

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**FEBRUARY 26, 2014 MEETING**

**AMENDMENTS TO THE AGENDA**  
**(Updated 2/26/14)**

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<b>#1.a</b>	<b>Exhibit D – Article 4.B.3.C.2, Campground, Part 1, Page 34 of 45 (line 12, Reason 16)</b> <b>Reason for amendments:</b> 16. Amend the Section dealing with the LOSTO, Lake Okeechobee Scenic Trail Overlay to: .... <ul style="list-style-type: none"> <li>• Specify that Campgrounds without RV sites are permitted in the LOSTO through a DRO approval; <del>if RV sites are desired, the owner must obtain a land use amendment to CR;</del> and,</li> </ul> ....
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<b>#1.b</b>	<b>Exhibit D – Article 4.B.3.C.2.h.1), Campground [Related to LOSTO], Part 1, Page 34 of 45 (line 40 - 41)</b>
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**1) Campground**  
A campground without RV sites may be permitted in the LOSTO subject to DRO approval. ~~If a campground owner wishes to have RV sites, they must change the FLU to CR.~~  
 ....

<b>#2</b>	<b>Exhibit D – Reason for amendments to Indoor Entertainment in the Use Matrix, Part 1, Page 36 of 45 (line 1, Reason 1)</b> <b>Reason for amendment:</b> 1. <del>Delete from IL Zoning District. The Comprehensive Plan does not support this use in the IND FLU designation. Therefore, the use should not be located in the IL or General Industrial (IG) Zoning Districts. Currently the use is permitted in the IL Zoning District. However, but is not permitted in Planned Development Districts with an industrial FLU designation or POD, therefore, the use is proposed to be deleted from the IL Zoning District.</del> ....
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<b>#3a</b>	<b>Exhibit D – Article 4.B.3.C.10, Indoor Shooting Range, Part 1, Page 41 of 45 (line 24, Reason 2)</b> <b>Reason for amendment:</b> .... 2. Update the <del>use</del> definition to clarify <u>that the use is intended for recreational and training, aspect of the use and is not intended to preempt gun ranges exempted by Florida statute, consistent with Florida Statutes 823.16 (Public Nuisances, Sport Shooting Ranges).</u> ....
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<b>#3.b</b>	<b>Exhibit D – Article 4.B.3.C.10.a, Definition [Related to Indoor Shooting Range], Part 1, Page 41 of 45 (lines 27 – 28) and Page 42 of 45 (line 15)</b>
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**a. Definition**  
 An ~~open or enclosed facility~~ indoor establishment used for the discharge of firearms or projectiles at targets for sport or training, excluding private gun ranges where preempted by state law.  
 ....

<b>#3.c</b>	<b>Exhibit D – Article 4.B.3.C.10.e, Site Design [Related to Indoor Shooting Range], Part 1, Page 42 of 45 (line 15)</b>
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**e. Site Design**  
Except where preempted by State law, ~~During~~ Zoning or Building Permit review, whichever occurs first, the applicant shall provide documentation demonstrating acceptable industry design and configuration standards, based on type of shooting activity, to address potential adverse safety and nuisance concerns. Range design shall include but not be limited to: ventilation, safety baffles, bullet traps, and impenetrable backstops, floors, walls and ceilings.  
 ....

<b>#4.a</b>	<b>Exhibit D – Article 4.B.3.C.11, Outdoor Shooting Range, Part 1, Page 43 of 45 (line 3, new Reason 1)</b> <b>Reason for amendment:</b> <u>1. Update the definition to clarify that the use is intended for recreation and training and is not intended to preempt gun ranges exempted by Florida statute.</u>
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**Notes:**  
Double underlined indicates new text or previously stricken text to remain.  
~~Double Stricken~~ indicates text to be ~~deleted~~.  
*Italicized* indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:** ].  
 .... A series of four bolded ellipses indicates language omitted to save space.

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
FEBRUARY 26, 2014 MEETING

AMENDMENTS TO THE AGENDA  
(Updated 2/26/14)

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#4.b	Exhibit D – Article 4.B.3.C.11.a, Definition [Related to Outdoor Shooting Range], Part 1, Page 43 of 45 (lines 6 - 7)
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**a. Definition**  
An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training excluding private gun ranges where preempted by state law.  
....

#4.c	Exhibit D – Article 4.B.3.C.11.c, Site Design [Related to Outdoor Shooting Range], Part 1, Page 43 of 45 (line 17)
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**c. Site Design**  
Except where preempted by State law, During Zoning or Building Permit review, whichever occurs first, the applicant shall provide documentation demonstrating acceptable industry design, configuration and operational standards, based on type of shooting activity, to address potential adverse safety and nuisance concerns. Range design shall include but not be limited to: backstops, sideberms, sidewalls, sound and visual baffles and target placement.  
....

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**Notes:**  
Double underlined indicates new text or previously stricken text to remain.  
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.... A series of four bolded ellipses indicates language omitted to save space.



February 19, 2014

**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

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

**County Administrator**

Robert Weisman

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

**RE: February 26, 2014 LDRAB Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC hearing on Wednesday, February 26, 2014.

The meeting will commence at **2:00 p.m.** in the Vista Center 1<sup>st</sup> Floor Kenneth S. Rogers Hearing Room (VC-1W-47), located at 2300 North Jog Road, West Palm Beach, Florida.

If you should have any questions or require additional information, please contact me at (561) 233-5206 or via email at [WCross@pbcgov.org](mailto:WCross@pbcgov.org), or Monica Cantor, Senior Site Planner at (561) 233-5205, or via email at [MCantor@pbcgov.org](mailto:MCantor@pbcgov.org).

Sincerely,

William Cross, AICP  
Principal Site Planner, Zoning Division

Attachments: February 26, 2014 LDRAB Agenda

- c: Verdenia C. Baker, Deputy County Administrator
- Rebecca D. Caldwell, Executive Director, PZB
- Lorenzo Aghemo, Planning Director
- Robert P. Banks, Chief Land Use County Attorney
- Leonard W. Berger, Chief Assistant County Attorney
- Jon MacGillis, ASLA, Zoning Director
- Maryann Kwok, Chief Planner, Zoning
- Monica Cantor, Senior Site Planner, Zoning

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Affirmative Action Employer"

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**PALM BEACH COUNTY**

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

**FEBRUARY 26, 2014**

**BOARD MEMBERS**

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

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

**Richard S. Kozell, III** (District 1)

**Barbara Katz** (District 3)

**Jim Knight** (District 4)

**Lori Vinikoor** (District 5)

**Mike Zimmerman** (District 6)

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

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

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

**Raymond Puzitiello** (Florida Atlantic Builders Assoc.)

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

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

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

**Edward E. Tedtmann** (Environmental Organization)

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

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

**Vacant** (Condominium Association)

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

**Board of County Commissioners**

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

**Paulette Burdick, Vice Mayor, District 2**

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

**Shelley Vana**  
**Commissioner, District 3**

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

**Mary Lou Berger**  
**Commissioner, District 5**

**Jess R. Santamaria**  
**Commissioner, District 6**

**Robert Weisman**  
**County Administrator**



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



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
WEDNESDAY, FEBRUARY 26, 2014 AGENDA  
2300 NORTH JOG ROAD  
1<sup>ST</sup> FLOOR KENNETH S. ROGERS HEARING ROOM (VC-1W-47), 2:00 P.M.**

**A. CALL TO ORDER/CONVENE AS LDRAB**

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Annual Election of Chair and Vice-Chair
5. Adoption of October 23, 2013 Tabled Minutes (Exhibit A)
6. Adoption of November 13, 2013 Minutes (Exhibit B)

**B. ANNUAL ORGANIZATION DISCUSSION**

1. Meeting Procedures - Internet Links (Attachment 1)
2. 2013 Attendance (Attachment 2)
3. 2013 Amendment
  - a. Amendments Summary Round 2013-01 (Attachment 3)
  - b. Amendments Summary Round 2013-02 (Attachment 4)
4. 2014 Board Members (Attachment 5)
5. 2014 Meeting Schedule (Attachment 6)
6. 2014 Work Plan
  - a. Deadlines/Scheduling for Proposed 2014 Amendments (Attachment 7)
  - b. Summary of Amendments Round 2014-01 (Attachment 8)
  - c. Subcommittees (Attachment 9)
7. LDRAB Rules of Debate (Attachment 10)

**C. ULDC AMENDMENTS**

1. Exhibit C – Additional amendments to Recycling Plant use (Industrial Uses presented on October 23, 2013 to LDRAB)
2. Exhibit D – Recreation Uses

**D. PUBLIC COMMENTS**

**E. STAFF COMMENTS**

1. Subcommittee (Status/Members)
  - a. LED Signage
  - b. Landscape
  - c. Use Regulations
2. Subcommittee Members - Appointment Regulations
3. Special LDRAB Meeting on June 25, 2014

**F. ADJOURN**

EXHIBIT A

PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of October 23, 2013 Meeting

On Wednesday, October 23, 2013 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

**A. Call to Order/Convene as LDRAB**

**1. Roll Call**

Chair Wes Blackman called the meeting to order at 2:03 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

**Members Present: 16**

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Richard Kozell (District 1)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Michael Zimmerman (District 6)  
Henry Studstill (District 7)\*\*\*  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumoehl (AIA)  
Joni Brinkman (League of Cities) \*\*  
Frank Gulisano (PBC Board of Realtors)  
Leo Plevy (Member At Large/Alternate)  
Raymond Puzzitiello (Gold Coast Build. Assoc.)\*  
Gary Rayman (Fl. Surveying & Mapping Society)  
Edward Tedtmann, Environmental Organization) \*\*\*\*

**Members Absent: 1**

James M. Brake (Member at Large/Alternate)

**Vacancies: 2**

(Assoc. General Contractors of America)  
(Condominium Association)

**County Staff Present:**

Leonard Berger, Assistant County Attorney  
Jon MacGillis, ASLA, Zoning Director  
Robert Kraus, Senior Site Planner, ERM  
John Rupertus, Senior Planner, Planning  
Bryan Davis, Principal Planner, Planning  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Lauren Dennis, Site Planner II, Zoning  
Scott Rodriguez, Site Planner II, Zoning  
David Nearing, Site Planner I, Zoning  
Zona Case, Zoning Technician, Zoning

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

The Chair noted that there were no additions, substitutions, or deletions to the agenda.

**3. Motion to Adopt Agenda**

Motion to adopt agenda by Ms. Lori Vinikoor, seconded by Ms. Barbara Katz. Motion passed (12 - 0) \*/\*\*/\*\*/\*\*\*\*.

**4. Adoption of July 24, 2013 Minutes (Exhibit A)**

Motion to adopt minutes by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (12 - 0) \*/\*\*/\*\*/\*\*\*\*.

**B. ULDC AMENDMENTS**

**1. Exhibit B - Art. 14, Environmental Standards**

Mr. Kraus explained the amendment adds language to address maintenance of native vegetation after development or a natural disaster; and, clarify the exemption application to stand alone agricultural parcels as opposed to larger scale agricultural operations comprised of co-joined parcels with gross acreage greater than 10 acres.

Mr. Raymond Puzzitiello arrived at 2:04 p.m.\*

Motion by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (13 - 0) \*\*/\*\*/\*\*\*\*.

**2. Exhibit C - Use of the Term Prohibited**

Ms. Cantor explained that the amendment clarifies the applicability of the term "prohibited", to preclude use of variance relief.

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (13 - 0) \*\*/\*\*/\*\*\*\*.

Ms. Joni Brinkman arrived at 2:07 p.m.\*\*

**3. Exhibit D - Decision Making Bodies**

Mr. Cross explained that the County's policies and procedures governing advisory boards, committees and commissions, have been updated under Resolution 2013-0193, which includes a new limit of three consecutive three-year terms for all County advisory board members. Mr. Cross advised that effective March 2, 2013 the three consecutive three year term limitation applies to the following: LDRAB, Environmental Appeals Board,

## EXHIBIT A

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

#### Minutes of October 23, 2013 Meeting

Environmental Control Hearing Board, Groundwater and Natural Protection Board, Impact Fee Appeals Board, Impact Fee Review Committee, Planning Commission, and Zoning Commission.

Mr. Berger explained the regulation was effective March 2, 2013.

Motion by Mr. Puzzitiello, seconded by Ms. [Vinikoor](#) Motion passed (14 - 0) \*\*\*/\*\*\*\*.

Mr. Henry Studstill arrived at 2:14 p.m.\*\*\*

#### 4. Exhibit E - Height Exceptions

Ms. Cantor explained the amendment clarifies that the height exception applies to rooftop structures constructed on top of an elevator or a stairwell that provides access to the roof of a building for the purpose of the functioning of the structure, such as access to mechanical equipment or reroofing, and not to extend occupancy.

Mr. Bailey asked where the measurement is taken from on a slanted roof. Ms. Cantor explained the amendment was related to the flat roof and that additional clarification will be provided at the next meeting.

Motion by Mr. Bailey, seconded by Mr. Gulisano. Motion passed (15-0) \*\*\*\*.

### C. ULDC AMENDMENTS - Use Regulations Project

#### 1. Exhibit F - Industrial Uses

Mr. Blackman expressed he was pleased with Staff and public participation at the Use Regulations Project Subcommittee in August. Mr. Cross did a brief presentation on how the Use Regulations Project amendments will be handled.

Mr. Edward Tedtmann arrived at 2:35pm. \*\*\*\*

Ms. Brinkman posed a question with regards to the consolidated use matrix and when would the complete project be presented to the BCC. Ms. Cantor clarified that the consolidated use matrix will be presented for each use classification prior to presentation the BCC in early 2015.

Staff presented all industrial uses and LDRAB requested clarification of the following uses:

- Medical or Dental Laboratory - Mr. Baumohl requested clarification what type of licensed medical professional would need to be associated with the use. Zoning staff clarified the reason for requesting a licensed medical professional was this use is not open to the public.
- Recycling Plant - Mr. Knight requested confirmation the Recycling Plant did not prohibit crushing of construction material at active construction sites. Mr. MacGillis confirmed the standards of Recycling Plant only apply to those sites where the principal use is Recycling Plant. Ms. Brinkman asked how Solid Waste Authority (SWA) Permit would be addressed as contained in the standards of the use since some applications are not subject to the SWA approval. Ms. Cantor will confirm with SWA and inform the Board when the use is presented again to the Land Development Regulation Commission (LDRC). Mr. Carpenter inquired about recycling of hazardous materials and how it would be addressed. Ms. Cantor clarified that during her research she found the Fire Department along with other agencies that deal with hazardous materials will be reviewing the use outside of the Zoning Code.
- Truck stop- Ms. Brinkman requested clarification with regards to collocated uses. Mr. Cross clarified the approval process for the collocated uses associated with a truck stop.

Motion by Mr. Puzzitiello, seconded by Mr. Knight including the changes discussed and additional information. Motion passed (16-0).

#### 2. Exhibit G - Article 5, Supplementary Standards

Ms. Cantor made the presentation of the main topics in the amendment which included: relocation of language related to hours of operation and creation of a specific section that addresses this topic; relocation of barbed wire and flex space provisions from the industrial

EXHIBIT A

PALM BEACH COUNTY  
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of October 23, 2013 Meeting

use standards in Article 4 to be consolidated in Article 5.B, Accessory and Temporary Uses; and, to expand and clarify outdoor storage and outdoor activities.

There were inquires into whether a Type III incompatibility buffer would be required if adjacent to residential and adjacent to a right of way buffer. LDRAB members recommended staff revisit the standard since walls are costly and may not be necessary in all situations. Ms. Cantor confirmed staff will remove requirement of the wall. The topic will be presented again to the Board as it affects other use classifications. There was discussion with regards to flex space and how parking calculations would be addressed.

Mr. Blackman asked if the hours of operation will be included in a motion today. Ms. Cantor stated the Article 5 items will be an on-going amendment and will not need to be part of the motion today. (Note: Mr. Cross clarified that a motion was being requested at this time, but confirmed that topics such as Hours of Operation will be revisited as it applies to each Use Classification).

Motion by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (16-0).

**D. PUBLIC COMMENTS**

Mr. Tedtmann ~~requested clarification on expressed concerns regarding~~ Exhibit B (Art. 14, Environmental Standards) ~~and how the acreage for exemptions will apply and how the Code will prevent subdivision of land into 10-acre or less parcels to be cleared, which do not currently have agricultural operations. Mr. Tedtmann took issue with allowing any land use exemptions from the environmental standards under ULDC Art. 14.C.8, Exemptions.~~ Mr. Berger clarified the acreage is related to the use rather than the parcel. Mr. Tedtmann requested ERM contact him to discuss further.

**E. LDRAB Subcommittee Updates**

Ms. Cantor stated there will be a Subcommittee meeting in mid November and an invitation will be sent to all LDRAB members with a specific date and time.

**F. STAFF COMMENTS**

None

**G. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 3:20 p.m.

Recordings of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by: Lauren Dennis



## EXHIBIT B

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

#### Summary of November 13, 2013 Meeting

On Wednesday, November 13, 2013 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

#### A. Call to Order/Convene as LDRAB

##### 1. Roll Call

Chair Wes Blackman called the meeting to order at 2:00 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

##### Members Present (14):

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Richard Kozell (District 1)  
Barbara Katz (District 3)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Michael Zimmerman (District 6)  
Joni Brinkman (League of Cities)  
Terrence Bailey (Florida Eng. Society)  
Jerome Baumohl (AIA)  
Edward Tedtmann, Environmental Organization)  
Frank Gulisano (PBC Board of Realtors)  
Gary Rayman (Fl. Surveying & Mapping Society)  
Leo Plevy (Member At Large/Alternate)

##### Members Absent:

Henry Studstill (District 7)  
Raymond Puzzitiello (Gold Coast Build. Ass.)  
James M. Brake (Member at Large/Alternate)

##### Vacancies: 2

(Assoc. General Contractors of America)  
(Condominium Association)

##### County Staff Present:

Leonard Berger, Chief Assist. County Attorney  
Jon MacGillis, ASLA, Zoning Director  
William Cross, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Lauren Dennis, Site Planner II, Zoning  
Scott Rodriguez, Site Planner II, Zoning  
David Nearing, Site Planner I, Zoning  
Zona Case, Zoning Technician, Zoning  
John Rupertus, Senior Planner, Planning  
Bryan Davis, Principal Planner, Planning  
Alan Seaman, Principal Site Planner, Zoning

##### 2. Additions, Substitutions, and Deletions

Mr. Blackman noted the Amendments to the Agenda hand out and that Exhibit H, Finished Grade and Measurement of Fence, was withdrawn. Mr. Cross advised that staff had provided additional back up related to Exhibit I, Development Review Officer.

##### 3. Motion to Adopt Agenda

Motion to adopt agenda by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (14-0).

##### 4. Adoption of October 23, 2013 Minutes (Exhibit A)

Mr. Tedtmann questioned the summary of comments he made at the conclusion of the meeting, as relates to Exhibit B, Environmental Standards, and requested revisions. Motion to table minutes by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (14 - 0).

#### B. ULDC AMENDMENTS

##### 1. Exhibit B Privately Initiated Amendment (PIA) – Commercial Communication Tower

Mr. Cross noted that this amendment was presented to the LDRAB at time of initiation, and that staff and the applicant had reached consensus on several issues, including:

- Towers would only be permitted in a Recreation Pod when located on a golf course or associated facilities;
- Limited to Stealth or Camouflage Towers; no Freestanding or Monopole Towers; and,
- Subject to Board of County Commissioners (BCC) approval.

Mr. Cross also commented that associated facilities for golf courses should be included in line 38 on page 7.

Motion to approve as amended, by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed (14 - 0).

##### 2. Exhibit C Privately Initiated Amendment (PIA) - RVPD Accessory Structure

Mr. Cross advised the board to refer to the add/delete sheet and explained the background of the request by the applicant. Staff would support this request as long as it is not a residential structure and does not have sleeping accommodations or full kitchen facilities. Mr. Cross briefly explained the minimum Recreational Vehicle (RV) site size, exemptions from porch requirements and exemptions for foundation planting.

## EXHIBIT B

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

#### Summary of November 13, 2013 Meeting

Ms. Brinkman recused herself from the discussion and provided a completed Voting Conflict form 8B to be part of the minutes.

Several members expressed concerns about the proposed language including the use of the accessory structure for storage purposes, possible use of the structures for sleeping accommodations, potential Code Enforcement challenges, and issues on ownership, among other.

Mr. Ken Tuma, representing the applicant, responded to concerns raised including the length of stay, sleeping accommodations, aesthetics, enforcement and Building Code provisions and requirements.

Mr. Randal Henderson, representing the applicant, also responded to some of the Board's concerns including enforcement and self-policing of structures and provided details on the evolution of the structures, citing examples from California and Michigan.

Motion to approve by Mr. Gulisano, seconded by Mr. Kozell. Motion passes (11 - 2), Mr. Carpenter and Mr. Baumoehl voted nay.

#### **3. Exhibit D Property Affected by Eminent Domain Proceedings**

Mr. Cross explained the amendment will allow Type II variance relief for parcels affected by eminent domain actions from the minimum lot size requirements established for a use when is related to the amount taken from the property.

Motion to approve by Ms. Vinikoor, seconded by Mr. Carpenter. No discussion. Motion passed 14-0.

#### **4. Exhibit E Planned Industrial Park Development (PIPD) Building Coverage**

Mr. Cross explained the amendment allow a Planned Industrial Park Development (PIPD) the same building coverage that is allowed in straight zoned Industrial districts.

Ms. Brinkman recused herself from the discussion and provided a completed Voting Conflict form 8B to be part of the minutes.

Motion to approve by Mr. Knight, seconded by Ms. Vinikoor. Motion passes (12 - 1). Mr. Baumoehl voted nay.

#### **5. Exhibit F Residential Play Equipment**

Mr. Nearing explained the amendment will clarify the difference between common recreation facilities found within a PUD and those found on an individual residential lots. Mr. Nearing explained the intention is to keep recreational equipment out of setbacks.

Ms. Brinkman and Mr. Kozell raised potential conflict with the language as written with the unintended restrictions being placed in reference to recreation equipment. It was recommended that the second sentence in lines 39 to line 40 be stricken.

Motion to approve as amended, by Mr. Kozell, seconded by Mr. Gulisano. Motion passes (14 - 0).

#### **6. Exhibit G Rooftop Solar**

Ms. Cantor explained the amendment is to clarify solar panels are exempted from mechanical equipment screening requirements.

Motion to approve by Mr. Carpenter, seconded by Ms. Katz. Motion passes (14 - 0).

#### **7. Exhibit H Finished Grade and Measurement of Fence**

Mr. Cross reiterated that this amendment had been withdrawn.

#### **8. Exhibit I Development Review Officer**

Mr. MacGillis gave a brief overview of the roles and responsibilities of the Development Review Officer. Ms. Dennis explained the amendment is to clarify and expand thresholds for agency review to differentiate between processes in order to assist staff. Mr. Seaman noted that changes would assist staff in managing amendments, and outlined related revisions to the fee structure.

**EXHIBIT B**

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

**Summary of November 13, 2013 Meeting**

Ms. Brinkman raised a concern that the language may potentially create inflexibility for minor amendments. Ms. Dennis and Mr. MacGillis explained that the Zoning PPMs would provide the flexibility for minor amendments.

Motion to approve by Mr. Bailey, seconded by Mr. Baumohl. Motion passed (13 – 1). Ms. Brinkman voted nay.

**C. CONVENE AS LDRC**

**1. Proof of Publication**

Motion to approve by Ms. Vinikoor, seconded by Mr. Knight. Motion passed (14-0).

**2. Consistency Determination**

Mr. Blackman read a memorandum from the Planning Division stating that Exhibits J through M were consistent with the Comprehensive Plan. Mr. Rupertus from the Planning Division, acknowledged the same.

Motion to approve consistency determination by Mr. Gulisano, seconded by Ms. Vinikoor. The motion passed (14 - 0).

Adjourned as LDRC.

**D. RECONVENE AS LDRAB**

**E. LDRAB SUBCOMMITTEE UPDATES**

Ms. Cantor stated there will be a Use Regulation Project Subcommittee meeting on November 21, 2013 to review proposed amendments for Recreation uses.

**F. PUBLIC COMMENTS**

Mr. Martin, representing the Sierra Club, expressed concern regarding soil being disturbed and vegetation removed during site development. He requested some approach to keep native vegetation in place. Mr. Martin also commented on an expedited permitting process for solar panels.

**G. STAFF COMMENTS**

None

**H. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 4:02 p.m.

Recordings of all LDRAB meeting are kept on file in the Palm Beach County Zoning/Code Revision office and can be requested by contacting the Code Revision Section at (561) 233-5213.

Minutes drafted by:                     Scott Rodriguez

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Brinkman Joni	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Land Development Regulation Advisory Board (LDRAB)
MAILING ADDRESS 201 Rex Ct	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Palm Springs	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Palm Beach	NAME OF POLITICAL SUBDIVISION: Palm Beach County
DATE ON WHICH VOTE OCCURRED 11-13-13	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

#### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Joni Brinkman, hereby disclose that on November 13, 20 13:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of Urban Design Kilday Studios, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item B.2. - Exhibit C - RVPD Accessory Structure  
 Item B.4. - Exhibit E - Planned Industrial Park Building Coverage  
 My employer, Urban Design Kilday Studios, has received compensation from clients in regard to processing or influencing these code changes.

11-13-13  
Date Filed

Joni Brinkman  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

## ATTACHMENT 1

### LDRAB/LDRC MEETING PROCEDURES AND INTERNET LINKS

The following links take you to the most common rules and regulations applicable to Land Development Regulation Advisory Board (LDRAB) and Land Development Review Committee (LDRC) members:

- Palm Beach County Code of Ethics – guide to Elected Officials and Advisory Board Members:  
[http://www.palmbeachcountyethics.com/pdf/Training\\_Guide\\_for\\_Elected\\_Officials\\_and\\_Advisory\\_Board\\_Members.pdf](http://www.palmbeachcountyethics.com/pdf/Training_Guide_for_Elected_Officials_and_Advisory_Board_Members.pdf)
- Palm Beach County Code of Ethics (Effective June 1, 2011):  
[http://www.palmbeachcountyethics.com/pdf/Code\\_of\\_Ethics\\_Ordinance\\_June\\_1\\_2011.pdf](http://www.palmbeachcountyethics.com/pdf/Code_of_Ethics_Ordinance_June_1_2011.pdf)
- LDRAB Rules of Procedure:  
<http://www.pbcgov.com/pzb/zoning/code/rulesofprocedure.pdf>
- Palm Beach County (PBC) Unified Land Development Code (ULDC) Article 2.G.2, General Provisions [Related Board Membership, Appointment and Termination, Conflict of Interest, Chair and Vice-Chair, Rules of Procedure, and Compensation:  
<http://www.pbcgov.com/pzb/uldc/articles/Article2.pdf>
- PBC ULDC Article 2.G.3.A, Land Development Regulation Advisory Board (LDRAB):  
<http://www.pbcgov.com/pzb/uldc/articles/Article2.pdf>
- Palm Beach County Charter - <http://www.pbcgov.com/countycommissioners/pdf/charter.pdf>

**ATTACHEMENT 2**  
**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**2013 ATTENDANCE MATRIX**  
(Updated 11/13/13)

Seat	Member	District or Organization	Term Expires	2013 Dates									
				1/23 Cancelled	2/27	3/27	4/24	5/22	6/19 Special	7/24	8/28 Cancelled	10/23	11/13
1	Richard Kozell	District 1	Feb. 2, 2016	-	N	Y	Y	N	Y	Y	-	Y	Y
2	David Carpenter	District 2	Feb. 3, 2015	-	Y	N	Y	N	N	Y	-	Y	Y
3	Barbara Katz	District 3	Feb. 2, 2016	-	N	Y	Y	Y	Y	Y	-	Y	Y
4	James Knight	District 4	Feb. 3, 2015	-	Y	Y	Y	Y	N	Y	-	Y	Y
5	Lori Vinikoor	District 5	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	-	Y	Y
6	Mike Zimmerman	District 6	Feb. 3, 2015	-	Y	Y	Y	Y	Y	Y	-	Y	Y
7	Henry Studstill	District 7	Feb. 2, 2016	-	Y	Y	Y	Y	Y	N	-	Y	N
8	Raymond Puzzitiello	Gold Coast Builders Association	Feb. 2, 2016	-	Y	N	Y	N	N	Y	-	Y	N
9	Joni Brinkman	League of Cities	Feb. 3, 2015	-	Y	Y	Y	Y	Y	Y	-	Y	Y
10	Terrence Bailey	Florida Eng. Society	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	-	Y	Y
11	Jerome Baumoehl	American Institute of Architects	Feb. 3, 2015	-	Y	Y	Y	Y	Y	Y	-	Y	Y
12	Edward E. Tedtmann	Environmental Org.	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	-	*N	Y
13	Frank Gulisano	PBC Board of Realtors	Feb. 3, 2015	-	N	Y	Y	N	Y	Y	-	Y	Y
14	Gary Rayman	Florida Society Prof. Surveyors	Feb. 2, 2016	-	Y	Y	Y	Y	Y	Y	-	Y	Y
15	Maurice Jacobson	Condominium/HOA	Feb. 3, 2015	-	N	N	N	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
16	Vacant	Assoc. General Contractors of America	Feb. 3, 2010	-	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
17	Wes Blackman	PBC Planning Congress	Feb. 3, 2015	-	Y	Y	Y	Y	Y	Y	-	Y	Y
18	James Brake	Alternate #1	Feb. 2, 2016	-	Y	Y	N	Y	N	N	-	N	N
19	Leo Plevy	Alternate #2	Feb. 3, 2015	-	Y	N	Y	Y	Y	N	-	Y	Y
<b>Total Attendees:</b>				-	14	14	16	13	13	14	-	16	14
<b>Legend/Notes:</b>													
Y	Present												
*Y*	Present (Participated via teleconference with quorum physically present and Board approval)												
N	Absent												
*N	Absent (Attended less than ¾ of meeting)												
3	Barbara Katz reappointed on January 15, 2013 for new term February 5, 2013 to February 2, 2016.												
5	Lori Vinikoor reappointed on February 5, 2013 for new term February 5, 2013 to February 2, 2016												
8	Raymond Puzzitiello reappointed on January 15, 2013 for new term February 5, 2013 to February 2, 2016												
10	Terrence Bailey reappointed on January 15, 2013 for new term February 5, 2013 to February 2, 2016												
14	Gary Rayman reappointed on January 15, 2013 for new term February 5, 2013 to February 2, 2016												
12	Edward Tedtmann appointed January 15, 2013, eligible for first meeting February 2013. New term February 5, 2013 to February 2, 2016												
1	Richard Kozell, III appointed February 5, 2013, eligible for first meeting February 2013. New term February 5, 2013 to February 2, 2016.												
7	Henry Studstill appointed February 5, 2013, eligible for first meeting February 2013. New term February 5, 2013 to February 2, 2016.												
18	James Brake appointed February 5, 2013, eligible for first meeting February 2013. New term February 5, 2013 to February 2, 2016												
**	Attendance reflects previous LDRAB member.												
*	Special meetings will not be a factor in calculating total attendance.												
ULDC Art. 2.G.2.B.1.c, Attendance: 1) "Lack of attendance is defined as a failure to attend three consecutive meetings..." or 2) "...a failure to attend at least two-thirds of the meetings scheduled during the calendar year. Also "Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting."													
A total of 9 meetings were scheduled for 2013. The Meeting scheduled for January and August were cancelled. Minimum attendance – six meetings of all meeting scheduled (cancelled meetings are counted towards the total of meetings attended). Members cannot miss any more than three meetings.													

## ATTACHMENT 3

### UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2013-01 SUMMARY OF PROPOSED AMENDMENTS

(UPDATED 07/17/2013)

#### BCC PUBLIC HEARINGS

AUGUST 22, 2013– ADOPTION

JULY 25, 2013 – FIRST READING

JUNE 24, 2013 – REQUEST FOR PERMISSION TO ADVERTISE

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

JUNE 19, 2013 (LDRAB/LRC)

MAY 22, 2013 (LDRAB/LDRC)

APRIL 24, 2013

MARCH 27, 2013

FEBRUARY 27, 2013

#### 1. Exhibit A – Art. 1, General Provisions

- To revise the Coastal High Hazard Area definition for consistency with the Comprehensive Plan and State Statutes.
- Clarify that a Mobile Home may be considered as Single Family for the purposes of allowing a pot bellied pig as a household pet in accordance with Article 5.B.1.A.21, Pot Bellied Pigs.
- Clarify Lifestyle Commercial Center (LCC) acronym as it is used throughout the Code.

#### 2. Exhibit B – Art. 3, Overlays and Zoning Districts

- To correct minor scrivener's errors for Rezoning Exemptions and Applicability for Prior Approvals, that are inconsistent with "reason" for original amendment.

#### 3. Exhibit C – Art. 10, Enforcement

- [ERM] Petroleum Storage Systems Ordinance or Petroleum Contamination Cleanup Criteria Ordinance - To ensure that the County is authorized to impose penalties and fines under Chapter 403, F.S., as required by the Contract with Florida Department of Environmental Protection (FDEP).

#### 4. Exhibit D – Adult Day Care

- [FDO] Delete redundant requirements for minimum square footage for senior day care facilities.
- [FDO] To clarify that outdoor activity areas are only required for child care day care facilities, or as otherwise may be determined by the AHCA.

#### 5. Exhibit E – Florida Fish and Wildlife Conservation Commission

- Update commission name to be Florida Fish and Wildlife Conservation Commission instead of Florida Game and Fresh Water Fish Commission.

#### 6. Exhibit F – (BCC Direction/Industry Request) Freestanding Automated Teller Machines (ATM)

- Request by Bank of America to allow for freestanding Automated Teller Machines (ATMs).

#### 7. Exhibit G – Murals

- Establish authority of County Administrator or designee to review and approve, or deny Mural applications.

#### 8. Exhibit H – Private Gun Ranges

- To delete regulations applicable to "private shooting ranges" to address compliance with statutory requirements.

#### 9. Exhibit I – Bona-Fide Agriculture

- Clarify that agricultural classification has no bearing on a determination of a Bona-fide Agriculture use.

#### 10. Exhibit J – Livestock Waste

- To address the inappropriate dumping or storage of livestock waste that far exceeds the maximum nutrient values necessary for fertilizer or soil amendment.



## ATTACHMENT 4

### UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2013-02 SUMMARY OF PROPOSED AMENDMENTS (UPDATED 12/26/2013)

**BCC PUBLIC HEARINGS**  
JANUARY 23, 2014– ADOPTION  
JANUARY 9, 2014 – FIRST READING  
DECEMBER 5, 2013 – REQUEST FOR PERMISSION TO ADVERTISE

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) MEETINGS**  
NOVEMBER 13, 2013 (ALSO INCLUDES LDRC)  
OCTOBER 23, 2013  
JULY 24, 2013

1. **Exhibit A – Privately Initiated Amendment (PIA) Commercial Communication Towers**
  - Privately Initiated Amendment to request that towers be allowed in recreation pods if approved by the BCC at a Public Hearing as a Class A Conditional Use.
2. **Exhibit B –Privately Initiated Amendment (PIA) RVPD Accessory Structure**
  - Privately Initiated Amendment to allow for detached accessory structures, a maximum of 200 square feet in size to be permitted on individual RV lots (sites).
3. **Exhibit C – Art. 14, Environmental Standards**
  - [ERM] To update chapter language for single family lots past the building permit process.
  - To clarify the applicability of ULDC Art.14.C. requirements to agricultural operations.
  - To provide a process for emergency removal of native vegetation planted as mitigation or restoration.
  - To change language in order to clarify that an approval is issued and not a permit.
  - To clarify the exemption application to stand-alone agricultural parcels.
4. **Exhibit D – Decision Making Bodies**
  - [Zoning] To record that policies and procedures governing advisory boards, committees and commissions, have been updated and consolidated under Resolution 2013-0193; and, 2) delete open ended number of terms to be consistent with “...*limit of three consecutive three year terms...*” adopted by the BCC ..
  - [Zoning] Clarify term limits for County advisory Boards to be consistent with BCC amendments to the Resolution containing the guidelines.
5. **Exhibit E – Development Review Officer**
  - [Zoning] 1) Modify the title of Chapter G to more accurately reflect the process name and clarify purpose and thresholds under Zoning Agency Review (ZAR), and Zoning Review (ZZR).
6. **Exhibit F – Height Exceptions**
  - [Zoning] Delete scrivener's error for title referencing height exceptions.
  - Clarify height exception in relation to rooftop structures.
  - Clarify height exception for parapet utilized to screen mechanical equipment.
7. **Exhibit G – Planned Industrial Park Development (PIPD) Building Coverage**
  - [Zoning] Increase maximum building coverage permitted from 30 to 45 percent for consistency with the IL, IG and MUPD districts.
8. **Exhibit H – Properties Affected by Eminent Domain Proceedings**
  - [Zoning] Clarify ability to develop or redevelop property affected by Eminent Domain Proceedings.
  - Clarify that presumption of hardship is one of seven criteria.
  - Allow Type II Variance application requesting reduction of a minimum lot size requirement.
9. **Exhibit I – Residential Playground Equipment**
  - [Zoning] Clarify that the subsection on setbacks does not apply to swimming pools and spas.
  - Create a category specific to recreational amenities used by entire developments.
  - Create a subsection which applies specifically to residential lots, including duplex, townhouse, condominium, etc., to regulate setbacks for recreation amenities.
  - Specify that only recreational amenities and equipment on residential lots requiring a building permit for installation must comply with Table showing setback requirements.
  - Add footnote to Table to establish setbacks for recreational amenities and equipment in the side and rear yards on a residential lot.
10. **Exhibit J – Rooftop Solar (Solar Energy System)**
  - [Zoning] Establish definition for Solar Energy System to differentiate from Solar Renewable Energy Facility.

- Clarify that roof mounted and ground mounted Solar Energy Systems commonly known as solar panels are exempted from the screening requirements of mechanical equipment contained in Article 5, Supplementary Standards.

**11. Exhibit K - Use of the Term Prohibited**

- [Zoning] Clarify that when the term "prohibited" is utilized in the Code, it precludes eligibility for Variance relief for regulation that contains it or to which it is applied.
- Clarify that eligibility to apply for variance is limited to some provisions of the Code; and 2) Delete the term "use" as variances are not applicable to uses.
- Clarify for consistency with expanded definition of the term prohibited that when a specific ULDC regulation contains the term "prohibited", the Zoning Commission or Zoning Director shall not consider such regulation for variances relief.

**ATTACHMENT 5**  
**2014**  
**PALM BEACH COUNTY ZONING DIVISION**  
**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**  
**CURRENT MEMBER LIST**

Updated: December 2, 2013

SEAT	MEMBER (OCCUPATION)	DISTRICT OR ORGANIZATION	TERM ENDS
1	<b>Richard Kozell</b> (Attorney)	District 1 Commissioner Valeche	February 2, 2016
2	<b>David Carpenter</b> (Landscape Architect)	District 2 Commissioner Burdick	February 3, 2015
3	<b>Barbara Katz</b> (Land Use Advisor)	District 3 Commissioner Vana	February 2, 2016
4	<b>James Knight</b> (Builder/Developer)	District 4 Commissioner Abrams	February 3, 2015
5	<b>Lori Vinikoor</b> (Community Activist)	District 5 Commissioner Berger	February 2, 2016
6	<b>Mike Zimmerman</b> (Registered Consulting Arborist)	District 6 Commissioner Santamaria	February 3, 2015
7	<b>Henry Studstill</b> (Director of Sales/Teacher)	District 7 Commissioner Taylor	February 2, 2016
8	<b>Raymond Puzitiello</b> (Residential Builder)	Florida Atlantic Builders Association	February 2, 2016
9	<b>Joni Brinkman</b> (Municipal Rep.)	PBC League of Cities	February 3, 2015
10	<b>Terrence N. Bailey</b> (Engineer)	Florida Engineering Society	February 2, 2016
11	<b>Jerome I. Baumohl</b> (Architect)	American Institute of Architects	February 3, 2015
12	<b>Edward E. Tedtmann</b> (Environmentalist)	Environmental Organization	February 2, 2016
13	<b>Frank J. Gulisano</b> (Realtor)	Realtor's Association of the Palm Beaches	February 3, 2015
14	<b>Gary Rayman</b> (Surveyor)	Florida Surveying & Mapping Society	February 2, 2016
15	<b>Vacant</b>	Condominium/HOA Association	February 3, 2015
16	<b>Vacant</b>	Associated General Contractors of America	February 3, 2010
17	<b>C. Wesley Blackman, AICP</b> (AICP Planner)	PBC Planning Congress	February 3, 2015
18	<b>James Brake</b> (Real Estate Consultant)	Alternate #1	February 2, 2016
19	<b>Leo Plevy</b>	Alternate #2	February 3, 2015

**ATTACHMENT 6**

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

**2014 MEETING DATES**

*(Updated 1/16/14)*

<b>DATE</b>	<b>DAY</b>
January 22, 2014 <i>(Canceled)</i>	Wednesday (4 <sup>th</sup> )
February 26, 2014	Wednesday (4 <sup>th</sup> )
March 26, 2014	Wednesday (4 <sup>th</sup> )
April 23, 2014	Wednesday (4 <sup>th</sup> )
May 28, 2014	Wednesday (4 <sup>th</sup> )
June 25, 2014**	Wednesday (4 <sup>th</sup> )
July 23, 2014	Wednesday (4 <sup>th</sup> )
August 27, 2014	Wednesday (4 <sup>th</sup> )
October 22, 2014	Wednesday (4 <sup>th</sup> )
November 12, 2014*	Wednesday (2 <sup>nd</sup> )
January 28, 2015	Wednesday (4 <sup>th</sup> )
<b>Notes:</b>	
* <i>Meeting date rescheduled to accommodate holidays.</i>	
** <i>Special Meeting</i>	

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

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

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



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

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

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

**DATE:** December 2, 2013

**RE:** **Deadlines/Scheduling for Proposed 2014 Unified Land Development Code (ULDC) Amendments: County Agencies and Privately Initiated Amendments**

**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

Priscilla A. Taylor, Mayor  
Paulette Burdick, Vice Mayor

Hal R. Valeche  
Shelley Vana  
Steven L. Abrams  
Mary Lou Berger  
Jess R. Santamaria

**County Administrator**

Robert Weisman

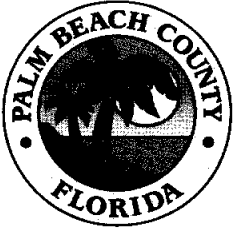
*"An Equal Opportunity  
Affirmative Action Employer"*

This memo serves to notify County Agencies and individuals seeking Privately Initiated Amendments (PIA) of the scheduling for 2014 ULDC amendments. To minimize redundancy and staffing needs, County Agencies are required to submit amendments in accordance with the timeframes and deadlines indicated below. Applicants proposing to submit PIAs are encouraged to utilize the County submittal dates but may also seek to proceed under a separate timeline; however, this may incur additional expense to cover required legal advertisements. It is critical that all applicants coordinate with Zoning Division staff to meet the established schedules and deadlines for any amendments.

**ULDC Amendment Rounds:**

The Zoning Division is proposing to undertake two rounds of amendments for 2014. The tentative schedules for both rounds are as follows:

<b>AMENDMENT ROUND 2014-01</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATES</b>
Land Development Review Advisory Board (LDRAB) Meeting	January 22, 2014 (1) February 26, 2014
* Land Development Regulation Commission (LDRC) is typically scheduled for the May LDRAB meeting	March 26, 2014 April 23, 2014 May 28, 2014 *
BCC Hearing – Request for Permission to Advertise	June 26, 2014
BCC Hearing – 1 <sup>st</sup> Reading	July 24, 2014
BCC Hearing – 2 <sup>nd</sup> Reading and Adoption	August 28, 2014
(1) Annual Meeting	
<b>AMENDMENT ROUND 2014-02</b>	
<b>ACTIVITY</b>	<b>SCHEDULED DATES</b>
Land Development Review Advisory Board (LDRAB) Meeting	July 23, 2014
* LDRC is typically scheduled for the November LDRAB meeting	August 27, 2014 October 22, 2014 November 12, 2014 *
BCC Hearing – Request for Permission to Advertise	December 4, 2014
BCC Hearing – 1 <sup>st</sup> Reading	January 8, 2015
BCC Hearing – 2 <sup>nd</sup> Reading and Adoption	January 29, 2015



**Deadlines for County Agencies:**

AMENDMENT ROUND 2014-01	
ACTIVITY	SCHEDULED DATE
Deadline to submit amendment requests	January 10, 2014
Deadline to submit backup documentation	February 28, 2014
First available LDRAB meeting for Agency Request	March 26, 2014

AMENDMENT ROUND 2014-02	
ACTIVITY	SCHEDULED DATE
Deadline to submit amendment requests	June 13, 2014
Deadline to submit backup documentation	July 11, 2014
First available LDRAB meeting for Agency	August 27, 2014

Initial submittal of amendment requests must include the following:

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

Backup documentation shall include the following for each proposed amendment:

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

**Privately Initiated Amendments:**

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

**Pre-application Meeting:**

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

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

JPM/WJC/MC

- C. Hard Copy to:  
 Verdenia Baker, Deputy County Administrator  
 Rebecca D. Caldwell, Executive Director PZB  
 Leonard Berger, Senior County Attorney  
 County Agency Distribution List (attached)

U:\Zoning\CODEREV\2014\Amendment Round 01 and 02\Schedules\12-02-13 Kick Off Memo Final.docx

## DISTRIBUTION LIST

### **Primary Recipients E-mail to:**

Honorable Priscilla A. Taylor, Mayor, and Members of the Board of County Commissioners  
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Leonard Berger, Chief Assistant County Attorney  
Bevin Beaudet, Director, Water Utilities  
Liz Bloeser, Director, Financial Management and Budget  
Chuck Cohen, Executive Director, Palm Tran  
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### **Other Internal Distribution**

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Ramsay Bulkeley, Director of Code Enforcement  
Wendy Hernandez, Zoning Manager, Community Development Review, Zoning Division  
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Patrick Rutter, Chief Planner, Planning Division  
Alan Seaman, Principal Site Planner, Admin Review, Zoning Division  
Willie Swoope, Impact Fee Coordinator, PZ&B  
Houston L. Tate, Director, Office of Community Revitalization  
Bruce Thomson, Principal Planner, Planning Division – Monitoring  
Doug Wise, Director, Building Division

### **Other Key Contacts**

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

**Scheduled LDRAB/LDRC Meeting Dates**

January 22, 2014 LDRAB Canceled  
February 26, 2014 LDRAB  
March 26, 2014 LDRAB  
April 23, 2014 LDRAB  
May 28, 2014 LDRAB/LDRC

**ULDC Amendment Tracking Schedule**

**Round 2014-01**

Updated [2/14/2014](#)

**Scheduled BCC Zoning Hearing Dates**

June 26, 2014 (Request Permission to Advertise)  
July 24, 2014 (First Reading)  
August 21, 2014 (Adoption)

Article	Amendment Summary	Case Number	LDRAB Meeting	LDRC Meeting	Subco mmitte	Status	PM
<a href="#">2</a>	Art. 2 - Development Review Procedures - Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals: Clarify provisions allowing for Development Review Officer (DRO) approval of increases of up to 5 percent of total floor area, or 5,000 square feet, whichever is less.	CR-2014-006	<a href="#">4/23/2014</a>	5/28/2014	No	Open	Lauren Dennis
<a href="#">3</a>	Art. 3.C.1.A.2.b, Previously Approved and Non-conforming Uses [AGR Tier]: Amend with concurrent Plan Amendments to FLUE Policy 1.5-b [Existing Uses - AGR Tier] to clarify exemptions for social service facilities.	CR-2013-009	<a href="#">4/23/2014</a>	5/28/2014	No	Open	M. Cantor/W. Cross
<a href="#">3</a>	Economic Development Center (EDC) Future Land Use (FLU): Clarify Zoning district consistency with the EDC FLU designation, additional site design requirements or use limitations established in the Comprehensive Plan, and place EDC in the use matrix.	CR-2013-029	<a href="#">3/26/2014</a>	5/28/2014	No	Open	William Cross
<a href="#">3</a>	Alternative Parking Lot Design Options, Art. 3.B.16.F.10.c: Clarify provisions allowing for use of bio-swales in lieu of traditional surface landscaping for projects in the Urban Redevelopment Area Overlay (URAO). Will also be clarified for similar standards applicable to the Infill Redevelopment Overlay (IRO).	CR-2013-032	<a href="#">3/26/2014</a>	5/28/2014	No	Open	William Cross
<a href="#">3</a>	Inland Logistic Center: Privately Initiated Amendment application to develop Glades Area Overlay (GAO) standards specifically applicable to the proposed Planned Industrial Park Development (PIPD) for the Inland Logistics Center.	CR-2014-004	<a href="#">5/28/2014</a>	5/28/2014	No	Open	William Cross
<a href="#">5</a>	Art. 5.B.1.A.12, Accessory Radio Tower: Establish provisions to acknowledge that SFWMD telemetry towers located on State owned lands are accessory to overall Everglades restoration.	CR-2014-009	<a href="#">3/26/2014</a>	5/28/2014		Open	William Cross
<a href="#">7</a>	Art. 7, Landscaping: Minor revisions include but not limited to Alternative Landscape Plan, landscape requirements for bull pen parking, separation between landscape material and light poles, planting material for residential uses, incompatibility buffers in recreation parcels, plant material in reduced buffers, and landscaping when building phases, among others.	CR-2014-008	<a href="#">5/28/2014</a>	5/28/2014	Yes	Open	Barbara Pinkston C.



Article	Amendment Summary	Case Number	LDRAB Meeting	LDRC Meeting	Subcommittee	Status	PM
<a href="#"><u>8</u></a>	Art. 8, Signage: [LED Signage] Amend Electronic Message Center Signage or other similar to consider use of LED bulbs.	CR-2013-033	3/26/2014	5/28/2014	Yes	Open	William Cross
<a href="#"><u>11</u></a>	Art. 11 Subdivision, Platting and Required Improvements (ENG, Land Dev.): Update several sections to be consistent with current regulations and practices and to clarify several requirements (includes amendments to definitions in Article 1).	CR-2013-028	3/26/2014	5/28/2014	No	Open	Scott Rodriguez
<a href="#"><u>12</u></a>	Art. 12, Traffic Performance Standards: Clarification of Test 1, Part 1 and source reference change of the trip generation rate associated to Art. 13, Impact Fees.	CR-2014-003	3/26/2014	5/28/2014	No	Open	Monica Cantor
<a href="#"><u>13</u></a>	Art. 13, Impact Fees: General amendments to indicate compliance with statutory requirements, clarify conditions under which an impact fee refund may be granted, and include amendments to Art. 2.G.3.I, Impact Fees Appeal Board, to replace IFAB with Hearing Officer.	CR-2013-034		5/28/2014	No	Open	Willie Swoope
<a href="#"><u>15</u></a>	Art. 15, Health Regulations: Amendment to PBC Environmental Control Rule II, Drinking Water Supply Systems particularly to Construction and Design Requirements and Operations and Maintenance.	CR-2014-001	3/26/2014	5/28/2014	No	Open	David Nearing
<a href="#"><u>16</u></a>	Art. 16, Airport Regulations: Amendment to the Airport Zoning Overlay and Table 3.B.2.B, Airport Use Regulations.	CR-2014-002	3/26/2014	5/28/2014	No	Open	M. Cantor/W. Cross

**ATTACHMENT 9  
2014 SUBCOMMITTEES**

<b>2014 Land Development Regulation Advisory Board (LDRAB) Subcommittees</b>	
<b>LANDSCAPE</b>	
<p>The Landscape Subcommittee reconvened in October of 2012 and continued to meet in 2013 for a comprehensive revision of Article 7, Landscaping, and to address pending topics from the 2010 Subcommittee.</p> <p>There were 6 meetings held in 2013 which included topics such as Tree Planting requirements for residential lots, Preferred Plant list review, Street Trees, Bio-swales, Parking Islands and location of light poles, and wall height.</p> <p>Additional Subcommittee meetings will be scheduled to continue analysis and discussion of landscape definitions and provisions that respond to industry trends, correct glitches in the Code and create consistency between different land development regulations. Amendments are tentatively proposed to be included in Round 2014-01, for adoption by the Board of County Commissioners in August of 2014.</p>	
Project Manager(s): Barbara Pinkston-Nau / Rodney Swonger	
<b>LDRAB Subcommittee Members:</b> David Carpenter Mike Zimmerman Terrence Bailey	
<b>USE REGULATIONS PROJECT</b>	
<p>This long-term project is intended to simplify definitions, approval processes and supplemental standards for all uses contained in the Unified Land Development Code (ULDC), by eliminating redundancies or glitches, recognizing new industry trends, streamlining the approval processes where feasible, which includes review of the uses allowed in Zoning Districts, determining the appropriate permits, and ensuring consistency with the Comprehensive Plan.</p> <p>The main goal of this Subcommittee is to improve predictability to encourage development and reduce unnecessary regulations while continuing to protect the health, safety and welfare of County residents, by mitigating the adverse impacts of incompatible land uses. The Subcommittee assists staff in the analysis and applicability of the proposed Code changes.</p> <p>This Subcommittee will continue to meet in 2014 for the completion of the Project by reviewing pending use classifications: Residential, Utilities and Excavation, Commercial, Agriculture, and Public and Civic. In 2013 the Subcommittee held four meetings related to proposed formatting of Article 4, Industrial Uses and Recreation Uses.</p>	
Project Manager(s): Monica Cantor / William Cross	
<b>LDRAB Subcommittee Members:</b> Jerome I. Baumoehl Wes Blackman Joni Brinkman David Carpenter Jim Knight Raymond Puzzitiello Edward Tedtmann	

**ATTACHMENT 10**  
**LDRAB RULES OF DEBATE**  
(1/14/14)

1  
2 **Rules of Debate**  
3

4 This section sets forth the rules of debate to maintain decorum, the various motions available for use by  
5 the Board, and related matters.  
6

7 **A. Decorum.** A motion must be made and seconded before the Board votes on a matter. Every  
8 member of the Board has a right to speak in the debate and shall always be recognized by the  
9 Chair. Non-member recognition shall be at the Chair's discretion. The member who made the  
10 motion shall be entitled to speak first. A member shall be deemed to have yielded the floor when  
11 she/he has finished speaking. The discussion shall be related to the motion on the floor. All  
12 questions are to be directed through the Chair.  
13

14 **B. As to the Chair.** Upon passing the gavel, the Chair or other presiding member of the Board may  
15 move or second a motion.  
16

17 **C. Point of Order.** Any member who believes that a breach of the rules has occurred has a right to  
18 call immediate attention to the matter by raising a "point of order." A point of order (1) may  
19 interrupt a speaker who has the floor; (2) does not need to be seconded; (3) is not debatable; and  
20 (4) is decided by the Chair. By motion and second, a decision of the Chair on a point of order  
21 may be appealed to the Board and, without debate, the Chair shall submit to the Board the  
22 question, "Shall the decision of the Chair be sustained?" and the Board shall decide by a majority  
23 vote.  
24

25 **D. Motion to Reconsider.** A recommendation of the Board may be reconsidered at the same  
26 meeting or at the very next meeting. A motion to reconsider can only be made by a member who  
27 voted on the prevailing side of the question, and is debatable. Such motion shall not be  
28 entertained if the Board of County Commissioners has already acted on the recommendation, or  
29 if the vote has otherwise caused something to be done that is impossible to undo. Adoption of a  
30 motion to reconsider shall rescind the original action; therefore a new motion, second, and vote is  
31 required to take formal action on the item, if desired, and may take place at a future meeting.  
32

33 **E. Substitute Motion.** A member may make a substitute motion if he/she is not in agreement with  
34 the motion on the floor. This motion requires a second and is debatable. The substitute motion  
35 must be disposed of before returning to the original motion. No more than two motions, the  
36 original and one substitute, shall be on the floor at any given time.  
37

38 **F. Motion to Postpone.** If a member would like to defer consideration of a matter, a motion to  
39 postpone is in order, which may include a time and date to continue the discussion. When  
40 postponing an advertised public hearing of the Land Development Regulation Commission, a  
41 time and date certain must be included in the motion. This motion is debatable.  
42

43 **G. Motion to Close Debate/Call the Question.** Any Board member may move to close debate/call  
44 the question on the motion being considered. This motion is not debatable and requires a two-  
45 thirds vote of the members. If the motion passes, all discussion ends and a vote is taken on the  
46 motion on the floor.  
47

48 **H. Adjournment.** No motion is required to end the meeting. The Chair declares the meeting  
49 adjourned without objection.  
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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 1/15/14)

1  
2 **Part 1. ULDC Article 1.I.2, Definitions (page 50 of 119), is hereby amended as follows:**  
3

**Reason for amendments:** [Zoning] Introduce a new definition for "Construction and Demolition Debris" to better clarify what specific materials can be received in a Recycling Plant. According to the PBC Solid Waste Management Plan, mixing of Construction and Demolition Debris with other types of solid waste will classify the waste as something else. This definition is consistent with State Statute 403.703, Environmental Control, the Department of Environmental Protection Solid Waste Facilities Chapter 62-701 and the Integrated Solid Waste Management Plan of the Palm Beach County Solid Waste Authority.

4 **CHAPTER I DEFINITIONS & ACRONYMS**

5 **Section 2 Definitions**

6 **C. Terms defined herein or referenced Article shall have the following meanings:**

7 92. Construction and Demolition Debris – for the purposes of Article 4.B.5.C.10, Recycling  
8 Plant means discarded solid materials that are not water soluble and not hazardous,  
9 including, but not limited to: steel, glass, brick, concrete, asphalt roofing material, pipe,  
10 gypsum wallboard, lumber. It also includes rocks and soils from construction, renovation or  
11 demolition of a structure or a site; and, trees or vegetative material from land clearing.

12 **[Renumber Accordingly]**  
13

14  
15 **Part 2. New ULDC Art. 4.B.5, Industrial Uses, is hereby established as follows:**  
16  
17

**Reason for amendments:** [Zoning]  
1. Revise definition of Recycling Plant to create consistency with terminology identified in the definition of "Recovered Materials Processing Facility" used by the North America Industrial Classification System (NAICS); the Department of Environmental Protection (DEP); State Statute 403.703 Definitions for Resource Recovery and Management; and, Florida Administrative Code (F.A.C.) Chapter 62-701, Solid Waste Management Facilities which includes "recover" and "reuse" of sorted material;  
2. Include a list of specific materials to be recycled in order to be consistent with and comply with State Statute 403-706(2)(g), that requires local governments to be responsible to promote recycling of plastic, metal, all grades of paper and rubber which includes tires; and,  
3. Remove Chipping and Mulching from the use definition as it is a use defined in the Code therefore a principal use that may be collocated with Recycling Plant where permitted.

18 **CHAPTER B USE CLASSIFICATION**

19 **Section 5 Industrial Uses**

20 **C. Definitions and Supplementary Use Standards for Specific Uses**

21 **10 405. Recycling Plant**

22 **a. Definition**

23 ~~A permanent facility designed and~~ An establishment used for ~~the recovery receiving,~~  
24 ~~separating, storing, converting, baling or processing~~ of non-hazardous recyclable  
25 materials that are not intended for disposal ~~to be collected, separated and sorted, or~~  
26 ~~processed for reuse.~~ Recyclable materials include ~~Ce~~ Construction  
27 and Demolition Ddebris, ~~recycling or other intensive recycling processes such as~~  
28 ~~chipping and mulching.~~ plastic, glass, metal, all grades of paper, textiles or rubber.  
29

**Reason for amendments:** [Zoning]  
1. Standards for Screening and Buffering are relocated and consolidated with Article 5.B, Accessory and Temporary Uses.  
2. Provide an exception for Recycling Plant to be DRO approval when surrounded by IND FLU designation and separated 500' from residential, recreation, civic or conservation FLU or uses, or where all activities take place in an enclosed building.  
3. Consolidate setbacks to allow application of district setback when a site shares the property line with an IND FLU designation, or Industrial Zoning District parcel with industrial use on it and keeping existing requirement of 50 feet setback when other zoning districts are adjacent.  
4. Delete Recycling Plant distance requirement of 150 feet from civic and residential uses as the setback provision of 50 feet from property line should satisfy any impacts caused by the use.  
5. Delete redundant setback standard for IG and IL Zoning Districts addressed by the 50 foot setback.

30 **Notes:**

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

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated.

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

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

EXHIBIT C

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 1/15/14)

1  
2 ~~a. Compatibility, Screening, Buffering~~

3 ~~To ensure compatibility with surrounding uses, adequate setbacks, screening and~~  
4 ~~buffering around the perimeter of the proposed recycling plant shall be required at the~~  
5 ~~time the facility is constructed. The standards shall be waived if any of the required~~  
6 ~~landscape buffer is not visible from adjacent lots or streets.~~

7 ~~1) Lot Size~~

8 ~~The minimum lot size for recycling plants in all industrial districts shall be five acres.~~  
9 ~~However, the minimum lot size or greater for the underlying district shall apply for~~  
10 ~~recycling plants that operate completely in enclosed buildings. [Partially relocated~~  
11 ~~to 4.B.1.A.10.g.3.]~~

12 ~~2) Setbacks~~

13 ~~Except for a freestanding office, no part of a recycling plant and its accessory ramps,~~  
14 ~~on-site circulation system, or storage areas shall be located within 50 feet of any~~  
15 ~~property line. [Partially relocated to 4.B.1.A.105.a.2.a)]~~

16 ~~a) IL District~~

17 ~~If the facility is in an industrial district and is contiguous to land in an industrial~~  
18 ~~district or IND FLU designation the setback shall be 25 feet from that contiguous~~  
19 ~~property line. [Partially relocated to 4.B.1.A.105.e]~~

20 ~~b) Civic and Residential Uses~~

21 ~~No part of a recycling plant, its accessory ramps, on-site circulation system or~~  
22 ~~storage areas shall be sited within 150 feet of a school, park, church, library, or~~  
23 ~~residential lot. In no case shall the setback be less than the requirement of the~~  
24 ~~district.~~

25 ~~c) IG and IL Districts~~

26 ~~No additional setback beyond district setbacks shall apply to recycling plants that~~  
27 ~~operate completely in enclosed buildings and are located in the IG, and IL~~  
28 ~~districts.~~

29 ~~3) Screening and Fencing~~

30 ~~All storage areas shall be screened from view by on-site walls, fences, or buildings.~~  
31 ~~Such screening shall be designed and installed to ensure that no part of a storage~~  
32 ~~area can be seen from street or adjacent lots. In no case shall the height of~~  
33 ~~recyclable or recovered materials, or non-recyclable residue stored in outdoor areas,~~  
34 ~~exceed 20 feet or the height of the principal building on the lot, whichever is greater.~~  
35 ~~For an outdoor recycling plant contiguous to property in a residential district, an~~  
36 ~~opaque fence/wall a minimum of eight feet in height shall be placed along the inside~~  
37 ~~border of the required landscape buffer. [Partially relocated to 4.B.1.A.105.h.]~~

38 ~~4) Buffers~~

39 ~~When the property line is contiguous to a residential district, the incompatibility buffer~~  
40 ~~shall be 50 feet in width.~~

41 ~~b. Approval Process~~

42 ~~A Recycling Plant requiring Class A Conditional Use approval may be approved by the~~  
43 ~~DRO subject to the following:~~

- 44 ~~1) When surrounded by parcels having an IND FLU designation that are vacant or~~  
45 ~~developed with industrial uses providing a 500 foot separation between the use and~~  
46 ~~any parcels having a residential, civic, recreation or conservation FLU designation or~~  
47 ~~use; or,~~  
48 ~~2) When all recycling activities are located within enclosed structures that have no~~  
49 ~~openings oriented or visible from surrounding parcels having a residential, civic,~~  
50 ~~recreation or conservation FLU designation or use.~~

51 ~~cb. Access~~

52 ~~An access road that can be negotiated by loaded collection vehicles shall be provided to~~  
53 ~~the entrance of the recycling plant. Access shall not be provided from a local residential~~  
54 ~~street. Access shall be restricted to specific entrances with gates which can be locked at~~  
55 ~~all times and which carry official notice that only authorized persons are allowed on the~~  
56 ~~site.~~

57 ~~Access from a local residential street shall be prohibited. Entrances shall be gated to~~  
58 ~~prevent access from unauthorized persons.~~

59 ~~c. Drainage~~

60 ~~Untreated surface water runoff shall not be permitted to discharge directly into lakes,~~  
61 ~~streams, drainage canals, or navigable waterways other than into or through approved~~  
62 ~~on-site containment areas. [Relocated to 4.B.1.A.10.e.]~~

63 ~~d. Setbacks~~

64 ~~No part of a recycling plant and its accessory ramps, on-site circulation system, or~~  
65 ~~storage areas shall be located within 50 feet of any property line, unless adjacent to~~  
66 ~~another property with an IND FLU designation that is vacant or has an existing industrial~~  
67 ~~use. [Partially relocated from 4.B.1.A.105.a.2.a)]~~

68 ~~e. Drainage~~

Notes:

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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 1/15/14)

Untreated surface water runoff shall not be permitted to discharge directly into lakes, streams, drainage canals, or navigable waterways other than into or through approved on-site containment areas. [Relocated from 4.B.1.A.105.c.]

Reason for amendments: [Zoning]

1. ~~Remove Chipping and Mulching reference because any use functioning as collocated shall comply with the standards applicable to the use. Make Chipping and Mulching subject to the Development Review Officer (DRO) approval when collocated on the same site of a Recycling Plant on those zoning districts where Chipping and Mulching is Class A or Class B Conditional Use. The reduction of the approval is proposed to recognize that Recycling Plants commonly include Chipping and Mulching as part of the processing activities.~~
2. Delete redundant site plan requirements that are addressed through DRO or Building Permit Process;
3. Delete language related to Type of Facility, Quantity of Waste, and Dust Control since they are requirements of the F.A.C. Chapter 62-722 Regulations of Recovered Materials, FAC Chapter 62-701.320 Solid Waste Management Facility Permit Requirements, and the PBC Solid Waste Authority at time of application for the use license.
4. Clarify that a minimum lot size of 5 acres is required when the use includes outdoor activities.
5. Delete Fire Protection since requirements are covered under State Statute F.A.C. Chapter 62-701.320(16)(a)3 to provide fire prevention system before commencing operation.

**df. Storage Areas**

All outdoor storage of recyclable materials shall be in leak-proof containers or located on a paved area that is designed to capture all potential run-off associated with the stored material. Run-off shall be handled in a manner that is in conformance with local, state and Federal regulations.

**e. ~~Chipping or Mulching Collocated Uses~~**

~~If a recycling plant facility includes chipping or mulching, adherence to the standards of Article 4.B.1.A.28, Chipping and Mulching, is required. Chipping and Mulching may be approved by the DRO subject to the supplementary use standards for Chipping and Mulching.~~

**f. ~~Supplemental Application Requirements~~**

~~Application for recycling plants shall include the following:~~

**1) ~~Access~~**

~~Graphic illustration and narrative analysis of year round access routes to the site.~~

**2) ~~Type of Facility~~**

~~An explanation of the type of facility requested. It shall specify the type of materials to be handled and include a description of the proposed method of operation, including special waste handling procedures and limitations.~~

**3) ~~Quantity of Waste~~**

~~An estimate of the quantity of waste to be received, expressed in cubic yards per day or tons per day.~~

**4) ~~Hours of Operation~~**

~~A statement specifying the hours of operation.~~

**5) ~~Dust Control~~**

~~A plan to address dust control in traffic, storage and processing areas and contingency during high winds. Dust control measures may include: additional setbacks, full or partial enclosure of chipper or grinder, screening/fencing, vacuuming or watering traffic areas and watering or enclosing storage piles.~~

**g. ~~Outdoor Activities~~**

~~The minimum lot size shall be five acres for any Recycling Plant with outdoor activities. [Partially relocated from 4.B.1.A.105.a.1)]~~

**h.6) SWA Permit**

Verification that the applicant has obtained a permit from and posted a bond with the SWA ~~before prior to Final Site Plan approval or Building Permit, whichever occurs first.~~

**7) ~~Fire Protection~~**

~~A recycling plant shall be located within a ten mile radius of a full-service fire station or have and maintain on-site firefighting equipment acceptable to the PBC Fire.~~

Notes:

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 1/15/14)

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**Reason for amendments to Recycling Plant in Use Matrix:** [Zoning]

1. Make the use subject to Class A Conditional Use approval in IL Zoning District instead of Class B Conditional Use for consistency with approval of Salvage and Junk Yard located in IL Zoning District.

Modify the approval process in IND/L Pod of PIPD from Permitted to Class A Conditional Use in order to:

- Address the Comprehensive Plan directive contained in Section III.C.4 to maintain this type of use under General Industrial Districts instead of Light Industrial; and,
- Create consistency with the proposed changes in IL Zoning District.

2. An MUPD with IND FLU designation is changed to indicate the most restrictive approval process from Permitted to Class A Conditional Use. A specific standard to address less restrictive approval process is included within the use standards.
3. Change approval process from Permitted to DRO in the IND/G Pod of a PIPD to provide consistency with the approval process in the IG Zoning District;

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**Notes:**

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EXHIBIT D

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 02/11/14)

Part 1. New ULDC Art. 4.B.3, Recreation Uses, is hereby established as follows:

**CHAPTER B USE CLASSIFICATION**

**Section 3 Recreation Uses**

**A. Recreation Use Matrix**

**Reason for amendments:** [Zoning] Consolidate all zoning districts into one Use Matrix to improve ease of use and better delineate differences in approval processes for standard, Planned Development Districts (PDDs) or Traditional Development Districts (TDDs). Tables consolidated are as follows: Table 3.B.15.F, Infill Redevelopment Overlay (IRO) Permitted Use Schedule; Table 3.B.16.E, Priority Redevelopment Area (PRA) Use Matrix; Table 3.E.1.B, PDD Use Matrix; Table 3.F.1.F, TDD Use Schedule; and, Table 4.A.3.A, Use Matrix.

**Use Matrix has been provided as a separate handout for ease of use.**

**Reason for amendments:** [Zoning] Clarify that recreation uses are prohibited to include any kind of gaming or pari-mutuel betting when located in the Agricultural Reserve (AGR) Tier for consistency with the Comprehensive Plan policy 1.5-p. This provision was relocated from supplementary use standards contained in Arena, Auditorium or Stadium and Commercial Equestrian Arena.

**B. General Recreation Standards**

**1. Tier Specific**

Pari-mutuel betting or gaming is prohibited in the Agricultural Reserve (AGR) Tier.

**C. Definitions and Supplementary Use Standards for Specific Uses**

**1. Arena, Auditorium or Stadium or Amphitheater**

**Reason for amendments:** [Zoning]

1. Remove Auditorium from the use name and include Amphitheater as it is the most common term that describes an outdoor facility designed for performances.
2. Revise definition to clarify that the use is intended to be for large sport events or performance. Convention center, exhibition halls and conference center will be relocated to be addressed as civic use, tentatively under revised assembly use or similar.
3. Delete provision related to location of the use in the Rural Residential (RR) Future Land Use (FLU) designation associated with the Commercial Recreation (CRE) Zoning District as this zoning district is not consistent with that FLU designation.
4. Delete limitation of lot size as the minimum standards already existing in the Code such as the zoning district property development regulations, landscaping, drainage and parking spaces should dictate the minimum lot size needed for the use to function.
5. Clarify that vehicular access has to be from Collector or Arterial Street to prevent vehicular traffic to and through local streets in nearby local streets.
6. Relocate pari-mutuel betting prohibition to the new section General Recreation standards in order to make this regulation applicable to all recreation uses when located in the AGR Tier for consistency with Comprehensive Plan policy 1.5-p.

**a. Definition**

An ~~open, partially or fully enclosed facility establishment open, partially or fully enclosed~~ primarily used or intended for commercial spectator sports, or entertainment performance. Typical uses include ~~convention and exhibition halls, large conference centers, sports arenas, jai alai frontons, amphitheaters and racetracks, and concert halls.~~

~~CRE District~~  
~~An arena, auditorium or stadium use shall not be located in an RR FLU designation.~~

**b. Lot Size**

~~A minimum of five acres.~~

**c. Frontage Location**

A minimum of 200 feet of frontage ~~on a public street providing the primary access is required. All vehicular access shall be from an on a Collector or a Arterial street from~~ which primary point of vehicular access shall be provided.

**d. AGR District or FLU Designation**

~~Paramutal betting is not permitted.~~

**Reason for amendments to Arena or Stadium or Amphitheater in the Use Matrix:** [Zoning]

1. No changes are recommended to the approval process.

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ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
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**242. Campground**

**Reason for amendments:** [Zoning]

1. Amend definition to add Recreational Vehicles (RV) to the use, as this is a better reflection of reality.
2. With the revision of the use to include RVs the setback should be for all sites (camp and RV), not just campsites.
3. Differentiate between the uses campsite and RV site to show how they are to be distinguished, and what type of activity is to take place on the site. Campsites are intended for more rustic type of camping in tents or pop-up trailers, or in camping cabins, and RV sites are to be improved with paved parking for the RV unit and the accompanying vehicle.
4. Add provisions regulating the number of RV sites and campsites which may be located in a campground based on the Future Land Use (FLU) designation of the property. The lower the underlying density, the less sites one can have. The table is intended to clearly indicate that the number of sites per acre is campsite OR RV site, not both.
5. The table contains a footnote for the AP, Agricultural Production Zoning District to clarify that the table only applies to AP zoned land in the LOSTO, Lake Okeechobee Scenic Trail Overlay.

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**a. Definition**

A parcel of land used for a temporary camping and recreational vehicle (RV) uses, and not as permanent living quarters. [Ord. 2005-002]

**ab. Lot Size**

A minimum of five acres or the minimum required by the district, whichever is greater.

**c. Use**

**1. Campsite**

Campsites are predominantly intended for use by patrons occupying tents, pop-up style campers, or Camping Cabins.

**2. RV Site**

RV sites are primarily intended to accommodate RVs, and shall be improved with a paved parking pad for the RV and one passenger vehicle.

**d. Intensity**

Campgrounds may be developed at the following intensities:

**Table 4.B.3.C – Campground Intensity**

Zoning Districts		# of Sites/Acre (2)	
Standard		Campsites	RVs
AP (1)		10/Acre	N/A
PC		10/Acre	N/A
PO		12/Acre	6/Acre
IPF		12/Acre	
CRE		12/Acre	
<b>PDD</b>			
MUPD	CR FLU	16/Acre	8/Acre
RVPD	RR FLU (3)	10/Acre (3)	4/5 Acres
	CR FLU	24/Acre	12/Acre
<b>[Ord.]</b>			
<b>Notes:</b>			
1.	In the LOSTO only.		
2.	The acreage used to calculate campsites cannot be used to calculate RV sites, or vice versa. Campsites and RV sites may be interspersed throughout the site.		
3.	RVPDs existing prior to the adoption of this ordinance shall be considered conforming for intensity.		

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EXHIBIT D

ARTICLE 4.B, USE REGULATIONS  
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**Reason for amendments:** [Zoning]

6. Relocated and change the duration in which someone may reside in a Camping Cabin to apply to campsites. The duration noted in 3.E.7.D is 180 days. This is in excess of identified standards of other jurisdictions. The duration of stay is to show that campsites and camping cabins may be occupied by the same person(s) up to 30 days in a six month period, and in accordance with State Statutes, RV sites may be occupied by the same person(s) up to 180 days.
7. Create a subsection to deal with Accessory Uses, specifically camping cabins, and a general retail facility specifically to serve the needs of the campground and RV occupants.
8. Relocate and revise the maximum number of camping cabins permitted in a campground. Clarify that the maximum number of approved sites (both camp and RV) which can be used to site a camping cabin is limited to 30%.
9. Delete the requirement that camping cabins must comply with the Building Code. This is mandatory by State law, and redundant.
10. Remove reference to RVPD, which is a Planned Development District located in Article 3, from the subsection dealing with camping cabins. Camping cabins in an RVPD need to be addressed in Article 3.
11. Clarify that the setback for camping cabins is based on the setback for campsites, not RV sites. There are not setbacks for RV sites identified in this use.
12. Change the standard regarding the location of camping cabins in-lieu of RV sites to sites in general.
13. Simplify setbacks for Camping Cabins to apply a standard 50 foot setback from the perimeter of the project for all sites in the campground.

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- be. Setback for RV or Camp Sites Campsites**  
All sites shall be set back a minimum of 50 feet from any property line.
- ef. Duration of Stay**
  - 1) Campsites and Camping Cabins**  
~~Time limitations for occupancy shall be in accordance with Article 3.E.7.D, Time Limitations~~ **A maximum of 30 consecutive days in a six month period.** [Partially relocated from c.3) below]
  - 2) RV Sites**
    - a) No person, other than the caretakers, shall reside or be permitted to reside in a RV site for more than 180 days per calendar year.** [Relocated from Art. 3.E.7.D.1, Residence]
    - b) Record Keeping**  
**The Campground owner or operator shall keep the following records:** [Partially relocated from Art. 3.E.7.D.2, Record Keeping]
      - (1) the make, model, and year of each RV;** [Relocated from Art. 3.E.7.D.2.a.]
      - (2) the lot on which each RV is/was located;** [Relocated from Art. 3.E.7.D.2.b.]
      - (3) the dates of occupancy for each RV owner; and** [Relocated from Art.3.E.7.D.2.c.]
      - (4) the name and permanent address of each RV owner.** [Relocated from Art. 3.E.7.D.2.d.]
    - c) Mobility**  
**The mobility of each recreational vehicle shall be maintained at all times. All recreational vehicles shall be currently licensed by the State of Florida, or the state of residency of the RV owner. The license plate shall be visible at all times.** [Relocated from Art. 3.E.7.D.3, Mobility]
- g. Accessory Use**
  - 1) Camping Cabin**
    - a) Definition**  
A rental cabin used for temporary occupancy.
    - 1b) Use**  
A camping cabin shall be permitted as an accessory use to a ~~RVPD~~ or campground.
    - 2c) Structure Number**  
The cabin shall comply with all structural requirements of the Building Code. **A maximum of 30 percent of the total approved campsites may be used for camping cabins use.** [Partially relocated from c.9) below]
    - 3) Duration**  
~~Time limitations for occupancy shall be in accordance with Article 3.E.7.D, Time Limitations.~~
    - 4) Setback**  
~~Camping cabins shall meet the setbacks required for a recreational vehicle.~~

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5) **Location**

~~A camping cabin may be located on a recreational vehicle lot or campsite in lieu of a recreational vehicle or campsite.~~

6d) **Floor Area**

A camping cabin shall not exceed 800 square feet of GFA.

7e) **Additional Floor Area**

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

8f) **Amenities**

A camping cabin may contain electrical outlets (excluding 220 volt), heating, lighting, air conditioning, ~~fans~~, cooking facilities and plumbing.

**Reason for amendments:** [Zoning]

14. Delete the standard allowing up to 49% of the sites to be occupied by Camping Cabins. This is direct conflict with the previous standard allowing no more than 30% of sites to be "converted" from campsites to cabins.

15. Permit the establishment of a small accessory general retail sales component to a campground subject to:

- Limited to 1,500 square feet of gross floor area (GFA), including storage;
- Located to the interior of the campground with no exposure to external abutting streets;
- Requiring one parking space per 500 square feet of GFA, including storage, plus one space per employee on duty;
- Signage limited to wall signage on the front elevation of the building, not freestanding signage, and no signage associated with the retail facility visible to the exterior of the campsite.

16. Amend the section dealing with the LOSTO, Lake Okeechobee Scenic Trail Overlay to:

- Remove the word "Overlay" from the title, as it is redundant;
- Specify uses to allow differentiation between Campgrounds and Camping Cabins, as Camping Cabins in the LOSTO have historically been treated differently in that they can be an accessory to a single family dwelling, or a principal use;
- Specify that Campgrounds without RV sites are permitted in the LOSTO through a DRO approval. If RV sites are desired, the owner must obtain a land use amendment to CR; and
- Clarify that Camping Cabins as an accessory to a single family residence or as a principal use may be permitted through issuance of a Special Permit, as opposed to a Special Use. The ULDC does not identify a Special Use as an approval process in Article 2.

~~9) **Number**~~

~~A maximum of 30 percent of the total approved RV lots or campsites may be converted to cabin use.~~ [Relocated to new Art. 4.B.3.C.2.g.1).c) above]

~~10) **Camping Cabin Lots**~~

~~At no time shall the number of camping cabins exceed 49 percent of the developed lots or campsites.~~

2) **Retail Sales, General**

A camp store selling goods intended for consumption and use by the patrons of a campground shall be permitted pursuant to the following:

a) **Size**

Shall not exceed 2,500 square feet of GFA, including storage.

b) **Location**

Shall be located to the interior of the campground, and shall not be accessible from any external roads abutting the campground property.

c) **Parking**

Shall provide one parking space per 500 square feet of GFA, plus one space per employee on duty.

d) **Signage**

Signage shall be limited to a maximum of 25 square feet of wall signage located on the front facade of the building, and shall not be visible from the exterior of the campground. Freestanding signs shall be prohibited.

dh. **LOSTO Overlay**

A Campground or Camping Cabins may be located on parcels within the LOSTO where the use is not allowed by the Use Matrix, subject to the following:

1) **Campground**

A campground without RV sites may be permitted in the LOSTO subject to DRO approval. If a campground owner wishes to have RV sites, they must change the FLU to CR.

2) **Camping Cabins**

A camping cabin shall be allowed as a principal use, or as an accessory use to a single family dwelling, subject to approval as a ~~special~~ Special use Permit and the following:

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- 1a) **Density**  
A maximum of ten camping cabins per acre when developed as principal use.
- 2b) **Setback**  
A minimum of 25 feet from all property lines.
- 3c) **Occupants**  
Only users of the LOSTO Trail, such as hikers, bikers and tourists, shall be allowed to occupy the cabins.

**Reason for amendments to Campground in the Use Matrix:** [Zoning]  
Staff recommends deletion of the use from the AP, Agriculture Production Zoning District, as this district is typically not intended to support recreation activity, with the exception of the LOSTO, Lake Okeechobee Scenic Trail Overlay, which is intended to support tourism.

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**453. Entertainment, Indoor**

**Reason for amendments:** [Zoning]

1. Revise definition to clarify that Indoor Entertainment includes such indoor recreational activities as skating (ice and roller), paintball, and soccer. This is intended to be an example, not a definitive list.
2. Delete CRE Zoning District standard related to Rural Residential (RR) FLU designation as the zoning district is not consistent with that FLU designation.
3. Delete reference to IL, since the use is to be prohibited in IL.
4. Add MXP and PIPD Zoning districts to 3,000 sq. ft. exemption from more restrictive review process.
5. Delete provision for banquet or reception facility as principal use. This provision has never been used, and the concept is not common to this region as it is elsewhere. The use of banquet and reception facility should be addressed with restaurants and catering facilities, and with institutional and private assembly.

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- a. Definition**  
An establishment offering recreational opportunities or games of skill such as: skating, paintball, soccer, bowling alleys, bingo or pool hall and video game arcades to the general public for a fee ~~or charge and in a~~ wholly enclosed ~~in a~~ building. ~~Typical uses include bowling alleys, bingo parlors, pool halls, billiard parlors and video game arcades.~~  
[Ord. 2005-002] [Ord. 2012-007]
- ~~a. CRE District~~  
~~An indoor entertainment shall not be located in a CRE district with RR FLU designation.~~
- ~~b. IL District~~  
~~An indoor entertainment facility exceeding three acres in the IL district, the use shall rezone to the CRE district.~~
- eb. CC, CG, and MUPD, MXP and PIPD Districts**
  - 1) An indoor entertainment use encompassing less than 3,000 square feet of floor area is a shall be permitted use by right.
  - 2) ~~Banquet and reception facilities as a principal use are subject to Class A conditional use or requested use.~~

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EXHIBIT D

ARTICLE 4.B, USE REGULATIONS  
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**Reason for amendments to Entertainment, Indoor in the Use Matrix:** [Zoning]

- Delete from IL Zoning District. The Comprehensive Plan does not support this use in the IND FLU designation. Therefore, the use should not be located in the IL or General Industrial (IG) Zoning Districts.
- Because of the level of scrutiny PDDs are given in their approval process, it is proposed that the use be reviewed by the Development Review Officer (DRO) in the following zoning districts:
  - Multiple Use Planned Development (MUPD) with a Commercial High (CH) FLU designation;
  - MXPDP with a CH FLU designation; and
  - Lifestyle Commercial Center (LCC) with a CH FLU designation.
- Change the use from a Permitted to DRO review in the Commercial (COM) Pod of a PIPD to ensure that the use is truly oriented to serve those employed within the district or residing therein.

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**464. Entertainment, Outdoor**

**Reason for amendments:** [Zoning]

- Revise definition to:
  - Clarify commercial activity and;
  - Relocate "Archery Ranges" to Sport Shooting Range use.
- Delete CRE Zoning District supplementary use standard. The standard, as written, excludes privately owned commercial recreation. The County has a zoning district that specifically focuses on public ownership and is consistent with all FLU designations.
- Delete Community Commercial (CC) Zoning District supplementary use standard. The use is allowed as a Class A Conditional Use. The definition of CC in the ULDC does not clearly delineate the meaning of community nature and neighborhood serving. Determination of "community nature" and "neighborhood serving" would be discussed during the review process and confirmed by the BCC.
- Delete IL Zoning District supplementary use standard. The use will be deleted from the Use Matrix and the standard will no longer apply.
- Location supplementary use standard to be revised. Delete the words "paved public" and minimum frontage requirement from the standard.

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**a. Definition**

An establishment offering entertainment recreational opportunities or games of skill to the general public where any portion of the activity takes place in the open for a fee, excluding golf courses and public parks. Typical uses include archery ranges, athletic fields, batting cages, golf driving ranges, water skiing facilities, tennis courts, go-cart tracks, miniature golf courses, paintball fields, jet skiing, and wind surfing. **[Ord. 2005-002]**

**a. CRE District**

~~Shall not be located in a CRE district with an RR FLU designation unless owned or operated by a public agency, or approved as a Class A Conditional Use, subject to the following additional criteria: **[Ord. 2005-002]**~~

~~1) Maximum size — 20 acres. **[Ord. 2005-002]**~~

~~2) Maximum FAR — 0.05. **[Ord. 2005-002]**~~

~~3) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. **[Ord. 2005-002]**~~

~~4) Frontage shall be required on a roadway designated as a Florida Intrastate Highway System (FIHS) or Strategic Intermodal System (SIS) facility. **[Ord. 2005-002]** **[Ord. 2009-040]**~~

~~5) Shall not be located within 1,320 feet of any other privately owned outdoor entertainment use with a RR FLU designation. **[Ord. 2005-002]**~~

**b. IL District**

~~The use shall rezone to the CRE district if exceeding three acres in size.~~

**c. CC District**

~~An outdoor entertainment facility shall be limited to uses that are of a community nature and that serve residential neighborhoods within a three to five mile radius.~~

**bd. Location Frontage**

Access to an outdoor entertainment use shall be from a paved public collector or arterial street. ~~The minimum required frontage for the primary point of access shall be 200 feet.~~

**ce. Setbacks**

No building, structure, trailer, vehicle, mechanical device, or outdoor area shall be located closer to the property line than as follows:

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Table 4.B.1-A3.C – Outdoor Entertainment Setbacks

Adjacent Use	Minimum Setback
Non-residential and streets	50 feet
Residential District or Use	100 feet

**Reason for amendments to Entertainment, Outdoor in the Use Matrix: [Zoning]**

- Delete the DRO approval process from Industrial standard Zoning District and MUPD with IND FLU designation. The Regulation Section of the Comprehensive Plan identifies that the Outdoor Entertainment use is allowed in Commercial, Commercial Recreation and Industrial Future Land Use designations within a PIPD. Existing approvals within the IL standard Zoning District and MUPD with IND FLU designation will be deemed legal non-conforming uses.

**565.Fitness Center**

**Reason for amendments: [Zoning]**

- Update to reflect indoor or outdoor operation of the use and update the terminology for consistency with new industry trends.
- Delete Multifamily Residential (RM) Zoning District from SF standard for consistency with deletion of the use approval in that zoning district as indicated in the Use Matrix. The supplementary use standard still remains applicable to Neighborhood Commercial (CN) Zoning District.
- Remove General Commercial (CG) Zoning District from the standards that allow the use to be Permitted when less than 15,000 SF since the use is here now proposed to be Permitted as indicated in the Use Matrix.
- Provide consistency between the square footage in Table 4.A.3.A, Threshold of Projects Requiring DRO approval, where the threshold for CC Zoning District is 8,000 SF, and the supplementary use standard that allows a Fitness Center in CC Zoning District to be Permitted when less than 15,000 SF. This change modifies the minimum square footage from 15,000 SF to 8,000 SF.
- Delete Commercial High Office (CHO) Zoning District from the provisions that allow the use to be Permitted by Right when less than 15,000 SF for consistency with the intent of that district to include mainly uses of office nature and deletion of use from that zoning district in the Use Matrix.
- Delete CRE Zoning District standard related to RR FLU designation as the zoning district is not consistent with that FLU designation.

**a. Definition**

An ~~enclosed building or structure establishment~~ containing multi-use facilities for conducting recreational sport activities such as: aerobic exercises, weight lifting, running, swimming, racquetball, handball, ~~and squash.~~ ~~This use also includes dance studios and karate schools martial arts studios.~~ ~~A fitness center may also include the following customary accessory activities as long as they are intended for the use of the members of the center and not for the general public: babysitting, food service, and the serving of alcoholic beverages consumed on the premises.~~

**a. RM and CN Districts**

~~Shall not occupy more than 3,000 square feet of GFA or have outdoor activities.~~ **[Partially relocated under d. below]**

**b. CC, CHO, CG Districts and PDDs Approval Process**

A fitness center that has less than ~~15,000~~ 8,000 square feet of GFA shall be ~~permitted by right~~ Permitted by Right in the CC Zoning District. **[Ord. 2010-005]**

**c. CRE District**

~~Shall not be located in a CRE district with an RR FLU designation.~~

**cd. PIPD Light Industrial Use Zone**

A fitness center in a Light Industrial Use Zone of a PIPD shall primarily serve the workforce or residential population within the PIPD. **[Ord. 2012-027]**

**d. Zoning District**

The use shall be limited to 3,000 square feet of GFA without outdoor activities when located in CN Zoning District. **[Partially relocated from a. above]**

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**Reason for amendments to Fitness Center in the Use Matrix: [Zoning]**

1. Delete from the RM Zoning District as any form of this use open to the general public would not be consistent with the purpose and intent for a residential district. There are other provisions to allow for similar uses where limited to residents of a residential development.
2. Amend the approval process in CN Zoning Districts from Class B Conditional Use approval to be Permitted. The supplementary use standard limiting the building to 3,000 SF and no outdoor activities makes the structure consistent with the neighborhood character of the CN Zoning District and the prohibition of outdoor activities protects surrounding residential from nuisances.
3. Delete from IL Zoning District to keep industrial land limited to industrial uses or uses of an industrial nature.
4. Delete from CHO Zoning District, MUPD with CHO FLU designation, and MXPD with CHO FLU designation as the CH-O FLU designation is intended to support mainly office related uses as contained in the FLU Element Section III.C.2 of the Comprehensive Plan for Commercial Office Uses.
5. Amend the approval process from Class A Conditional Use to Permitted in CG Zoning District and MUPD with CH FLU designation to make the use consistent with expected intensity in CH FLU designation. In the CG Zoning District the building square footage will trigger upper level of review (Board of County Commissioners [BCC] approval) when the structure is above 49,999 SF.
6. Increase the approval process from Permitted to DRO in COM Pod of a PIPD to ensure the use is site planned and determine the size of the use is of an intensity intended to serve mainly the population within the PIPD as stated in the FLU Element Section III.C.4 of the Comprehensive Plan.



**626. Golf Course**

**Reason for amendments: [Zoning]**

1. Delete reference to Management Plan. Per the Environmental Resource Management (ERM), this document is required by South Florida Water Management District, and is based on the plans approved by the County. This would be redundant with State Agency requirements.
2. Change reference to clubhouse to be an accessory use to comply with new wording for reordered Supplementary use standards.
3. Change fencing to be a subcategory of accessory use due to the specialized nature of the type of fencing being referenced in this standard.

**a. Definition**

~~An facility establishment~~ providing a golf recreation area designed for executive or regulation play along with accessory support facilities, excluding miniature golf.

~~AGR Tier~~

~~1) PUD~~

~~A golf course is only permitted in the development area of a PUD, subject to the following additional application requirements.~~

~~a) Management Plan~~

~~To protect adjacent farmland from golf course maintenance practices, a maintenance plan shall be developed and complied with in perpetuity. Prior to DRO approval of the master plan, a management plan shall be submitted to and approved by ERM. At a minimum, the management plan shall include the following information:~~

~~(1) A Best Management Plan (BMP) detailing procedures for the construction, irrigation, operation, and maintenance of the golf course, designed to prevent contamination of adjacent properties and ground and surface waters;~~

~~(2) A Pest Management Plan (PMP) designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers; and~~

~~(3) A Water Quality Monitoring Plan designed to protect adjacent wetlands and surface waters.~~

**b. Clubhouse Accessory Use**

**1) Clubhouse**

A golf course use may include a clubhouse. In addition to traditional and customary services, the clubhouse may also contain uses such as food service, catering, related retail sales, financial services, and other personal services.

**42) Fencing**

~~Protective f~~Fencing or netting may be erected to protect neighboring property, vehicles, pedestrians, or bicyclists from golf balls, subject to the following restrictions:

**a) Maximum Height Adjacent To**

**(1) Residential Use**

15 feet.

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EXHIBIT D

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- (2) Street or Easement  
30 feet.
- (3) Non-Residential Use  
30 feet.

**Reason for amendments to Golf Course in the Use Matrix:** [Zoning]

1. Change from Class B to Permitted in PO Zoning District, publicly owned golf course serve a greater public good with minimal impacts under government control.
2. Allow as a Class A Conditional Use in a COM Pod of a PIPD, as Commercial Recreation (CR) FLU designation is not a land use permitted in PIPD.



MARINE FACILITY HAS BEEN RELOCATED TO COMMERCIAL USE CLASSIFICATION TO BE ADDRESSED AT A LATER TIME



**792.Park, Neighborhood Infill**

**Reason for amendments:** [Zoning]

1. Minor revision to the use definition.
2. Delete limitation on hours of operation and landscaping standards to defer to Parks and Recreation handbook.
3. Delete limitation on hours of operation and defer to Parks and Recreation. With the prohibition on lighting and other amenities, most parks of this nature will be posted as closed from dusk to dawn.
4. Consolidate redundant minimum setbacks for residential, non residential, and ROW, and allow for reduction of minimum setback for active recreation by the Parks and Recreation Director when compatibility issues are addressed with any adjacent residential uses.

- a. Definition**  
~~A public park~~~~PBC public parks facilities~~~~facility operated by PBC usually less than two and one half acres~~ located in the Revitalization and Redevelopment Overlay as designated by the BCC, ~~or in any residential neighborhood.~~ ~~Infill neighborhood parks, including passive and active recreational facilities, are generally few in number due to size constraints and are developed according to the demands and character of the specific neighborhoods that they serve. Access is primarily pedestrian oriented with no support facilities such as parking lots or restrooms provided.~~ [Ord. 2006-004]
- ba. Lot Size**  
A maximum of five acres.
- cb. Recreational Amenities**  
Active recreation amenities may include playground equipment and non-regulation basketball courts.
- c. Landscaping**  
~~Landscaping shall be subject to the PBC Parks and Recreation Department landscape standards.~~
- d. Minimum Setbacks from Residential Uses**
  - 1) **Playground Surface Areas**  
Ten feet.
  - 2) **Structures, Park Furniture and Playground Equipment**  
15 feet.
  - 3) **Active Recreation Facilities**
    - a) A minimum of 15 feet when adjacent to R-O-Ws and parcels with a non-residential FLU, district, or use.
    - b) A minimum of 25 feet when adjacent to parcels with residential FLU, district, or use. The Parks and Recreation Director may authorize a setback reduction to 15 feet, when compatibility issues are addressed with any adjacent residential uses.
- ~~**e. Setbacks from R-O-Ws and Non-residential Uses**~~
  - ~~1) **Playground Surface Areas**~~  
~~A minimum of ten feet.~~
  - ~~2) **Structures Park Furniture and Playground Equipment**~~  
~~A minimum of 15 feet.~~
- f. Hours of Operation**  
~~Shall be pursuant to the PBC Parks and Recreation Department.~~
- ge. Restrictions**  
Sports lighting, parking spaces and permanent sanitary facilities shall be prohibited.

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Reason for amendments to Park, Neighborhood Infill in the Use Matrix: [Zoning]  
Research did not reveal a need for approval process changes.

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**893. Park, Passive**

Reason for amendments: [Zoning] Minor revision to the use definition and supplementary use standard.

**a. Definition**

A public or private outdoor recreation area relying on a natural or man-made resource base and developed with a low intensity of impact on the land. Typical uses include trail systems, wildlife management and demonstration areas for historical, cultural, scientific, educational or other purposes that relate to the natural qualities of the area, and support facilities for such activities.

**b.a. PC Zoning District**

~~In the PC district, a~~ **A** passive park use shall generally include but not be limited to nature and foot trails; canoe trails; wildlife management performed by official game, fish and wildlife commissions; public hunting and fishing camps; the use of boats, airboats and wheeled and tracked vehicles under policies and regulations prescribed by the appropriate government agencies; hunting and fishing camps on private property under policies prescribed by official game, fish and wildlife commissions; exploration, observation and archeological studies supervised by recognized authorities or persons granted permission to proceed by the State of Florida; preserves and passive recreation areas, and residences for preservation management officers or substantially similar recreational conservation accessory uses. **[Ord. 2006-004]**

Reason for amendments to Park, Passive in the Use Matrix: [Zoning]

1. Change Class A Conditional Use to Permitted in the AGR/P Pod of a PUD.
  2. Add as a Permitted use in the following zoning districts:
    - MUPD with an IND and EDC FLU designation.
    - Neighborhood Center (NC) and Residential (RES) Pods of a Traditional Neighborhood Development (TND) in Urban/Suburban, Exurban and Rural Tiers.
- The Comprehensive Plan states that parks are generally permitted in all future land use designations.



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**994. Park, Public**

**Reason for amendments:** [Zoning]  
1. Review the definition to clarify that ownership and management of the use is government.  
2. Expand on the type of parks for consistency with the terminology and classification contained in the Parks and Recreation Department list of Public Parks contained in Article 5.B and the Comprehensive Plan Recreation and Open Space Element  
3. Clarify that uses incidental to the operation of a public park located on Public Ownership (PO) Zoning District that are subject to a different approval process other than Permitted by Right are permitted as collocated. The uses are still subject to the supplementary use standards applicable to every use as contained in the Code.

- a. Definition**  
A park publicly owned or operated ~~by government agencies park or beach that~~ providing opportunities for active or passive recreational activities to the general public.
- b. Type of Parks**  
The use includes Regional Park, District Park, Beach Park, and Community Park.
- c. Collocated Uses**  
The following shall be collocated uses permitted by right in the PO Zoning District when included as part of a public park:
  - 1) Outdoor shooting range limited to non-mechanical equipment archery;
  - 2) Arena or stadium or amphitheater separated at least 1,500 feet from parcels with a Conservation and Residential FLU designation, Zoning District or use.
  - 4) Equestrian arena;
  - 5) Marina limited to docks, wet slips or boat ramps; and,
  - 7) Security or caretakers quarters.

**Reason for amendments to Park, Public in the Use Matrix:** [Zoning]  
1. Streamline the approval process in MUPD with CL FLU designation from Class A Conditional Use to Permitted as PDDs are subject to Public Hearings and opportunities are provided for adjacent residents to participate. In addition the location of the use will be part of a Master Plan.



**1067. Gun Club Shooting Range, Indoor**

**Reason for amendments:** [Zoning]  
1. In 1993, Open Gun Club and Closed Gun Club use definitions and Supplemental Use Standards were consolidated but shown as two separate uses in the Use Matrix. The amendment will rename and separate the uses in the Supplemental Use Standards consistent with the Use Matrix as further specified below.  
2. Update the use definition to clarify the recreational and training aspect of the use consistent with Florida Statutes 823.16 (Public Nuisances, Sport Shooting Ranges).  
3. Establish a standard to streamline approval process dedicated exclusively to the use of archery equipment. Archery is typically identified with shooting ranges by other municipalities.  
4. Delete the minimum lot size standard. Industry and municipal research does not show any specific trend for minimum threshold of lot size for indoor shooting ranges. This type of use can range from one to 10 or more acres.

- a. Definition**  
An ~~open or enclosed facility indoor establishment~~ used for the discharge of firearms or projectiles at targets for sport or training.
- b. Approval Process**  
An indoor shooting range allowed as a Conditional Use may be approved by the DRO when limited to archery.
- ~~**a. Setbacks and Buffers**~~
  - ~~**1) Enclosed**~~  
~~An enclosed gun club shall have a 100-foot setback and a 50 foot buffer from a residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~
  - ~~**2) Open**~~  
~~An open gun club and its accessory shooting areas shall have a 300-foot setback to a 100-foot buffer from residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~ **[Relocated to Outdoor Shooting Range 4.B.6.C.12]**
- b. Lot Size**

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~~Except in the IL district, a gun club shall be located on a minimum of five acres or meet the minimum lot and setback requirements of the district in which it is located, whichever is greater.~~

- 5. Delete AR/RSA standard. The Comprehensive Plan, III.C.5, identifies the Special Agriculture (SA) FLU designation as a "transitional agricultural classification", Sport Shooting Ranges do not meet the intent of the SA FLU designation.
- 6. Establish a general standard to address nuisance (sound abatement) concerns.
- 7. Replacing "Setback and Buffer" with "Separation Distance" Supplemental Use Standard and increasing the 100 foot distance to 500 feet. Research indicates that separation distance assists with the mitigation of noise and potential safety concerns. Some jurisdictions have similar separation distance requirements that range from 50 feet to 1000 feet. The 500 foot separation distance is consistent with other uses in the Code (Adult Entertainment and Cocktail Lounge) that do or may have perceived similar negative impacts to public, civic, or residential uses.
  - Establish separation distance exemption for indoor archery ranges.
- 8. Establish a general standard for gun range design to address safety (projectile containment and accidental discharge) and nuisance (sound abatement) concerns consistent with industry standards. Examples of the industry standards include U.S. Department of Energy, Office of Health, Safety and Security's Range Design Criteria (DOE O 473.3, Protection Program Operations); National Rifle Association's (NRA) The Range Source Book, A Guide to Planning and Construction (2012); and National Institute for Occupational Safety and Health's (NIOSH) Lead Exposure and Design Considerations for Indoor Firing Ranges (Publication Number 76-130).

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**c. AR/RSA Nuisances**

~~An open gun club may be permitted in the SA FLU subject to a Class A conditional use approval. **[Ord. 2005 -- 002]** All use areas shall be within an enclosed building constructed, maintained and operated so that no noise nuisances related to the range operations can be detected outside the building.~~

**d. Separation Distance**

~~An indoor shooting range shall not be located within 500 feet of a parcel with a civic or residential use, zoning district, or FLU designation or a park, unless limited to archery.~~

**e. Site Design**

~~During Zoning or Building Permit review, whichever occurs first, the applicant shall provide documentation demonstrating acceptable industry design and configuration standards based on type of shooting activity to address potential adverse safety and nuisance concerns. Range design shall include but not be limited to: ventilation, safety baffles, bullet traps, and impenetrable backstops, floors, walls and ceilings.~~

- Reason for amendments to Sport Shooting Range, Indoor in the Use Matrix: [Zoning]**
- 1. Change the approval process from Class B Conditional Use to Class A Conditional Use in the CG Zoning District for consistency with MUPD with a CH FLU designation.
  - 2. Change the approval process from Permitted to Class A Conditional Use in CRE Zoning District for consistency with MUPD with a CR FLU designation.
  - 3. Change the approval process from DRO to Class A Conditional Use in the IRO with a CH FLU designation for consistency with MUPD with a CH FLU. The changes provide an opportunity for the public to discuss any potential impacts from an indoor shooting range before the Board of County Commissioners.

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**1168. Gun Club Shooting Range, Outdoor**

**Reason for amendments: [Zoning]**

1. In 1993, Open Gun Club and Closed Gun Club use definitions and supplementary use standards were consolidated but shown as two separate uses in the Use Matrix. The amendment will rename and separate the uses in the supplementary use standard consistent with the Use Matrix.
2. Delete the Setback Standard and establish a Separation Distance requirement to assist in the mitigation of projectile containment and noise. The separation distance would provide a better regulatory tool. The measurement of distance (see also Article 1.C, Rules of Construction and Measurement) shall be measured by drawing a straight line from the location of a gun range development area to the property line of a civic or residential use, zoning district or FLU designation.
3. Establish a general standard for gun range design to address safety (projectile containment and accidental discharge) and nuisance (sound abatement) concerns consistent with industry standards.
4. Add archery range standard to clarify approval process and separation distance alternatives for non-mechanical archery equipment. Mechanical archery equipment consists of compound bows and crossbows. This use is typically identified with shooting ranges by other municipalities.

**a. Definition**

An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training.

~~An open gun club and its accessory shooting areas shall have a 300 foot setback from a parcel adjacent to a residential use, zoning district or FLU designation.~~ **[Relocated from Indoor Shooting Range]**

**b. Separation Distance**

An outdoor shooting range shall not be located within 1,320 feet of a property line with a civic or residential use, zoning district, or FLU designation, unless the adjacent properties are owned by a government agency and utilized for other than civic or residential purposes.

**c. Site Design**

During Zoning or Building Permit review, whichever occurs first, the applicant shall provide documentation demonstrating acceptable industry design, configuration and operational standards, based on type of shooting activity, to address potential adverse safety and nuisance concerns. Range design shall include but not be limited to: backstops, sideberms, sidewalls, sound and visual baffles and target placement.

**d. Archery Range**

**1. Approval Process**

An outdoor shooting range allowed as a Conditional Use may be approved by the DRO when limited to non-mechanical archery equipment.

**2. Separation Distance**

Shall not be subject to the 1,320 foot separation distance. An alternative separation distance may be required if warranted based on the site design requirements contained above.

**Reason for amendments to Sport Shooting Range, Outdoor in the Use Matrix: [Zoning]**

Change the approval process from a Class B Conditional Use to Class A Conditional Use in the PO Zoning District. The change provides an opportunity for the public to discuss any potential impacts from an outdoor shooting range before the Board of County Commissioners.



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**12443. Zoo**

**Reason for amendments:** [Zoning]  
1. Revise the definition to clarify zoo use is intended for entertainment and educational purposes;  
2. Delete the Agricultural Residential (AR) Zoning District use standard due to the inconsistency between the typical low density residential uses of AR and the traffic intensity and commercial nature of a Zoo use;  
3. Relocate and consolidate supplementary use standards regarding barbed wire, which will be addressed in Art. 5.

- a. Definition**  
~~Means a place~~ An establishment where animals are kept in captivity for the public to view or for educational ~~or animal rehabilitative~~ purposes.
- ~~**a. AR District**  
A zoo shall be located on a minimum of ten acres and shall provide a 500 foot buffer adjacent to existing residential uses, districts or FLU designated property.~~
- b. Accessory Uses**  
A veterinary clinic, gift shop, and food service may be permitted as accessory uses to a zoo.
- c. Setbacks**  
No animal containment area shall be located within 500 feet of any residential district.
- d. Barbed Wire**  
~~Barbed wire may be installed pursuant to Art. 5.B.1.A.2.c, Dangerous Materials. [Ord. 2011-001]~~

**Reason for amendments to Zoo in the Use Matrix:** [Zoning]  
1. To Delete from the AR Zoning District due to the inconsistency between the typical low density residential uses of AR and the traffic intensity and commercial nature of a Zoo use.  
2. Use is currently a DRO approval in the CRE Zoning District, which is consistent with a CR FLU designation. Therefore, for consistency, make use DRO approval in the MUPD with a CR FLU designation.  
3. Change the approval process from a Class B Conditional Use to Class A Conditional Use in the CG Zoning District. The change provides an opportunity for the public to discuss any potential impacts from a zoo before the BCC.

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**Part 2. ULDC Art. 3.E.7.B.2, Sites (page 183 of 229), is hereby amended as follows:**

**Reason for amendments:** [Zoning]: In revising the use "Campground", staff identified issues regarding the intensity of the number of RV and campsites permitted through this section of the ULDC and the Future Land Use (FLU) designation. Areas where the density was capped at one unit/10 acres were permitted to have up to 12 RV sites or 40 campsites per acre. A new intensity of development was created using the FLU as a basis. The resulting table includes intensity of use for land with the RVPD Zoning designation with both a Rural Residential (RR) and Commercial Recreation (CR) FLU designation. It is intended that this table supersede the threshold for RVPD. It is also intended to link the intensity to Article 4 to preclude anyone requesting a variance from the standard.

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**CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDD)**

**Section 7 Recreational Vehicle Planned Development District (RVPD)**

**B. Thresholds**

**2. Sites**

~~The multiplier for RV sites is 12/acre. The multiplier for camp sites is 40/acre. Camp sites may be allowed in addition to RV sites. The number of RV and campsites permitted shall be as specified in Table 4.B.3.C – Campground Intensity.~~



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Part 3. ULDC Art. 3.E.7.D., Sites (page 184 of 229), is hereby amended as follows:

**Reason for amendments: [Zoning]:** Consolidate Recreational Vehicle standards contained in Recreational Vehicle Planned Development District (RVPD) into Campground use in Article 4. to accompany intensity thresholds. This will permit the use of one set of standards to be applied to multiple sections of the Code, and to link the RVPD Zoning District with Campsite to ensure consistence between the two uses, due to their similarities.

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDD)

Section 7 Recreational Vehicle Planned Development District (RVPD)

D. Time Limitations

RV sites, campsites, and camping cabins shall comply with standards in Article 4.C.2.f, Duration of Stay.

**1. Residence**

~~No person, other than the caretakers, shall reside or be permitted to reside in a RVPD for more than 180 days per calendar year.~~ Relocated to Article 4.B.3.C.2.f.2)a]

**2. Record Keeping**

~~The RVPD owner or operator shall keep the following records:~~ Relocated to Article 4.B.3.C.2.f.2)b)]

~~a. the make, model, and year of each RV;~~ Relocated to Article 4.B.3.C.2.f.2)b)(1)]

~~b. the lot on which each RV is/was located;~~ Relocated to Article 4.B.3.C.2.f.2)b)(2)]

~~c. the dates of occupancy for each RV; and~~ Relocated to Article 4.B.3.C.2.f.2)b)(3)]

~~d. the name and permanent address of each RV owner.~~ Relocated to Article 4.B.3.C.2.f.2)b)(4)]

**3. Mobility**

~~The mobility of each recreational vehicle shall be maintained at all times. All recreational vehicles shall be currently licensed by the State of Florida. The license plate shall be visible at all times.~~ [Relocated to Article 4.B.3.C.2.f.2)c)]

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