

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
OCTOBER 26, 2016 MEETING

AMENDMENTS TO THE AGENDA  
(Updated 10/26/16)

1

#1	Exhibit H, Administrative Inquiry – Art. 2.D.4.C, Procedures, Part 3, Page 25 of 25 (lines 23 - 25)
	Revise sentence that contains proposed standard related to courtesy notices for Administrative Inquiries (AI) for better readability.

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C. Procedures

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An AI may be made ~~only~~ by a public agency through the Zoning Director using forms and procedures established by the Zoning Division. The AI shall be placed on the BCC agenda by the Zoning Division for the date the inquiry is intended to be presented. Courtesy Notice pursuant to Art. 2.A.1.J, Notifications, is required for an AI applicable to a parcel for a specific inquiry or to provide development status not monitored by the provisions in Art. 2.E, Monitoring, is required to provide Courtesy Notices as indicated in Art. 2.A.1.J, Notification.

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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.



October 20, 2016

**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**

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

**County Administrator**

Verdenia C. Baker

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

**RE: October 26, 2016 LDRAB Meeting**

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB hearing on Wednesday, October 26, 2016.

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: October 26, 2016 LDRAB Agenda

- c: Faye Outlaw, Assistant County Administrator
- Patrick Rutter, 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, Deputy Zoning Director
- Monica Cantor, Senior Site Planner, Zoning

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# PALM BEACH COUNTY

## LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

OCTOBER 26, 2016

### BOARD MEMBERS

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

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

**Michael J. Peragine** (District 1)

**Barbara Katz** (District 3)

**James Knight** (District 4)

**Lori Vinikoor** (District 5)

**Stuart R. Fischer** (District 6)

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

**Daniel J. Walesky** (Gold Coast Builders Assoc.)

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

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

**James M. McKay** (American Institute of Architects)

**Tommy B. Strowd** (Environmental Organization)

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

**Derek Zeman** (Fl. Surveying and Mapping Society)

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

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

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

### Board of County Commissioners

**Mary Lou Berger**  
Mayor, District 5

**Hal R. Valeche**  
Vice Mayor, District 1

**Paulette Burdick**  
Commissioner, District 2

**Shelley Vana**  
Commissioner, District 3

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

**Melissa McKinlay**  
Commissioner, District 6

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

**Verdenia C. Baker**  
County Administrator



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2300 North Jog Road, West Palm Beach, Florida 33411 (561) 233-5200



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

**WEDNESDAY, OCTOBER 26, 2016 AGENDA**  
**2300 NORTH JOG ROAD**  
**KEN ROGERS HEARING ROOM - 1<sup>ST</sup> FLOOR (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. Adoption of Oct. 14, 2016 Minutes (Exhibit A)

### **B. USE REGULATIONS PROJECT**

1. Exhibit B – Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and Farm Residences
2. Exhibit C – Art. 3.B.14, Westgate Community Redevelopment Area Overlay (WCRAO)
3. Exhibit D – Table 6.A.1.D, Minimum Parking Lot Dimensions ...
4. Exhibit E – Table 8.G.3.B, Electronic Message Sign Types and Approval Process
5. Exhibit F – Equestrian Waste Management Facility
6. Exhibit G – Definition for Addition
7. Exhibit H – Administrative Inquiry

### **C. PUBLIC COMMENTS**

### **D. STAFF COMMENTS**

### **E. ADJOURN**

**EXHIBIT A**

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

(Updated 10/20/16)

**Minutes of October 14, 2016 LDRAB Meeting**

On Friday, October 14, 2016 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: 10**

Wesley Blackman (PBC Planning Congress)  
David Carpenter (District 2)  
Jim Knight (District 4)  
Lori Vinikoor (District 5)  
Stuart R. Fischer (District )  
James McKay (AIA)  
Daniel J. Walesky (Gold Coast Bld. Assoc.)  
Tommy Strowd (Environmental Organization)  
Derek Zeman (FL Surveying & Mppng. Soc.)  
James Brake (Member at Large, Alt.)

**Members Absent: 7**

Michael Peragine (District 1)  
Barbara Katz (District 3)  
Henry Studstill (District 7)\*  
Frank Gulisano (PBC Board of Realtors)  
Terrence Bailey (Florida Eng. Society)  
Joni Brinkman (Palm Beach League of Cities)  
Leo Plevy (Member at Large, Alt.)

**County Staff Present**

Jon MacGillis, Zoning Director  
Maryann Kwok, Deputy Zoning Director, Zoning  
Robert Banks, Chief Assistant County Attorney  
William Cross, AICP, Principal Site Planner, Zoning  
Monica Cantor, Senior Site Planner, Zoning  
Scott Rodriguez, Site Planner II  
Daniel Greenberg, Site Planner 11  
Erin Fitzhugh Sita, Senior Planner, Planning  
Zona Case, Zoning Technician, Zoning

**Vacancy: 1**

(Assoc. General Contractors of America)

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

Mr. Blackman noted the distribution of the amendments to the agenda and requested that it be included in the motion to adopt the agenda. He thanked Ms. Vinikoor for chairing the May 25, 2016 meeting in his absence, and welcomed Mr. James McKay, the newly appointed LDRAB member representing the AIA.

**3. Motion to Adopt Agenda**

Motion to adopt the agenda, as amended, by Ms. Vinikoor, seconded by Mr. Knight. Motion passed (10 - 0).

**4. Adoption of May 26, 2016 Minutes (Exhibit A)**

Motion to adopt by Mr. Carpenter, seconded by Ms. Vinikoor. Motion passed (10 – 0).

**B. USE REGULATIONS PROJECT**

Ms. Cantor updated the Board on status of the Use Regulations Project (URP), noting that all of the Use Classifications were presented at a Public Forum the preceding day, which was attended by approximately a dozen members of the public. Ms. Cantor summarized the key tasks remaining to complete the project, including:

- October 27, 2016: Presentation to the BCC on items included in this Agenda (Commercial, Temporary and Agricultural Uses, and Limited Pet Boarding).
- November 30, 2016: Final Presentation to the LDRAB, sitting as the Land Development Regulation Commission (LDRC), to include any updates to previously reviewed Use Regulations.
- December 7, 2016: Presentation to the BCC highlighting any items discussed at the October 13, 2016 Public Forum Meeting.

Ms. Cantor also reiterated the key BCC Zoning Hearing dates scheduled for the BCC to consider the final Ordinance, as follows:

- January 5, 2017 - Request for Permission to Advertise;
- January 26, 2017 - 1<sup>st</sup> Public Hearing; and,
- February 23, 2017 – Adoption Hearing

## EXHIBIT A

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

(Updated 10/20/16)

#### Minutes of October 14, 2016 LDRAB Meeting

Ms. Cantor presented a Power Point overview of the proposed amendments, which was followed by a page-by-page review and discussion by the Board, summarized as followed:

##### 1. Exhibit B – Commercial Uses

- **Catering Service** - Page 28, Line 15: In response to a query from Mr. Blackman, Ms. Cantor clarified that as an accessory use to restaurant, the limit of three vehicles in the vehicle storage area will be shown on the site plan. Exceeding this limit would push this into a primary use.
- **General Retail Sales:** Several specific retail sales uses, such as Monument Sales and Building Supplies, were consolidated under the broader General Retail Sales use.
- **Hotel, Motel, SRO and Rooming and Boarding House:** Further elaborated that the individual uses had been separated consistent with existing Supplemental Standards, which better clarifies differences between Commercial and Residential characteristics for these uses.
- **Microbrewery:** Mr. Rodriguez outlined the rationale behind creating this new use for the small scale production and packaging of craft or specialty beer in Commercial and Industrial zoning districts, emphasizing that the use could be accommodated under current Commercial uses, but that additional provisions were required to allow or clarify the sale or tasting, and accessory food service.
- **Office, Business or Professional:** Establish standards to clarify that Accessory Office is not the same as a Business or Professional Office use. Page 55, Line 13: Revise to "...shall be permitted on ~~the~~ site."
- **Vehicle Repair and Maintenance [Light or Heavy]:** Mr. Blackman pointed out that the approval processes in the Use Matrix under Industrial Zoning districts should be reversed, to which Mr. Cross affirmed, advising that he had made a note of the error and should have included in the add/delete.
- **Self Service Storage Facility (SSSF) [Limited or Multi-access]:** Mr. Cross noted that additional revisions related to a request made on behalf of a developer seeking to add a Limited Access SSSF to the commercial pod of PUD may occur, pending submittal of additional supporting documentation. Staff partially supported the initial request subject to a maximum 50% limit on overall uses, to ensure other intended neighborhood uses would be accommodated.
- **Vehicle Sales and Rental:** Mr. Cross noted that an additional revision pertaining to allowing Heavy Equipment and Vehicles Sales and Rental in the Rural Tier limited to the sale of farm tractors, to support any agricultural uses permitted in the Tier.

Motion to adopt with the add/delete amending page 30, part 3; page 39 part 3; and page 77 part 3, and the changes agreed to during the discussion, by Ms. Vinikoor, seconded by Mr. Brake. Motion passed (10 - 0).

##### 2. Exhibit C – Temporary Uses

Mr. Greenberg explained that this new Use Classification that consolidates uses of a temporary nature, mostly comprised of existing Commercial uses, but including Recreation and Utility Uses, among others. This enabled staff to consolidate redundant standards in order to provide general standards for all temporary uses, thus offering more flexibility. He also clarified newly categorized uses and resulting amendments to the parking requirements in Table 6.A.1.B. Ms. Cantor noted that Communication Cell Sites on Wheels (COWs) is also included in this category.

Motion to adopt with the changes on the add/delete amending page 114, part 5, by Mr. Brake, seconded by Mr. Knight. Motion passed (10 - 0).

##### 3. Exhibit D – Agricultural Uses

Mr. Cross referred to the add/delete Item #5, relocating text related to PPM# (MD) R1 – 002) to a note in the Agricultural Uses Matrix, at the request of Mr. Berger. This relates to a request from representatives of Florida Crystals. Mr. Cross noted that staff will be meeting Florida Crystals representatives again on November 2<sup>nd</sup>, and if applicable, would advise of any additional requests or revisions at the Nov. 30, 2016 LDRC meeting.

Mr. Cross explained that due to delays associated with the recent Agriculture Reserve Workshops and feedback from the Agriculture industry and the Glades Tier, Zoning was directed not make substantial changes to Agricultural uses at this time, other than the

## EXHIBIT A

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

(Updated 10/20/16)

#### Minutes of October 14, 2016 LDRAB Meeting

revisions needed for consistency with the formatting of the Use Regulations Project. He advised that these uses may be revisited at a future date.

He further elaborated on the change to the title "Bona Fide Agriculture" with "Farm". He added that Bona Fide Agriculture is only referenced in Florida Statutes 193.461 with the intent to provide guidance to the Property Appraiser in making Agricultural Classifications for any eligible agricultural use, which is not limited to the current "Bona-fide Agriculture" term. Mr. Cross further clarified that a number of agricultural uses in the matrix, including Nursery, could be classified as such, even though their operations may be commercial or industrial, so the term Bona Fide Agriculture is not really a use but a step in a process. This amendment is merely a name change and the meaning, interpretation and application of the standards are unchanged.

Mr. Cross also pointed out the deletion of the use "Farrier" as the use has not been requested in Palm Beach County for many years. The remaining amendments are mainly to do with reorganization of the Use Regulations.

Ms. Vinikoor expressed that this is a substantial change and she would have preferred if it had been discussed with a subcommittee. She further opined that "Bona Fide Agriculture" is a use and "Farm" is a more generic use.

Mr. Banks confirmed that growing plants and or raising animals meet the criteria for Bona Fide Agriculture classification by the Property Appraiser. Retailing of plants grown by other sources, while considered a nursery, would not qualify.

Mr. Cross acknowledged that there is some concern and the name change might be misconstrued as a change in meaning or application. He is open to leaving it unchanged but would prefer to amend out of respect for other definitions of use of "Farm" in State Statutes.

Motion to approve with add/delete amendment page 119, part 1, by Jim McKay, seconded by Mr. Knight. The motion passed (10 – 0).

#### 4. Exhibit E – Residential Uses (Limited Pet Boarding)

Mr. Rodriguez outlined the history behind the proposed amendments. Previously presented to LDRAB as a Privately Initiated Amendment (PIA), the Board had expressed concerns about impacts of nuisances (such as noise and traffic) and incompatibility of commercial uses in residential zoning districts. LDRAB voted to move the application forward to the BCC with direction for staff to express their concerns to the BCC.

Mr. MacGillis added that at the March 28, 2013 BCC Zoning Hearing, the BCC elected to initiate the PIA request and directed staff was directed to draft a code amendment for limited boarding of cats and dogs in residential zoning districts as part of the URP.

Mr. Carpenter expressed the view that commercial uses continue to intrude into residential zoning districts. He considered this to be unfair to residents as it is not possible to enforce compliance and he strenuously opposed the amendments.

A discussion ensued and the Board asked staff to ensure that the BCC was made aware of their strenuous objection to allowing "Commercial use" in a residential zoning district.

Motion by Mr. Carpenter to vote to approve or deny, seconded by Ms. Vinikoor.

The Chair requested a roll call and clarified the motion:

- A vote "Yes" is to deny and send a message to the BCC.
- The motion was clarified to recommend that if the BCC elects to proceed with this amendment, the Board recommends including additional standards related to: drop off on improved driveways and limitations on the outdoor activity areas, including hours of operation, and prohibitions on allowing boarded pets off site.

The Secretary called the roll. The motion passed (8 - 2). Mr. Fischer and Mr. Walesky voted nay.

**EXHIBIT A**

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

(Updated 10/20/16)

**Minutes of October 14, 2016 LDRAB Meeting**

**F. PUBLIC COMMENTS**

Mr. Damian Brink requested staff to reconsider taking out the Turnpike exemptions from Gas and Fuel Sales Use. Mr. Cross noted that the provision does not currently exist and while staff had initially suggested it be added, it was withdrawn after revisiting the rationale used for the original amendment for I-95, and that the provision of fuel facilities on the Turnpike, among other concerns with potential traffic issues at Turnpike access points. He further noted that the newly created MUPD exception would better address staff concerns with aesthetics and traffic/pedestrian safety. Mr. Brink opined that it is similar to the I-95 Interchange, and ought to be allowed, especially in consideration of hurricane evacuation, to give the opportunity to re-fuel before going onto the Turnpike.

Mr. Brink confirmed to Chair that he is a paid lobbyist representing Jon E Schmidt and Associates, acting on behalf of DS Investments 1, LLC and Arrigo, and Mr. Blackman asked that the information be given to the Secretary.

**G. STAFF COMMENTS**

Ms. Cantor recognized and thanked Ms. Vinikoor and Mr. Knight for their consistent participation and help on subcommittees. She acknowledged that it has been three years of hard work and at this point it appears as if staff is seeing the light at the end of the tunnel.

Mr. Blackman thanked staff, adding that this was a monumental task. He opined that the changes were needed for some time and the consolidation will make the ULDC much easier to understand. Mr. Knight also commended staff.

**H. ADJOURN**

The Land Development Regulation Advisory Board meeting adjourned at 4:45 p.m.

Recorded tapes 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: \_\_\_\_\_  
Zona Case, Zoning Technician Date



## EXHIBIT B

# PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS

(Updated 9-28-16)

### General

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

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

### Background and Summary

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

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

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

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

### Additional ULDC Background

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

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

With the reduction to a minimum of one-acre for an eligible Farm Residence, ULDC amendments are required to reduce the minimum PDRs for the Farm Residence portion that will retain AGR zoning. Staff also recognizes the need to clarify that PDRs should only apply to the subdivision of land, rather than scenario’s where an existing AGR zoned parcel is encumbered with a partial AGR-TMD or AGR-PUD Preserve designation (commonly referred to as split zoning). This clarification will include standards such as minimum setbacks for a Farm Residence from the Preserve Area designated on the subject parcel, to ensure that residential uses don’t adversely impact the operation of farm, open space, conservation or other permitted Preserve Area uses.

### Notes:

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets [**Relocated to:** ] or [**Partially relocated to:** ].
- **Italicized** indicates relocated text. Source is noted in bolded brackets [**Relocated from:** ].
- **....** A series of four bolded ellipses indicates language omitted to save space.

## EXHIBIT B

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

(Updated 9-28-16)

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

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

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

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

#### Amendments

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

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

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

## ARTICLE 3, OVERLAYS & ZONING DISTRICTS

### CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

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

##### Notes:

- Underlined indicates **new** text.
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- .... A series of four bolded ellipses indicates language omitted to save space.

## EXHIBIT B

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

(Updated 9-28-16)

#### F. AGR PUD

##### 1. General

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

##### a. Purpose and Intent

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

##### b. Applicability

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

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

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

##### 2. Development Options.

##### a. Options

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

##### 1) Minimum Land Area

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

##### 2) Areas

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

##### b. Density

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

##### c. Land Use Mix

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

##### 1) 80/20 Option

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

##### a) Exception

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

##### 2) 60/40 Option

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

##### 3) Both Options

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

##### 3. Preserve Area

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

##### a. Location and Access

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#### Notes:

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## EXHIBIT B

### PDRS FOR AGR PRESERVES AND FARM RESIDENCES SUMMARY OF AMENDMENTS (Updated 9-28-16)

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

#### 4 b. Uses

5 Uses allowed in a Preserve Area are indicated in Table 3.E.1.B, PDD Use Matrix, Table  
6 3.F.1.F, Traditional Development District Permitted Use Schedule, or where stated within  
7 Art. 4, Use Regulations, and specified as may be further restricted by the Conservation  
8 Easement or Preserve Management Plan, as approved by ERM. [Ord. 2006-004] [Ord.  
9 2012-027] [Ord. 2015-047]

#### 10 c. Configuration

##### 11 1) Property Development Regulations

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

##### 15 a) General Exceptions

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

17 (1a) lot width may be reduced to 100 feet for a Rural Parkway, as defined in the  
18 Plan; or, [Ord. 2006-004] [Ord. 2015-047]

19 (2b) for an equestrian use that meanders through a 60/40 development area; or,  
20 [Ord. 2006-004] [Ord. 2015-047]

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

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

##### 25 c) Split Zoning

26 In cases of split zoning, where a Legal Lot of Record is partially zoned AGR and  
27 AGR PUD Preserve Area, the following shall apply:

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

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

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

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

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

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

##### 41 2) General

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

##### 45 a) Agriculture

46 Agricultural areas shall have boundaries that allow for efficient agricultural  
47 operation, and shall not be encroached upon by a Development Area. [Ord.  
48 2006-004]

##### 49 b) Wetlands

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

56 ....

64 U:\Zoning\CODEREV\2016\LDRAB\Meetings\10-26-16\4 - Final Packet\Exh. B - Art. 3.E.2.F.3.c.1), PDRs for AGR Preserves and  
65 Farm Residences.docx

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# EXHIBIT C

## ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/19/16)

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

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

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

### ARTICLE 3 OVERLAYS & ZONING DISTRICTS

#### CHAPTER B OVERLAYS

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

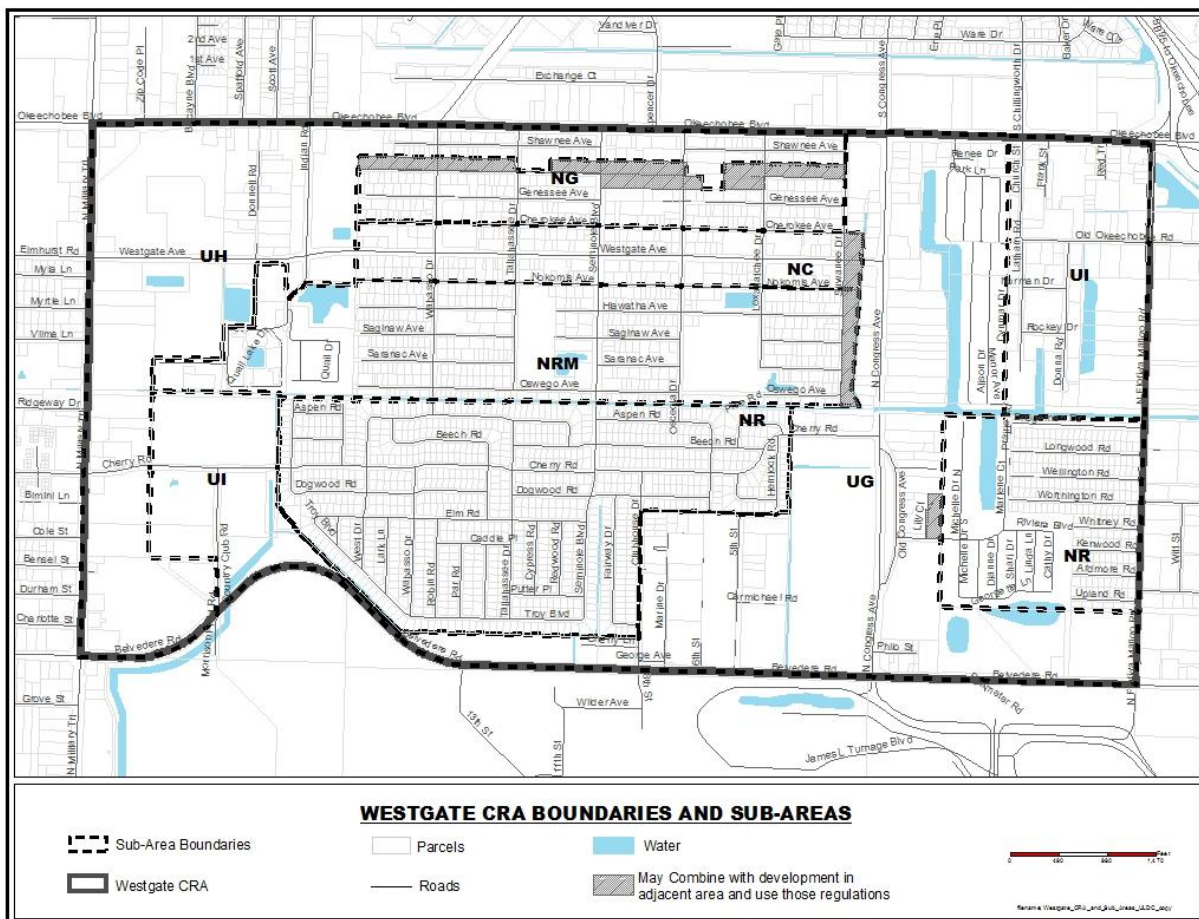
**Note:** ULDC provisions related to WCRAO Boundaries are included herein to provide backup and context to subsequent amendments. No amendments to WCRAO Boundaries are proposed.

#### C. Boundaries

##### 1. WCRAO Boundaries

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

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



**Notes:**

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# EXHIBIT C

## ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/19/16)

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

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

10           **a. NR, Neighborhood Residential**

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

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

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

16           **c. NG, Neighborhood General**

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

19           **d. NC, Neighborhood Commercial**

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

22           **e. UG, Urban General**

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

26           **f. UH, Urban Highway**

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

29           **g. UI, Urban Industrial**

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

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

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

36           **a. Use Regulations**

37           **....**  
38

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

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

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

40           **Notes:**

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

## ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/19/16)

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

1

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

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

2

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

3

**2. Build to Line and Frontages**

**a. Build to Line**

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

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**Notes:**

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# EXHIBIT C

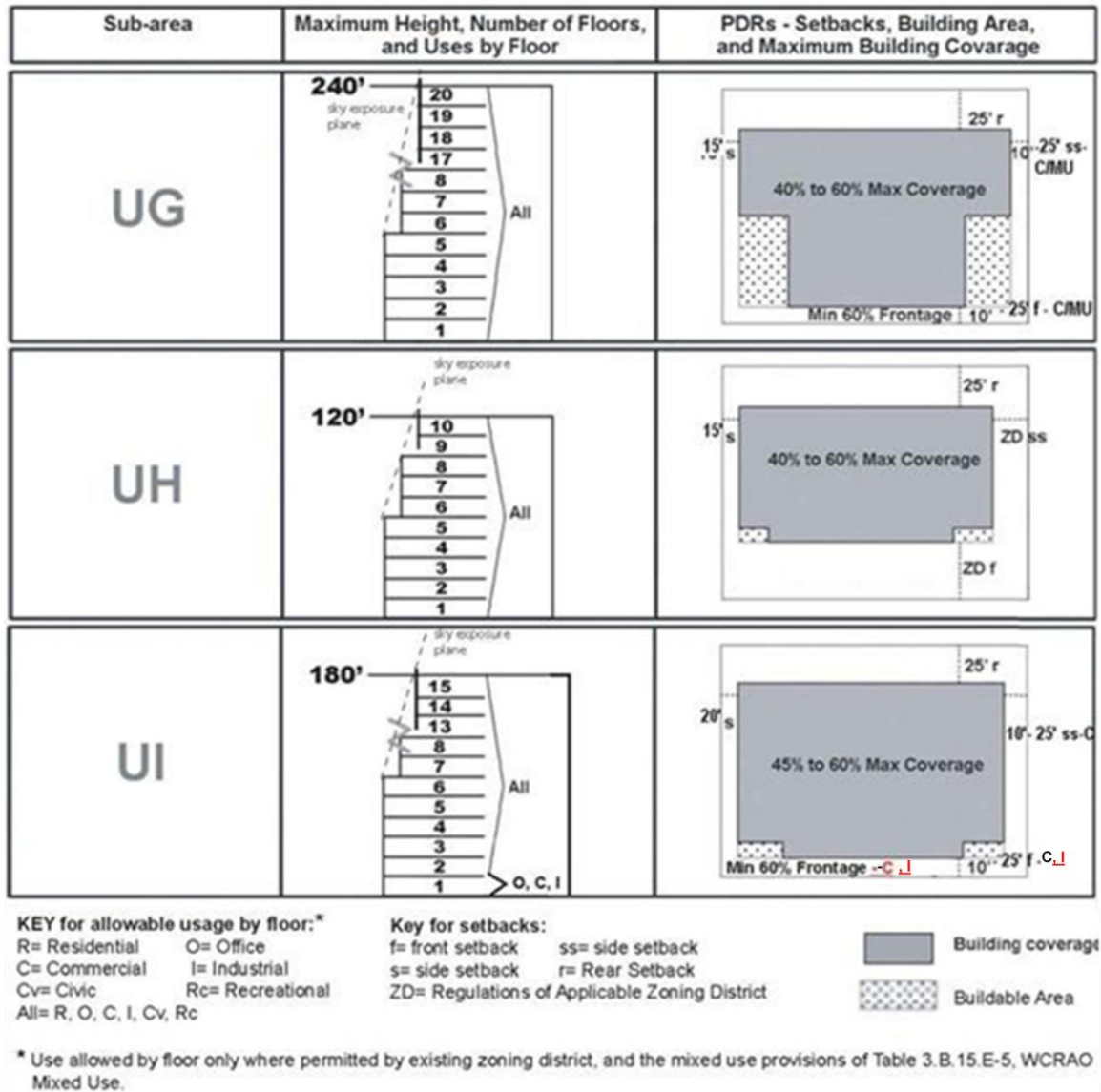
## ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS (Updated 10/19/16)

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

3 ....

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

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



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

### G. Supplementary Standards

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

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

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**EXHIBIT C**

**ART. 3.B.14, WESTGATE COMMUNITY DEVELOPMENT AREA  
OVERLAY (WCRAO)  
SUMMARY OF AMENDMENTS  
(Updated 10/19/16)**

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

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

**I. Parking and Streets**  
**1. Parking**

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

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

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

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

**2) Curbside Parking**

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

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

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

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

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# EXHIBIT D

## TABLE 6.A.1.D, MINIMUM PARKING DIMENSIONS SUMMARY OF AMENDMENTS (Updated 10/19/16)

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

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

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

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D (3) <del>(4)</del> Aisle Width (feet)	E Curb Length (feet)	F <del>(4)</del> Module Width (feet)
45	General	9.0	17.5	12.0	12.5	47.0
	Accessible *	12.0	17.5	12.0	17.0	47.0
60	General	9.0	19.0	16.0	10.5	54.0
	Accessible *	<del>9.5</del>	<del>19.0</del>	<del>15.0</del>	<del>10.5</del>	<del>53.0</del>
70	General	9.0	19.5	19.0	9.5	58.0
	Accessible *	<del>9.5</del>	<del>19.5</del>	<del>18.0</del>	<del>9.5</del>	<del>57.0</del>
75	General	9.0	19.5	23.0	9.5	62.0
	Accessible *	<del>9.5</del>	<del>19.5</del>	<del>22.0</del>	<del>9.5</del>	<del>61.0</del>
80	General	9.0	19.5	24.0	9.0	63.0
	Accessible *	<del>9.5</del>	<del>19.5</del>	<del>23.0</del>	<del>9.0</del>	<del>62.0</del>
90	General	9.0	18.5	26.0	9.0	63.0
	Accessible *	<del>9.5</del>	<del>18.5</del>	<del>25.0</del>	<del>9.0</del>	<del>62.0</del>
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0 Max. 7.0	Min. 12.0 Max. 13.0	Min. 15.0 Max. 17.0 (2)	Min. 6.0 Max. 7.0	Min. 39.0 Max. 43.0 (2)
<b>[Ord. 2005-002] [Ord. 2012-027]</b>						
<b>Notes:</b>						
* Accessible applies to parking for persons who have disabilities.						
1. Use – See Art. 6.A.1.D.14, Design and Construction Standards.						
2. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.						
3. Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. <b>[Ord. 2012-027]</b>						

.....

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- Notes:**
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# EXHIBIT E

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

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

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

### 5 CHAPTER G STANDARDS FOR SPECIFIC SIGN TYPES

#### 6 Section 3 Other Sign Types

#### 7 B. Electronic Message Signs

##### 8 1. Applicability and Approval Process

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

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

Sign Type	Permitted Content	Approval Process
Type 1	At regional facilities, facilities with serial performances, and, specialized attractions that, by their operating characteristics, have unique sign requirements	Class A Conditional Use or Requested Use approval (1)
Type 2	Electronic Changeable Copy Message Sign (PRA Pilot Program)	Building Permit
Type 3	Time and temperature	Building Permit
Type 3	Fuel prices	<del>Building Permit</del> DRO
Type 3	Informational signs within residential Planned Unit Development (PUD)	DRO

[Ord. 2010-022] [Ord. 2014-025] [Ord. 2015-031] [Ord. 2016-020]

**Notes:**

1. Unless exempt under Article 8.B, EXEMPTIONS.

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EXHIBIT F

EQUESTRIAN WASTE MANAGEMENT FACILITY  
SUMMARY OF AMENDMENTS  
(Updated 10/21/16)

Part 1. ULDC Table 4.B.5.A, Industrial Use Matrix, is hereby amended as follows:

**Reason for Amendment:** [Zoning] Establish new Equestrian Waste Management Facility use as part of ongoing efforts to support the equestrian industry in Palm Beach County while working towards solutions to mitigate adverse impacts associated with the disposal of Equestrian Waste. While the use is consistent with other similar uses permitted in Industrial districts, concurrent amendments to the Comprehensive Plan are being undertaken to allow for a limited Pilot Program for this use to be located in the Agriculture Production (AP) district of the Glades Tier, subject to approval of a Special Agriculture (SA) future land use atlas (FLUA) amendment. Additional Supplemental Use Standards are proposed in Part 5 below, to ensure consistency with the Plan for these inter-related amendments.

TABLE 4.B.5.A - INDUSTRIAL USE MATRIX

STANDARD DISTRICTS														Use Type	Supplementary Standards #	PLANNED DEVELOPMENT DISTRICTS (PDDs)										TRADITIONAL DEV. DISTRICTS (TDDs)											
AG/CON		RESIDENTIAL				COMMERCIAL						IND	INST			PUD		MUPD				MXPD	PIPD	M	R	LCC	TND		TMD								
P	A	AR		R	R	R	R	C	C	C	C	C	C			U	U	U	U	U	I	I	I	P	I	H	V	FLU	TIER		TIER						
C	G	R	U	R	R	R	R	N	L	C	H	G	R			U	U	U	U	U	L	L	P	P	P	C	C	U/S	EX/RURAL		U	E					
R	S	A	A	E	T	S	M	O	O	E	C	C	C			1	2	3	1	2	C	C	C	C	C	D	D	L	H	R	N	O	R	N	O	S	X
Industrial Uses																																					
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.....																																					
Ord. [																																					
<b>Use Approval Process Key:</b>																																					
P Permitted by Right														D <u>Subject to DRO Approval</u>										A <u>Subject to Board of County Commissioners Approval (Class A Conditional Use)</u>													
S <u>Subject to Special Permit Approval</u>														B <u>Subject to Zoning Commission Approval (Class B Conditional Use)</u>										- <u>Prohibited use, unless stated otherwise within Supplementary Use Standards</u>													

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# EXHIBIT F

## EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 10/21/16)

1  
2 **Part 2. ULDC Art. 1.I.2, Definitions (page 57 of 119), is hereby amended as follows:**

3  
4 Reason for Amendment: [Zoning] Establish definition for Equestrian Waste based on existing ULDC  
5 definition for Livestock Waste, which was based upon applicable Florida laws, in support of new  
6 Equestrian Waster Management Facility.

### ARTICLE 1 GENERAL PROVISIONS

#### CHAPTER I DEFINITIONS & ACRONYMS

##### Section 2 Definitions

8  
9 **....**  
10 **E. Terms defined herein or referenced Article shall have the following meanings:**

11 **....**  
12 **33. Equestrian Use** – use of land for boarding, breeding, training, riding, showing or raising  
13 horses, ponies, mules or donkeys.

14 **34. Equestrian Waste** – for the purposes of Equestrian Waste Management Facility, waste  
15 composed of the excreta of horses and residual organic materials that have been used for  
16 bedding, sanitary, or feeding purposes for horses.

17 **[Renumber accordingly]**

18 **L. Terms defined herein or referenced Article shall have the following meanings:**

19 **....**  
20 **48. Livestock Waste** – for the purposes of Art. 5.J, Best Management Practices for Livestock  
21 Waste, waste composed of excreta of animals and residual materials that have been used for  
22 bedding, sanitary, or feeding purposes for such animals. **[Ord. 2013-021]**

23  
24  
25 **Part 3. ULDC Art. 3.A.3.a, Standard District Exceptions and Limitations [Related to Zoning**  
26 **District Consistency with the Future Land Use Atlas (FLUA)] (page 17 of 234), is hereby**  
27 **amended as follows:**

28  
29 Reason for Amendment: [Zoning] Implement concurrent amendment to the Future Land Use Element  
30 (FLUE) of the Comprehensive Plan, which will allow for limited use of the Special Agriculture (SA) future  
31 land use (FLU) designation in the Glades Tier, to allow for a Equestrian Waste Recycling Pilot Project.

### ARTICLE 3 OVERLAYS & ZONING DISTRICTS

#### CHAPTER A GENERAL

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

###### B. Standard Districts

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

34 The following list of exceptions shall be permitted:

35 **....**

36  
37 g. The AP District is consistent with the LR-1 designation in the Glades Tier only for legal  
38 lots of records located north of Pahokee, on the east side of US 441, for the  
39 unincorporated community of Canal Point. **[Ord. 2011-016]**

40 **h. The AP District is consistent with the Special Agriculture (SA) FLU designation where**  
41 **necessary to accommodate an Equestrian Waste Management Facility.**

42 **[Renumber accordingly]**

43  
44  
45 **Part 4. ULDC Art. (page 127 of 234), is hereby amended as follows:**

46  
Reason for Amendment: [Zoning] Recognize that concurrent amendments to the FLUE of the Plan to  
allow for limited use of the Special Agriculture (SA) future land use designation in the Glades Tier with the  
Agriculture Production (AP) Zoning district, necessitates an increase in permitted Building Coverage.  
Whereas, the maximum 10% Building Coverage in the AP district corresponds to the maximum 0.10 FAR  
permitted for the AP FLU designation, the SA FLU designation allows for a maximum 0.15 FAR, and  
there is no need to encourage vertical development for agricultural support uses, which tend to be one-

#### Notes:

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# EXHIBIT F

## EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 10/21/16)

story as a matter of function. Hence, the Building Coverage needs to be increased to allow for a reasonable use of the greater FAR afforded to the SA FLU designation.

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

Zoning District	Min Lot Dimensions			Density (6)		Max FAR (7)	Max Building Coverage	Min Setbacks (12)			
	Size	Width and Frontage	Depth	Min	Max			Front	Side	Side Street	Rear
<b>Agriculture/Conservation</b>											
....	....	....	....	....	....	....	....	....	....	....	....
AP	10 ac.	300	300	-	(1)	....	10% (14)	100	50	80	100
....	....	....	....	....	....	....	....	....	....	....	....
[Ord. 2005 – 002] [Ord. 2005-041] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2012-027]											
<b>Notes:</b>											
....											
14. <span style="color: red;">Maximum Building Coverage in the AP district with a SA FLU designation may be increased to 15 percent.</span>											

**Part 5. ULDC Art. 4.B.5.C, Definitions and Supplemental Standards for Specific Uses [Related to new Art. 4.B.5, Industrial Uses], is hereby amended as follows:**

**Reason for Amendments:** [Zoning]

1. Establish definition to clarify scope of use, including but not limited to:
  - References to reuse or “limited processing” is included for consistency with standards for “Recovered Materials Processing Facilities” established under F.S. 403.703 and the definition for processing under 403.703(23) which clarifies methods for processing solid waste “...so as to render it safe for transport; amenable to recovery, storage or recycling; safe for disposal; or reduced in volume or concentration.” Note, the intent of this amendment is to establish consistency with the aforementioned regulatory standards, regardless of whether or not equestrian waste may or may not be defined by the State as solid waste. Thus, “limited processing” would not allow for intensive Manufacturing and Processing, unless approved as a collocated use, or where specifically stated as permitted otherwise under standards for Accessory Uses for Equestrian Waste Management Facilities.
  - Additional collocated uses such as Composting, Manufacturing and Processing, Potting Soil Manufacturing, etc. would only be permitted where otherwise allowed in the applicable district, or where otherwise stated herein. While most of the uses anticipated to be inter-related with the new Equestrian Waste Management Facility may be permitted in Industrial districts, Manufacturing and Processing is not permitted in the AP district, nor does the Comprehensive Plan amendment anticipate that it should be. However, there may be a need to recognize a limited form of manufacturing to recognize that the preparation of recycling horse bedding may require the incorporation of new bedding material to supplement the more refined recycled material. In addition, there may be other forms of limited manufacturing from Equestrian Waste, consistent with the intent of a recycling facility, such as the production of usable products such as artificial fire place logs (aka pine logs). Subsequently, provisions to allow for limited manufacturing have been included under provisions allowing for Accessory Uses.
2. Establish Approval Process standard to implement the concurrent Comprehensive Plan amendment which will allow for limited use of the Special Agriculture (SA) future land use (FLU) designation in the Glades Tier, to allow for a Equestrian Waste Recycling Pilot Project.
3. Require compliance with previously established requirements for the storage of Animal Waste, which serves to mitigate surface and groundwater contamination resulting from improperly stored or handled organic waste. Prohibit outdoor storage and processing areas within the U/S Tier to mitigate adverse impacts to adjacent uses.
4. Recognize need for similar application standards used for management of Composting facilities, including requirement to delineate how the site will function by specifying storage and processing areas, waste volume, and a dust control plan. In addition, expand to require an odor and pest management plan, given the potential for objectionable odors and nuisances such as flies or other pests.

**CHAPTER B SUPPLEMENTAL USE STANDARDS**

**Section 1 Uses**

**A. Definitions and Supplementary Use Standards**

17. Equestrian Waste Management Facility

**Notes:**

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## EXHIBIT F

# EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 10/21/16)

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- a. **Definition**  
An establishment used for the recovery or transshipment of equestrian waste, provided used bedding is limited to organic materials, such as wood shavings, chips or sawdust, straw or hay, peat moss, or paper limited to newspapers, but excluding plastics, textiles or sand. Recovery may include collection, separation or sorting, or limited processing necessary to reduce volume, render materials safe for transport, storage or disposal, or the cleaning and packaging of materials for reuse.
  - b. **Typical Uses**  
Typical uses include the recycling of organic bedding materials for reuse, and facilities used to accommodate the transfer of equestrian manure or bedding from smaller vehicles used for collection to larger vehicles for transshipment.
  - c. **Approval Process - AP Zoning District with SA FLU Designation**  
An Equestrian Waste Management Facility, excluding transshipment uses, may be allowed in the AP Zoning district with an SA FLU designation, subject to BCC approval as a Class A Conditional Use.
  - d. **Location**  
Shall have frontage and access from an Arterial or Collector street. Access from Residential Streets shall be prohibited.
  - e. **Landscaping Adjacent to Residential**  
The Landscape Buffer for any Equestrian Waste Management Facility located within 250 feet of a parcel with a residential use or FLU designation, shall be upgraded to a minimum of 30 feet in width, a two foot berm, and double the number of required trees, planted in two staggered rows. Where outdoor activities are permitted within this distance but an Incompatibility Buffer is not required, the buffer shall also be upgraded to include a minimum six foot hedge, fence or wall.
  - f. **Accessory Use**  
Limited manufacturing may be permitted as an accessory use to an Equestrian Waste Management Facility, where limited to supplementing recycling horse bedding with a maximum of 30 percent new material, or for the production of other useful products comprised of Equestrian Waste.
  - g. **Storage**
    - 1) **Best Management Practices**  
All storage areas, including the temporary or overnight parking of loaded trucks or trailers, and any outdoor waste processing areas, shall comply with Art. 5.J.3.A, Storage [Related to Storage or Spreading of Livestock Waste].
    - 2) **U/S Tier**  
Outdoor storage shall be prohibited in the U/S Tier.
    - 3) **Outdoor Storage**  
Where permitted, the pile height of equestrian waste shall not exceed 12 feet, and bollards shall be provided to delineate pile locations and height, tied to a finished grade location designated on site.
  - h. **Application Requirements – Operation Functions**  
An application for an Equestrian Waste Management Facility shall include a Justification Statement and supporting documentation demonstrating acceptable industry design, configuration and operational standards, including but not limited to:
    - 1) **Site Plan**  
The Plan shall illustrate how the operation functions, including circulation routes, and the location and size of loading and processing areas, and storage piles.
    - 2) **Waste Volume**  
An explanation of the quantity of waste to be received, expressed in cubic yards per day or tons per day.
    - 3) **Dust Control Program**  
A program to address how dust generated from traffic, storage and processing areas will be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.
    - 4) **Odor and Pest Control Program**  
A program to address how odors and pests resulting from any vehicles transporting waste, or storage and processing areas will be managed pursuant to Art. 5.E.4.D.4, Objectionable Odors.

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# EXHIBIT G

## DEFINITION FOR ADDITION SUMMARY OF AMENDMENTS

(Updated 10/19/2016)

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

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

4 **CHAPTER I DEFINITIONS & ACRONYMS**

5 **Section 2 Definitions**

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

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

10 ~~1920.~~ **Addition** ~~(to an existing structure) – for the purposes of Art. 18, (to an existing building)~~  
11 means any walled and roofed expansion to the perimeter of a building ~~in~~ which ~~the addition~~ is  
12 connected ~~by~~ to a common load-bearing wall, pursuant to the Florida Building Code, other  
13 than a firewall. Any walled and roofed expansion, which is connected by a firewall or is  
14 separated by independent perimeter load-bearing walls, is new construction, not an addition.  
15 **[Ord. 2004-013]**  
16

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# EXHIBIT H

## ADMINISTRATIVE INQUIRY SUMMARY OF AMENDMENTS

(Updated 10/20/16)

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

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

5 **CHAPTER I DEFINITIONS & ACRONYMS**

6 **Section 2 Definitions**

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

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

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

16 **CHAPTER A GENERAL**

17 **Section 1 Applicability**

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

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

Process	Newspaper Publication	Courtesy Notice	Signs
Development Order Abandonment (ABN) (1)	Yes	N/A	N/A
Corrective Resolution	Yes	N/A	N/A
Type 1B Variance	N/A (2)	Yes	Yes
Type II Variance	Yes	Yes	Yes
Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)	Yes	Yes	Yes
<u>Administrative Inquiry (3)</u>	<u>N/A</u>	<u>Yes</u>	<u>N/A</u>
<b>[Ord. 2015-031]</b>			
<b>Notes:</b>			
1. Applies to Administrative and Public Hearing Abandonments, excluding: Development Orders advertised and abandoned simultaneously as part of a subsequent Development Order; and, Development Orders advertised and reviewed for revocation pursuant to Art. 2.E, Monitoring.			
2. Reasonable notice shall be required in compliance with F.S. 286.011.			
3. <u>Only applicable to parcels with a legal description.</u>			

- 24  
25 **2. Newspaper Publication**  
26 Notice shall be published in a newspaper of general circulation in PBC in accordance with  
27 F.S. §125.66. [Ord. 2011-016] [Ord. 2015-031]  
28 **3. Courtesy Notice**  
29 **a. Applicability and Mailing Boundary**  
30 Courtesy notices shall be mailed to all property owners, interested parties or other  
31 entities identified in Table 2.A.1.J, Courtesy Notice Requirements. [Ord. 2006-036] [Ord.  
32 2008-003] [Ord. 2011-016] [Ord. 2015-031]  
33

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**EXHIBIT H**

**ADMINISTRATIVE INQUIRY  
SUMMARY OF AMENDMENTS**

**(Updated 10/20/16)**

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

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

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**b. Notice Content**

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

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

**c. Failure to Receive Courtesy Notice**

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

....

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

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

**CHAPTER D ADMINISTRATIVE PROCESS**

**Section 4 Administrative Inquiry (AI)**

**C. Procedures**

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

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**Notes:**

Underlined indicates new text.

~~Stricken~~ indicates text to be deleted. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to: ]**.

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

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