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**TITLE: REQUEST FOR PERMISSION TO ADVERTISE  
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2016-02**

**SUMMARY:** The proposed ordinance will account for consistency with the Comprehensive Plan, correction of glitches and clarifications to the Unified Land Development Code (ULDC), as well as several specific amendments, as follows:

- Ordinance Title
- Exhibit A - AGR Tier - Previously Approved and Non-conforming Uses
- Exhibit B - AGR Tier - Planned Development Districts
- Exhibit C - Art. 3.B.20, Urban Redevelopment Area Overlay (URAO)
- Exhibit D - Reasonable Accommodation Expiration
- Exhibit E - Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences
- Exhibit F - Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WRAO)
- Exhibit G - Table 6.A.1.D, Minimum Parking Lot Dimensions
- Exhibit H - Table 8.G.3.B, Electronic Message Sign Types and Approval Process
- Exhibit I - Definition for Addition
- Exhibit J - Administrative Inquiry
- Exhibit K - Art. 3.D.1.D.1, Base Building Line
- Exhibit L - Regulating Plans

**LDRAB/LDRC:** The proposed code amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) on October 26, 2016, November 16, 2016, and November 30, 2016, and the Land Development Regulation Commission (LDRC) on November 16, 2016, and November 30, 2016. All proposed ULDC amendments were found to be consistent with the Plan.

**MOTION:** To approve the Request for Permission to Advertise for First Reading of ULDC Amendment Round 2016-02 on January 5, 2017: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1 - GENERAL PROVISIONS:** CHAPTER I, DEFINITIONS & ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES:** CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS:** CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDR's); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDD's); **ARTICLE 4 - USE REGULATIONS:** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS:** CHAPTER F, LEGAL DOCUMENTS; **ARTICLE 6 - PARKING:** CHAPTER A, PARKING; **ARTICLE 8 - SIGNAGE:** CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; 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.

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1 - GENERAL PROVISIONS:** CHAPTER I, DEFINITIONS & ACRONYMS; **ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES:** CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; **ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS:** CHAPTER A, GENERAL; CHAPTER B, OVERLAYS; CHAPTER C, STANDARD DISTRICTS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDR's); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F, TRADITIONAL DEVELOPMENT DISTRICTS (TDD's); **ARTICLE 4 - USE REGULATIONS:** CHAPTER A, USE CLASSIFICATION; CHAPTER B, SUPPLEMENTARY USE STANDARDS; **ARTICLE 5 - SUPPLEMENTARY STANDARDS:** CHAPTER F, LEGAL DOCUMENTS; **ARTICLE 6 - PARKING:** CHAPTER A, PARKING; **ARTICLE 8 - SIGNAGE:** CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; 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, as amended from time to time; 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:**

1           **Section 1. Adoption**

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

- 4           ▪ Ordinance Title
- 5           ▪ Exhibit A - AGR Tier - Previously Approved and Non-conforming Uses
- 6           ▪ Exhibit B - AGR Tier - Planned Development Districts
- 7           ▪ Exhibit C - Art. 3.B.20, Urban Redevelopment Area Overlay (URAO)
- 8           ▪ Exhibit D - Reasonable Accommodation Expiration
- 9           ▪ Exhibit E - Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences
- 10          ▪ Exhibit F - Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WRAO)
- 11          ▪ Exhibit G - Table 6.A.1.D, Minimum Parking Lot Dimensions
- 12          ▪ Exhibit H - Table 8.G.3.B, Electronic Message Sign Types and Approval Process
- 13          ▪ Exhibit I - Definition for Addition
- 14          ▪ Exhibit J - Administrative Inquiry
- 15          ▪ Exhibit K - Art. 3.D.1.D.1, Base Building Line
- 16          ▪ Exhibit L - Regulating Plans

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19           **Section 2. Interpretation of Captions**

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

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23           **Section 3. Repeal of Laws in Conflict**

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

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27           **Section 4. Severability**

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

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33           **Section 5. Savings Clause**

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

1            **Section 6. Inclusion in the Unified Land Development Code**

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

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6            **Section 7. Providing for an Effective Date**

7            The provisions of this Ordinance shall become effective upon filing with the Department  
8 of State.

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10           **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach  
11 County, Florida, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

12  
SHARON R. BOCK, CLERK &  
COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Paulette Burdick, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney

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14           **EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_\_ day of  
15 \_\_\_\_\_, 20\_\_\_\_.  
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# EXHIBIT A

## AGRICULTURE RESERVE (AGR) TIER PREVIOUSLY APPROVED AND NON-CONFORMING USES SUMMARY OF AMENDMENTS (Updated 11-10-16)

1

### General Background and Summary:

1. When the Agricultural Reserve (AGR) was first established in 1995, the Comprehensive Plan (Plan) and Unified Land Development Code (ULDC) included provisions to recognize non-conforming commercial and institutional uses that were to be accommodated and allowed to continue. However, as owners sought to expand, modify or add new uses, it became increasingly difficult for applicants and staff to ascertain if these changes were consistent with the intent of the Plan or ULDC.

Subsequently, this topic was one of the issues included in the recent Agricultural Reserve Round Table process and BCC Workshops pertaining to the regulation of the Agricultural Reserve. In "January of 2016, the BCC adopted an amendment that" clarified or "expanded this language to provide greater specificity to these ... properties to continue and expand as conforming uses. It also allowed these properties to be assigned Commercial Low and Institutional and Public Facilities future land use designations." The Plan amendment includes but is not limited to:

- Clarifying that the following "commercial sites...are conforming uses under the Agricultural Reserve (AGR) future land use (FLU) designation": 1. **4 Points Market**, 2. **Stop and Shop**, 3. **3 Amigos Convenience Store**, 4. **Fina Gas Station Hey 4 U Trucking**, 5. **Dells Suburban Market**, 6. **West Boynton Center**, 7. **Delray Growers**, and 8. **PF at West Boynton**;
- Clarifying that the following "...Institutional uses...shall be considered as conforming uses": 1. **Eternal Light Cemetery**, 2. **Faith Farm Ministries**, and 3. **Caridad Clinic**;
- Identifying the maximum development potential of eligible commercial or institutional parcels with AGR FLU and zoning; or
- Allowing owners of eligible parcels east of SR7 to "apply for Commercial Low FLU and Commercial zoning" or otherwise implies the same for eligible institutional parcels; and,

The County also initiated Future Land Use Atlas (FLUA) amendments for eligible parcels east of SR7, several of which were approved concurrent with the Plan amendments, with others seeking to include additional land area were approved on April 27, 2016. Stop and Shop, which is west of SR7 applied for and received BCC approval for CL FLU.

**NOTE:** Once an eligible parcel has been assigned a Commercial or Institutional FLU designation, no additional ULDC standards for previously existing uses will be required for that site, with exception to Faith Farm Ministries, which includes uses that are not fully accommodated under the INST FLU designation.

The County also initiated the rezoning for those parcels with staff initiated FLUA amendments. Parcels seeking FLUA amendments for additional land area may trip the thresholds requiring submittal of a rezoning application to the Multiple Use Planned Development (MUPD) district, which will be subject to additional standards established in the Plan.

For additional information regarding adopted Plan and FLUA amendments, see the following:

**January 27, 2016 Adoption Hearing for Agricultural Reserve Pre-existing Sites Text [Related to Commercial and Institutional Uses]:** [http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-1\\_16-A-AGR-Pre-Existing-Text-Rpt.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-1_16-A-AGR-Pre-Existing-Text-Rpt.pdf)

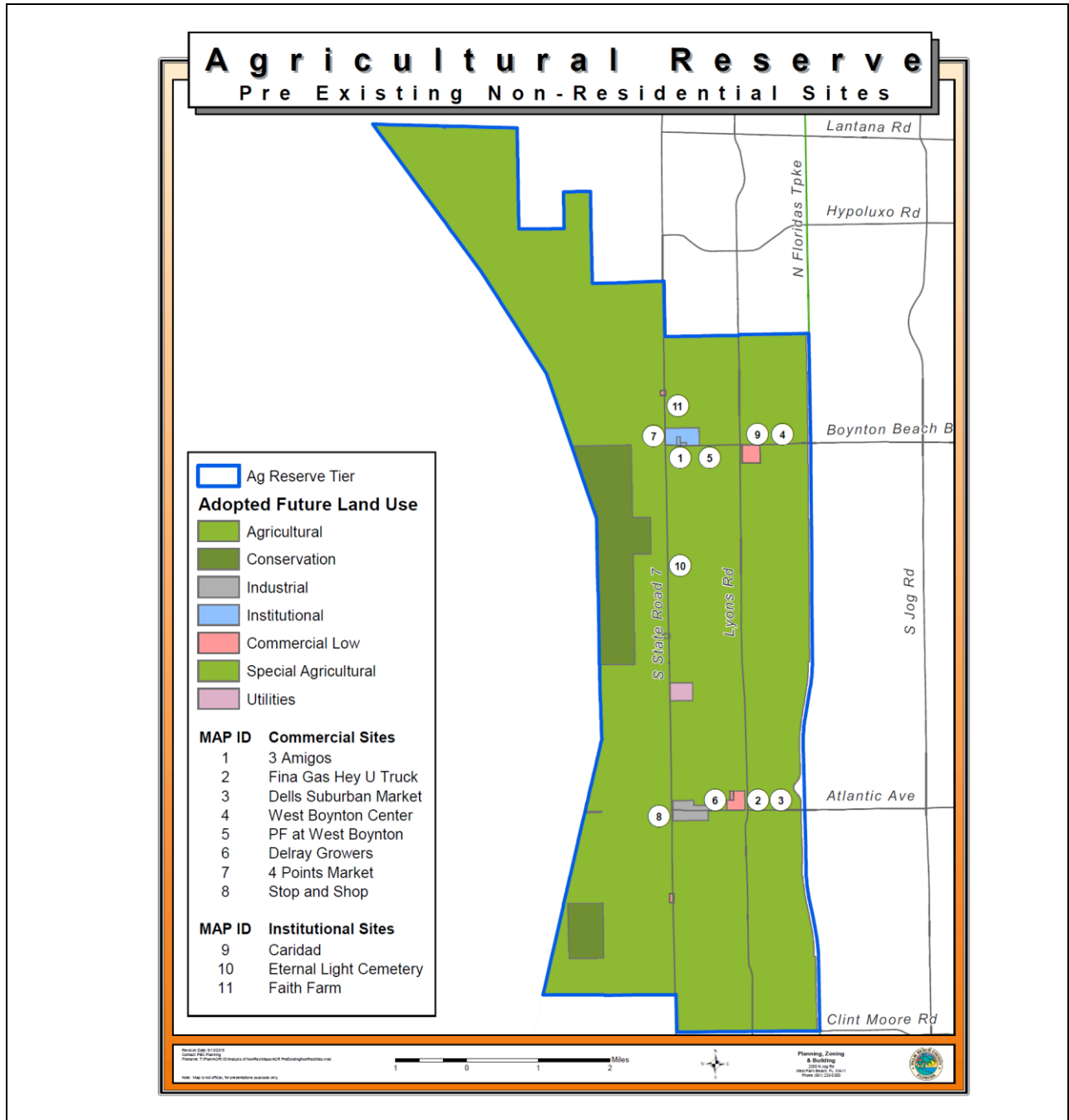
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### Notes:

- **Underlined** indicates **new** text.
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# EXHIBIT A

## AGRICULTURE RESERVE (AGR) TIER PREVIOUSLY APPROVED AND NON-CONFORMING USES SUMMARY OF AMENDMENTS (Updated 11-10-16)



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### Status of Commercial and Institutional Sites noted in above map.

#### Commercial Sites

- Three Amigos (January 27, 2016 FLUA Amendment Adoption Hearing)
  - [http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-d\\_16-A-AGRComFLUA-Rpt-CL-ThreeAmigos.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-d_16-A-AGRComFLUA-Rpt-CL-ThreeAmigos.pdf)
- Fina Station (January 27, 2016 FLUA Amendment Adoption Hearing)
  - [http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-b\\_16-A-AGRComFLUA-Rpt-CL-Fina.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-b_16-A-AGRComFLUA-Rpt-CL-Fina.pdf)
- Dells Market (January 27, 2016 FLUA Amendment Adoption Hearing)
  - [http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-a\\_16-A-AGRComFLUA-Rpt-CL-Dells.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-a_16-A-AGRComFLUA-Rpt-CL-Dells.pdf)
- West Boynton Center (October 26, 2016 FLUA Amendment Adoption Hearing – Includes Additional Land Area)
  - <http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/aug/3-A-2-16-C-SmigielFLUA-text-rpt.pdf>
- PF West Boynton (January 27, 2016 FLUA Amendment Adoption Hearing)
  - [http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-c\\_16-A-AGRComFLUA-Rpt-CL-PFWestBoynton.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-3-c_16-A-AGRComFLUA-Rpt-CL-PFWestBoynton.pdf)

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## EXHIBIT A


### AGRICULTURE RESERVE (AGR) TIER PREVIOUSLY APPROVED AND NON-CONFORMING USES SUMMARY OF AMENDMENTS (Updated 11-10-16)

Status of Commercial and Institutional Sites noted in above map.	
6.	Delray Growers (April 27, 2016 FLUA Amendment Adoption Hearing – Includes Additional Land Area) <ul style="list-style-type: none"> <li><a href="http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-6_16-B-AGRPreExist-DG-FLUA-rpt.pdf">http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-6_16-B-AGRPreExist-DG-FLUA-rpt.pdf</a></li> </ul>
7.	4-Points Market (N/A, West of SR7 – NO FLUA amendment at this time, will default to the Commercial Uses permitted under FLUE Policy 1.5-k, which recognizes: “2.56 acres .... allowed up to 5,000 square feet of commercial uses consistent with the Commercial Low FLU and 9 fuel pumps...”)
8.	Stop and Shop (West of SR7 - October 26, 2016 FLUA Amendment Adoption Hearing) <ul style="list-style-type: none"> <li><a href="http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/oct/3-B-2_16-D-StopandShop-rpt.pdf">http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/oct/3-B-2_16-D-StopandShop-rpt.pdf</a></li> </ul>
Institutional Sites	
9.	Caridad Clinic <ul style="list-style-type: none"> <li><b>January 27, 2016 FLUA Amendment Adoption Hearing:</b> <a href="http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-a_16-A-AGRComFLUA-Rpt-INST-Caridad.pdf">http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-a_16-A-AGRComFLUA-Rpt-INST-Caridad.pdf</a></li> <li><b>October 27, 2016 Rezoning:</b> <a href="http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-8.pdf">http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-8.pdf</a></li> </ul>
10.	Eternal Light <ul style="list-style-type: none"> <li><b>January 27, 2016 FLUA Amendment Adoption Hearing</b> <a href="http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-b_16-A-AGRComFLUA-Rpt-INST-EternalLight.pdf">http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-b_16-A-AGRComFLUA-Rpt-INST-EternalLight.pdf</a></li> <li><b>October 27, 2016 Rezoning:</b> <a href="http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-9.pdf">http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-9.pdf</a></li> </ul>
11.	Faith Farm Ministries) <ul style="list-style-type: none"> <li><b>January 27, 2016 FLUA Amendment Adoption Hearing:</b> <a href="http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-c_16-A-AGRComFLUA-Rpt-INST-FaithFarm.pdf">http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/jan/3-C-2-c_16-A-AGRComFLUA-Rpt-INST-FaithFarm.pdf</a></li> <li><b>October 27, 2016 Rezoning:</b> <a href="http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-10.pdf">http://discover.pbcgov.org/pzb/zoning/Hearings-Meetings-BCC/2016-10-27-10.pdf</a></li> </ul>

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**Part 1. ULDC Art. 3.C.1.A, Previously Approved and Non-conforming Uses [Related to AGR District] (pages 122 – 123 of 234), is hereby amended as follows:**

Reasons for Amendments Continued	
1.	Delete provisions for specific non-conforming developments with AGR Zoning superseded by recent Comprehensive Plan or future land use atlas (FLUA) amendments outlined above. Only one previously identified site, 4-Points Market remains in the AGR Zoning district, and Plan amendments included additional guidance on the scope of permitted development.
2.	In addition to the aforementioned, three additional “Exempted” uses cited in ULDC provisions to be deleted include the following: <b>The Soup Kitchen:</b> Previously located at 9850 Boynton Beach Boulevard, has relocated to the Caridad Clinic at 8645 Boynton Beach Boulevard. See <a href="http://thesoupkitchen.org/">http://thesoupkitchen.org/</a>



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# EXHIBIT A

## AGRICULTURE RESERVE (AGR) TIER PREVIOUSLY APPROVED AND NON-CONFORMING USES SUMMARY OF AMENDMENTS (Updated 11-10-16)

**Our Lady Queen of Peace:** Includes approvals as a Place of Worship and accessory uses, which are permitted in the AGR district, as evidenced by subsequent Development Order Amendments to the original approvals (Control # 1994-087).

**Sunshine Meadows:** No longer located in the AGR Zoning district under which the subject provisions apply. Sunshine Meadows was rezoned to the AGR-PUD Zoning district and designated as an AGR Preserve as part of the Oaks at Boca Raton, formerly known as Fox Hill Estates and Rainbow PUD (Control # 1997-104).

### CHAPTER C STANDARD DISTRICTS

#### Section 1 General

##### A. Agricultural Districts

##### 2. AGR, Agricultural Reserve District

##### b. Previously Approved and Nonconforming Uses

All uses that are existing and were legally established or requested before the effective date of Ord. 2001-061, but are not permitted by the provisions of the AGR district, shall be considered exempted ~~uses or non-conforming~~ uses as set forth below:

##### 1) Exempted Uses - 4 Points Market

~~May be developed in accordance with FLUE Policy 1.5-I, Pre-Existing Commercial Sites (1. 4 Points Market).~~

~~The following non-residential developments, may continue to exist and are to be accommodated as part of the continuation of the AG Reserve Tier: Eternal Light Cemetery, 11520 SR-7, Boynton Beach; Faith Farm Ministry, 9538 Hwy 441, Boynton Beach; Our Lady Queen of Peace Church and service complex, W. Atlantic Ave; Caridad Clinic, West Boynton Beach Blvd; Soup Kitchen, 9850 Boynton Beach Blvd; 4 Points Market; 3 Amigos Convenience Store; Fina Gas Station Hwy 4 U trucking; and Sunshine Meadows. [Ord. 2006-004] [Partially relocated below (4-Points Market) and to new Art. 4.C.1.G.1.a, AGR Tier – Faith Farm Ministries (Related to IPF District)]~~

##### 2) Existing Nonconforming Uses

~~Replacement, relocation or expansion of nonconforming uses shall be subject to Class A conditional use approval and the following:~~

~~a) Existing uses eliminated due to R-O-W acquisition by eminent domain, and relocation of the use on site is not feasible, may be relocated to an adjacent site.~~

~~b) Existing Nonconforming uses may expand up to 50 percent of the building square footage. If a use is on less than one acre of property, the land area is permitted to be expanded up to a total of one acre.~~

~~c) PDRs:~~

~~(1) Maximum FAR: .35~~

~~(2) Maximum Building Coverage: 25 percent~~

~~(3) Minimum Building setbacks: 30 feet on all sides.~~

[Renumber Accordingly]

Part 2. ULDC Art. 3.C.1. (pages 125 of 234), is hereby amended as follows:

**Reason for amendment:** [Zoning] As noted above, Faith Farm Ministries was previously identified as one of the Institutional "Exempted Uses" in the AGR district, which was recently amended to the Institutional (INST) FLU designation and corresponding Institutional and Public Facilities (IPF) Zoning district. As further outlined in the Comprehensive Plan amendment, Faith Farm Ministries is a well known religious ministry established in 1964, providing long term residential treatment, a recovery program and related support uses.

While the majority of existing uses identified on the approved Final Site Plan (Control # 94f-073) are permitted in the IPF district, several support uses would not meet the criteria to be permitted as an accessory use and would continue to be considered non-conforming uses. Hence, this amendment recognizes the recent Comprehensive Plan and FLU amendments, and the need to relocate and clarify standards regarding modification or expansion to non-conforming uses.

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# EXHIBIT A

## AGRICULTURE RESERVE (AGR) TIER PREVIOUSLY APPROVED AND NON-CONFORMING USES SUMMARY OF AMENDMENTS (Updated 11-10-16)

1 CHAPTER C STANDARD DISTRICTS

2 Section 1 General

3 G. Public and Institutional Districts

4 1. IPF, Institutional and Public Facilities District

5 The IPF district is to provide land in appropriate locations for a variety of regional and  
6 community uses that are either publicly or privately operated.

7 a. AGR Tier – Faith Farm Ministries

8 1) Approved Uses

9 Uses not permitted in the IPF district, but otherwise delineated on the approved Final  
10 Site Plan for Faith Farm Ministries, Control # 94-073, dated February 13, 2008, as  
11 amended, may continue to exist and are to be accommodated as part of the  
12 continuation of the AG Reserve Tier. The modification or expansion of any identified  
13 uses that exceed the limits of Art. 2.D.1.G, Modifications to Prior Development  
14 Orders, may be allowed subject to BCC approval as a Class A Conditional Use,  
15 provided such facilities and uses are owned by and directly related to the existing  
16 Faith Farm Ministries program, and provide training opportunities and financial  
17 support for Faith Farms Ministries.

18 2) Exception from Development Thresholds

19 The 87.28 acre Faith Farm Ministries development shall be exempt from Table  
20 4.A.4.A, Thresholds for Projects Requiring Board of County Commission Approval.

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61 U:\Zoning\CODEREV\2016\BCC Hearings\Round 2016-02\1 RPA\Exh. A - AGR Tier-Previously approved and Non-conforming  
62 Uses.docx

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## EXHIBIT B

### AGR TIER - PLANNED DEVELOPMENT DISTRICTS SUMMARY OF AMENDMENTS

(Updated 11/16/16)

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#### General Background and Summary:

As part of the recent Agricultural Reserve Round Table process and BCC Workshops pertaining to the regulation of the Agricultural Reserve, several revisions to the Comprehensive Plan were adopted in response to changes allowing for additional commercial development within the Tier. Subsequently, on April 27, 2016, the BCC adopted changes to Future Land Use Element (FLUE) Objective 1.5, Agricultural Reserve Tier, including but not limited to:

- Eliminating requirement that all new commercial development be in the form of a Traditional Marketplace Development (TMD), and adding language to allow for Multiple Use Planned Developments (MUPDs);
- Adding language to allow for residential uses in MUPDs;
- Adding language to require new commercial development greater than 16 acres to provide Preserve Areas; and,
- Establishing general design standards for all new commercial or mixed use development.

Note that several of these updates were necessary to recognize that the previously approved Canyons TMD would be processing an amendment to rezone to the newly established AGR MUPD, which necessitated establishing standards to recognize certain design elements or residential uses that were specified in the conceptual designs submitted to the BCC on April 6, 2005. Hence, additional AGR Tier specific revisions are required to establish ULDC standards for mixed use, which is not otherwise provided for under the current MUPD development standards.

Additional amendments that do not require subsequent amendments to the ULDC include clarifying standards for where applications for commercial future land use atlas (FLUA) amendments will be permitted, revising the maximum overall square footage for new commercial in the Tier, and establishing the maximum FAR for an MUPD in the Tier, among other general updates related to BCC direction regarding changes adopted to accommodate Tier serving commercial uses.

For additional information regarding the adopted Comprehensive Plan amendments, see the following Planning Division staff report for the April 27, 2016 BCC Adoption Hearing:

[http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-2\\_16-B-AGR-Commerical-Text-Edit-NoStrikeout-PCN-AddResPolicy.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-2_16-B-AGR-Commerical-Text-Edit-NoStrikeout-PCN-AddResPolicy.pdf)

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#### Part 1. ULDC Art. 3.E.3, Multiple Use Planned Development District (MUPD) (pages 174-176 of 234), is hereby amended as follows:

##### Reason for amendments: [Zoning]

1. New FLUE Policy 1.5.1-q, AGR-Multiple Use Planned Development, requires any new AGR-MUPD greater than 16 acres to provide a Preserve Area, subject to the standards for an AGR TMD Preserve Area. The general development standards and requirements for a Preserve Area are contained within the AGR PUD provisions of the ULDC, and can be accommodated with a simple clarification of the 60/40 option and a cross reference. However, other existing FLUE Policies and implementing ULDC Use Regulations implement slightly different lists of permitted Preserve Area uses in an AGR PUD versus an AGR TMD, so a separate reference to the latter is required for consistency with the new AGR MUPD Policy.
2. As summarized above, new FLUE Policy 1.5.1-r, AGR Tier Design Elements, were adopted "In order to maintain the character of the Tier and quality of life for farm workers and residents." Since these standards are general in nature, implementation will be through reference to the Plan, which will enable Planning to develop any Conditions of Approval as part of the Development Review certification or approval processes.
3. Revised FLUE Policy 1.5-m [Related to Residential], establishes provisions to allow for residential uses in the AGR MUPD. This provision was necessary to recognize existing residential uses delineated on the two previously approved AGR TMD's, in the event either sought to utilize the AGR MUPD alternative. As noted above, the Canyons TMD was subsequently rezoned to AGR MUPD after the adoption of these revised policies. The ULDC amendment below recognizes the need to establish regulations to identify which residential uses and development standards are to be utilized in the aforementioned scenario, or where new AGR MUPDs are proposed.

7

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EXHIBIT B

AGR TIER - PLANNED DEVELOPMENT DISTRICTS  
SUMMARY OF AMENDMENTS

(Updated 11/16/16)

ARTICLE 3 OVERLAYS & ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 3 Multiple Use Planned Development (MUPD)

**E. AGR MUPD**

The following standards shall apply to MUPDs in the AGR Tier.

**1. Conflict with Other Applicable Regulations**

If a conflict exists between provisions for an AGR MUPD and other Articles of this Code, the AGR MUPD provisions shall prevail except where superseded by State or Federal laws.

**2. 60/40 Preserve/Development Requirements**

New applications for an MUPD in the AGR Tier greater than 16 acres in size as of January 1, 2016, as determined by FLUE Policy 1.5.1-# of the Plan, shall consist of two areas, the Preservation Area and the Development Area. Both areas shall be rezoned to the MUPD district and comply with the following:

**a) Preserve Area**

**1) Minimum Land Area**

A minimum of 60 percent of the gross acreage, less roadways identified on the thoroughfare identification map, shall be designated as an AGR Preserve Area.

**2) Standards and Requirements**

**(a) Use Regulations**

Permitted uses shall be the same as those permitted in the Preserve Area of an AGR TMD.

**(b) Requirements**

The Preserve Area shall comply with the requirements of Art. 3.E.2.F.3, Preservation Area, with exception to the following:

- (1) References to residential development or PUD shall be considered synonymous with residential or non-residential development or MUPD, respectively;
- (2) Art. 3.E.2.F.3.b, Uses; and,
- (3) Art. 3.E.3.F.3.d, 80/20 Contiguity Requirement.

**b. Development Area**

The remaining land area, not to exceed 40 percent of the gross acreage less right-of-way as shown on the Thoroughfare Identification Map, may be developed as an MUPD, subject to the following:

**1) Agriculture Reserve Design Elements**

The Development Area shall comply with FLUE Policy 1.5.1-r, Ag Reserve Design Elements.

**2) Residential Mixed Use**

Residential uses shall be permitted in accordance with the standards for residential uses in an AGR-TMD.

Part 2. ULDC Art. 3.F.4, Traditional Marketplace Development (pages 220 and 231 of 234), is hereby amended as follows:

**Reason for amendments:** [Zoning] Establish a cross reference to new AGR Tier Design Elements, as outlined in Part 1 above.  
1. [Zoning] Update to reflect recent Plan amendments outlined above.  
2. [Zoning] Establish a cross reference to new AGR Tier Design Elements, as outlined in Part 1 above.

ARTICLE 3 OVERLAYS & ZONING DISTRICTS

CHAPTER F TRADITIONAL DEVELOPMENT DISTRICTS (TDDS)

Section 4 Traditional Marketplace Development (TMD)

**B. Purpose of the TMD District in the AGR Tier (AGR-TMD)**

In addition to the above, the purpose of the AGR-TMD is to: [Ord. 2005–041]

- 1. Promote the preservation of agriculture by providing for compact commercial areas and preserved agricultural land; [Ord. 2005 – 002]
- 2. Provide for commercial uses serving AGR residents at accessible locations on major arterials; and [Ord. 2005 – 002]

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## EXHIBIT B

### AGR TIER - PLANNED DEVELOPMENT DISTRICTS SUMMARY OF AMENDMENTS

(Updated 11/16/16)

- 1 3. Encourage design that is compatible with the surrounding agricultural or rural area; **[Ord.**  
2 **2005 – 002]**  
3 4. Implement the conceptual designs that submitted to the BCC on April 6, 2005; and **[Ord.**  
4 **2005-041]**  
5 5. Implement the requirements of FLUE Policy 1.5-m, 1.5.1-m, 1.5.1-n, and 2.4-c of the Plan  
6 plan, as amended, and FLUE Policy 1.5.1r, Ag Reserve Design Elements, adopted in 2016.  
7 **[Ord. 2005-041]**

8  
9 **....**  
10 **E. Standards Applicable to AGR Tier**

- 11 **....**  
12 **11. Agriculture Reserve Design Elements**  
13 Shall comply with FLUE Policy 1.5.1-r, Ag Reserve Design Elements.

14  
15 **Part 3. ULDC Table 4.A.4, Development Thresholds (page19 of 171), is hereby amended as**  
16 **follows:**  
17

Reason for amendments: [Zoning] Establish a cross reference to new AGR Tier Design Elements, as outlined in Part 1 above.
---

18  
19 **ARTICLE 4 USE REGULATIONS**

20 **CHAPTER A USE CLASSIFICATION**

21 **Section 4 Development Thresholds**

- 22 **....**  
23 **b. Agriculture Reserve Design Elements**  
24 The Development Area shall comply with FLUE Policy 1.5.1-r, Ag Reserve Design Elements.  
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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS

(Updated 11/16/16)

1

### General Background and Summary:

The BCC adopted several Comprehensive Plan amendments to the Comprehensive Plan Future Land Use Element (FLUE) Urban Redevelopment Area (URA) Objectives and Policies on August 22, 2016, which responds to various industry and internal staff feedback regarding obstacles to intended redevelopment efforts within the URA. The 2007 Treasure Coast Regional Planning Council (TCRPC) concepts originally envisioned for the URA were intended to incentivize redevelopment through increased options for administrative approvals subject to compliance with a specified mixed use development pattern that fostered a multi-modal or pedestrian friendly form of development sorely lacking along key commercial corridors of the URA. However, as implemented, several of the desired development standards were often perceived as being too rigid, which resulted in a number of property owners to opt out of the County initiated Urban Center (UC) or Urban Infill (UI) future land use atlas (FLUA) and Rezoning, or otherwise seek BCC approval of Waivers.

The recently adopted Plan amendments seek to redress several of these shortcomings through elimination of certain mandatory URA development requirements, or by establishing a mechanism to allow property owners to revert back to the FLU and Zoning existing prior to the adoption of the URA. Note, while the UC and UI districts are currently defined as primarily residential or mixed use districts, nearly all applications for development submitted have been for non-residential development. That said, it's important to note that a number of former residential properties were converted to UC or UI, and under the proposed reversion clause would revert back to the former residential designations.

Other key changes include but are not limited to:

- Clarifying that the UI FLU designation may allow for residential "and/or" non-residential uses, by deleting language implying that the district was residential with some non-residential "...encouraged in the first story."
- Deleting the minimum two-story requirement for both the UC and UI FLU designations. To date, nearly every Zoning application sought Waiver relief from this requirement, and while desirable has resulted in an obstacle to desired redevelopment.
- Clarifying a longstanding Planning and Zoning interpretation that allowed for parking and outdoor uses such as gas station fuel pumps and canopies along the side of buildings after compliance with the minimum building frontage percentages for the district. Note that this was implemented with the original adoption of ULDC provisions for the URAO, where Art. 3.B.16.E.4.c, Drive Through Uses and Gasoline Service Facilities, or Art. 3.B.16.F.9, Parking and Loading Standards, allowed for such uses to be placed behind buildings, a "street wall" (emphasis added), or when integrated into the building. Provisions allowing for Type I Waiver relief to allow for deviations from required street walls for pedestrian and vehicular access points, or Type II Waiver relief if applicable, further supported this interpretation and requires no further revision. However, the Plan amendment goes a step further by expanding opportunities to allow parking in front of buildings "as determined to be appropriate during the development review process" which will be implemented through the expansion of Type I Waiver provisions.

For additional background and information regarding the adopted Comprehensive Plan amendments, see the following Planning Division staff report for the August 22, 2016 BCC Adoption Hearing:

[http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/aug/3-B-1\\_16-C-URA-Rpt.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/aug/3-B-1_16-C-URA-Rpt.pdf)

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

1  
2 Part 1. ULDC Art. (page 18 of 234), is hereby amended as follows:  
3

<b>Reason for amendments:</b> [Zoning] Establish new exception to recognize new Comprehensive Plan Future Land Use Element (FLUE) Policy 1.2.2-m, Alternative Future Land Use and Zoning, which will be located within Art. 3.B.16, Urban Redevelopment Area Overlay (URAO). While most exceptions are fully implemented in this area of the ULDC, additional clarification is best located where the bulk of the URAO regulations are located, for ease of use.
--

### 4 ARTICLE 3 OVERLAYS & ZONING DISTRICTS

#### 5 CHAPTER A GENERAL

#### 6 Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)

##### 7 B. Standard Districts

##### 8 1. Standard District Exceptions and Limitations

9  
10 ....

11 m. The UC or UI Zoning Districts may be permitted to utilize the FLU designation and zoning  
12 district in place prior to the adoption of the Urban Redevelopment Area Overlay (URAO),  
13 in accordance with Art. 3.B.16.B.5.b, Alternative Future Land Use and Zoning.  
14

15  
16 Part 2. ULDC Art. 3.B.16, Urban Redevelopment Area Overlay (URAO) (pages 88-115 of 234), is  
17 hereby amended as follows:  
18

<b>Reason for amendments:</b> [Zoning]
1. Expand references to key Plan amendments related to the creation or revision of policies which guide implementing ULDC regulations, to provide additional context and history.
2. Implement new FLUE Policy 1.2.2-m, Alternative Future Land Use and Zoning, and clarify that any requests to utilize this new option will be subject to a Pre-Application meeting with both Zoning and Planning staff, prior to approval. If the alternative Zoning and FLU are found to be inconsistent, establishes that the property owner may elect to rezone to a consistent district. However, if the alternative FLU designation does not support the desired Zoning district, the property owner may elect to retain the original UC or UI district, or otherwise seek a land use amendment to a FLU designation which supports the desired Zoning district.

### 19 ARTICLE 3 OVERLAYS & ZONING DISTRICTS

#### 20 CHAPTER B OVERLAYS

#### 21 Section 16 Urban Redevelopment Area Overlay (URAO)

##### 22 A. Purpose and Intent

23 The purpose and intent of the Urban Redevelopment Area Overlay (URAO) is as follows: **[Ord.**  
24 **2010-022]**

25 1. Implement the concepts of the July 2007 Palm Beach County Urban Redevelopment Area  
26 Planning Study and Corridor Master Plan, prepared by the Treasure Coast Regional Planning  
27 Council, inclusive of the 2009 Planning Division addendum, and the 2016 amendments to the  
28 Plan (Ord. 2016-037), URA Alternative Revisions; [Ord. 2010-022]  
29

30 ....

##### 31 B. Applicability

32 ....

##### 33 5. Zoning District Requirements

34 The Zoning districts permitted within the PRAs are as follows:

##### 35 a. Urban Center (UC) and Urban Infill (UI)

36 ~~Urban Center (UC) and Urban Infill (UI).~~ As of August 2010, all parcels that have a UC or  
37 UI FLU designation, were rezoned to the corresponding UC and UI districts (Zoning  
38 applications 2010-00667 and 00668, respectively). Rezoning applications shall only be  
39 required for parcels which initially opted out of the PRA and are applying for a concurrent  
40 FLU amendment to the UC or UI FLU designation. **[Ord. 2010-022] [Ord. 2011-016]**

##### 41 b. Alternative Future Land Use and Zoning

42 On August 22, 2016, the BCC adopted Plan amendments (Ordinance 2016-037), which  
43 may allow flexibility for property owners to utilize the FLU designations and Zoning

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

districts that were in place prior to the adoption of rezoning to the UC or UI Zoning districts.

**1) Mandatory Pre-Application Meeting**

A Pre-Application meeting with Zoning and Planning staff is required to review any requests for this option, prior to confirmation of eligibility and final determination of the applicable FLU designation and Zoning district that may be utilized

**2) Decision**

If the alternative zoning district is found to be consistent with the alternative FLU designation, as specified in Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas (FLUA), then the property may be developed in accordance with the standards for the alternative Zoning district. If inconsistent, the applicant may be required to rezone the property to a consistent zoning district.

....  
**F. PRA Design and Development Standards**  
....

**Reason for amendments:** [Zoning] Block design requirements stemmed from FLUE Policy 1.2.2-b for both the UC and UI FLU designations, which was deleted with the August 22, 2016 Plan amendments. While the amendment allows for the deletion of the ULDC minimum 5 acre threshold requiring compliance with block structure, the standards may still be required to ensure compliance with language retained, including but not limited to certain design characteristics such as “An interconnected pedestrian friendly street network...” and “Vehicular and pedestrian connections to adjacent parcels and roadways. Buildings located along the sidewalk...”, among others. Such goals are consistent with broader efforts to improve pedestrian safety, including Walkable Communities (<http://www.walkable.org/>), recent Federal and State Department of Transportation revisions to street design guidelines, among many others.

**3. Block Standards Design**

Where applicable, blocks ~~Blocks~~ shall be created by utilizing streets and alleys to provide continuous pedestrian and vehicular circulation, interconnectivity and accessibility in PRA projects. Cul-de-sacs and other dead-end streets shall not be permitted unless it can be demonstrated that physical constraints prohibit practical alternatives. Any new blocks shall comply with the following: **[Ord. 2010-022]**

**a. Applicability**

Blocks ~~may be~~ are required ~~for projects five or more acres in size, or where the subdivision of when subdividing land is proposed in order to meet the minimum frontage required for new parcels, or when additional buildings internal to the site must comply with Art. 3.B.16.F.6, Building Standards excluding lot recombination.~~ **[Ord. 2010-022]**

**b. Minimum Dimensions**

**Table 3.B.16.F - Block Dimension Requirements (1)**

Transect Zone	Block Face <del>(2)</del>		Block Perimeter	
	Average	Maximum	Average	Maximum
UC	300 – 500 ft.	600 ft.	1,500 – 1,800 ft.	2,500 ft.
UI			1,200 – 1,500 ft.	1,800 ft.
<b>[Ord. 2010-022] [Ord. 2011-016]</b>				
<b>Notes:</b>				
1. Exceptions may be permitted only where PBC DEPW requirements preclude required vehicular access points necessary to complete the block structure.				
2. <del>A block face greater than 400 ft. shall provide for an alley, lobby, or other mid-block pedestrian pass through connecting to another street, alley, parking structure or other internal block use.</del>				
<del>Deviations shall be prohibited.</del>				

**Reason for amendments:** [Zoning] The parallel alley requirement was mandated FLUE Policy 1.2.2-b for both the UC and UI FLU designations, which was deleted with the August 22, 2016 Plan amendments. The provision has been retained as optional, and requisite provisions related to compliance with interconnectivity standards has been relocated accordingly.

**5. Interconnectivity Standards**

Interconnectivity to adjacent residential parcels is encouraged, but not required. Interconnectivity shall be required between similar uses. *In the event the adjacent parcel is undeveloped, a stub out shall be provided to accommodate future connections.* In addition, the following shall apply. **[Ord. 2010-022] [Ord. 2011-016] [Partially relocated from below]**

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

1        **a. Street Connections**

2        Parcels required to or proposing to establish a block structure, shall provide  
3        interconnectivity where any new internal intersections abut adjacent parcels.    **[Ord.**  
4        **2010-022]**

5        **b. Optional Parallel Alley**

6        Applicants are encouraged to develop All parcels with that have frontage on a  
7        commercial corridor with shall provide an alley running parallel to the corridor. The alley  
8        may shall be generally located along the rear property line, or at a point that allows  
9        interconnectivity to shallower abutting lots. Where new blocks are not required or  
10        proposed, alleys may be incorporated as drive aisles within parking lots. ~~In the event the~~  
11        ~~adjacent parcel is undeveloped, a stub out shall be provided to accommodate future~~  
12        ~~connections.~~ **[Ord. 2010-022] [Partially relocated above]**

13        ....  
14        **e. Small Parcel Exemptions**

15        Legal lots of record of less than one acre in size prior to the adoption of the URAO, may  
16        be exempt from interconnectivity standards, by complying with any of the following  
17        standards: **[Ord. 2011-016]**

- 18        1) Interconnectivity has been provided to adjacent parcels establishing or allowing for a  
19        future cross access point parallel alley; or, **[Ord. 2011-016]**
- 20        2) Applicant can demonstrate that interconnectivity requirements, ~~other than those~~  
21        ~~allowing for the establishment of a parallel alley~~, would adversely impact the  
22        development potential of the project. **[Ord. 2011-016]**

**Reason for amendments:** [Zoning] Revise minimum Building Frontage requirements for Block Buildings to recognize expansion of existing provisions allowing for parking our outdoor uses along the side of buildings, as similarly expanded upon with recent clarification of FLUE Policy 1.2.2-d.

24        **6. Building Standards**

**Table 3.B.16.F. - PRA Block Building PDRs**

Building Placement	Min.	Max. (1)	
<b>A.</b> Slip Street Frontage	45 ft.	50 ft.	
Primary Frontage	20 ft.	25 ft.	
Secondary Frontage (8)	10 ft.	20 ft.	
<b>B.</b> Non-Residential (9)	6 ft. (2)	N/A	
Residential (PRA) (4)	6 ft. (2)	N/A	
<b>C.</b> Residential (non PRA) (5) (9)	30 ft.	N/A	
<b>D.</b> Between parking and alley	5 ft. (3)	N/A	
<b>Building Frontage % (6)</b>	<b>Min.</b>	<b>Max.</b>	
<b>G.</b> Slip Street and Primary	<del>65</del> 50%	100%	
<b>Individual Building Length</b>	<b>Min.</b>	<b>Max.</b>	
<b>G.</b>	N/A	300 ft.	
<b>Courtyard % of Footprint (Optional)</b>	<b>Min.</b>	<b>Max.</b>	
<b>H.</b>	N/A	25%	
<b>Courtyard Dimensions (Optional)</b>	<b>Min.</b>	<b>Max.</b>	
<b>H.</b>	30 ft.	N/A	
<b>Pedestrian Pass Thru (6)(7)</b>	<b>Min.</b>	<b>Max.</b>	
<b>I.</b> Separation	100 ft.	300 ft.	
Width	10 ft.	N/A	
<b>[Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-027]</b>			
<b>Notes:</b>			
<p>25        ....</p> <p>26        9.        Setbacks for Single-family Residential units shall be 7.5 feet for side setbacks and 15 feet for rear setbacks. <u>Accessory Structures</u> 27        <u>to Single-family Residential may be allowed in accordance with Art. 5, Supplementary Standards.</u> <b>[Ord. 2012-027]</b></p>			

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

**Reason for amendments:** [Zoning] The minimum two story requirement was mandated by FLUE Policy 1.2.2-b (applicable to parcels with UC and UI FLU and Zoning within the URAO), which was deleted with the August 22, 2016 Plan amendments. While well intentioned, this mandatory Plan requirement became one of the primary obstacles to expediting redevelopment, as evidenced by the consistent use of Waivers, which required BCC approval.

....  
**c. Building Height and Floors**

**1) Building Floors**

**a) ~~Minimum Floors Required~~**

~~All buildings shall be a minimum of two stories, except for legal lots of record in the UI district that are less than one acre in size and existing prior to the adoption of the URAO. [Ord. 2011-016]~~

**ab) Maximum Floors**

The maximum number of floors permitted in any building shall be determined by the parcels Zoning District and Transect Zone, as indicated in the following table:  
[Ord. 2011-016]

**Table 3.B.16.F - Maximum Building Floors**

Zoning/ Transect Zone	Floor #							
	<u>1</u>	2	3	4	5	6	7	8
UC 1	<u>P</u>	P	P	P	P	<del>P (1)</del>	<del>P (1)</del>	<del>(1) (2)</del>
UC 2	<u>P</u>	P	P	P	P	<del>P (1)</del>	(1)	-
UC 3	<u>P</u>	P	P	P	P	-	-	-
UI 1	<u>P</u>	P	P	P	<del>P (1)</del>	<del>(1)</del>	-	-
UI 2	<u>P</u>	P	P	P	<del>P (1)</del>	-	-	-
[Ord. 2011-016]								
<b>Notes:</b>								
P Permitted								
- Not permitted.								
1. LEED Silver or equivalent: Building floor only permitted where in compliance with Green Building Incentive Program.								
2. LEED Gold or equivalent: Building floor only permitted where in compliance with Green Building Incentive Program.								

**2) Exterior Height**

....  
b) Maximum building height shall be in accordance with Table 3.B.16.F, Maximum Building Floors, Table 3.B.16.F, Maximum Building Height, and the following:  
[Ord. 2010-022] [Ord. 2011-016]

**Table 3.B.16.F - Maximum Building Height**

Floor #	<u>1 or 2</u>	3	4	5	6	7	8
Maximum Height	35 ft.	45 ft.	60 ft.	75 ft.	90 ft.	105 ft.	120 ft.
[Ord. 2010-022]							

**Reason for amendments:** [Zoning] Address longstanding glitch where requirements for “concrete” likely to be in locations also required to provide “pervious/porous materials” only allowed for pervious concrete, which might not meet Engineering standards, or was otherwise found overly restrictive by some Landscape Architects who sought to use alternative materials.

**7. Streetscape Standards**

....  
**a. General Standards**

- ....  
3) All paving materials for the pedestrian sidewalks shall be compliant with ADA accessibility standards, ~~and shall be constructed of concrete acceptable to the Engineering Department;~~ [Ord. 2010-022]
- ....  
8) All paving materials in planting/amenity and pedestrian circulation zones shall be constructed entirely of pervious/porous materials, allowing some storm-water to

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

percolate into the underlying soil and promote healthy street tree growth; and, [Ord. 2010-022] [Ord. 2011-016]

....

<b>Reason for amendments:</b> [Zoning]
1. Address longstanding glitch which required an excessive number of benches.
2. Continued from above, address longstanding glitch that precluded the use of pervious or other acceptable sidewalk materials. This is accomplished here by deleting the redundant requirement which is addressed above where Engineering approval is required.

### b. Streetscape Components

....

#### 1) Planting/Amenity Zone

....

d) ~~A minimum of one~~ ~~one~~ bench shall be provided along each streetscape, or one bench for every 150 linear feet of street frontage, whichever is greater. Signage or advertising is prohibited on benches. [Ord. 2010-022]

....

#### 2) Pedestrian Circulation Zone

The pedestrian circulation zone is a continuous unobstructed space reserved for pedestrian movement typically located adjacent to the planting/amenity zone. Minimum width shall be eight feet for slip street and primary frontages, and five feet for secondary frontages. [Ord. 2010-022]

~~a) The surface shall be constructed entirely of plain poured concrete. [Ord. 2010-022]~~

[Renumber accordingly]

<b>Reason for amendments:</b> [Zoning] Expand existing provisions allowing for Waiver relief to recognize deletions or need to expand flexibility for several of the above amendments.
--

**Table 3.B.16.G - Type I and II URAO Waivers (1)**

Art./Table Reference and Title	Type I Waivers Limitations/Criteria	Type II Waiver Limitations/Criteria
....	....	....
<b>Frontage Classifications and Street Standards</b>		
Art. 3.B.16.F.4.a.1), Slip Street Frontage	<u>The minimum frontage requirement may be waived where the Slip Street is used to provide cross access to one or more abutting properties where the vehicular lane aligns with a Slip Street, parking lot Aisle, or Access Way on the abutting property.</u> No-Waiver	Waiver Permitted
....	....	....
Art. 3.B.16.F.4.c, Alleys	≥ <u>Drive isles within parking lots may be used to meet alley requirements; or,</u> ≥ <u>Alleys shall not be required where Type II Waiver relief is approved for parking in front of buildings where drive isles for such parking provides cross access to adjacent properties.</u> No-Waiver	Waiver Permitted.
....	....	....
<b>Building Standards</b>		
....	....	....
Table 3.B.16.F, PRA Block Building PDRs	<u>Build to Line may be reduced commensurate with a concurrent request for a Type I or II Waiver to Art. 3.B.16.F.9, Parking and Loading Standards, to allow for parking in front of a building.</u> No-Waiver	Waiver Permitted
Table 3.B.16.F, PRA Liner Building PDRs	<u>Build to Line may be reduced commensurate with a concurrent request for a Type I or II Waiver to Art. 3.B.16.F.9, Parking and Loading Standards, to allow for parking in front of buildings.</u> No-Waiver	Waiver Permitted
<b>Building Standards</b>		
....	....	....
<del>Art. 3.B.16.F.6.c.1), Building Floors</del>	No-Waiver	Limited Waiver permitted from minimum number of floors required.
Table 3.B.16.F, Maximum Building Floors	No Waiver	Waiver Permitted Limited Waiver permitted from minimum number of floors required.
....	....	....
Art. 3.B.16.F.6.c.3), Green Building Incentive Program	Allow deviations for different certifying standards as may be approved by the County.	Waiver Permitted No-Waiver

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# EXHIBIT C

## URBAN REDEVELOPMENT AREA OVERLAY (URAO) SUMMARY OF AMENDMENTS (Updated 11/16/16)

....	....	....
<b>Parking and Loading Standards</b>		
Art. 3.B.16.F.9, Parking and Loading Standards	<p><u>A maximum of one row of parking may be permitted in front of a building in the form of a parking lot for parcels that do not qualify to use the Slip Street Frontage option, subject to the following:</u></p> <ul style="list-style-type: none"> <li>&gt; <u>Compliance with the requirements for the Slip Street Planting Amenity Zone; and,</u></li> <li>&gt; <u>Either:</u> <ul style="list-style-type: none"> <li>1) <u>Modification to Art. 3.B.16.F.4.a.1), Slip Street Frontage and related Build to Line requirements, is required to allow for vehicular cross access with existing parking lots on adjacent parcels; or</u></li> <li>2) <u>The parcel is exempt from interconnectivity requirements and allowing limited parking in front of the building is consistent with existing parking placement and building setbacks for one or more adjacent parcels.</u></li> </ul> </li> </ul> <p style="text-align: center;">No-Waiver</p>	Limited Waiver Permitted for location of parking only
Art. 3.B.16.F.9.a.1), On Street Parking	<p><u>As needed to accommodate a concurrent request for a Type I or II Waiver to Art. 3.B.16.F.9, Parking and Loading Standards, to allow for parking in front of a building. Only where required to allow a Waiver approved in the row above.</u></p> <p style="text-align: center;">No-Waiver</p>	Waiver Permitted
Art. 3.B.16.F.9.a.2), Parking Lots	<p><u>As needed to accommodate a concurrent request for a Type I or II Waiver to Art. 3.B.16.F.9, Parking and Loading Standards, to allow for parking in front of a building.</u></p> <p style="text-align: center;">No-Waiver</p>	Waiver Permitted
....	....	....
<b>[Ord. 2011- 016]</b>		
<b>Notes:</b>		
....	....	....

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**Part 3. ULDC Art. 3.C.1.E, Priority Redevelopment Area Districts (page 125 of 234), is hereby amended as follows:**

**Reason for amendments:** [Zoning] As noted under General Background and Summary, FLUE Policy 1.2.2-b was amended to clarify that the UC and UI districts allow for either or both residential or non-residential uses. The former language incorrectly implied that the UI district would be primarily residential with some supporting non-residential uses limited to the first floor. While this may have been appropriate for residential properties that gained the ability to development mixed use, this inadvertently impacted existing development rights for non-residential properties that were converted to the UI FLU designation.

### ARTICLE 3 OVERLAYS & ZONING DISTRICTS

#### CHAPTER C STANDARD DISTRICTS

##### Section 1 General

##### E. PRA, Priority Redevelopment Area Districts

PRA districts shall be subject to the requirements of Art. 3.B.16, Urban Redevelopment Area Overlay. **[Ord. 2010-022]**

##### 1. UC, Urban Center District

The UC district is the most intense PRA district, typically comprised of larger interconnected commercial subareas with buildings containing either residential, non-residential or a well-balanced mix of residential, commercial, civic and recreational uses. **[Ord. 2010-022]**

##### 2. UI, Urban Infill District

The UI district accommodates either residential, non-residential or mixed use redevelopment along the corridors, while providing a transition to the adjacent, existing residential neighborhoods. ~~The UI consists primarily of residential uses, with non-residential uses encouraged on the 1st story of buildings.~~ **[Ord. 2010-022]**

U:\Zoning\CODEREV\2016\BCC Hearings\Round 2016-02\1 RPA\Exh. C - Urban Redevelopment Area Overlay (URAO).docx

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# EXHIBIT D

## REASONABLE ACCOMMODATION – TIME LIMITATION SUMMARY OF AMENDMENTS (Updated 11/16/16)

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Part 1. ULDC Art. 2.D.7, Reasonable Accommodation, (pages 46 – 48 of 87), is hereby amended as follows:

**Reason for amendments:** [Zoning] The ULDC generally establishes time limitations for Development Orders to ensure that public facilities are available and in place to accommodate proposed development, minimize the artificial inventory of specific uses or services, or to ensure that such approvals are not inconsistent with changed circumstances that may occur over time, among others. However, a Determination granting a Reasonable Accommodation is not a Development Order. The adoption of provisions to allow for the evaluation of requests for Reasonable Accommodations for persons with disabilities was based on the need to recognize the specific needs or provision of services for disabled persons or groups, based on a proposed development, program or service. Hence, this amendment serves to establish a reasonable timeframe to apply for a related Development Order, which would in turn establish a time limitation, or otherwise one year. Note that Palm Beach County does not currently charge a fee for a request for Reasonable Accommodation, however should a Determination expire, a revised application may be required to demonstrate that there have been no changed circumstances since the original request was submitted.

### CHAPTER D ADMINISTRATIVE PROCESS

#### Section 7 Reasonable Accommodation

....

##### 10. Time Limitation

A Determination granting, partially granting, or granting with conditions, a Reasonable Accommodation, may remain valid either for one-year from the date of issuance, or by the date specified in a Development Order or associated Condition of Approval, otherwise it shall become null and void. This provision shall retroactively apply to all prior Determinations for a Reasonable Accommodation prior to the effective date of this Ordinance.

U:\Zoning\CODEREV\2016\BCC Hearings\Round 2016-02\1 RPA\Exh. D - Reasonable Accommodation Time Limitation.docx

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# EXHIBIT E

## PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS

(Updated 10-26-16)

### General

Summary: The proposed amendments serve to implement recent revisions to the Future Land Use Element (FLUE) of the Plan, and related updates to existing ULDC requirements for Agricultural Reserve (AGR) Planned Development District (PDD) Preserve Parcels, as follows:

- Allow agricultural property with an existing or planned Farm Residence to sell development rights from all but one acre for the house;
- Clarify applicability of Property Development Regulations for parcels with partial AGR PDD Preserve designation; and,
- Correct minor glitches and scrivener's errors.

### Background and Summary

The following is an excerpt from the April 27, 2016 Planning Division staff report to the Board of County Commissioners, which clearly summarizes the purpose and intent of the proposed ULDC Amendments. The full report can be viewed on the Planning Division webpage under BCC Hearings, April 27, 2016 Round 16-B Agenda Item (note link broke at time of publication due to recent webpage updates. Staff is working to resolve).

**“Summary:** *This proposed amendment would revise the Future Land Use Element (FLUE) Agricultural Reserve (AGR) policies, to allow an agricultural property with an existing or planned residence to sell development rights from all but 1 acre for the house. Currently, a minimum of 5 acres is required for a residence/dwelling unit (or less if a legal lot of record).*

**Assessment:** *The proposed amendment implements Board of County Commissioners’ (BCC) direction to address concerns raised by owners residing on small agricultural properties in the AGR, who cannot sell development rights from the 5 acres needed to meet the density requirement for the home. Based on BCC discussions, the proposed amendment establishes this option only for properties that can demonstrate an active agricultural use. The proposed policy provides for these properties to obtain a letter of determination from the Planning Director, valid for three years, which allows for the sale of development rights. As with other preserve properties, the transfer of development rights would occur at a rate of one per acre, but would exclude the acreage associated with the existing or planned residence and any other uses not permitted in preserve areas (a minimum of one acre). The proposed amendment also includes provisions to prevent the parceling of existing and future preserves for the purposes of accommodating residences. Staff’s assessment is that the proposed amendment would accomplish the Board’s intent to accommodate the sale of development rights from residential properties with active agricultural uses. For reasons outlined in this report, staff does not support this amendment.*

*Unified Land Development Code (ULDC) changes will be required.”*

The full BCC Planning Division staff report, can be found here:

[http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-1\\_16-B-AGRFarmResText-rpt2.pdf](http://discover.pbcgov.org/pzb/planning/BCC-Agendas/2016/april27/3-C-1_16-B-AGRFarmResText-rpt2.pdf)

### Additional ULDC Background

The ULDC implements the AGR Planned Unit Development (PUD) or Traditional Marketplace Development (TMD) Preserve Area Policies of the Plan, through the establishment of Property Development Regulations (PDRs), and standards for location, configuration, and uses permitted, among other development standards for Preserve Areas.

Prior to the above referenced Plan amendment, excluding the Development Area of a PUD or TMD, a minimum of five-acres was required for a residence, which generally corresponded with the minimum property development regulations (PDRs) for the AGR Zoning district. ULDC Art. 3.E.2.F.3.c.1) Property Development Regulations [Related to Configuration of Preserve Areas], establishes that “A Preserve Area and any remaining portion of a lot used to create a Preserve Area shall meet the minimum PDRs of the AGR district...” which effectively establishes the minimum five acre requirement for both the Preserve Area.

With the reduction to a minimum of one-acre for an eligible Farm Residence, ULDC amendments are required to reduce the minimum PDRs for the Farm Residence portion that will retain AGR zoning. Staff also recognizes the need to clarify that PDRs should only apply to the subdivision of land, rather than scenario’s where an existing AGR zoned parcel is encumbered with a partial AGR-TMD or AGR-PUD

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## EXHIBIT E

### PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS

(Updated 10-26-16)

1 Preserve designation (commonly referred to as split zoning). This clarification will include standards such  
2 as minimum setbacks for a Farm Residence from the Preserve Area designated on the subject parcel, to  
3 ensure that residential uses don't adversely impact the operation of farm, open space, conservation or  
4 other permitted Preserve Area uses.

5  
6  
7 Staff's recommendations for Farm Residence PDRs located on parcels with split zoning is based on the  
8 ULDC definition of Farm Residence: *"A dwelling unit, other than a mobile home, located on a parcel of  
9 land used for a bona fide agricultural use and occupied by the owner or occupant of the farm operation."*

10  
11 The use of the Preserve Area requires the owner or lessee of the agricultural use to reside in the Farm  
12 Residence. Staff is recommending the following standards for parcels with partial AGR PDD Preserve  
13 Area designation:

- 14  
15 - Subdivision shall be prohibited unless proposed lots meet all requisite PDRs for the AGR or AGR  
16 PUD Preserve Area (both are the same), emphasis on minimum lot frontage and access to a street.  
17 Revised PDRs can only be justified where there remains a symbiotic relationship between the Farm  
18 Residence and Preserve Area use.
- 19 - The area set-aside for an AGR PDD Preserve shall be in one reasonably compact and contiguous  
20 location on the subject parcel. This addresses a number of functional issues, namely the need to  
21 ensure that accessory residential uses such as Accessory Dwellings, Guest Cottages, detached  
22 garages, swimming pools or other similar recreational amenities, are not situated in a manner  
23 adverse to desired agricultural preservation.
- 24 - Minimum five-foot setback from Preserve Area. This de minimis setback establishes a clear  
25 distinction between residential and agricultural uses, precludes roof overhangs or other  
26 encroachments into the Preserve Area, while reinforcing that the farm owner or operator is best  
27 qualified to judge the need for any additional setback based on the nature of the agricultural use in  
28 the Preserve Area.
- 29 - Clarification that designation of a Farm Residence and AGR Preserve Area on a single lot does not  
30 result in subdivision, nor can either function independent of the other, therefore no additional access  
31 is required for either use.

32  
33 Additional amendments serve to recognize new future land use element (FLUE) Policy 1.5.1-j, which  
34 establishes the parameters used by the Planning Director to confirm eligibility of Farm Residence parcels  
35 for potential inclusion as Preserve Areas in a 60/40 AGR PUD. This form of PUD requires that a  
36 minimum of 60 percent of the gross land area be set-aside as Preserve Area, with any permitted density  
37 limited to the remaining "Development Area." See page Exhibit 1, page E-1, of the April 27, 2016  
38 Planning Division staff report for specific details.

#### Amendments

41  
42  
43 **Part 1. ULDC Art. 3.E.2.F, AGR PUD (pages 166-169 of 234), is hereby amended as follows:**

#### Reason for amendments: [Zoning]

- 44
1. Correct minor scrivener's or grammatical errors, including deletion of redundant reference to "Conflict" which is addressed under Art 3.E.2.A.3, Conflicts, misuse of pluralized term designation when referring to a single future land use, established standard of spelling out numbers one through ten, etc.
  2. Correct wording referencing ERM Preserve Management Plans to: a) reference the Conservation Easement required by FLUE Policy 1.5.1-j of the Plan; and, b) clarify that neither may include uses not otherwise permitted in the district, but may otherwise be more restrictive.
  3. Expand applicability to recognize parcels with split zoning (AGR Zoning and AGR PUD Preserve Areas). Further, clarify that this split zoning cannot be subdivided unless each newly subdivided lot meets the minimum PDRs for the AGR district.
  4. Establish minimum standards for those portions of a parcel identified in an AGR Letter of Determination, intended to allow for a Farm Residence, or otherwise prohibited from inclusion in an AGR PUD Preserve Area.
  5. Clarify standards for parcels with split AGR and AGR-TMD or AGR-PUD Preserve Area zoning, to ensure any non-preserve areas located on the subject parcel do not adversely impact the intended agricultural, open space, water retention, or conservation use intended within the designated Preserve Area.

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# EXHIBIT E

## PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS (Updated 10-26-16)

### ARTICLE 3, OVERLAYS & ZONING DISTRICTS

#### CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

#### Section 2 Planned Unit Development (PUD)

##### F. AGR PUD

###### 1. General

The following regulations have been created to fulfill goals, policies and objectives in the AGR FLU designations.

###### a. Purpose and Intent

In addition to provision in [Article 3.E.2.A.1, Purpose and Intent](#), a PUD is permitted in the AGR FLU designations in order to accommodate low-density residential development in conjunction with the preservation of agriculture, wetlands or other significant open space areas. It is the intent of a PUD in this land use designations to provide for the residential development of land in a manner compatible with agriculture, wetlands or other significant open space, ~~and~~ which does not detract from the protection and perpetuation of such uses in the area.

###### b. Applicability

~~AGR This Section shall apply to~~ PUDs ~~and with in the~~ AGR FLU designations, unless noted otherwise.

###### ~~c. Conflicts~~

~~If this Section conflicts with another Section of the Code, the provisions of this Section shall apply to the extent of the conflict.~~

###### 2. Development Options.

###### a. Options

The following two options are allowed with in the AGR FLU designations: 80/20 and 60/40.

###### 1) Minimum Land Area

The minimum gross land area (GLA) for the 80/20 option is 40 acres, and 250 acres for the 60/40 option.

###### 2) Areas

Each PUD shall consist of two areas, the Preservation Area and the Development Area. Both areas shall be rezoned to the AGR-PUD district.

###### b. Density

The maximum density for both options shall be based on the total GLA of the PUD calculated at one + du/ac. The residential density in the Development Area is not restricted, except as necessary to meet applicable development standards and to assure compatibility with adjacent land uses.

###### c. Land Use Mix

The land area allocated for the Preservation Area and the Development Area shall be based on the ratio specified for each development option as described below.

###### 1) 80/20 Option

A minimum of 80 percent of the GLA of the PUD shall be designated as Preservation Area on the master plan. The remaining land area (20 percent) may be designated on the master plan as residential, civic, commercial, recreation, or open space in accordance with Table 3.E.2.C, PUD Land Use Mix.

###### a) Exception

Up to an additional five percent of the GLA of the PUD may be allocated to the Development Area where the allocation can be accounted for as R-O-W for streets or water retention areas. In no event shall the Development Area, including R-O-W and water retention areas, exceed 25 percent of the GLA.

###### 2) 60/40 Option

A minimum of 60 percent of the gross land area of the PUD shall be designated as a Preservation Area on the master plan. The remaining land area (40 percent) may be designated on the master plan as residential, civic, commercial, recreation, or open space in accordance with Table 3.E.2.C, PUD Land Use Mix.

###### 3) Both Options

Credit shall not be given that would reduce the size of the Preservation Area for encroachment of R-O-W, water retention, open space, landscape buffers, or natural habitats preserved in the Development Area. Native vegetation required to be set-aside in a Development Area by [Article 14.C, VEGETATION PRESERVATION AND PROTECTION](#), shall not be credited toward satisfying the minimum Preservation Area requirement.

###### 3. Preserve Area

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# EXHIBIT E

## PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS (Updated 10-26-16)

1 A Preserve Area is intended to support bona fide agriculture uses, wetlands, or other  
2 significant open space. Adjacent residential development in the PUD should be designed to  
3 be compatible with a Preserve Area and shall not detract from its operation or function. [Ord.  
4 2015-047]

### 5 a. Location and Access

6 ~~A Preserve Area~~ ~~which~~ may be situated anywhere in the AGR Tier on a legal lot of  
7 record with an AGR FLU designations, provided it is ~~they are~~ accessible by a street.  
8 [Ord. 2015-047]

### 9 b. Uses

10 Uses allowed in a Preserve Area are indicated in Table 3.E.1.B, PDD Use Matrix, Table  
11 3.F.1.F, Traditional Development District Permitted Use Schedule, or where stated within  
12 Art. 4, Use Regulations, and specified as may be further restricted by the Conservation  
13 Easement or Preserve Management Plan, as approved by ERM. [Ord. 2006-004] [Ord.  
14 2012-027] [Ord. 2015-047]

### 15 c. Configuration

#### 16 1) Property Development Regulations

17 A Preserve Area and any remaining portion of a lot used to create a Preserve Area  
18 shall meet the minimum PDRs ~~of for~~ the AGR district, inclusive of Table 3.D.1.A,  
19 Property Development Regulations, with exception to the following: [Ord. 2006-004]

#### 20 a) General Exceptions

21 The minimum width of an AGR PUD Preserve Area may be reduced as follows:

22 (1a) lot width may be reduced to 100 feet for a Rural Parkway, as defined in the  
23 Plan; or, [Ord. 2006-004] [Ord. 2015-047]

24 (2b) for an equestrian use that meanders through a 60/40 development area; or,  
25 [Ord. 2006-004] [Ord. 2015-047]

#### 26 be) Non-conforming Legal Lot of Record

27 a Legal Lot of Record ~~legal lot of record~~ that does not meet the minimum acreage  
28 or dimensions of the AGR district may be used as a preserve area if in  
29 compliance with all other requirements of this Section; or, - [Ord. 2006-004]

#### 30 c) Split Zoning

31 In cases of split zoning, where a Legal Lot of Record is partially zoned AGR and  
32 AGR PUD Preserve Area where permitted in accordance with FLUE Policy 1.5.1-  
33 i, the following shall apply:

34 (a) Subdivision shall be prohibited unless each newly subdivided parcel meets  
35 the minimum PDRs for the AGR district;

36 (b) The Preserve Area shall be configured in one reasonably compact  
37 contiguous location within the subject parcel;

38 (c) That portion of the lot not designated as a Preserve Area, shall be configured  
39 as one reasonably compact and contiguous area;

40 (d) Access to either zoning district may be through the designated Preserve  
41 Area on the subject parcel, or vice-versa;

42 (e) Where applicable, setbacks shall be measured from the perimeter of the  
43 subject parcel, unless stated otherwise herein; and,

44 (f) A Farm Residence and all Accessory Structures accessory to the Farm  
45 Residence, excluding fences or walls, shall be setback a minimum of five feet  
46 from an AGR-PUD Preserve Area located on the same lot.

#### 47 2) General

48 Preserve Areas shall be arranged so as to maximize the purpose, function, and  
49 perpetuation of the preserve use. This shall be accomplished, in part, through the  
50 following: [Ord. 2015-047]

#### 51 a) Agriculture

52 Agricultural areas shall have boundaries that allow for efficient agricultural  
53 operation, and shall not be encroached upon by a Development Area. [Ord.  
54 2006-004]

#### 55 b) Wetlands

56 The boundary of preserved wetlands shall be determined by the ecological  
57 function of the viable area, as determined by the BCC upon recommendations  
58 from ERM and/or the SFWMD. Wetland areas shall be preserved in the following  
59 order of priority: adjacent to off-site wetlands; open space; fallow land; or,  
60 agricultural land. Primary consideration shall be given to preserved wetland  
61 areas adjacent to off-site wetlands.

62 ....

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64 U:\Zoning\CODEREV\2016\BCC Hearings\Round 2016-02\1 RPA\Exh. E - Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm  
65 Residences.docx

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EXHIBIT F

ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA  
 OVERLAY (WCRAO)  
 SUMMARY OF AMENDMENTS  
 (Updated 10/26/16)

1  
2  
3

Part 1. ULDC Art. 3.B.14, WCRAO (pages 41 to 59), is hereby amended as follows:

**Reason for amendments:** [ZONING-WCRA] The Westgate Community Redevelopment Agency (WCRA) has identified the need to amend certain standards and regulations in its Overlay to better facilitate the objective of eliminating slum and blight in the Westgate community redevelopment area. In summary, the reasons for these amendments are:

1. To clarify and amend the language of certain standards and review processes pertaining to Build to Lines and Minimum Frontage requirements in Sub-area property development regulations;
2. To exempt smaller sites from the arcades and galleries requirement in the NC Sub-area and to clarify language pertaining to dimensional requirements; and,
3. To create consistency between regulation language and table title for mixed use and residential parking deviations.

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**ARTICLE 3 OVERLAYS & ZONING DISTRICTS**

**CHAPTER B OVERLAYS**

**Section 14 WCRAO, Westgate Community Redevelopment Area Overlay**

**Note:** ULDC provisions related to WCRAO Boundaries are included herein to provide backup and context to subsequent amendments. No amendments to WCRAO Boundaries are proposed.

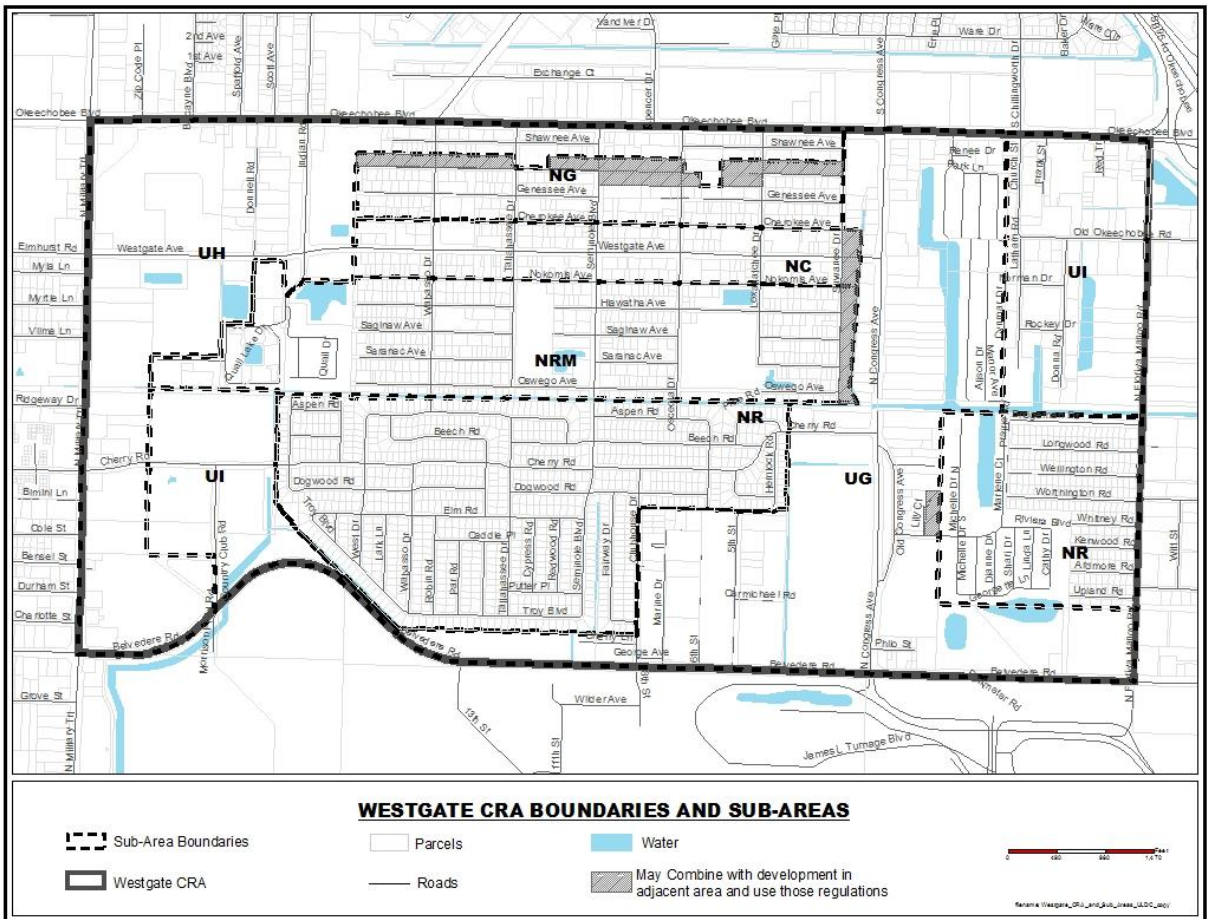
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**C. Boundaries**

**1. WCRAO Boundaries**

The WCRAO consists of those lands within unincorporated PBC bounded by Okeechobee Boulevard on the north, Belvedere Road on the south, Florida Mango Road on the east, and Military Trail on the west. See Figure 3.B.14.C-1 – Map of WCRAO Boundaries and Sub-areas. [Ord. 2006-004]

Figure 3.B.14.C-1 – Map of WCRAO Boundaries and Sub-areas



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**Notes:**

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## EXHIBIT F

### ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/26/16)

1           **2. Sub-area Boundaries and Descriptions**

2 To implement the WCRAO Plan, Sub-areas are hereby established to identify additional use  
3 regulations, PDRs, and supplemental standards that may differentiate from related  
4 requirements of the ULDC. Unless expressly stated herein, development shall comply with  
5 the requirements of a site's zoning district and FLU designation. Sub-area boundaries are  
6 based on the WCRAO Plan and the need for special protective measures, additional design  
7 standards, and redevelopment incentives within specific geographic areas. See Figure  
8 3.B.14.C-1 – Map of WCRAO Boundaries and Sub-areas, for the location of each Sub-area.  
9 **[Ord. 2006-004]**

10           **a. NR, Neighborhood Residential**

11 Intended to maintain and encourage the redevelopment of existing single-family  
12 residential dwellings. **[Ord. 2006-004]**

13           **b. NRM, Neighborhood Residential – Medium Density**

14 Intended to encourage mixed use development based on CL neighborhood based uses  
15 and single-family, townhouse and multi-family dwelling units. **[Ord. 2006-004]**

16           **c. NG, Neighborhood General**

17 Intended to encourage mixed use development, including more intense commercial uses,  
18 and townhouse and multi-family dwelling units. **[Ord. 2006-004]**

19           **d. NC, Neighborhood Commercial**

20 Intended to be the key focal point of the redevelopment area, with provisions allowing for  
21 or requiring mixed use development with more intense commercial uses. **[Ord. 2006-004]**

22           **e. UG, Urban General**

23 Additional redevelopment area allowing for mixed use development with more intense  
24 commercial and residential uses, including multi-story towers where feasible. **[Ord. 2006-  
25 004]**

26           **f. UH, Urban Highway**

27 Existing commercially developed corridors with little or no changes proposed to current  
28 Zoning PDRs or use regulations. **[Ord. 2006-004]**

29           **g. UI, Urban Industrial**

30 Existing commercial and industrial areas that will be encouraged to be redeveloped by  
31 the recent adoption of FLU amendments allowing CH or IND development. **[Ord. 2006-  
32 004]**

33           **....**  
34           **E. Use Regulations**

35           **2. Sub-area Use Regulations**

36           **a. Use Regulations**

37           **....**  
38

**Reason for amendments: [ZONING - WCRA]** Per Table 4.A.3.A – Use Matrix, residential uses such as Multi-family and Townhouses are only permitted in residential zoning districts or on sites zoned IPF, not in commercial zoning districts. Mixed use is preferred in the NRM and NG Sub-areas of the WCRAO and is required in the NC Sub-area. This amendment is to clarify that residential uses such as Multi-family and Townhouses are permitted in commercial zoning districts in certain WCRAO Sub-areas where mixed use is preferred or required.

39           **Table 3.B.14.E - WCRAO Sub-area Use Regulations**

Sub-areas	NR	NRM	NG	NC	UG	UH	UI	NOTE (2)
<b>Residential Uses</b>								
<b>Multi-family</b>	X	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	-	<del>87</del>
<b>Townhouse</b>	:	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	<del>(5)</del>	:	<del>132</del>
<b>....</b>								
<b>[Ord. 2006-004] [Ord. 2007-013] [Ord. 2009-040] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2012-007]</b>								
<b>Notes:</b>								
<b>....</b>								
<b>5.</b> <u>Multi-family and Townhouse units may be Permitted by Right in non-residential districts where Mixed Use is required or permitted in accordance with Table 3.B.14.E. WCRAO Mixed Use.</u>								
<b>Key:</b>								
X	Prohibited in Sub-area.							
-	Subject to Use Regulations of zoning district.							
P	Permitted by Right. <b>[Ord. 2007-013] [2009-040]</b>							
A	Class A Conditional or Requested Use							

40           **Notes:**

- 41           ▪ Underlined indicates **new** text.
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## EXHIBIT F

### ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/26/16)

<b>Reason for amendments: [ZONING - WCRA]</b>
1. Building placement, and its relationship to adjacent structures, can significantly influence the character of redevelopment. Build to line and minimum frontage, where required in WCRAO Sub-areas, is intended to promote better building presence and massing and to facilitate walk-ability by encouraging parking and access, where possible, to be located to the rear of a structure. The UI Sub-area is the WCRA's northeast light industrial/heavy commercial quadrant where many parcels have a CH/IND FLU and are zoned either CG or IL. In amending the build to line requirement and minimum frontage requirement in the WCRAO UI Sub-area to include industrial uses, consistency in building placement is provided for as existing properties redevelop.
2. To provide clarity to dimensional requirements for plazas and squares and to clarify that these dimensional requirements must be met only when applied as an exception to the build to line requirement.

1

**Table 3.B.14.F - WCRAO Sub-area PDRs**

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
<b>Build to Line/Setbacks:</b>							
<b>Front or Side Street Build to Line (1, 3) (8)</b>	-	Build to Line: - 15'	Build to Line: -15'	Build to Line: -10'	Build to Line - C/MU: 10-25'	-	Build to Line - C/IND: 10' - 25'
<b>Minimum Side (1)</b>	-	10' (4)	10' (4)	10' (4)	15'	15'	15'
<b>Minimum Rear (1, 4)</b>	-	25'	25'	25'	25'	25'	25'
<b>Minimum Building Frontage</b>							
<b>Minimum Frontage (1) (9)</b>	-	60%	60%	80%	60%	-	C/IND: 60%
<b>Plazas and Squares</b>							
<b>Build to Line Exception (1, 5, 10)</b>	-	Maximum 50% of Building Frontage frontage, minimum length of frontage of width: 20'; and a maximum depth of 25'				-	-
.....							
[Ord.2006-004] [Ord. 2010-022] [Ord. 2015-031]							
<b>Key</b>							
- PDRs not specified in this table shall be subject to the PDRs of the lot's zoning district.							
C For Commercial Uses							
MU For Mixed Uses							
IND For Industrial Uses							
<b>Notes:</b>							
.....							
10. <u>Dimensions for Plazas and Squares shall be met when applied as an exception to Build to Line in accordance with Art. 3.B.14.F.2.a. Build to Line.</u>							

2

<b>Reason for amendments: [ZONING - WCRA]</b> Build to Lines are required in all WCRAO Sub-areas except the UH. For projects that are permitted by right in WCRAO Sub-areas and the corresponding standard Zoning district, an adjustment to the Build to Line requirement such as increased R-O-W buffers due to the location of existing utility easements can only be made by the DRO, thereby adding an unnecessary layer to the approvals process where DRO review is not required. The WCRA has found that many projects are unable to meet the build to line requirement. This is particularly true of smaller mixed use infill redevelopment projects with a limited lot size fronting Westgate Avenue in the NC Sub-area where the Build to Line requirement is 10 feet. By allowing an adjustment to the Build to Line to be made during Building Permit review for projects not requiring DRO approval, the entitlement process becomes more streamlined while allowing the intent of the Build to Line to remain intact.
--

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#### 2. Build to Line and Frontages

##### a. Build to Line

The build to line may be adjusted by the DRO, or at Building Permit review for projects Permitted by Right, to accommodate requirements such as, increased R-O-W buffers due to location of existing utility easements, or required corner clips. The first three floors of all main structures, excluding parking garages, shall be constructed at the build to line, unless specified otherwise. An additional ten or 12 foot setback is permitted where a gallery is used in lieu of an arcade. Up to 25 percent of the building frontage or footprint that is required to be on the build to line may be either setback or projected beyond the build to line to accommodate requirements for balconies, stoops, porches, or other architectural features designed to enhance the pedestrian streetscape environment, provided that ground floor improvements do not conflict with the placement of street trees. Recesses and projections of the building façade up to a maximum of three feet shall be permitted. Maximum encroachments for balconies, and entryways shall comply

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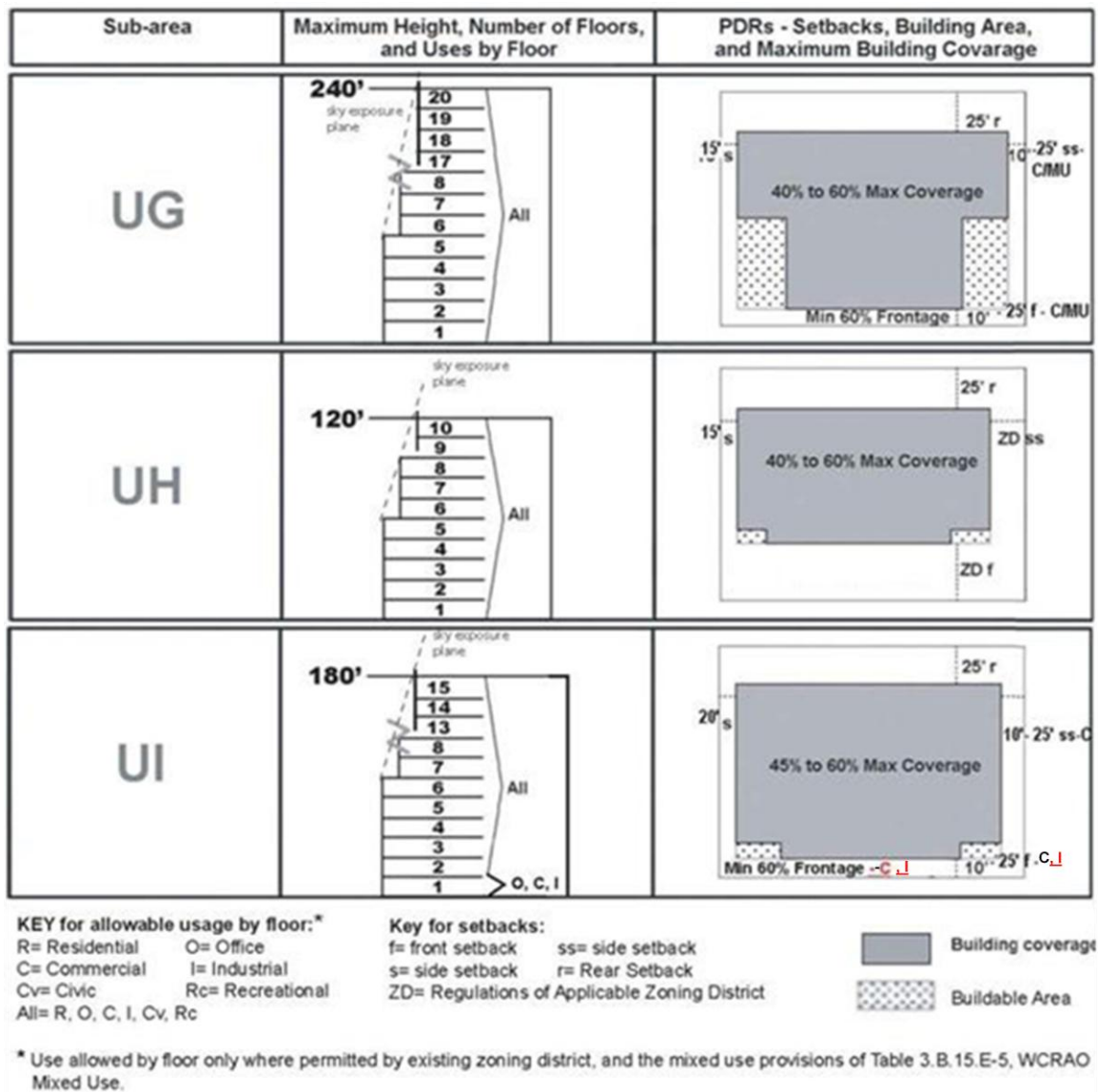
## EXHIBIT F

### ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/26/16)

with Table 3.B.14.G – WCRAO Supplementary Standards by Sub-Area. [Ord. 2006-004]  
[Ord. 2011-001]

**Reason for amendments:** [ZONING - WCRA] Amend illustration to delineate applicability of Frontage and Build to Line requirements for consistency with amendments to Table 3.B.14.F - WCRAO Sub-area PDRs above.

**Figure 3.B.14.F - WCRAO Sub-area Building Configurations and Lot Placements (Continued)**



[Ord. 2006-004] [Ord. 2009-040]

#### G. Supplementary Standards

In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO Supplementary Standards by Sub-Area, the following shall apply: [Ord. 2006-004]

**Reason for amendments:** [ZONING] Typically individual parcels along Westgate Avenue in the NC Sub-area range from between 75'-125' in width. While some developers assemble lots to create a larger site, the WCRA has found that many infill redevelopment projects are generally smaller in scale. The requirement for arcades and galleries fronting Westgate Avenue is a strict application of form based design that can be too cost prohibitive at construction for many redevelopers to achieve; more often than not a Variance is requested from this requirement. By exempting lots that are 100' or less from the Arcade and Gallery requirement, a small scale redeveloper has more flexibility in building design. Other architectural features such as awnings can be utilized to create a similar effect.

#### Notes:

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# EXHIBIT F

## ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/26/16)

**Table 3.B.14.G - WCRAO Supplementary Standards by Sub-Area**

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Architectural Features:							
Arcades and Galleries (1)	-	-	-	Required - Westgate Avenue (11)	-	-	-
Key							
- Subject to the supplementary standards of the lot's zoning district							
[Ord. 2006-004] [Ord. 2009-040] [Ord. 2015-031]							
Notes:							
11. <span style="color: red;">Lots with 100 feet or less of frontage may be exempt from this requirement.</span>							

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**I. Parking and Streets**

**1. Parking**

.....

**c. Allowable Reductions in Required On-site Parking**

The required amount of on-site parking may be reduced in accordance with any of the following provisions. These provisions may be applied cumulatively. [Ord. 2006-004]

**1) UG, UH, NRM, NG and NC Deviations**

Deviations in the required parking specified in Table 6.A.1.B, Minimum Off Street Parking and Loading Requirements shall be permitted for mixed-use or residential projects in the UG, UH, NRM, NG or NC Sub-areas as specified in Table 3.B.14.I, WCRAO Mixed Use Parking Deviations. [Ord. 2006-004] [Ord. 2007-013]

**2) Curbside Parking**

On street parking available along the frontage, side or rear lot lines that directly abuts the subject lot may be applied toward the parking requirements of the uses on the lot. Applicable spaces shall be calculated by taking the total linear distance of parking spaces and abutting the site's lot lines and dividing by the average length of spaces. [Ord. 2006-004] [Ord. 2007-013]

**Reason for amendments:** [ZONING] Added to clarify that those projects in the UG, UH, NRM, NG, and NC permitted to deviate from required parking specified in Table 6.A.1.B, Minimum Off Street Parking and Loading Requirements includes residential projects as stated in Article. 3.B.14.I.1.c.1), UG, UH, NRM, NG and NC Deviations).

**Table 3.B.14.I - WCRAO Mixed Use and Residential Parking Deviations**

Use	Parking
Multi-family	1 per unit plus required guest parking
Residential	1.5 per unit plus required guest parking
Residential	2 spaces per unit plus required guest parking (2)
Hotel or Motel (other areas calculated separately)	1.25 per room
Office, Business or Professional and Medical or Dental	2.5 per 1,000 sq. ft.
Commercial Uses	2.5 per 1,000 sq. ft.
Commercial, General Retail Sales	3 per 1,000 sq. ft.
Restaurant, Cocktail Lounge	1 per 4 seats
[Ord. 2006-004] [Ord. 2007-013]	
Notes:	
1. Unless stated otherwise in this section, parking and loading shall be in accordance with Table 6.A.1.B-1, Minimum Off Street Parking and Loading Requirements. [Ord. 2006-004] [Ord. 2007-013]	
2. A parking ratio of 1.5 spaces per unit plus required guest parking shall also be permitted for any unit required to be deed restricted for very-low and low income households. [Ord. 2007-013]	

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**Notes:**

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# EXHIBIT G

## TABLE 6.A.1.D, MINIMUM PARKING DIMENSIONS SUMMARY OF AMENDMENTS (Updated 10/26/16)

1  
2 **Part 1. ULDC Table 6.A.1.D, Minimum Parking Dimensions for Nonresidential Uses and**  
3 **Residential Uses with Shared Parking Lots (page 19 of 39), is hereby amended as**  
4 **follows:**  
5

**Reason for Amendment:** [Zoning] Recognize previously approved and potential future requests for reduced Drive Aisle Width where a wider parking stall is utilized. Whereas, the required Space Width is the minimum required, and utilization of a wider than required space allows for increased vehicle maneuverability within the parking stall, thus reducing the minimum required Drive Aisle Width. The recent deletion of the rarely used minimum parking dimensions for "Retail" spaces inadvertently removed this existing alternative dimension for Aisle Width and by extension, the overall Module Width.

6  
**Table 6.A.1.D - Minimum Parking Dimensions  
For Nonresidential Uses and Residential Uses  
with Shared Parking Lots**

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D (3) Aisle Width (feet)	E Curb Length (feet)	F Module Width (feet)
45	General	9.0	17.5	12.0	12.5	47.0
	Accessible *	12.0	17.5	12.0	17.0	47.0
60	General	9.0	19.0	16.0	10.5	54.0
		<del>9.5</del>	<del>19.0</del>	<del>15.0</del>	<del>10.5</del>	<del>53.0</del>
	Accessible *	12.0	19.0	14.0	14.0	52.0
70	General	9.0	19.5	19.0	9.5	58.0
		<del>9.5</del>	<del>19.5</del>	<del>18.0</del>	<del>9.5</del>	<del>57.0</del>
	Accessible *	12.0	19.5	17.0	12.5	56.0
75	General	9.0	19.5	23.0	9.5	62.0
		<del>9.5</del>	<del>19.5</del>	<del>22.0</del>	<del>9.5</del>	<del>61.0</del>
	Accessible *	12.0	19.5	21.0	12.5	60.0
80	General	9.0	19.5	24.0	9.0	63.0
		<del>9.5</del>	<del>19.5</del>	<del>23.0</del>	<del>9.0</del>	<del>62.0</del>
	Accessible *	12.0	19.5	22.0	12.0	61.0
90	General	9.0	18.5	26.0	9.0	63.0
		<del>9.5</del>	<del>18.5</del>	<del>25.0</del>	<del>9.0</del>	<del>62.0</del>
	Accessible *	12.0	18.5	24.0	12.0	61.0
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0 Max. 7.0	Min. 12.0 Max. 13.0	Min. 15.0 Max. 17.0 (2)	Min. 6.0 Max. 7.0	Min. 39.0 Max. 43.0 (2)
<b>[Ord. 2005-002] [Ord. 2012-027]</b>						
<b>Notes:</b>						
* Accessible applies to parking for persons who have disabilities.						
1. Use – See Art. 6.A.1.D.14, Design and Construction Standards.						
2. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.						
3. Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. <b>[Ord. 2012-027]</b>						

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**Notes:**

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# EXHIBIT H

## ART. 8.G.3.B, ELECTRONIC MESSAGE SIGN TYPES AND APPROVAL PROCESS SUMMARY OF AMENDMENTS (Updated 10-19-16)

1  
2 **Part 1. ULDC Art. 8.G.3.B, Electronic Message Signs, (pages 29 - 34 of 42), is hereby amended**  
3 **as follows:**  
4

**Reason for amendments:** [Zoning] The ULDC was amended in 2014 (Ord. 2015-025), to recognize the industry trend towards the use of Electronic Message Signs for the display of motor vehicle fuel prices, subject to a number of standards intended to mitigate adverse impacts to the public or residential uses. To ensure that the introduction of this new sign allowance went smoothly, it was determined that Development Review Officer (DRO) approval review would be required prior to submittal of a Building Permit. While there are a number of Zoning specific regulations, including minimum setbacks from residential or existing Conditions of Approval, among others, which may preclude conversion or installation of electronic fuel price signage, staff has determined that applicable standards are clear enough for applicants to understand without the need for initial Zoning oversight. Zoning staff will evaluate electronic sign conversions as part of the Building Permit review process, and Zoning will also evaluate any new signs, as the sale of motor vehicle fuels requires DRO or BCC approval.

5 **CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES**

6 **Section 3 Other Sign Types**

7 **B. Electronic Message Signs**

8 **1. Applicability and Approval Process**

9 Electronic message signs shall only be allowed as follows: [Ord. 2015-031]  
10

**Table 8.G.3.B, Electronic Message Sign Types and Approval Process**

Sign Type	Permitted Content	Approval Process
Type 1	At regional facilities, facilities with serial performances, and, specialized attractions that, by their operating characteristics, have unique sign requirements	Class A Conditional Use or Requested Use approval (1)
Type 2	Electronic Changeable Copy Message Sign (PRA Pilot Program)	Building Permit
Type 3	Time and temperature	Building Permit
Type 3	Fuel prices	<del>Building Permit</del> DRO
Type 3	Informational signs within residential Planned Unit Development (PUD)	DRO
<b>[Ord. 2010-022] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020]</b>		
<b>Notes:</b>		
1. Unless exempt under <u>Article 8.B, EXEMPTIONS</u> .		

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37 Approval Process.docx

**Notes:**

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# EXHIBIT I

## DEFINITION FOR ADDITION SUMMARY OF AMENDMENTS

(Updated 10/19/2016)

1  
2 Part 1. ULDC Art. 1.1.2.A.19, Definitions (page 31 of 119), is hereby amended as follows:  
3

<b>Reason for amendments:</b> [Zoning] Clarify the type of construction that constitutes an addition to an existing structure. In addition, "Adaptive Use" is being relocated to reflect the correct alphabetic order.
--

4 **CHAPTER I DEFINITIONS & ACRONYMS**

5 **Section 2 Definitions**

6 **A. Terms defined herein or referenced in this Article shall have the following meanings:**

7  
8 ~~2019.~~ **Adaptive Use** - for the purposes of Art. 9, the process of converting a building to a use  
9 other than that which it was originally designed. **[Relocated from Art. 1.1.2.A.20]**

10 ~~1920.~~ **Addition (to an existing structure)** – ~~for the purposes of Art. 18, (to an existing building)~~  
11 means any walled and roofed expansion to the perimeter of a building ~~in~~ which ~~the addition~~ is  
12 connected ~~by~~ to a common load-bearing wall, pursuant to the Florida Building Code, other  
13 than a firewall. Any walled and roofed expansion, which is connected by a firewall or is  
14 separated by independent perimeter load-bearing walls, is new construction, not an addition.  
15 **[Ord. 2004-013]**  
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**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: ]**.

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**EXHIBIT J**

**ADMINISTRATIVE INQUIRY  
SUMMARY OF AMENDMENTS**

**(Updated 10/26/16)**

1  
2 **Part 1. ULDC Art. 1.I.23, Administrative Inquiry [Related to Definitions and Acronyms] (page**  
3 **31 of 119), is hereby amended as follows:**  
4

**Reason for amendments:** [Zoning] Clarify Administrative Inquiry definition by indicating that it may also be presented to the BCC to provide status of a Development Permit for a specific site not covered by the provisions in Art. 2.E, Monitoring, including violations of conditions of approval or conditions requiring presentation of project status to the BCC via Administrative Inquiry.

5 **CHAPTER I DEFINITIONS & ACRONYMS**

6 **Section 2 Definitions**

7 **A.** Terms defined herein or referenced in this Article shall have the following meanings:  
8 23. **Administrative Inquiry** - a request by PBC Officials to the Board of County Commissioners  
9 (BCC) for direction on procedural matters or to resolve inconsistencies in a Development  
10 Order; or to provide status or an inquiry of a specific site when the Monitoring provisions of  
11 Art. 2.E are not applicable. [Ord. 2011-016]  
12  
13

14 **Part 2. ULDC Art. 2.A.1.J., Procedures (page 17-18 of 87), is hereby amended as follows:**  
15

**Reason for amendments:** [Zoning] Relocate and consolidate Courtesy Notice requirements applicable to Administrative Inquiries (AI) currently contained in the procedural standard for AI's in Art. 2.D.4, and consolidate with similar notification provisions in Article 2, Development Review Procedures. Administrative Inquiries (AI) related to a parcel with a legal description is required to comply with Courtesy Notices.

16 **CHAPTER A GENERAL**

17 **Section 1 Applicability**

18 **J. Notification**  
19 **1. Applicability**  
20 Applications subject to Public Hearing or Type 1B Variance processes, ~~and~~ corrective  
21 resolutions, or Administrative Inquiries, shall require notification to the public, in accordance  
22 with the following table: [Ord. 2011-016] [Ord. 2015-031]  
23

**Table 2.A.1.J – Notification Applicability**

Process	Newspaper Publication	Courtesy Notice	Signs
Development Order Abandonment (ABN) (1)	Yes	N/A	N/A
Corrective Resolution	Yes	N/A	N/A
Type 1B Variance	N/A (2)	Yes	Yes
Type II Variance	Yes	Yes	Yes
Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)	Yes	Yes	Yes
<u>Administrative Inquiry (3)</u>	<u>N/A</u>	<u>Yes</u>	<u>N/A</u>

[Ord. 2015-031]  
**Notes:**  
1. Applies to Administrative and Public Hearing Abandonments, excluding: Development Orders advertised and abandoned simultaneously as part of a subsequent Development Order; and, Development Orders advertised and reviewed for revocation pursuant to Art. 2.E, Monitoring.  
2. Reasonable notice shall be required in compliance with F.S. 286.011.  
3. Only applicable to an inquiry related to a specific development or parcel and not for general direction on a topic.

24  
25 **2. Newspaper Publication**  
26 Notice shall be published in a newspaper of general circulation in PBC in accordance with  
27 F.S. §125.66. [Ord. 2011-016] [Ord. 2015-031]  
28 **3. Courtesy Notice**  
29 **a. Applicability and Mailing Boundary**  
30 Courtesy notices shall be mailed to all property owners, interested parties or other  
31 entities identified in Table 2.A.1.J, Courtesy Notice Requirements. [Ord. 2006-036] [Ord.  
32 2008-003] [Ord. 2011-016] [Ord. 2015-031]

**Notes:**  
Underlined indicates **new** text.  
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# EXHIBIT J

## ADMINISTRATIVE INQUIRY SUMMARY OF AMENDMENTS (Updated 10/26/16)

1

**Table 2.A.1.J – Courtesy Notice Requirements**

Process	Recipients and Boundaries			
	Certified Mail 0 to 300 feet (1)(5)	Regular Mail 301 to 500 feet (1)(5)	<u>Regular Mail</u> <u>0 to 500 feet</u>	Regular Mail within One Mile (1)
Type 1B Variance		NA	<u>N/A</u>	Counties and Municipalities (4)
Type II Variance	All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	NA	<u>N/A</u>	
Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)		All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	<u>N/A</u>	
<u>Administrative Inquiry</u> <u>(Site Specific) (6)</u>	<u>N/A</u>	<u>N/A</u>	<u>All owners of real</u> <u>property (2)</u>	<u>N/A</u>
[Ord. 2011-016] [Ord. 2012-003] [Ord. 2015-031] [Ord. 2016-016]				
<b>Notes:</b>				
1. Distance shall be measured from the property line of the affected area, unless stated otherwise. If the adjacent property within the mailing boundary is owned by the applicant or a related entity, the 300 or 500 foot notification boundary shall be extended from these parcels. A larger notification boundary of 1,000 feet is required for properties located in the Exurban or Rural Tiers. <b>[Ord. 2012-003]</b>				
2. Includes all owners of real property, whose names and addresses are known by reference to the latest published ad valorem tax records of the PBC Property Appraiser.				
3. Includes condominium associations and all real property owners when real property consists of a condominium.				
4. Shall also include municipalities that have the subject parcel identified within the PBC Future Annexation Map				
5. The applicant shall provide the list of all Condominium Associations, POAs, HOAs or equivalent within the boundaries. <b>[Ord. 2016-016]</b>				
6. <i>Shall be mailed a minimum of ten days prior to the date of the AI by the applicant submitting the inquiry.</i> <b>[Partially relocated from Art. 2.D.4.C, Procedures]</b>				

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**b. Notice Content**

Courtesy notices shall include the following information: **[Ord. 2011-016]**

- 1) A general summary of the application; **[Ord. 2011-016]**
- 2) A date, time and place for the Public Hearing(s); **[Ord. 2011-016]**
- 3) A general location map of the subject property; and, **[Ord. 2011-016]**
- 4) A statement indicating that interested parties may appear at the Public Hearing and be heard regarding the request. **[Ord. 2011-016]**

**c. Failure to Receive Courtesy Notice**

Failure to receive a notice shall not be deemed a failure to comply with Art. 2.A.1.J, Notification, or be grounds to challenge the validity of any decision made by the approving authority. **[Ord. 2011-016] [Ord. 2015-031]**

....

**Part 3. ULDC Art. 2.D.4.C, Procedures (page 45 of 87), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Clarify that Administrative Inquiries (AI) related to parcels with a legal description shall be subject to courtesy notices. The amendment also deletes duplicated language already contained in Art. 2.A.1.J.3.c, Notice Content.

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**CHAPTER D ADMINISTRATIVE PROCESS**

**Section 4 Administrative Inquiry (AI)**

**C. Procedures**

An AI may be made ~~only~~ by a public agency through the Zoning Director using forms and procedures established by the Zoning Division. The AI shall be placed on the BCC agenda by the Zoning Division for the date the inquiry is intended to be presented. Courtesy Notice pursuant to Art. 2.A.1.J, Notifications, is required for an AI applicable to a parcel for a specific inquiry or to provide development status not monitored by the provisions in Art. 2.E, Monitoring. shall be mailed by regular mail a minimum of ten days prior to the date of the AI, to include the applicant or property owner, and property owners within 500 feet of the subject property. Notices shall be mailed by the PBC Official submitting the inquiry, and shall include a general summary of the AI, the date, time and place, and a general location map of the subject property. Failure to receive a notice shall not be deemed a failure to comply with this requirement. [Ord. 2011-016] [Partially relocated to Table 2.A.1.J, Courtesy Notice Requirements footnote 6.]

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**Notes:**

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# EXHIBIT K

## ART. 3.D.1.D.1, BASE BUILDING LINE SUMMARY OF AMENDMENTS (Updated 11-17-16)

1  
2 Part 1. ULDC Art. 3.D.1.D.1, Base Building Line (pages 128 - 129 of 234), is hereby amended as  
3 follows:  
4

Reason for amendments:
------------------------

- |   |
|---|
| 1. [Zoning] Delete reference suggesting that temporary auto display areas may be permitted within the base building line, as this use would conflict with requirements for landscaping.   |
| 2. [Zoning] Clarify that the placement of required parking or landscaping shall be prohibited in the area between the base building line and the existing right of way (or easement). Installation of such elements would result in a poorly configured or landscaped area when future roadway or relocated utility easements are constructed in these areas. |

5  
6 **ARTICLE 3 OVERLAYS & ZONING DISTRICTS**

7 **CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)**

8 **Section 1 PDRs for Standard Zoning Districts**

9 **D. Setbacks**

10 **1. Base Building Line**

11 ....

12 **d. Permitted Encroachments**

13 Pursuant to approval by the County Engineer, temporary, removable, and non-habitable  
14 structures such as signs, *and* fences, ~~and auto display areas~~, may be located between a  
15 street and the base building line. Approval shall be subject to a removal agreement with  
16 the DEPW. Setbacks shall be measured from the existing street boundaries and the  
17 affected area shall be landscaped in accordance with Article 7, LANDSCAPING.

18 **e. Landscaping and Parking**

19 In the event the County Engineer does not waive the base building line requirement,  
20 Required required landscaping and parking shall ~~not~~ be prohibited located in the area  
21 between a street and the base building line.  
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# EXHIBIT L

## REGULATING PLANS SUMMARY OF AMENDMENTS (Updated 11/21/16)

1  
2 Part 1. ULDC Art.2.A.1.G.3.g, Regulating Plans, related to Application Procedures (page 15-16  
3 of 87), is hereby amended as follows:  
4

Reason for amendments:
1. [Zoning] Revise Plan Requirements to indicate that the Regulating Plans are no longer a submittal requirement. Oftentimes, Regulating Plans are redundant whereas design details such as landscaping or signs are already shown on other required documents, such as Landscape Plans and Sign Plans. However, Staff may recommend or the Applicants may choose to submit Regulating Plans depicting design details to garner support from the Approving Authority.
2. [Zoning] Delete requirements specific to Regulating Plans under the Public Hearing and Administrative Approval Process since these requirements (e.g. Tabular Data format) are located in the Zoning Technical Manual.
3. [Zoning] Delete Architectural Elevations, Signs and Alternative Landscape from the Regulating Plans since these design and technical elements should be submitted under other Types of Plans. Example, Architectural Elevation Plans, Sign Plans or Programs and Alternative Landscape Plans.

### 5 CHAPTER A GENERAL

#### 6 Section 1 Applicability

#### 7 G. Application Procedures

#### 8 3. Plan Requirements

9 All applications or applicants submitting for a Public Hearing or an Administrative Approval  
10 ~~administrative approval~~ process, excluding FLU Amendments, shall submit Plan(s) a plan to  
11 the DRO or Zoning Director, except where indicated otherwise. The type of plan shall be  
12 based upon the type of application request(s), and shall be prepared to include graphics and  
13 tabular data consistent with the Technical Manual requirements and standards. The Plan  
14 ~~plan~~ shall provide sufficient information for County Agencies to review in order to render  
15 comments on the project for compliance with applicable standards of the Code pursuant to  
16 Art.2.B.1.B, Standards, Art.2.B.2.B, Standards, or Art.2.D.1.E, Standards for Administrative  
17 Approval. In addition, the plan shall be prepared in compliance with the following: **[2009-  
18 040] [2015-006]**

19 ....

#### 20 g. Regulating Plans - **Optional**

21 When applicable, Regulating Plans shall provide a comprehensive graphic and written  
22 description of the project.

#### 23 1) **Thresholds**

24 Regulating Plan(s) may be submitted to the Zoning Division for review or for approval  
25 under the following circumstances:

- 26 a) The Applicant may choose to provide design details to demonstrate the intent of  
27 the requests or the requests are in compliance with the Standards of the Code;
- 28 b) Staff may recommend the submittal of the Regulating Plans due to the size and  
29 complexity of the application and site design; or
- 30 c) By a ZC or BCC Condition of Approval.

#### 31 2) **Submittal Requirements**

32 If submitted, the Plans shall be prepared in accordance with the Submittal  
33 Requirements, and consistent with the format requirements pursuant to the Technical  
34 Manual. Regulating Plans shall be drawn to scale or labeled with notes,  
35 specifications and dimension, and shall include where applicable, the following:  
36 **[Partially Relocated from below]**

- 37 a) Street cross sections, including sidewalks, bike lanes, street trees, on street  
38 parking and lighting; [Ord. 2009-040] [Relocated from below]
- 39 b) Typical lot layouts for each housing type, including building envelope, screen  
40 enclosure/pool setbacks, and driveway access; [Ord. 2009-040] [Relocated  
41 from below]
- 42 c) Landscape buffer details (plan view and cross section); [Ord. 2009-040]  
43 [Relocated from below]
- 44 d) Median landscape detail; [Ord. 2009-040] [Relocated from below]
- 45 e) Pedestrian circulation plan in accordance with Art. 3.E, Planned Development  
46 Districts (PDDS); [Ord. 2009-040] [Relocated from below]
- 47 f) Phasing pursuant to Art. 2.E, Monitoring; [Ord. 2009-040] [Ord. 2010-005]  
48 [Relocated from below]
- 49 g) Screening details; and [Ord. 2009-040] [Relocated from below]
- 50 h) Neighborhood parks. [Ord. 2009-040] [Relocated from below]

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**EXHIBIT L**  
**REGULATING PLANS**  
**SUMMARY OF AMENDMENTS**  
**(Updated 11/21/16)**

1       ~~The regulating plan shall reflect the necessary tabular and graphic information required in~~  
2       ~~the Technical Manual, which provides a comprehensive graphic and written description of~~  
3       ~~the project and shall include but not be limited to: lot layout for housing type, street cross~~  
4       ~~sections, design details of site elements, etc. Each element of the regulating plan shall be~~  
5       ~~drawn to scale or labeled with notes, specifications and dimensions. **[Ord. 2009-040]**~~  
6       ~~**[Partially relocated above]**~~

7       **1) Preliminary Regulating Plan (PRP) for Public Hearing Approval**

8       ~~The DRO shall review and certify a PRP for all requests that are subject to the Public~~  
9       ~~Hearing approval process. The BCC shall approve a PRP for: Conditional Uses,~~  
10       ~~Requested Uses, rezoning to a PDD, the affected area of modifications to previously~~  
11       ~~approved PDDs, and shall include, at a minimum, the following elements: **[Ord.**~~  
12       ~~**2009-040]**~~

- 13       ~~a) Focal points; **[Ord. 2009-040]**~~  
14       ~~b) Exemplary features; **[Ord. 2009-040]**~~  
15       ~~c) Public amenities; and, **[Ord. 2009-040]**~~  
16       ~~d) Preliminary Master Sign Plan or Program. **[Ord. 2009-040]**~~

17       **2) Final Regulating Plan (FRP) for Public Hearing Approval or Administrative**  
18       ~~**Approval**~~

19       ~~a) After a PRP is approved by the BCC or ZC, the applicant shall submit a FRP to~~  
20       ~~the DRO for final review and approval. The FRP shall be consistent with the~~  
21       ~~BCC or ZC approved PRP. All modifications to the plan must be approved by the~~  
22       ~~BCC or ZC unless the proposed changes are required to meet conditions of~~  
23       ~~approval, are not in conflict with the BCC or ZC approval or are in accordance~~  
24       ~~with the ULDC. **[Ord. 2009-040]**~~

25       ~~b) The DRO shall review and approve a FRP for any requests for uses that have a~~  
26       ~~“D” in any Use Matrix in Art. 3.B, Overlays, or Table 4.A.3.A, Use Matrix; or any~~  
27       ~~requests subject to Table 4.A.3.A, Thresholds for Project Requiring DRO~~  
28       ~~Approval. **[Ord. 2009-040]** **[Ord. 2011-016]**~~

29       ~~c) In addition to the requirements indicated in Art. 2.A.1.G.3.g.1, Preliminary~~  
30       ~~Regulating Plan (PRP) for Public Hearing Approval, the following items shall be~~  
31       ~~shown on the FRP, as applicable: **[Ord. 2009-040]**~~

32       ~~(1) Street cross sections, including sidewalks, bike lanes, street trees, on-street~~  
33       ~~parking and lighting; **[Ord. 2009-040]** **[Relocated above]**~~

34       ~~(2) Typical lot layouts for each housing type, including building envelope, screen~~  
35       ~~enclosure/pool setbacks, and driveway access; **[Ord. 2009-040]**~~

36       ~~**[Relocated above]**~~

37       ~~(3) Landscape buffer details (plan view and cross section); **[Ord. 2009-040]**~~  
38       ~~**[Relocated above]**~~

39       ~~(4) Median landscape detail; **[Ord. 2009-040]** **[Relocated above]**~~

40       ~~(5) Master Sign Plan; **[Ord. 2009-040]**~~

41       ~~(6) Elevations, if submitted pursuant to Art. 5.C, Design Standards; **[Ord. 2009-**~~  
42       ~~**040]**~~

43       ~~(7) Pedestrian circulation plan in accordance with Art. 3.E, Planned~~  
44       ~~Development Districts (PDDs); **[Ord. 2009-040]** **[Relocated above]**~~

45       ~~(8) Phasing pursuant to Art. 2.E, Monitoring; **[Ord. 2009-040]** **[Ord. 2010-005]**~~  
46       ~~**[Relocated above]**~~

47       ~~(9) Screening details; **[Ord. 2009-040]** **[Relocated above]**~~

48       ~~(10) Neighborhood parks; and, **[Ord. 2009-040]** **[Relocated above]**~~

49       ~~(11) Alternative Landscape Plan (ALP) or Alternative Sign Plan (ASP). **[Ord.**~~  
50       ~~**2009-040]**~~

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