

AGENDA ITEM SUMMARY

Department: Planning, Zoning and Building
Submitted By: Planning, Zoning and Building
Submitted For: Zoning Division

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II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years:	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>2,500</u>	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>2,500</u>	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No X

Budget Account No.: Fund 0001 Agency 600 Org 6145 Object 4946

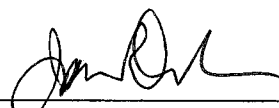
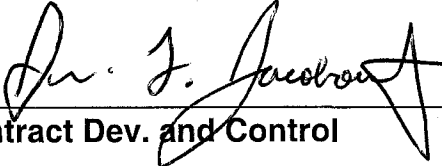
- B. **Recommended Sources of Funds/Summary of Fiscal Impact:** Funding for advertisement will be charged to the above account number. The only Fiscal Impact associated with this item is the advertisement fee estimated at Twenty Five Hundred Dollars.

Current Budget:	\$40,000
Estimated Expense:	<u>\$ 2,500</u>
Uncommitted Balance:	\$37,500

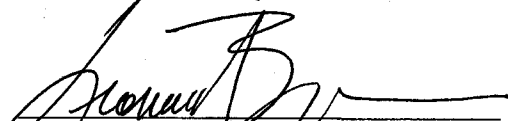
C. Departmental Fiscal Review: *Putt D. Agostino*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 _____ OFMB ALW 10/28/2010 SN 10/23/10 10/28/10	 _____ Contract Dev. and Control 11/11/10
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B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

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ORDINANCE 2010 _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, **TO AMEND THE APPROVAL PROCESS FOR A VETERINARY CLINIC WITH NO OUTDOOR RUNS**, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED AS FOLLOWS: **ARTICLE 3, OVERLAYS AND ZONING DISTRICTS**; CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDS); **ARTICLE 4, USE REGULATIONS**; CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; PROVIDING FOR INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and,

WHEREAS, pursuant to this statute the Palm Beach County Board of County Commissioners (BCC) adopted the Unified Land Development Code (ULDC), Ordinance 2003-067, 2003-068 and 03-070, as may be amended from time to time; and,

WHEREAS, the BCC desires to further amend the ULDC, based upon public participation and advice from the Palm Beach County Land Development Regulation Advisory Board; and,

WHEREAS, the BCC has determined that the proposed amendments further a legitimate public purpose; and,

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and,

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and,

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. Adoption

The amendments set forth in Exhibits listed below, attached hereto and made a part hereof, are hereby adopted.

Exhibit A Veterinary Clinics

1 **Section 2. Interpretation of Captions**

2 All headings of articles, sections, paragraphs, and sub-paragraphs used in this
3 Ordinance are intended for the convenience of usage only and have no effect on interpretation.

4
5 **Section 3. Providing for Repeal of Laws in Conflict**

6 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby
7 repealed to the extent of such conflict.

8
9 **Section 4. Severability**

10 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other
11 item contained in this Ordinance is for any reason held by the Court to be unconstitutional,
12 inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this
13 Ordinance.

14
15 **Section 5. Providing for a Savings Clause**

16 All development orders, permits, enforcement orders, ongoing enforcement actions, and
17 all other actions of the Board of County Commissioners, the Zoning Commission, the
18 Development Review Officer, Enforcement Boards, all other County decision-making and
19 advisory boards, Special Masters, Hearing Officers, and all other County officials, issued
20 pursuant to the regulations and procedures established prior to the effective date of this
21 Ordinance shall remain in full force and effect.

22
23 **Section 6. Inclusion in the Unified Land Development Code**

24 The provisions of this Ordinance shall be codified in the Unified Land Development Code
25 and may be reorganized, renumbered or re-lettered to effectuate the codification of this
26 Ordinance.

27
28 **Section 7. Providing for an Effective Date**

29 The provisions of this Ordinance shall become effective upon filing with the Department
30 of State.

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1 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach
2 County, Florida, on this the _____ day of _____, 20____.

SHARON R. BOCK, CLERK & PALM BEACH COUNTY, FLORIDA, BY
COMPTROLLER ITS BOARD OF COUNTY
COMMISSIONERS

By: _____ By: _____
Deputy Clerk , Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By:  _____
County Attorney

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EFFECTIVE DATE: Filed with the Department of State on the ____ day of
_____, 20____.

EXHIBIT A

VETERINARY CLINIC
SUMMARY OF AMENDMENTS

Part 1. ULDC, 4.B.1.A.136, Veterinary Clinic (page 102 of 166), is hereby amended as follows:

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

136. Veterinary Clinic

An establishment engaged in providing medical care, treatment and temporary boarding for animals.

a. District Specific Regulations

1) a. AR and AGR Districts

Shall be limited to livestock only and located on a minimum of five acres.

2) b. CN District

Shall not have outdoor facilities runs, nor occupy more than 3,000 square feet of GFA.

3) c. LCC and TDD Districts

~~Shall~~ A veterinary clinic shall not include outdoor runs, nor or boarding facilities and shall not occupy more than 5,000 square feet of GFA. **[Ord. 2010-005]**

4) d. Infill Redevelopment Overlay

~~Shall~~ A veterinary clinic shall not include outdoor runs. Boarding facilities shall comply with the standards for a type III commercial kennel. **[Ord. 2010-005]**

b. Approval Process Exceptions for Limited Facilities

A veterinary clinic may be permitted by right in any district where the use is permitted pursuant to Table 3.E.1.B, PDD Use Matrix or Table 4.A.3.A, Use Matrix, subject to the following limitations:

1) GFA shall not exceed 5,000 square feet; and,

2) Shall not include outdoor runs.

c. Extended Care

Shall be limited to animals requiring onsite veterinary care due to illness or during recovery from surgical procedures.

d. Outdoor Runs

A veterinary clinic with outdoor runs ~~or boarding facilities~~ shall comply with the following standards:

1) Lot Size

A minimum of one acre.

2) Setbacks

Outdoor runs ~~and boarding facilities~~ shall not be located within 50 feet of any property line adjacent to an existing residential use, district or FLU; or 25 feet from any property line adjacent to a non-residential zoning district, use, or FLU.

3) WCRAO

Outdoor runs shall not be located within 25 feet of any property line.

4) Standards Design Runs

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, a continuous opaque hedge, a minimum of four feet at installation, shall be provided around the run.

e. Facility without Outdoor Runs

A veterinary clinic without outdoor runs shall be required to make accommodations to ensure animal waste is properly disposed of within the facility.

Notes:

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

~~Stricken~~ indicates text to be deleted.

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

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

**EXHIBIT A
VETERINARY CLINIC
SUMMARY OF AMENDMENTS
(Updated 10/12/10)**

Part 1. ULDC, 4.B.1.A.136, Veterinary Clinic (page 102 of 166), is hereby amended as follows:

Reason for amendments: [BCC Direction] On September 30, 2010 at the Zoning Board of County Commissioners' Hearing, the BCC directed staff to amend the ULDC to allow Veterinary Clinics as a permitted use in an MUPD with a CL future land use designation. Staff reviewed all ULDC use matrices to ensure consistency and the Supplementary Use Standards to determine whether or not additional requirements would be warranted to mitigate potential negative impacts of the proposed amendment.

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U:\Zoning\CODEREV\2010\BCC Hearings\Veterinary Clinic in CL-MUPD\10-19-10 Request for Permission to Advertise\2 Final\4 Exhibit A - Veterinary Clinics.docx

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FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS) CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (PALM BEACH) COUNTY ORDINANCE # (2010-)
(e.g., 00-001)

PRIMARY KEYFIELD
DESCRIPTOR: (ZONING)

SECONDARY KEYFIELD
DESCRIPTOR: (PLANNING)

OTHER KEYFIELD
DESCRIPTOR: (CODE/REGULATIONS)

ORDINANCE DESCRIPTION: (UNIFIED LAND DEVELOPMENT CODE)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (2003-067) AMENDMENT # 2: ()

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: () REPEAL # 3: ()

REPEAL # 2: () REPEAL # 4: ()

(Others repealed: List all that apply): _____

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: ()

KEYFIELD 1 CODE: ()

KEYFIELD 2 CODE: ()

KEYFIELD 3 CODE: ()

Rev. 4/10/04