that the moratorium was requested by the Loxahatchee Groves community. He also clarified that it will prohibit re-zonings in the Loxahatchee Groves area until December 31, 2005, implementing County direction that was received in December of 2004. An election will be held by December 31, 2005 to decide if Loxahatchee Groves will or will not become a city. The moratorium will expire unless the Commissioners vote on a new one.

A motion to approve was made by Martin Klein, seconded Maurice Jacobson. The motion passed unanimously (9 – 0).

C) Convene as the Land Development Regulation Commission (LDRC)

1) Proof of Publication

A motion was made by Maurice Jacobson, seconded by David Carpenter, to adopt proof of publication. The motion passed unanimously (9 – 0).

2) Consistency Determination

Isaac Hoyos stated the amendment was neither consistent nor non-consistent with the Comprehensive Plan.

A motion was made by Barbara Katz, seconded by Maurice Jacobson, to find the amendment consistent with the Plan. The motion passed unanimously (9 – 0).

D) Reconvene at the Land Development Regulation Advisory Board (LDRAB)

A motion was made by Martin Klein, seconded by Maurice Jacobson to reconvene as LDRAB. The motion passed unanimously (9 – 0)

E) Public Comments

None.

F) Staff Comments

Robert Buscemi stated that the BCC approved the Big Box Ordinance. He also stated that the Board would have new members starting in March. Barbara Alterman presented Jon MacGillis as the new Zoning Director.

G) Adjourn

The Land Development Regulation Advisory Board meeting adjourned at 3:57 p.m.

Recorded tapes of all Land Development Regulation Advisory Board are kept on file in the Palm Beach County Zoning/Code Revision office.

ARTICLE 3, OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

Part 1. Unified Land Development Code of Palm Beach County (ULDC), Art. 3.D.1.A, PDRs, (page 40 of 125), is hereby amended as follows:

Reason for amendment: Clarify that front setback, and all other setbacks shall be based on the definition for "lot frontage" - that side of the property line abutting a legally accessible street. On a corner lot, the frontage may be designated by the owner, subject to the approval by the Zoning Division who will determine whether it is consistent with the orientation of the other lots and improvements on the same side of the accessible street.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

Section 1 PDRs for Standard Zoning Districts

A. PDRs

The minimum lot dimensions, minimum and maximum density, maximum FAR, maximum building coverage, and minimum setbacks in each standard zoning district are indicated in Table 3.D.1.A-5, Property Development Regulations unless otherwise stated. Front, side, side street and rear setbacks shall be applied in accordance with the lot orientation as defined by lot frontage.

Part 2. ULDC of Palm Beach County, Table 3.D.1.A.5, Property Development Regulations, (page 41 of 125), is hereby amended as follows:

Reason for amendment: 1) RT District: correct glitch from consolidation of RT and RTS districts, to indicate minimum historical lot size of ½ acre for LR-1 straight zoned development; 2) Delete density and FAR provisions and refer to appropriate tables of the Plan to eliminate redundancy (Note: The PO district is subject to the density and FAR requirements of the Plan).

Notes:

Underlined language indicates proposed new language.

Language ~~crossed-out~~ indicates language proposed to be deleted.

.... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

ARTICLE 3, OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

Table 3.D.1.A-5 - Property Development Regulations

Zoning District	Lot Dimensions			Density (7) (8)		FAR (8)	Building Coverage	Setbacks ^{8 (10)}			
	Size	Width and Frontage	Depth	Min	Max			Front	Side	Side Street	Rear
Agriculture/Conservation											
PC	1 ac.	-	-	-	-	-	-	50	50	50	50
AP	10 ac.	300	300	-	-1 (1)	-10	10%	100	50	80	100
AGR	5 ac.	300	300	-	-2	-15	15%	100	50	80	100
Residential											
AR	(2) (3)(4)	300	300	-	-(5)	.15	15%	100	50	80	100
RE	2.5 ac.	200	200	-	-0.4	-	20%	50	40	50	50
RT (LR-1)	20,000	100	125	-	-2.0	-	30%	25	15	25	25
RT (LR-2/LR-3)	14,000										
RS	6,000	65	75	-	-5.0	-	40%	25	7.5	15	15
RM	(6)	65	75	5.0	-	-	40%	25	15	25	15 ⁽¹¹⁾
Commercial											
CN	0.5 ac.	100	100	-	-	-25	25%	30	30	(9)	30
CC	1 ac.	100	200	-	-	-35	25%	30	30	(9)	30
CG	1 ac.	100	200	-	-	-35	25%	50	15	(9)	20
CLO	1 ac.	100	200	-	-	-25	25%	30	15	(9)	20
CHO	1 ac.	100	200	-	-	-35	25%	40	15	(9)	20
CRE	3 ac.	200	300	-	-	-50	40%	80	50	80	50
Industrial											
IL	1 ac.	100	200	-	-	-45	45%	40	15	25	20
IG	2 ac.	200	200	-	-	-45	45%	45	20	45	20
Institutional/Civic											
IPF	1 ac.	100	200	-	-	-35	25%	50	15	25	20
PO	-	-	-	-	-	-	-	-	-	-	-

- [Ord. 2005 – 002]
Notes for Table 3.D.1.A-5:
- The only density allowed in the AP zoning district is for properties in the LR-1 FLU category located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point, in the Glades Tier only. [Ord. 2005 – 002]
 - The minimum lot size in the AR district corresponds to the FLU category as follows: RR20 – 20 acres; RR10 – 10 acres; RR5 – 5 Acres; RR2.5 – 2.5 acres; U/S Tier – 5 acres.
 - Nonconforming lots in the AR district may use the setback provisions in Art.1.F.4, Nonconforming Lots.
 - AR lots in the RR-2.5-FLU designation may use the RE PDR's. [Ord. 2005 – 002]
 - ~~The maximum density in the AR district corresponds to the FLU category as follows: RR20 – 1 unit/20 acres; RR10 – 1 unit/10 acres; RR5 – 1 unit/5 acres; RR2.5 – 1 unit/2.5 acres; U/S Tier – 1 unit/5 acres. [Ord. 2005 – 002] Renumber accordingly~~
 - Density is determined by the FLU designation on each parcel of land in the Plan. The number of units permitted on a parcel of land which complies with the applicable property development regulations and design standards, therefore, is an acceptable minimum lot size. [Ord. 2005 – 002]
 - ~~The minimum and maximum allowable densities shall be in accordance with Table 2.1-1 of the Plan, and other related provisions, unless otherwise noted. The minimum allowable density may be less if a project is granted a minimum density exception pursuant to the Plan. [Ord. 2005 – 002]~~
 - ~~The maximum FAR shall be in accordance with Table 2.1-2 of the Plan, and other related provisions, unless otherwise noted. The .15 FAR for the AR district is applicable where the primary use of a lot is residential. The maximum allowable density may be greater if the project is granted the right to develop above the standard density pursuant to the applicable provisions in the Plan or this Code, such as WHP, TDR, or a provision in an Overlay. [Ord. 2005 – 002]~~
 - Setback equal to width of R-O-W buffer pursuant to Art. 7, Landscaping. [Ord. 2005 – 002]
 - Buildings over 35 feet in height may be permitted in accordance with Article 3.D.1.E, Multifamily, Non-residential Districts and PDD's. [Ord. 2005 – 002]
 - Property previously developed with a RM or RH rear setback of 12' shall be considered conforming and subject to Art. 1.E, Prior Approvals. [Ord. 2005 – 002]

Part 3. ULDC of Palm Beach County, Art. 3.D.1.B, General Exceptions (page 41 of 125), is hereby amended as follows:

Reason for amendment: Glitch – Clarify prior Code provisions for PO, with exception to FAR as regulated by the Plan.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

Section 1 PDRs for Standard Zoning Districts

B. General Exceptions

4. PO District
Development in the PO district shall be exempt from Art. 3.D.1, PDRs for Standard Zoning Districts, with exception to the FAR requirements of Table 3.D.1.A-5, Property Development Regulations.

Notes:
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Relocated language is shown as *italicized* with reference in parenthesis.

ARTICLE 3, OVERLAYS AND ZONING DISTRICTS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

Part 4. ULDC of Palm Beach County, Art. 3.D.1.D.5.a, Structures Projections and Improvements Permitted in Setbacks (page 45 of 125), is hereby amended as follows:

Reason for amendment: 1) Correct punctuation; and, 2) add exception for balconies in the front setback for single-family and zero lot line homes.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

Section 1 PDRs for Standard Zoning Districts

D. Setbacks

5. Setback Exceptions

The following structures, projections, and improvements shall be allowed within required setbacks:

a. Structures, Projections and Improvements Permitted in Setbacks

1) Arbors and trellises less than ten feet in height, subject to a minimum three foot setback;

2) Balconies projecting a maximum of three feet into the front setback of a SFD or ZLL home, subject to the following limitations:

a) Limited to the front setback only;

b) Total combined width of balconies projecting into front setback shall not exceed 25 percent of the total width of the front façade; and,

c) ZLL homes with balconies projecting into the front setback shall have a minimum ten foot side setback from the ZLL.

....

[Alphabetize and renumber accordingly.]

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ARTICLE 4, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

Part 1. Unified Land Development Code of Palm Beach County (ULDC), Table 4.A.3.A-1, Use Matrix, (page of 13 of 149), is hereby amended as follows:

Reason for amendment: 1) Special Permits were originally required for accessory dwellings (AD) to document that the AD would be used by a person with disabilities, elderly or low income. Prior amendments under Ord. 2003-067 deleted occupancy limitations, thus negating need to require special permits. Accessory dwelling supplementary use standards are addressed at time of building permit review and CO; and, 2) AD in AP District is not consistent with the Plan.

Table 4.A.3.A-1 – Use Matrix

Use Type	Zoning District/Overlay																		N O T E
	Agriculture/ Conservation			Residential					Commercial						Industry/ Public				
	P C	A G R	A P	AR		R E	R T	R S	R M	C N	C L O	C C	C H O	C G R E	I L	I G	P O	I P F	
				R S A	U S A														
Residential Uses																			
Single Family		P		P	P	P	P	P	P									A	122
Zero Lot Line Home								D	D									A	142
Townhouse								D	D									A	132
Multi-Family									P									A	87
Mobile Home Dwelling		S	S	S															85
Accessory Dwelling		<u>P</u> <u>S</u>	<u>S</u>	<u>P</u> <u>S</u>	<u>P</u> <u>S</u>	<u>P</u> <u>S</u>	<u>P</u> <u>S</u>	<u>P</u> <u>S</u>	<u>P</u> <u>S</u>										1
Congregate Living Facility, Type 1				P	P	P	P	P	P									P	34
Congregate Living facility, Type 2				A	A				A	B	B		B					B	34
Congregate Living Facility, Type 3									A	A	A		A		A			A	34
Estate Kitchen		P	P	P	P	P	P	P	P										48
Farm Residence		P	P																50
Farm Workers Quarters		S	S																51
Garage Sale		P		P	P	P	P	P	P										60
Guest Cottage		P		P	P	P	P	P	P										66
Home Occupation		P	P	P	P	P	P	P	P										70
Nursing Convalescent Facility									A	A	A		A		A			B	90
Security or Caretaker Quarters		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	119
[Ord. 2005 – 002]																			
Key:																			
	P	Permitted by right																	
	D	Permitted subject to approval by the DRO																	
	S	Permitted in the district only if approved by Special Permit																	
	B	Permitted in the district only if approved by the Zoning Commission (ZC)																	
	A	Permitted in the district only if approved by the Board of County Commissioners (BCC)																	

Part 2. Unified Land Development Code of Palm Beach County (ULDC), Art. 4.B.1.A.1, Accessory Dwelling, (page 20 of 149), is hereby amended as follows:

Reason for amendment: To clarify that accessory dwellings are not entitled to have separate electric service from the principal single family dwelling.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses
1. Accessory Dwelling

Notes:
Underlined language indicates proposed new language.
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ARTICLE 4, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

An accessory dwelling unit located on the same lot as a principal single family dwelling. An accessory dwelling is a complete, independent living facility equipped with a kitchen and provisions for sanitation and sleeping.

a. Number of Units

A maximum of one accessory dwelling may be permitted as an accessory use to a principal single family dwelling unit which is owner occupied. The accessory dwelling may be attached to the principal dwelling or freestanding.

b. Maximum Floor Area

- 1) On less than one acre: 800 square feet.
- 2) On one acre or more: 1000 square feet.
- 3) The floor area calculation shall include only the living area of the accessory dwelling under a solid roof.

c. Additional Floor Area

Floor area under a solid roof that is utilized as a porch, patio, porte cohere, carport, or garage shall not exceed 500 square feet.

d. Maximum Number of Bedrooms/Baths

One bedroom and one bathroom.

e. Compatibility

The accessory dwelling shall be architecturally compatible in character and materials with the principal dwelling.

f. Property Development Regulations (PDRs)

The accessory dwelling shall comply with the PDRs applicable to the principal dwelling.

g. No Separate Ownership

The accessory dwelling shall remain accessory to and under the same ownership as the principal dwelling and shall not be subdivided or sold as a condominium.

h. Kitchen Removal

An agreement to remove all kitchen equipment shall be executed for the dwelling unit prior to the issuance of a Special Permit. The agreement shall require the kitchen to be removed if the principal dwelling is no longer owner occupied.

i. No Separate Electrical Service

Both the principal single family dwelling and the accessory dwelling shall be connected to the same meter. Separate electric service shall be prohibited.

Part 3. Unified Land Development Code of Palm Beach County (ULDC), Art. 4.B.1.A.29, Church or Place of Worship, (page 37 of 149), is hereby amended as follows:

Reason for amendment: To clarify difference between accessory and co-located church or place of worship uses, to be consistent with prior ULDC provisions.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

29. ~~Church or~~ Place of Worship

Means a A premise or site owned, ~~or operated, or leased~~ by a tax-exempt religious group ~~which that~~ is used periodically, primarily or exclusively for religious worship, activities and related services or a retreat, camp, convent, seminary or other similar facility. A church or place of worship may include collocated facilities. Collocated facilities ~~that which~~ require additional approval, except as provided below by F.S., include a day care, school, cemetery, ~~or CLF, or other bed based use such as a convent, seminary, dormitory, or retreat.~~
....

Part 4. Unified Land Development Code of Palm Beach County (ULDC), Art. 4.B.1.A.b.1)a)(4), (page of 63 of 149), is hereby amended as follows:

Reason for amendment: 1) Glitch: incorrectly applied from prior code; and 2) To be consistent with the standards for a Permanent Produce Stand.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

101. Produce Stand

Notes:

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ARTICLE 4, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

b. Temporary Stands
1) Use Limitations

A temporary stand used for the retail sale of agricultural products not necessarily grown on the site. A temporary produce stand shall consist exclusively of fresh unprocessed fruit, vegetables, flowers, and containerized interior houseplants.

a) Location Criteria

The stand and accessory area shall be located:

- (1) on an arterial street designated on the PBC Thoroughfare Plan;
- (2) a minimum of 100 feet from an Intersection of an arterial and any other dedicated R-O-W;
- (3) at least 600 feet from any other agricultural stand permitted in accordance with these provisions; if located in a zoning district other than a commercial district;
- (4) at least 500 feet from adjacent residential uses ~~the property line of an existing primary residential structure~~, and
- (5) located on a legal lot of record no less than one acre in size.

Part 5. Unified Land Development Code of Palm Beach County (ULDC), Art. 4.D.5.F.3.a, (page 132 of 149), is hereby amended as follows:

Reason for amendment: To be consistent with FLUE Comp Plan Policy 2.3-e.3, page 60.

CHAPTER D EXCAVATION

Section 5 Excavation Standards

F. Type III Excavations

3. Location

A Type III excavation may be permitted in accordance with Table 4.A.3.A-1, Use Matrix. Mining may be permitted with limitations in the districts identified below.

a. AP District in the AP FLU Designation

~~The use of material mined in the AP zoning district~~ Mining shall be limited to the support of public road construction projects, agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the SFWMD or the U.S. Army Corps of Engineers where such uses provide viable alternative technologies for water management. ~~only and~~ Mining shall demonstrate compliance with standards ~~the~~ in Art. 4.D.5.F.7, Compatibility Standards.

U:\zoning\CODEREV\2005\LDRAB\Meetings\5-11\Attachment C.doc

Notes:

Underlined language indicates proposed new language.

Language ~~crossed out~~ indicates language proposed to be deleted.

.... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

ARTICLE 5, SUPPLEMENTARY STANDARDS
SUMMARY OF AMENDMENTS
(Updated 5/4/05)

Part 1. Unified Land Development Code of Palm Beach County (ULDC), Art. 5.B.1.A.2.e, Residential Districts, (page 12 of 63), is hereby amended as follows:

Reason for amendment: Environmental Resources Management (ERM) is responsible for maintaining properties acquired by the County for environmental preserves or natural areas. ERM indicates that some of these parcels have residential Zoning designations, and may require the installation of a six foot high fence to secure the perimeter of the property.

CHAPTER A ACCESSORY AND TEMPORARY USES

Section 1 General

A. Purpose and Intent

2. Fences, Walls and Hedges

e. Residential Districts

The maximum height for a fence or wall on or adjacent to a lot line or in a landscape buffer shall be as follows:

- 1) Within required front setback:
 - a) four feet, or
 - b) six feet for property owned by Palm Beach County for preservation or conservation purposes.
- 2) Within required side, side street, and rear setback: six feet.

U:\zoning\CODEREV\2005\LDRAB\Meetings\5-11\Attachment D.doc

Notes:

Underlined language indicates proposed new language.
Language ~~crossed out~~ indicates language proposed to be deleted.
.... (ellipses) indicates language not amended which has been omitted to save space.
Relocated language is shown as *italicized* with reference in parenthesis.