

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)
MAY 27, 2015 MEETING

AMENDMENTS TO THE AGENDA
(Updated 5/26/15)

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#1	Exhibit B, Community Gardens, Part 1, Page 6 of 31, Line 10
Reason for Amendment: Use title is not being amended at this time, will remain "Community Vegetable Garden" pending review as part of the Use Regulations Project.	

#2	Exhibit B, Community Gardens, Part 2, Page 7 of 31, Line 2
Reason for Amendment: Correct reference to match table to be amended.	

Part 3. ULDC Table [2.D.6.B, Summary of Type I Waivers](#) ~~3.E.1.B, PDD Use Matrix~~ (page 46 of 87), is hereby amended as follows:

#3	Exhibit C, PUD Electronic Message Signs, Part 1, Page 9 of 31, line 4, and Page 11 of 31, lines 30 - 33.
Reason for Amendment: Incorrect F.S. cited in Reason for Amendment, and statute is not required in proposed Code language as it was being cited to substantiate one of the possible uses or needs for these types of signs.	

Reason for amendments: [January 29, 2015 BCC direction to initiate in Amendment Round 2015-01]	
1. To allow for Electronic Message Signs within residential Planned Unit Developments (PUD) to allow a Property Owner Association (POA) to provide notice to residents of upcoming meetings, activities and events. F.S. 720.303 748.442 requires that property owner associations provide advance notice to residents of all board meetings, the most common of which is posting "...in a conspicuous place in the community at least 48 hours in advance of a meeting..." Electronic message signs within larger communities will help to mitigate the unsightly use of printed or handmade signs placed in medians or other similar streetscape locations.	

b. PUD Informational Sign
Signs that are owned and maintained by a Property Owner Association (POA) to provide notice to residents of upcoming events in accordance with F.S. 718.112, as may be amended, may be allowed within a PUD, subject to the following:

#4	Exhibit E, Zero Lot Line Fences and Walls, Part 1, Page 22 of 31, Line 14
Reason for Amendment: Correct reference to HOA, to read POA as previously read into record at March LDRAB meeting.	

roof easement, written permission from ~~the POA HOA~~ all easement beneficiaries will be

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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.



May 21, 2015

**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



**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Robert Weisman

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

RE: May 27, 2015 LDRAB/LDRC 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, May 27, 2015.

The meeting will commence at **2:00 p.m.** in the Vista Center 1st 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, or Monica Cantor,
Senior Site Planner at (561) 233-5205, or via email at MCantor@pbcgov.org.

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: May 27, 2015 LDRAB/LDRC 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, Deputy Director, Zoning
- Monica Cantor, Senior Site Planner, Zoning

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PALM BEACH COUNTY

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

MAY 27, 2015

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)

Vacant (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)

Jerome I. Baumoehl (American Institute of Architects)

Tommy B. Strowd (Environmental Organization)

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

Gary Rayman (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

Shelley Vana, Mayor, District 3

Mary Lou Berger, Vice Mayor, District 5

Hal R. Valeche
Commissioner, District 1

Paulette Burdick
Commissioner, District 2

Steven L. Abrams,
Commissioner, District 4

Melissa McKinlay
Commissioner, District 6

Priscilla A. Taylor
Commissioner, District 7

Robert Weisman
County Administrator



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



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

**WEDNESDAY, MAY 27, 2015 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.**

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Recognition of Former Board Member Mike Zimmerman
3. Additions, Substitutions and Deletions
4. Motion to Adopt Agenda
5. Adoption of April 22, 2015 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B Community Gardens
2. Exhibit C PUD Electronic Message Signs
3. Exhibit D Westgate Community Development Overlay (WCRAO)

C. CONVENE AS LDRC

1. Proof of Publication
2. Consistency Determinations
 - a. See Exhibits listed above B.1 thru B.3
 - b. Previously presented at March 25 and April 22 LDRAB meetings:
 - 1) Exhibit E – Zero Lot Line Home Fences and Walls
 - 2) Exhibit F – Type II Kennels, Standards for Outdoor Runs
 - 3) Exhibit G – PDD Thresholds
 - 4) Exhibit H – Art. 2.A.1.J, Notification
 - 5) Exhibit I – Loading Area Screening
 - 6) Exhibit J – Recreation Buffers within PDDs and Subdivisions

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

F. STAFF COMMENTS

1. Landscape Subcommittee: 2015-02 Topics and Membership/Attendance
2. June 22, 2015 LDRAB/LDRC Special Meeting
3. Use Regulations Project Status

G. ADJOURN

EXHIBIT A

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

Minutes of April 22, 2015 Meeting

On Wednesday, April 22, 2015 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

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

Members Present: 15

Wesley Blackman (PBC Planning Congress)
Michael J. Peragine (District 1)*
David Carpenter (District 2)
Barbara Katz (District 3)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Daniel J. Walesky (Gold Coast Build. Assoc.)*
Joni Brinkman (League of Cities)
Frank Gulisano (PBC Board of Realtors)
Terrence Bailey (Florida Eng. Society)
Jerome Baumoehl (American Inst. of Architects)
Tommy B. Strowd (Environmental Org.)
Gary Rayman (Fl. Surveying & Mapping Soc.)
Leo Plevy (Member at Large, Alt.)
James Brake (Member At Large, Alt.)

Members Absent: 1

Henry Studstill (District 7)

Vacancies: 2

(District 6)
(Assoc. General Contractors of America)

County Staff Present

Lenny Berger, Chief Assistant County Attorney
John Rupertus, Senior Planner, Planning
William Cross, AICP, Principal Site Planner, Zoning
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Cross advised that the text on lines 22 and 23 on page 11 of Exhibit D should be shown as underlined.

3. Motion to Adopt Agenda

Motion to adopt the agenda by Ms. Katz, seconded by Mr. Carpenter. Motion passed 13 - 0*.

4. Adoption of March 25, 2015 Minutes (Exhibit A)

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed 13 - 0*.

C. ULDC AMENDMENTS

1. Exhibit B – MUPD Thresholds

Mr. Cross provided a general overview of the history of Planned Development District (PDD) thresholds, including the minimum thresholds commonly referred to as “want to be” and those included in Table 4.A.4.A, Thresholds for Projects Requiring BCC Approval, which is commonly referred to as “have to be.” He advised that the proposed amendment expands options and improves flexibility for developers of commercial projects by deleting the minimum square footage thresholds for the Multiple Use Planned Development (MUPD) and Mixed Use Planned Development (MXPD) districts. Developments in these zoning districts are still required to comply with minimum property development regulations and other PDD standards.

Mr. Knight questioned the minimum acreage requirement, and Mr. Cross replied that this was in fact under discussion, but was not being amended at this time until further analysis could be completed.

* Michael Peragine and Daniel Walesky arrived at 2:10 p.m.

Replying to Mr. Blackman's question on the need to keep MXPD in the Code, Mr. Cross advised that this had tentatively been anticipated to be reviewed after the completion of the Use Regulations Project.

Motion to adopt by Mr. Carpenter, seconded by Mr. Gulisano. Motion passed 15 – 0.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

Minutes of April 22, 2015 Meeting

2. Exhibit C – Article 2.A.1.J, Notification

Mr. Cross explained that the amendment is to codify what is already being practiced, namely, the required newspaper publication of Development Order Abandonments and corrective Resolutions. The amendment clarifies the applicable notification for each of the review processes.

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed 15 – 0.

3. Exhibit D – Loading Area Screening

Mr. Cross clarified that the amendment deletes the requirement for covered loading areas, originally intended for instances where two or more loading spaces are located within 100 ft. of a Residential Future Land Use (FLU) designation, zoning district or use. The amendment also allows a Type II Waiver for increasing the minimum wall height or using landscape screening within a residential incompatibility buffer, when exceeding the eight feet high limit is necessary.

A discussion followed:

- Mr. Brake questioned whether the decreased buffering would impact nuisances, such as noise and Mr. Cross explained why it would not.
- Mr. Gulisano expressed safety concerns about the high wall around the perimeter. Mr. Cross pointed out the likelihood that property owners and POAs would appreciate the security and privacy benefits the wall would provide.
- Ms. Brinkman referred to Line 28, as relates to foundation planting, and questioned whether the Type II Waiver option should be applicable to a Right-of-Way (R.O.W) buffer. Mr. Cross concurred that this was what was likely intended, but advised that he would have to confirm with others before amending. He stated that this would be amended prior to LDRC if there were no staff issue, or that he would otherwise bring it back to the Board in May if further clarification is needed.

Ms. Brinkman expressed the opinion that the amendment offers flexibility, is a good alternative, and has money-saving potential.

Motion to adopt by Ms. Brinkman with the following changes:

- underline lines 22 and 23 (as noted earlier under Additions, Substitutions and Deletions); and,
- staff to consider inclusion of R.O.W buffer in the waiver allowance.

Motion seconded by Mr. Brake. Motion passed 15 – 0.

4. Exhibit E – Recreation Buffers within Planned Development Districts (PDDs) and Subdivisions

Mr. Cross explained:

- The amendment allows relief from incompatibility buffers typically required in between residential and recreational uses in instances where the design integrates both uses.
- PPM #ZO-O-058 currently clarifies that unless there is a minimum open space area of 100 feet in width between uses, approval of a Type II variance is needed to delete the required buffer.
- The standards for a Type I Waiver are being expanded to include this provision.
- The amendment will supersede the PPM, streamline the approval process and reduce cost and staff time.

Motion to adopt by Mr. Gulisano, seconded by Mr. Carpenter. Motion passed 15 – 0.

D. PUBLIC COMMENTS

There were no public comments.

E. STAFF COMMENTS

Mr. Cross provided the following updates:

- After having a vacant seat for the past few years, the Associated General Contractors of America have indicated that they have a potential nominee.
- Items to be presented at the next LDRAB meeting include electronic signs, the Glades Area Overlay, and Community Gardens in Planned Unit Developments.

EXHIBIT B
COMMUNITY GARDENS
SUMMARY OF AMENDMENTS
(Updated 5/15/15)

1
2 **Part 1. ULDC Table 3.E.1.B, PDD Use Matrix (page 148 of 234), is hereby amended as follows:**
3

Reason for amendments: [Zoning] Recognize the resurging farm to table (aka agrihood) movement, which typically include neighborhood amenities such as Community Vegetable Gardens. The use is allowed within Traditional Town Developments and standard subdivisions and omission from Planned Unit Developments is likely a scrivener's error. This revision will facilitate a request to allow for this use as part of a recently approved PUD development.

Note that subsequent amendments to allow within Civic, Recreational and Residential pods of a PUD, and Agricultural Reserve preserve pods, will be addressed separately as part of the Use Regulations Project, and as part of recent BCC direction to address uses within the Agricultural Reserve.

4
Table 3.E.1.B - PDD Use Matrix Continued

Use Type	PUD					MUPD							MXPD		PIPD			LCC		NOTE	
	Pods					FLU							FLU		Use Zone			FLU			
	R	C	R	C	A	C	C	C	C	C	I	E	I	C	C	I	C	I	M		R
E	O	E	I	G	L	H	L	H	R	N	D	N	H	H	N	O	N	H	V	L	H
S	M	C	V	R			O	O		D	C	S		O	D	M	D	P	P		
				/							T			/	/		D	D			
				P										L	G						
Agricultural Uses																					
....																					
Community Vegetable Garden				<u>D</u>																	
....																					
[Ord. 2005-002] [Ord. 2006-036] [Ord. 2008-037] [Ord. 2009-040] [Ord. 2010-005] [Ord. 2012-027] [Ord. 2014-025]																					
Notes:																					
P Permitted by right																					
D Permitted subject to approval by the DRO																					
S Permitted in the district only if approved by Special Permit																					
R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use.																					

5
6
7 **Part 2. ULDC Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements (pages 8**
8 **and 11 of 39), is hereby amended as follows:**
9

Reason for amendments: [Zoning] Allow for administrative waiver from parking requirements for Community Vegetable Gardens, which are intended to serve surrounding residents, by submittal of a parking demand study, which may include factors such as: the use is located within walking distance of residents and there are alternative parking options for the disabled or others who may need to drive.

10
Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements - Cont'd

Use Type: Agriculture	Parking	Loading (1)
....		
Community vegetable garden	4 spaces per garden <u>(10)</u>	N/A
....		
[Ord. 2006-004] [Ord. 2006-036] [Ord. 2012-027]		
Loading Key:		
....		
Notes:		
....		
10. <u>Parking may not be required for a Community Vegetable Garden subject to submittal of parking demand study and approval of a Type I Waiver.</u>		

11
12
13
This space intentionally left blank.

- 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:**].
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EXHIBIT B
COMMUNITY GARDENS
SUMMARY OF AMENDMENTS
(Updated 5/15/15)

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Part 3. ULDC Table 3.E.1.B, PDD Use Matrix (page 46 of 87), is hereby amended as follows:

Reason for amendments: [Zoning] See Part 2 above.

Table 2.D.6.B - Summary of Type I Waivers

Type I Waiver Summary List
....
<u>Required parking for Community Vegetable Garden</u>
[Ord. 2012-027] [Ord. 2014-025]

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EXHIBIT C

PLANNED UNIT DEVELOPMENT (PUD) ELECTRONIC MESSAGE SIGNS SUMMARY OF AMENDMENTS (Updated 5-21-15)

1
2 Part 1. ULDC Art. 8.G.3.B, Electronic Message Signs (pages 30 – 32 of 41), is hereby amended
3 as follows:
4

Reason for amendments: [January 29, 2015 BCC direction to initiate in Amendment Round 2015-01]
1. To allow for Electronic Message Signs within residential Planned Unit Developments (PUD) to allow a Property Owner Association (POA) to provide notice to residents of upcoming meetings, activities and events. F.S. 718.112 requires that property owner associations provide advance notice to residents of all board meetings, the most common of which is posting “...in a conspicuous place in the community at least 48 hours in advance of a meeting...” Electronic message signs within larger communities will help to mitigate the unsightly use of printed or handmade signs placed in medians or other similar streetscape locations.
2. Expansion of different electronic sign types necessitates establishing a table to classify different types of signs, and approval processes to improve ease of use.
3. Clarify size limits for time and temperature signs to be consistent with existing limits stated in Figure 8.G.3.B – Typical Example of Time and Temperature Electronic Sign.
4. Delete limits on fuel prices as maximum sign face area limits combined with the County Fuel Price Ordinance requirement to list all grades mitigates potential for unnecessarily large numbers.

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: ~~be allowed at regional facilities,~~
10 ~~facilities with serial performances, and, specialized attractions that, by their operating~~
11 ~~characteristics, have unique sign requirements; or, for time and temperature, and fuel price~~
12 ~~signage. These signs shall be subject to Class A Conditional Use or Requested Use approval~~
13 ~~unless exempt under Article 8.B, EXEMPTIONS, or stated otherwise below. [Ord. 2010-022]~~
14 **[Ord. 2014-025] [Partially relocated to new Table 8.G.3.B below]**

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

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

16 **21. Prohibited Elements**

- 17
- 18 a. Electronic message signs in windows and externally visible; **[Ord. 2014-025]**
- 19 b. Message units that change copy, light, color, intensity, words or graphics more than once
- 20 per eight seconds. Any change in message shall be completed instantaneously. There
- 21 shall be no special effects in-between messages; **[Ord. 2014-025]**
- 22 c. Reflectorized lamps; ~~and~~
- 23 d. Lamps, light-emitting diodes or bulbs in excess of the amount and intensity of light
- 24 generated by a 30 watt incandescent lamp or 300 lumens, whichever is less; ~~and~~, **[Ord.**
- 25 **2014-025]**
- 26 e. The message shall be static. There shall be no animation, flashing, scintillating lighting,
- 27 movement, or ~~the~~ varying of light intensity during the message. Messages shall not scroll
- 28 or give the appearance of ~~optical optional~~ illusion or movement. **[Ord. 2014-025]**

29 **32. General Standards**

- 30 Electronic message signs are subject to ~~the height standards for freestanding signs in Table~~
31 ~~8.G.2.A, Freestanding Signs: Maximum Heights, and~~ the following: **[Ord. 2014-025]**
- 32 a. Each sign shall have a light sensing device that automatically adjusts brightness as
- 33 ambient light conditions change in order to ensure that the message meets the standard
- 34 for maximum brightness; **[Ord. 2014-025]**
- 35 b. The maximum brightness shall be 0.2 foot candles above ambient light measured 150
- 36 feet perpendicular from the sign face area from a height of six feet. No sign shall display
- 37 light of such intensity to cause glare or otherwise impair the vision of a driver, or

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EXHIBIT C

PLANNED UNIT DEVELOPMENT (PUD) ELECTRONIC MESSAGE SIGNS SUMMARY OF AMENDMENTS (Updated 5-21-15)

- interferes with the effectiveness of an official traffic sign, signal or device; [Ord. 2014-025]
- c. The sign shall be equipped with a default mechanism or setting that will cause the sign to turn off or show a full black or similar image if a visible malfunction or failure occurs; and. [Ord. 2014-025]
- d. Each message shall be monochromatic. Separate messages may have different colors; [Ord. 2014-025]
- ~~e. The maximum sign face area and minimum setbacks for an electronic message sign shall be per Table 8.G.3.B, Electronic Message Sign Face Area and Setbacks. [Ord. 2014-025] [Partially relocated to new Standards for Type I Message Signs below]~~

4. Standards for Type I Electronic Message Signs

a. Height, Sign Face Area and Setbacks

Type I electronic message signs are subject to the height standards for freestanding signs in Table 8.G.2.A, Freestanding Signs: Maximum Height, and the following: [Partially relocated from existing Art. 8.G.3.B.2, Standards above]

Table 8.G.3.B – Type I Electronic Message Sign Face Area and Setbacks

Maximum Sign Area	50 percent of allowable freestanding sign area (Table 8.G.2.A, Freestanding Sign Standards)
Minimum Setback: Front	15 feet
Minimum Setback: Side and Rear	30 feet
Minimum Setback: Side Street	50 feet
[Ord. 2014-025]	

b3. Location

~~An A Type I~~ A Type I electronic message sign may be located in the following areas and subject to the following provisions: [Ord. 2014-025]

- 1) ~~a.~~ In a CG, CRE, PO, or IL zoning district or in a non-residential planned development.
- 2) ~~b.~~ Shall not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use. [Ord. 2014-025]
- 3) ~~c.~~ Adjacent to roadways classified as arterials or expressways, and a minimum of 1,000 feet from any signalized intersection or existing electronic message signs; [Ord. 2014-025]
- 4) ~~d.~~ No more than one electronic message sign shall be permitted per project; and, [Ord. 2014-025]
- 5) ~~e.~~ Electronic Type I electronic message signs are prohibited in the WCRAO. [2006-004] [Ord. 2014-025]

c-4. Required Findings

The BCC may approve an application for ~~an a Type I~~ a Type I electronic message sign upon finding that: [Ord. 2014-025]

- 1) ~~a.~~ The sign will not create confusion or a significant distraction to passing motorists;
- 2) ~~b.~~ The sign is of the same architectural character as the building's principal use;
- 3) ~~c.~~ The sign will not be a nuisance to occupants of adjacent and surrounding properties; and
- 4) ~~d.~~ The sign is accessory to a use regional in scale and attraction that, by its nature, demonstrates a unique need to communicate more information than is ordinarily needed for a business or attraction.

d5. Conditions of Approval

In reviewing an application for ~~an a Type I~~ a Type I electronic message sign, the BCC may impose conditions to assure the sign is compatible with and minimizes adverse impacts on the area surrounding the proposed sign. [Ord. 2014-025]

~~6. Submittal Requirements~~

~~All building permit applications that include electronic message signs shall include the following: [Ord. 2014-025]~~

- ~~a. Manufacturer's cut sheets that provide a description of all devices and compliance with the prohibited elements and standards listed above; and, [Ord. 2014-025]~~
- ~~b. A Certificate of Compliance signed and sealed by a licensed engineer, architect or landscape architect. [Ord. 2014-025] [Relocated to new Building Requirements below]~~

57. Standards for Type II Electronic Message Signs Approval Process Exceptions

a. Non-residential Zoning Districts

The following signs ~~shall not be subject to the Required Findings above and~~ may be approved administratively, ~~where~~ located in a freestanding or outparcel identification sign ~~and in~~ non-residential Zoning districts, including the Commercial Pod of a PUD, ~~but shall~~

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EXHIBIT C

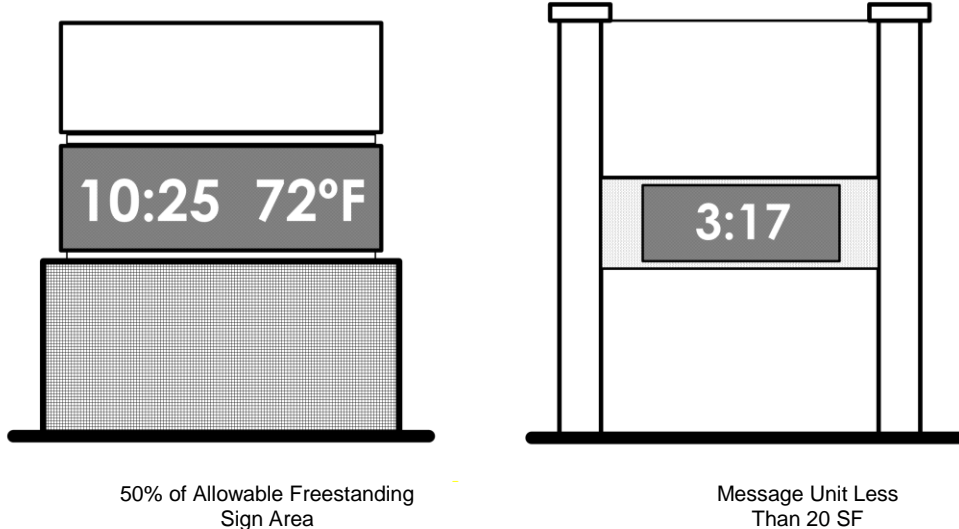
PLANNED UNIT DEVELOPMENT (PUD) ELECTRONIC MESSAGE SIGNS SUMMARY OF AMENDMENTS (Updated 5-21-15)

not be located within 100 feet of a residential zoning district, undeveloped property with a residential FLU designation, or residential use. [Ord. 2014-025]

1)a. Time and Temperature – ~~Building Permit Approval~~

Signs that only display time or temperature ~~may be approved subject to issuance of a building permit, and~~ where the message unit is 50 percent of the sign face area, not to exceed ~~more less~~ than 20 square feet in sign face area, ~~whichever is less~~; [Ord. 2014-025] [Partially relocated to new Table 8.G.3.B, Electronic Message Sign Types and Approval Process.]

Figure 8.G.3.B – Typical Example of Time and Temperature Electronic Sign



[Ord. 2014-025]

2)b. Fuel Prices ~~Price Signage – DRO Approval~~

Signs that only display fuel prices ~~may be approved by the DRO~~, subject to the following: [Ord. 2014-025] [Partially relocated to new Table 8.G.3.B, Electronic Message Sign Types and Approval Process.]

a1) Compliance with the County Fuel Price Posting Ordinance (Ord. 2014-005, as may be amended); ~~and~~. [Ord. 2014-025]

b2) Only displays words for cash or credit, ~~and~~ fuel grades, and numerals for fuel prices; ~~and~~. [Ord. 2014-025]

3) ~~Words or numerals shall not be greater than 12 inches in height, but may be increased to 18 inches in height for signs fronting on an Arterial or Collector where separated by a canal R-O-W of 80-foot in width or greater. [Ord. 2014-025]~~

c. Exemptions

~~Time and temperature, and fuel price signage shall be exempt from the following: [Ord. 2014-025]~~

1) ~~Minimum setbacks of Table 8.G.3.B, Electronic Message Sign Face Area and Setbacks; and~~

2) ~~Art. 8.G.3.B.3, Location, except for Art. 8.G.3.B.3.b, which requires a minimum setback from residential. [Ord. 2014-025]~~

b. PUD Informational Sign

~~Signs that are owned and maintained by a Property Owner Association (POA) to provide notice to residents of upcoming events in accordance with F.S. 718.112, as may be amended, may be allowed within a PUD, subject to the following:~~

1) ~~Freestanding signs shall be monument style only with a maximum height of six feet;~~

2) ~~Maximum sign face area per side: 24 square feet;~~

3) ~~Shall not be located within 100 feet of any residential structure or lot line;~~

4) ~~Shall not be visible from outside of the PUD, including any public roadways that bisect the development; and,~~

5) ~~Shall not advertise any information, services or activities relating to any product or commercial activity external to the development.~~

6. Building Permit Requirements

All building permit applications that include electronic message signs shall include the following: [Ord. 2014-025]

Notes:

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EXHIBIT C

PLANNED UNIT DEVELOPMENT (PUD) ELECTRONIC MESSAGE SIGNS SUMMARY OF AMENDMENTS

(Updated 5-21-15)

- 1 a. *Manufacturer's cut sheets that provide a description of all devices and compliance with*
2 *the Prohibited Elements and General Standards listed above; and, [Ord. 2014-025]*
3 b. *A Certificate of Compliance signed and sealed by a licensed engineer, architect or*
4 *landscape architect. [Ord. 2014-025] [Relocated from deleted Submittal*
5 *Requirements above]*
6
7

8 **Part 2. ULDC Art. 2.D.1.G.1, Modifications to BCC/ZC Approvals (pages 39 – 40 of 87), is**
9 **hereby amended as follows:**
10

Reason for amendments: [Zoning] Clarify that staff may administratively add Type II electronic message signs, primarily as relates to the addition of PUD informational signs.

11 CHAPTER D ADMINISTRATIVE PROCESS

12 Section 1 Development Review Officer (DRO)

13 G. Modifications to Prior Development Orders

14 1. Modifications to BCC/ZC Approvals

15 The DRO shall have the authority to approve modifications to a Development Order approved
16 by the BCC or ZC. An application for an amendment shall be submitted in accordance with
17 Article 2.A.1, Applicability, and reviewed in accordance with the standards in Article 2.D.1.C,
18 Review Procedures. Applications must be submitted on deadlines established on the Zoning
19 Calendar. The authority of the DRO to modify a BCC or ZC approved plan shall be limited to
20 the following: [Ord. 2008-003] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

- 21
22 n. Requests for Type I Waivers; ~~or~~, [Ord. 2011-016] [Ord. 2012-027]
23 o. Requests to modify a Type II Waiver or a Type II Variance when the amendment request
24 is more conforming to Code requirements; ~~or~~, [Ord. 2012-027]
25 p. To add Type II electronic message signs.
26

27
28 **Part 3. ULDC Art. 2.D.1.G.2.b, Agency Review (pages 40 – 41 of 87), is hereby amended as**
29 **follows:**
30

Reason for amendments: [Zoning] Staff have determined that full DRO approval should not be required to accommodate new PUD electronic message center signs; however, it is anticipated that the majority of these signs will be freestanding, and will require review by other agencies to confirm proposed placement will not create traffic hazards, conflict with easements, or other similar.

31 CHAPTER D ADMINISTRATIVE PROCESS

32 Section 1 Development Review Officer (DRO)

33 G. Modifications to Prior Development Orders

34 2. Expedited Administrative Modifications

35 b. Agency Review

36 Agency Review is for applications that require amendment(s) to existing approved
37 plan(s). This type of application requires review, comments, and conditions by a
38 maximum of five DRO Agencies. The DRO shall determine which Agencies are required
39 to review the amendment based upon the request and compliance with County
40 Ordinances. The Zoning Director shall maintain PPM Z0-0-29, Administrative
41 Modifications to Approved Site Plans, outlining a list of minor amendments and
42 establishing items that are exempt from the Expedited Administrative Modifications
43 process. Amendments include the following, provided Art. 2.D.1.G.1, Modifications to
44 BCC/ZC Approvals, requirements are not exceeded: [Ord. 2008-003] [Ord. 2011-001]
45 [Ord. 2014-001] [Ord. 2015-006]

- 46
47 8) Minor modifications to approved architectural elevations provided consistent with
48 previously approved elevations and conditions of approval; ~~and~~, [Ord. 2014-001]
49 9) Proposed or relocated guard houses; ~~and~~, [Ord. 2014-001]
50 10) PUD informational signs.

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EXHIBIT C

PLANNED UNIT DEVELOPMENT (PUD) ELECTRONIC MESSAGE SIGNS SUMMARY OF AMENDMENTS

(Updated 5-21-15)

1 The applicant shall be responsible for obtaining the recommendation of approval and any
2 comments from the affected DRO agencies, in a form and manner established by the
3 Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]
4
5

6 **Part 4. ULDC Art. 2.D.1.G.2.c, Zoning Review (page 41 of 87), is hereby amended as follows:**
7

<p>Reason for amendments: [Zoning] Acknowledge that time and temperature and fuel price signage can only be incorporated into permitted freestanding signage, thus should not require full DRO review when electronic message signs are added to existing or approved freestanding signs.</p>
--

8 **CHAPTER D ADMINISTRATIVE PROCESS**

9 **Section 1 Development Review Officer (DRO)**

10 **G. Modifications to Prior Development Orders**

11 **2. Expedited Administrative Modifications**

12 **c. Zoning Review**

13 Zoning review is for applications that require only Zoning Division approval of: minor
14 corrections to tabular data, additions and amendments to existing approved plans.
15 Amendments include the following: [Ord. 2008-003] [Ord. 2014-001] [Ord. 2015-006]
16

- 17
- 18 6) Temporary sales trailers pursuant to a Special Permit); ~~and~~, [Ord. 2008-003] [Ord.
19 2014-001]
 - 20 7) Other minor structures subject to approval by the DRO; ~~and~~, [Ord. 2008-003] [Ord.
21 2014-001]
 - 22 8) Type II time and temperature or fuel price electronic message signs to approved
23 freestanding signs.

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Notes:

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EXHIBIT D

**WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS**

(5/21/15)

1 **Part 1. ULDC Table 3.B.14.E, WCRAO Mixed Use (page 43 of 234), is hereby amended as**
 2 **follows:**

Reason for amendments: [WCRA] Clarify that non-residential use in the NRM and NG Sub-areas is only allowed within a mixed use development. Stand-alone residential is permitted, as currently indicated by the 100% maximum for residential use; however, new footnote #7 will clarify this.

Table 3.B.14.E - WCRAO Mixed Use

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
Mixed Use (6)	Prohibited	Required (1)(7)	Required (1)(7)	Required (2)(5)	Permitted	Permitted	Prohibited
Minimum Residential Use (4)	N/A	50%	50%	25%	N/A	N/A	N/A
Maximum Residential Use	N/A	100% (7)	100% (7)	75% (3)	N/A	N/A	N/A
Minimum Non-residential Use	N/A	0%	0%	25% (3)	N/A	N/A	N/A
Maximum Non-residential Use (4)	N/A	50%	50%	75%	N/A	N/A	N/A

Notes:

- Non-residential uses on parcels zoned lots with a commercial with underlying residential FLU designation, approved as part of Plan Amendment Round 2005-01, shall only be permitted in accordance with be subject to the requirements of Art. 3.B.14.E.1.a, ~~Required~~ Mixed Use in NRM, NG and NC Sub-areas. **[Ord. 2006-004]**
- Required only on Westgate between Loxahatchee Drive and Wabasso Drive in accordance with Art. 3.B.14.E.1.a, ~~Required~~ Mixed Use in the NRM, NG and NC Sub-areas. **[Ord. 2006-004]**
-
-
- Mixed Use requirement shall not apply to improvements to or rehabilitation of existing structures or the expansion of a nonconforming use, pursuant to Art. 1.F.4.D, Expansion. **[Ord. 2011-001]**
- Stand-alone residential developments are permitted within the NRM and NG Sub-areas.

5
6
7 **Part 2. ULDC Art 3.B.14.E.1.a, WCRAO Mixed Use (page 43 of 234), is hereby amended as**
 8 **follows:**

Reason for amendments: [WCRA] Delete redundant FAR reference.

10 **CHAPTER B OVERLAYS**

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

12 **E. Use Regulations**

13 **1. Mixed Use**

14 **a. ~~Required~~-Mixed Use in NRM, NG, and NC Sub-areas**

15 In the NRM, NG and NC Sub-areas, non-residential uses shall only be permitted if all
 16 permitted residential density is utilized, but in no case shall it be less than one unit.
 17 Density shall be calculated as standard density, or maximum density for PDDs, TDDs,
 18 and projects meeting the requirements of FLUE Policy 2.2.1-e of the Plan, which-ever is
 19 greater. ~~Regardless of mix of uses, non-residential FAR shall not exceed the maximum~~
 20 ~~FAR permitted by the Plan.~~ **[Ord. 2006-004]**

23 **Part 3. ULDC Art. 3.B.14.F.1.a, NRM, NG and NC Side Setback Reduction (page 45 of 234), is**
 24 **hereby amended as follows:**

Reason for amendments: [WCRA] The WCRAO encourages a compact urban development and allows for an optional zero side setback as an incentive for redevelopment. In the NRM and NG Subareas, use of the zero side setback option is limited to a maximum of 25' in height where abutting a parcel with an existing single-family dwelling, to mitigate anticipated impacts of more intense redevelopment within existing residential neighborhoods. However, this limit is redundant as use of the zero side setback option requires consent from the abutting property owner in the form of a requirement to obtain a two foot wide maintenance easement. Therefore, increasing the height from 25' to 35' will not have any adverse impact on properties where consent is granted, while bringing the code into alignment with the desired 3 and 4 story height permitted in these subareas.

26 **CHAPTER B OVERLAYS**

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

28 **F. Property Development Regulations (PDRs)**

29 **1. Sub-area PDRs**

Notes:

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS

(5/21/15)

a. NRM, NG and NC Side Setback Reduction

A building in the NRM, NG and NC sub-areas may be built along the interior side property line with a zero setback, subject to the following ~~for the façade built with a zero setback:~~ [Ord. 2006-004]

- 1) No windows, doors or other openings are permitted. No portion of the building, including roof eaves, gutters and soffits may encroach onto adjacent property. [Ord. 2006-004]
- 2) No form of opening, attachment, or any item or method of construction requiring maintenance other than cleaning and painting when visible, shall be permitted. [Ord. 2006-004]
- 3) A maintenance easement is granted allowing for a minimum of two feet for access to any portion of a structure left exposed and requiring limited maintenance, ~~such as cleaning and painting.~~ [Ord. 2006-004]
- 4) Height shall be limited to ~~two stories and~~ a maximum of 2535 feet for properties in the NRM and NG sub-areas abutting existing single-family uses. ~~Additional height may be permitted subject to the standard setback and any other setback requirements.~~ [Ord. 2006-004] [Ord. 2010-022]

Part 4. ULDC Table 3.B.14.F, WCRAO Sub-area PDRs (page 45 of 234), is hereby amended as follows:

Reason for amendments: [WCRA]
1. Clarify differences between build to lines and setbacks for ease of use, whereas build to lines establish exact building placement and setbacks establish the minimum distance structures must be set back. While redundant to existing definitions, the additional terminology will improve clarification and ease of use.
2. Delete requirement for buildings with multiple street frontages to comply with both build to line and minimum frontage requirements, which may not be feasible in all situations. Alternatively, require buildings be placed at corners where applicable for consistency with other similar codes, and allow use of build to line for increased design flexibility.

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

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
....							
Build to Line/Setbacks:							
Front or Side Street <u>Build to Line</u> (1, 3)(8)	-	Build to Line: -15'	Build to Line: -15'	Build to Line: -10'	Build to Line - C/MU: 10-25'	-	Build to Line - C: 10' - 25'
<u>Minimum Side</u> (1)	-	10' (4)	10' (4)	10' (4)	15'	15'	15'
<u>Minimum Rear</u> (1, 4)	-	25'	25'	25'	25'	25'	25'
Minimum Building Frontage							
<u>Minimum Frontage</u> (1)(9)	-	60%	60%	80%	60%	-	C: 60%
....							
Maximum Height (7)							
<u>Maximum Stories</u> (1)	-	3	4	6	20	10	15
<u>Maximum Height Feet</u> (1, 7)	-	36'	48'	72'	240'	120'	180'
<u>Accessory dwellings Height/Stories</u> <u>Max.</u>	2 stories and 25'			-	-	-	-
....							
[Ord.2006-004] [Ord. 2010-022]							
Key							
-	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						
Notes:							
8. <u>Buildings shall be articulated so that the longest side faces the front build to line. Where a parcel is located at the intersection of two or more streets, at least one building shall be placed at a corner in accordance with Art. 3.B.14.F.2.b.2), and comply with the build to line for both streets.</u>							
9. <u>Minimum frontage shall only apply to the front build to line.</u>							

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS

(5/21/15)

1
2 Part 5. ULDC Art.3.B.14.F.2, Building to Line and Frontages (page 46 of 234), is hereby
3 amended as follows:
4

Reason for amendments: [WCRA]
1. Delete reference to Figure 3.B.14.F, Required Building Orientation, which was originally proposed by the Zoning Division for consistency with the WCRA Master Plan, but was not deemed acceptable to the CRA due to unknown configurations of future development proposals. Replace with new provisions that recognize the WCRA Executive Director's role in coordinating development proposals within the CRA.
2. Clarify that minimum frontage means minimum lot frontage and not building frontage. This provision has always applied to lot frontage and predates the incorporation of building frontage requirements in the WCRAO, which created confusion for some users.

5 **CHAPTER B OVERLAYS**

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

7 **F. Property Development Regulations (PDRs)**

8 **2. Build to Line and Frontages**

9 **....**
10 **b. Minimum Building Frontage**

11 **1) The minimum building frontage shall be in accordance with the requirements**
12 **for each Sub-area and Figure 3.B.14.F, WCRAO Sub-area Building Configurations**
13 **and Lot Placements, ~~and Figure 3.B.14.F, Required Building Orientation~~. The portion**
14 **of the structure required to meet the building frontage shall be located on the build to**
15 **line unless otherwise stated. Frontage requirements may be reduced for lots with no**
16 **rear access to required parking, or to accommodate a drive aisle to the rear of the lot**
17 **and required landscaping. [Ord. 2006-004] [Ord. 2010-022] [Ord. 2011-001]**

18 **2) For parcels with multiple street frontages, the WCRA Executive Director shall**
19 **determine the hierarchy of street frontages after consultation with the PBC Zoning**
20 **Division and Engineering and Public Works Department. In establishing the**
21 **hierarchy of frontages, the WCRA Executive Director will consider the proposed**
22 **building design, orientation, and programming, and other site elements, including but**
23 **not limited to: CPTED practices, landscaping, and streetscape to support a**
24 **pedestrian friendly environment.**

25 **c. Minimum Lot Frontage**
26 **Parcels accommodating single-family dwellings shall have a minimum lot frontage of 50**
27 **feet on a public R-O-W. [Ord. 2008-003]**

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS

(5/21/15)

1
2 Part 6. ULDC Table 3.B.14.F, WCRAO Sub-area Building Configurations and Lot Placements
3 (Continued) (page 49 of 234), is hereby amended as follows:
4

Reason for amendments: [WCRA] Correct scrivener's error for consistency with Table 3.B.14.F, WCRAO Sub-area PDRs, where there is no minimum frontage requirement in the UH Sub-area.

5
6 **Figure 3.B.14.F - WCRAO Sub-area Building Configurations and Lot Placements (Continued)**

Sub-area	Maximum Height, Number of Floors, and Uses by Floor	PDRS - Setbacks, Building Area, and Maximum Building Coverage
<p>....</p> <p style="text-align: center; font-size: 2em;">UH</p>		

....

<p>KEY for allowable usage by floor:*</p> <p>R= Residential O= Office C= Commercial I= Industrial Cv= Civic Rc= Recreational All= R, O, C, I, Cv, Rc</p>	<p>Key for setbacks:</p> <p>f= front setback ss= side setback s= side setback r= Rear Setback ZD= Regulations of Applicable Zoning District</p>	<p> Building coverage</p> <p> Buildable Area</p>
--	--	--

* Use allowed by floor only where permitted by existing zoning district, and the mixed use provisions of Table 3.B.15.E-5, WCRAO Mixed Use.

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

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS

(5/21/15)

1
2 Part 7. ULDC Table 3.B.14.G, WCRAO Supplementary Standards by Sub-area (page 50 of 234),
3 is hereby amended as follows:
4

Reason for amendments: [WCRA] New footnote #9 will help clarify that single-family dwellings are excluded from porch, balconies, and entryways requirements, as specified elsewhere under Art.

5 **CHAPTER B OVERLAYS**

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

7 **G. Supplementary Standards**

8 In addition to the requirements of Art. 5, Supplementary Standards, and Table 3.B.14.G, WCRAO
9 Supplementary Standards by Sub-Area, the following shall apply: **[Ord. 2006-004]**
10

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

Sub-areas	NR	NRM	NG	NC	UG	UH	UI
.....							
Porches, Balconies and Entryways (9)							
Front Setback Maximum Encroachment (8)	8'	6'	6'	-	-	-	-
Min/Max Porch Depth (4)	6'/10'				-	-	-
Min/Max Porch Length (4)	8'/50% of building facade				-	-	-
Min/Max Balcony Depth	3'/3'						
Min/Max Balcony Length	6'/50% total of building facade						
Parking:							
Location of Surface Parking (10)	-	Rear	Rear	Rear	-	-	-
Driveways (5)(10)	-	Rear	Rear	Rear	-	-	-
.....							
Key							
-	Subject to the supplementary standards of the lot's zoning district						
[Ord. 2006-004] [Ord. 2009-040]							
Notes:							
.....							
9.	<u>Single-family dwellings are not required to provide porches, balconies and entryways, but may elect to utilize setback exceptions provided encroachment complies with other applicable maximum dimensions.</u>						
10.	<u>Shall not apply to single-family dwellings.</u>						

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS

(5/21/15)

1
2 **Part 8. ULDC Art. 3.B.14.G.3.c, Fenestration Details – Windows and Doors (page 51 of 234), is**
3 **hereby amended as follows:**
4

Reason for amendments: [WCRA]
1. Reduction in glazing transparency percentage will accommodate typical South Florida industry standard for energy efficient windows such as argon insulated low-emissivity (aka Low-e) windows, which can minimize ultraviolet (causes fading) and infrared (heat energy) light without compromising visible light or transparency. This is consistent with standards for similar codes where the goal is to ensure that required fenestration (e.g. windows and doors) provide views into commercial uses or window displays.
2. Clarify that pedestrian scale is limited to a maximum of twelve feet in height for consistency with Art. 1.C.4.K, Building Transparency, and code provisions for similar forms of development such as Traditional Marketplace Developments (TMDs). This would not pre-empt the use of common sense in providing for fenestration that would allow for pedestrian views into commercial uses or window displays, but would increase flexibility to design professionals.

5 **CHAPTER B OVERLAYS**

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

7 **G. Supplementary Standards**

8 **3. Architectural Guidelines**

9 **c. Fenestration Details - Windows and Doors**

10 All mirrored or reflective glass, sliding glass doors and glass blocks shall be prohibited.
11 Where required, glazing shall have a minimum ~~85~~ 70 percent transparency. A minimum
12 of six square feet of glazing per linear foot of façade shall be provided at a pedestrian
13 scale, on the first floor frontage or side street frontage. For the purpose of applying
14 minimum fenestration required, the first floor shall be considered the area located up to a
15 maximum of 12 feet above finished grade. Window or door frames and mullions shall be
16 allowed to be included in the calculation. [Ord. 2006-004] [Ord. 2010-022]
17

18
19 **Part 9. ULDC Art. 4.B.1.A.64-2, Permanent Greenmarket (page 57 of 171), is hereby amended**
20 **as follows:**
21

Reason for amendments: [WCRA] The lots in the WCRAO are 25 foot wide lots which were platted in the 1920's. The ULDC has acknowledged this and made accommodations for this in other property development regulations.
The CRA has a .9 acre parcel of land that was "donated" or sold well below market rate value. The previous owner expressed the desire for the land to be used for a community or public benefit. In an effort to provide more place-making opportunities in the community, a community garden and future permanent greenmarket is planned for this parcel. The community garden and permanent greenmarket will supply and supplement the CRA's award-mobile Greenmarket Express. The Greenmarket Express was created to address the USDA's designation of the Westgate community as a "food desert," an area with little or no access to a store that offers fresh produce, whole grains and milk within one mile.

22 **CHAPTER B SUPPLEMENTARY USE STANDARDS**

23 **Section 1 Uses**

24 **A. Definitions and Supplementary Standards for Specific Uses**

25 **64-2.Green Market, Permanent**

26 An area permanently designated on a Preliminary or Final Site Plan providing for the
27 gathering of vendors on weekends and holidays, for the purpose of selling fresh unprocessed
28 fruit, vegetables, flowers, and consumable items such as coffee, bread and prepared food on
29 a retail basis. [Ord. 2012-027]

30 **a. Lot Size**

31 A minimum of one acre —with the exception of lots located in the WCRAO where a
32 minimum of one-half of an acre is required. [Ord. 2012-027]

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Notes:

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EXHIBIT D

WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO) SUMMARY OF AMENDMENTS

(5/21/15)

1
2 Part 10. ULDC Art. 4.B.1.A.135.c.2), CG and MUPD Districts (page 105 of 171) is hereby
3 amended as follows:
4

Reason for amendments: [WCRA/Zoning] Recognize local industry trend for standalone indoor vehicle sales and rental facilities, typically but not necessarily associated with high-end new or used vehicle sales, or smaller niche markets. Limitation requiring all display, storage or other typical dealership activities be located indoors and direct frontage onto an Arterial Street mitigates most issues typically associated with similar outdoor facilities. With exception to test drives, these facilities more closely resemble General Retail Sales use, which are typically permitted by right in Commercial districts. Retention of Development Review Officer (DRO) approval will ensure that any proposed Site Plan configuration will not adversely impact adjacent uses.

5 CHAPTER B SUPPLEMENTARY USE STANDARDS

6 Section 1 Uses

7 A. Definitions and Supplementary Standards for Specific Uses

8 135.Vehicle Sales and Rental

9 c. District and Overlay Limitations

10 2) Indoor Vehicle Showroom Exception CG and MUPD Districts

11 An indoor vehicle sales and rental facility located in the CG or MUPD districts
12 consisting of an indoor vehicle showroom only shall be exempt from the minimum
13 three-acre lot size requirement, and may be allowed subject to DRO approval and the
14 following criteria.

15 a) Floor Area

16 A maximum of 30,000 square feet and 15 display vehicles.

17 b) New Vehicles

18 Display shall be limited to new vehicles only.

19 c) Test Drives

20 Test drives shall not be permitted from the indoor vehicle showroom or on-site.

21 d) Parking

22 Vehicles for sale or lease shall not be parked or displayed outside of the
23 showroom. Trucks used to transport vehicles to and from the showroom shall
24 not be parked in required loading spaces and shall not be stored on-site.

25 e) Vehicle Operations

26 Display vehicles shall not operate engines during store hours. Engines shall only
27 be permitted to operate during the transport of vehicle into or out of the
28 showroom.

29 f) Maintenance and Repair

30 Maintenance, repair, or painting ~~or detailing~~ shall not occur on-site.

31 g) Stand Alone Exception

32 A stand alone indoor vehicle sales and rental facility with lot frontage on an
33 Arterial Street may be exempt from the limitations of a) through f) above, except
34 for d), Parking, provided that all vehicle display, storage, detailing, or other
35 collocated activities occur indoors.

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EXHIBIT D

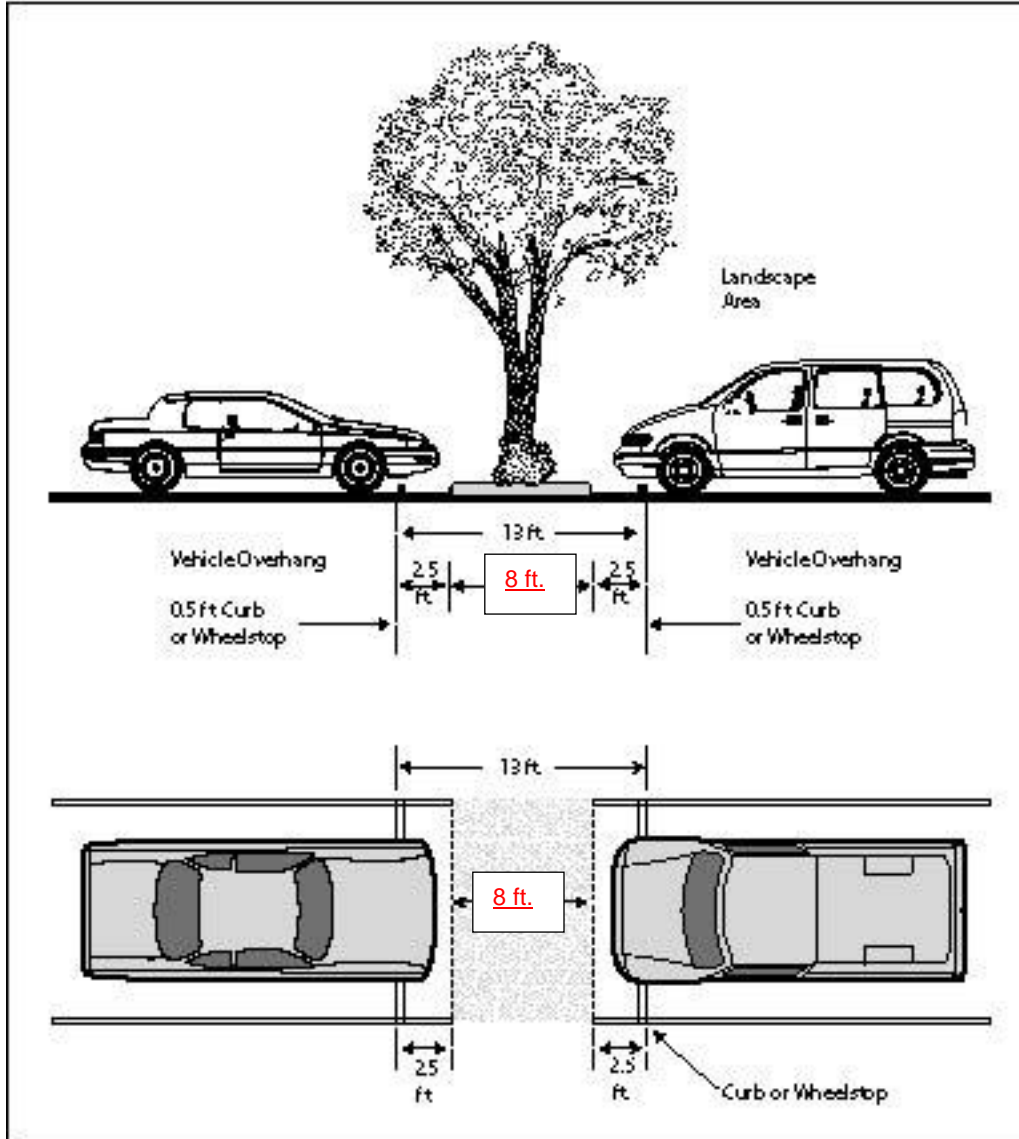
WESTGATE COMMUNITY DEVELOPMENT AREA OVERLAY (WCRAO)
SUMMARY OF AMENDMENTS

(5/21/15)

1
2 Part 11. ULDC Figure 7.G.2.C-Divider Median Requirements, (page 44 of 50), is hereby amended
3 as follows:
4

Reason for amendments: Correct scrivener's error for consistency with eight foot divider median requirement stated in Art. 7.G.2.C, Divider Median.

5 Figure 7.G.2.C - Divider Median Requirements



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EXHIBIT E

ZERO LOT LINE HOME FENCES AND WALLS SUMMARY OF AMENDMENTS

(Updated 3-2-15)

1
2 **Part 1. ULDC Art. 3.D.2.C.9.c, Maintenance and Roof Overhang Easement (page 137 of 234), is**
3 **hereby amended as follows:**
4

Reason for amendments: [Zoning/Building] Re-affirm Zero Lot Line (ZLL) homeowners rights to construct fences or walls on their property, including within the ZLL Maintenance and Roof Overhang Easement of an abutting ZLL home (contingent on HOA approval), as historically intended by the existence of gate and access provisions. The standard was inadvertently revised in Round 2012-02, which intended to clean up required Plat dedication language and establish consistency with Land Development standards in Art. 11, Subdivision, Platting and Improvements.

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

6 **Section 2 PDRs for Specific Housing Types**

7 **C. ZLL Design Standards**

8 **9. Permitted Openings and Attachments**

9 **c. Maintenance and Roof Overhang Easement**

10 The subdivision plan and plat shall indicate a maintenance and roof eave encroachment
11 easement along the ZLL for each ZLL lot for the purpose of allowing maintenance of the
12 portion of the home with a zero setback and to accommodate any overhang of the roof
13 eave and gutter. Should a fence or wall traverse or be located within a maintenance and
14 roof easement, written permission from the HOA all-easement beneficiaries will be
15 required prior to the issuance of a permit by PBC. A gate for access and maintenance
16 purposes will be required. Access for the owner of the lot abutting the easement and the
17 easement beneficiaries shall be provided after advanced notification and during
18 reasonable hours. No construction, landscaping, mechanical equipment, fence or wall
19 shall prevent perpetual access to said easement by the owner of the lot abutting the
20 easement or the easement beneficiaries. **[Ord. 2013-001]**
21

22
23 **Part 2. ULDC Art. 11.D.1.B.14, Restriction on Obstruction of Easements (page 28 of 46), is**
24 **hereby amended as follows:**
25

Reason for amendments: [Zoning/Building/Land Development] Re-affirm Zero Lot Line (ZLL) property owners right to construct fences or walls on their property, including within the ZLL Maintenance and Roof Overhang Easement of an abutting ZLL home, as historically intended by the existence of gate and access provisions. The standard was inadvertently revised in Round 2012-02, which intended to clean up required Plat dedication language and establish consistency with Land Development standards in Art. 11, Subdivision, Platting and Improvements.

26 **CHAPTER D PLATTING**

27 **Section 1 Requirements for the Preliminary and Final Plat**

28 **B. Final Plat**

29 **14. Restriction on Obstruction of Easements**

30 The plat shall contain a statement that no buildings or any kind of construction or trees or
31 shrubs shall be placed on any easement without prior written consent of all easement
32 beneficiaries and all applicable PBC approvals or permits as required for such encroachment,
33 or as otherwise exempted for ZLL maintenance and overhang easements in accordance with
34 Art. 3.D.2.C.9.c.1, Easement Access.
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EXHIBIT F

TYPE II KENNELS – STANDARDS FOR OUTDOOR RUNS SUMMARY OF AMENDMENTS

(Updated 3-13-15)

1
2 Part 1. ULDC Art. 4.B.1.A.74-1, Type II Commercial Kennel (page 64 of 171), is hereby
3 amended as follows:
4

Reason for amendments: [Zoning] 1) Update sanitary requirements for outdoor runs to be consistent with current standards adopted for Type III Kennels, which simply ensures compliance with appropriate regulatory agencies. Includes deletion of “hard surfaced or grassed” which would be addressed through compliance with applicable Animal Care and Control requirements for animal enclosures; and, 2) Clarify that opaque hedges are only required when visible (i.e. may be screened by landscape buffers, buildings, etc.).

5 CHAPTER B SUPPLEMENTARY USE STANDARDS

6 Section 1 Uses

7 A. Definitions and Supplementary Standards for Specific Uses

8 74. -1. Kennel, Type II (Commercial)

9 10 a. Limitations of Use

11 12 3) Outdoor Runs

13 a) Setbacks

14 Outdoor runs or animal exercise area shall not be located within 50 feet of any
15 property line adjacent to a residential district, use or where mixed use is required,
16 or 25 feet of any property line adjacent to a non-residential district. [Ord. 2006-
17 036] [Ord. 2008-037]

18 b) Fencing and Screening **Standards**

19 ~~Outdoor runs or animal exercise area shall be hard surfaced or grassed with~~
20 ~~drains provided every ten feet and shall be connected to an approved sanitary~~
21 ~~facility.~~ A minimum six-foot high safety fence shall be required around outdoor
22 runs. If the safety fence is not opaque or screened from view of adjacent
23 properties or R-O-W, a continuous solid opaque hedge a minimum of four feet at
24 installation shall be provided around the outdoor run\area. [Ord. 2006-036]

25 c) **Waste Disposal**

26 A Type II kennel shall meet the ECR I and ECR II standards and shall be subject
27 to all applicable rules and regulations of the FDEP, PBCHD and SWA.
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Notes:

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EXHIBIT G

PLANNED DEVELOPMENT DISTRICT (PDD) THRESHOLDS SUMMARY OF AMENDMENTS

(Updated 4/16/15)

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Part 1. ULDC Art. 3.E, Planned Development Districts (pages 176-177 of 234), is hereby amended as follows:

Reason for amendments: [Zoning]
<p>1. Expand options available to developers of commercial or mixed-use projects by deleting the minimum square footage thresholds required for use of the Multiple Use Planned Development District (MUPD) and Mixed Use Planned Development (MXPD). Zoning staff support options for property owners on how their property is developed.</p> <p>Background and Summary:</p> <ul style="list-style-type: none"> ▪ The deleted square footage thresholds are generally redundant to Table 4.A.4.A, Thresholds for Projects Requiring BCC Approval, thus rendering them meaningless. Prior to 2003, the square footage thresholds for applicants that “wanted to” rezone to an MUPD or MXPD were slightly less than those that mandated a project “had to be” an MUPD or MXPD. In 2003, the minimum square footage threshold was deleted; however, it was inadvertently re-established as part of an amendment in 2006, in which industry requested that the BCC reinstate the lesser pre-2003 thresholds for residential developments (e.g. Planned Unit Developments [PUD]). The proposed amendment is consistent with the 2006 BCC direction regarding PUDs, while allowing additional industry flexibility for certain types of commercial developments. ▪ Use of the MUPD or MXPD Zoning districts would still require compliance with the minimum lot size (i.e. between 3 and 5 acres). However, use of these optional Zoning districts in lieu of rezoning to a standard district (e.g. General Commercial [CG]), is often beneficial, for reasons including but not limited to: reduces need to subdivide larger parcels, thus reducing vehicular access points to abutting roadways, while encouraging desirable design objectives, including unified architectural design and signage, enhanced landscaping, interconnectivity between uses, and protection of adjacent residential uses. <p>2. Update the MUPD PDR Table to be consistent with other Zoning PDR tables by clarifying that certain PDRs are the minimum required, and clarify applicability of non-residential properties to exclude those supporting residential uses.</p>

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 3 Multiple Use Planned Development (MUPD)

C. Thresholds

Projects that meet or exceed the ~~square footage threshold indicated in Table 3.E.3.C, MUPD Thresholds or the~~ requirements of Table 3.E.3.D, MUPD Property Development Regulations, in addition to all other minimum MUPD requirements, may be submitted and reviewed as a MUPD. [Ord. 2006-004] [Ord. 2007-013]

Table 3.E.3.C – MUPD Thresholds

FLU	CL	CH	CLO	CHO	IND	EDC (1)	CR	INST
Square Feet	30,000	50,000	30,000	50,000	100,000	50,000	100,000	50,000
[Ord. 2014-025]								
Notes:								
1.	Minimum square footage may be reduced if a lower square footage is approved as part of a FLUA amendment.							

1. Underlying Land Use

A MUPD with an underlying nonresidential FLU designation may utilize either land use, or a combination of land uses, to satisfy the requirements of Table 3.E.3.D, MUPD Property Development Regulations. Uses allowed shall correspond to the FLU designation in Table 3.E.1.B, PDD Use Matrix.

D. Property Development Regulations

The minimum lot dimensions, maximum FAR, maximum building coverage, and minimum setbacks in the MUPD district are indicated in Table 3.E.3.D, MUPD Property Development Regulations, unless otherwise stated.

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Notes:

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EXHIBIT G

PLANNED DEVELOPMENT DISTRICT (PDD) THRESHOLDS SUMMARY OF AMENDMENTS

(Updated 4/16/15)

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Table 3.E.3.D - MUPD Property Development Regulations

FLU Designations	Minimum Lot Dimensions			Max. FAR (2)	Max. Bldg. Coverage	Minimum Setbacks (1)			
	Size	Width & Frontage	Depth			Front	Side	Side Street	Rear
CL	3 ac	200	200	-	25 percent	25	C-15 R-30	25	C-20 R-30
CH	5 ac	300	300	-	30 percent	30	C-15 R-30	30	C-20 R-30
CLO	3 ac	200	250	-	25 percent	25	C-15 R-30	25	C-20 R-30
CHO	5 ac	200	200	-	25 percent	30	C-15 R-30	30	C-20 R-30
IND	5 ac	300	300	-	45 percent	30	C-15 R-40	30	C-20 R-40
EDC	5 ac	300	300	-	45 percent	30	C-15 R-40	30	C-20 R-40
CR	5 ac	300	300	-	30 percent	30	C-15 R-40	30	C-20 R-40
INST	5 ac	300	300	-	30 percent	30	C-15 R-30	30	C-20 R-30

[Ord. 2007-001] [Ord. 2014-025]

Notes:

- C** Indicates the building setback if the lot abuts a parcel with a non-residentially-zoned zoning district or FLU designation, that does not support a residential use designated lot.
- R** Indicates the setback from an adjacent parcel with a residential zoning designation.
- 1. Setbacks are measured in linear feet from the boundary of the MUPD.
- 2. The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted.

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Section 4 Mixed Use Planned Development (MXPD)

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....

C. Thresholds

4. Thresholds

Projects that meet or exceed the ~~square footage thresholds indicated in Table 3.E.4.C, MXPD Thresholds or the~~ requirements of Table 3.E.3.D, MXPD Property Development Regulations, in addition to all other minimum MXPD requirements, may be submitted and reviewed as an MXPD. [Ord. 2006-004] [Ord. 2007-013]

~~Table 3.E.4.C - MXPD Thresholds~~

	CL	CH	CLO	CHO
Square Feet	30,000	50,000	30,000	50,000

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12. Land Use Mix

Table 3.E.4.C, MXPD, Land Use Mix, indicates the minimum and maximum percentage of each land use allowed in an MXPD.

Table 3.E.4.C - MXPD Land Use Mix

Use Type	Minimum	Maximum
Residential	50 %	75 %
Nonresidential	25 %	50 %

Notes:

- Minimum and maximum land use percentages for residential and commercial uses are calculated by dividing the total GFA of the specific land use type (either residential or non-residential) by the total GFA (residential and non-residential) of the MXPD.

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23. Density

The maximum density for an MXPD shall be as indicated by the FLU in the Plan. In cases where an underlying residential density is not indicated, the Planning Director shall assign a density based on the residential densities surrounding the proposed MXPD.

D. Property Development Regulations (PDRs)

The minimum lot dimensions, maximum FAR, maximum building coverage, and minimum setbacks in an MXPD are indicated in Table 3.E.4.D, MXPD Property Development Regulations unless otherwise stated.

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EXHIBIT G

PLANNED DEVELOPMENT DISTRICT (PDD) THRESHOLDS SUMMARY OF AMENDMENTS

(Updated 4/16/15)

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Table 3.E.4.D - MXPDP Property Development Regulations

FLU	<u>Minimum</u> Lot Dimensions			<u>Max.</u> FAR (1)	<u>Max. imum</u> <u>Bldg.</u> <u>Building</u> <u>Coverage</u>	<u>Minimum</u> Setbacks			
	Acres	Width	Depth			Front	Side	Side Street	Rear
CL	3	200	200		30%	25	C-15 R-40	25	C-20 R-40
CH	5	300	300		40%	25	C-15 R-40	25	C-20 R-40
CLO	3	200	200		30%	25	C-15 R-40	25	C-20 R-40
CHO	5	300	300		40%	25	C-15 R-40	25	C-20 R-40
RESIDENTIAL	Apply RM district regulations								
RECREATION POD	Apply PUD Recreation Pod regulations								
NEIGHBORHOOD PARK	Apply PUD Neighborhood Park regulations								
[Ord. 2007-001]									
Notes:									
C	Indicates the setback from an adjacent commercial zoned parcel <u>with a non-residential zoning district or FLU designation, that does not support a residential use.</u>								
R	Indicates the setback from an adjacent parcel with residential <u>zoning zoned parcel.</u>								
1.	The maximum FAR shall be in accordance with FLUE Table III.C.2 of the Plan, and other related provisions, unless otherwise noted. [Ord. 2007-001]								

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EXHIBIT H

ART. 2.A.1.J, NOTIFICATION SUMMARY OF AMENDMENTS

(Updated 4/16/15)

Part 1. ULDC Art. 2.A.1.J, Notification (page 18 of 87), is hereby amended as follows:

Reason for amendments: [Zoning/County Attorney] Update Public Hearing notification requirements to codify current practice of requiring newspaper publication for Development Order Abandonments (ABN) and corrective resolutions. All zoning resolutions adopted by the Zoning Commission and the Board of County Commissioners are required to be legally noticed per F.S. 125.66(2).

CHAPTER A GENERAL

Section 1 Applicability

J. Notification

1. Applicability

Applications subject to Public Hearing or Type 1B Variance processes, and corrective resolutions, shall require notification to the public, in accordance with the following table as follows: [Ord. 2011-016]

Table 2.A.1.J – Notification Applicability

Process	Newspaper Publication	Courtesy Notice	Signs
<u>Development Order Abandonment (ABN) (1)</u>	<u>Yes</u>	<u>N/A</u>	<u>N/A</u>
<u>Corrective Resolution</u>	<u>Yes</u>	<u>N/A</u>	<u>N/A</u>
<u>Type 1B Variance</u>	<u>N/A (2)</u>	<u>Yes</u>	<u>Yes</u>
<u>Type II Variance</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>[Ord. 2015-]</u>			
Notes:			
1. <u>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.</u>			
2. <u>Reasonable notice shall be required in compliance with F.S. 286.011.</u>			

24. Newspaper Publication

Notice shall be published in a newspaper of general circulation in PBC in accordance with F.S. §125.66 ~~and Chapter 163.~~ ~~Type 1B Variance shall be exempt from this requirement.~~ [Ord. 2011-016]

32. Courtesy Notice

a. Applicability and Mailing Boundary

Courtesy notices shall be mailed to all property owners, interested parties or other entities identified in Table 2.A.1.J, Courtesy Property Notice Requirements. [Ord. 2006-036] [Ord. 2008-003] [Ord. 2011-016]

Table 2.A.1.J - Courtesy Property Notice Requirements

Process	Recipients and Boundaries		
	Certified Mail 0 to 300 feet (1)	Regular Mail 301 to 500 feet (1)	Regular Mail within One Mile (1)
<u>Type 1B Variance</u>	All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	NA	Counties and Municipalities (4)
<u>Type II Variance</u>		NA	
<u>Other Public Hearing (Rezoning, CA, CB, Requested Use, DOA, Unique Structure, Waiver)</u>		All owners of real property (2), condominium associations (3) and POAs, HOAs or equivalent.	
<u>[Ord. 2011-016] [Ord. 2012-003]</u>			
Notes:			
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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]

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EXHIBIT H

ART. 2.A.1.J, NOTIFICATION SUMMARY OF AMENDMENTS

(Updated 4/16/15)

1 c. **Failure to Receive Courtesy Notice**

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

5 **43. Signs**

6 a. The property subject of the application shall have notices posted by the applicant with
7 information of the public hearing on a sign provided by the PBC at least 15 days in
8 advance of any public hearing. One sign shall be posted for each 250 feet of frontage
9 along a street up to a maximum of ten signs. All signs shall be: [Ord. 2010-022] [Ord.
10 2011-016] [Ord. 2012-003]

11 1) Evenly spaced along the street when more than one sign per property is required;
12 [Ord. 2011-016] [Ord. 2012-003]

13 2) Setback no more than 25 feet from the property line; and, [Ord. 2011-016]

14 3) Erected in full view of the public. [Ord. 2011-016]

15 Where the property does not have sufficient frontage on a street, signs shall be in a
16 location acceptable to the Zoning Director. The applicant shall submit photographs
17 confirming the signs have been posted. The failure of any such posted notice to remain
18 in place after it has been posted shall not be deemed a failure to comply with Art. 2.A.1.J,
19 Notification this requirement or be grounds to challenge the validity of any decision made
20 by the approving authority. The applicant shall also be required to ensure the signs have
21 been removed no later than five days after the final hearing. [Ord. 2010-022] [Ord.
22 2011-016]

23 b. **Exceptions**

24 Signs posted by a public agency or the BCC may be posted on the nearest street or at
25 major intersections leading to and within the subject property.

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EXHIBIT I

LOADING AREA SCREENING SUMMARY OF AMENDMENTS

(Updated 4/22/15)

Part 1. ULDC Art. 6.B.1.F, Screening (page 34 of 39), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Delete requirement for covered loading areas, which has a minimal at best impact on mitigating visual appearance or potential nuisances to adjacent properties or R-O-W. Noting that the standard for screening was originally only applicable when two or more loading spaces (e.g. definition of loading area) were located within 100 feet of a parcel with a residential future land use designation, zoning district or use, which was inadvertently omitted in a 2008 amendment [Round 2008-01, Ord. 2008-037].
2. Allow for use of a Type II Waiver to allow for increase in minimum wall height or use of landscape screening within a residential incompatibility buffer where necessary to provide screening higher than the required eight-foot wall. A wall within a non-residential perimeter landscape buffer is limited to a maximum of eight feet in height, which may conflict with loading area screening requirements if greater than eight feet, and use of a berm isn't feasible or sufficient to meet required screening. While a Type II Variance is still an option, not all projects may be able to prove a hardship necessary to obtain Variance approval.
3. Simplify exemptions for consistency with format and construction of other similar exemptions within the ULDC.

CHAPTER B LOADING STANDARDS

Section 1 Loading

F. Screening

1. Bay Doors

Bay doors shall be located and oriented away from residential property lines or setback a minimum of 50 feet and screened from view.

2. Loading Areas

Loading areas, which may include loading spaces, docks and associated maneuvering areas, that are within 100 feet of a parcel with a residential FLU designation, zoning district or use; or visible from a street R-O-W, shall comply with the following: [Ord. 2008-037]

~~a. within 100 feet of a parcel with a residential FLU, zoning district or use; or [Ord. 2008-037]~~

~~b. visible from a street R-O-W.~~

a. shall be screened by an opaque wall barrier of a height necessary to screen vehicles from view, to include a wall a minimum of eight feet in height, that is architecturally compatible with the adjacent structure, unless exempted pursuant to Art. 6.B.1.F.4 below. The wall shall be of a height necessary to screen vehicles from view. Where applicable, screening required in addition to the eight foot wall shall be as follows:

1) unless located within a residential incompatibility buffer: a taller wall, installation of the wall on a berm, or opaque landscape material; or,

2) if located within an incompatibility or R-O-W buffer: installation of the wall on a berm, or approval of a Type II Waiver to either increase the height of the wall above eight feet, or allow for use of opaque landscape screening.

b. foundation Foundation planting shall be provided on the exterior side of the wall, unless located within a perimeter landscape buffer. [Ord. 2008-037]

3. Single Tenant

~~Single tenant users over 50,000 square feet in a PDD or TDD shall provide a roof over loading areas in addition to the requirements pursuant to Art. 6.B.1.F.2. [Ord. 2008-037]~~

c.4. Exemptions

Loading area screening is not required if any of the following standards are satisfied The BCC, ZC DRO may exempt loading areas from screening requirements as listed below, provided the applicant demonstrates compliance with Art. 6.A.1.A, Purpose and Intent:

1)a. the loading area is obstructed from view by an existing landscape buffer; a preserve or a structure; [Ord. 2008-037]

2)b. a structure or tenant consisting of 10,000 square feet or less; [Ord. 2008-037]

3)c. a single loading space; or [Ord. 2008-037]

4)d. the WCRAO Executive Director may exempt a loading space from screening requirements for parcels located in the WCRAO, pursuant to Art. 3.B.14.I.2. [Ord. 2008-037]

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EXHIBIT I

LOADING AREA SCREENING
SUMMARY OF AMENDMENTS

(Updated 4/22/15)

1
2 Part 2. ULDC Table 2.B.2.G, Summary of Type II Waivers (page 28 of 87), is hereby amended
3 as follows:
4

5 Reason for amendments: [Zoning] See Part 1 above.

Table 2.B.2.G - Summary of Type II Waivers

Type II Waiver Summary List
GAO Minimum Density Requirements
Urban Redevelopment Area
PDD Frontage
PDD Cul-de-sacs
AGR TMD Parking Structure
AGR TMD Block Structure
Communication Towers
Large Scale Commercial Development Location of Front Side and Rear Parking
<u>Loading Area Screening within a residential incompatibility or R-O-W buffer</u>
[Ord. 2012-027]

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EXHIBIT J

RECREATION BUFFERS WITHIN PLANNED DEVELOPMENT DISTRICTS (PDDs) AND SUBDIVISIONS SUMMARY OF AMENDMENTS

(Updated 4/14/15)

1
2 Part 1. ULDC Art. 7.F.9.E, Special Standards (pages 39-40 of 50), is hereby amended as
3 follows:
4

Reason for amendments: [Zoning]
1. Delete redundant reference to requirement for installation of incompatibility buffer which is determined in Table 7.F.9.B, Required Incompatibility Buffer Types, and rename to Type I Waiver accordingly.
2. Expand standards for existing Type I Waiver (administrative process) to allow relief from Incompatibility Buffers typically required in-between residential and recreational uses, in instances where a development is designed to integrate residential and recreational uses. Typical examples include where multi-family units are intended to be poolside, and the pool is within a recreational Pod, tract or area. As outlined in a 2013 Zoning Division Policy and Procedures Manual (PPM) # ZO-O-058, unless there was an open space amenity a minimum of 100 feet in width in-between uses, deletion of the Incompatibility Buffer would require approval of a Type II Variance (i.e. a Public Hearing). This amendment will supersede the PPM, streamline the approval process, and reduce cost and staff time. Note that reference to Planned Unit Development (PUD) may apply to other PDDs (i.e. a Planned Industrial Park Development (PIPD) may have residential, recreational and civic Pods, subject to the standards outlined under PUDs).

5 **CHAPTER F PERIMETER BUFFER LANDSCAPE REQUIREMENTS**

6 **Section 9 Incompatibility Buffer**

7 **E. Type I Waiver Special Standards**

8 ~~The DRO shall require the installation of incompatibility buffers for uses such as recreation and~~
9 ~~civic pods, areas, or tracts within a residential subdivision or PUD.~~ The applicant may apply for a
10 Type I Waiver, pursuant to Article 2.D.6, to be relieved of the requirement to install the
11 incompatibility buffer for pods, ~~areas or tracts within a residential subdivision or PUD that meet~~
12 ~~one of the following: adjacent to open space that is 100 feet or greater in width.~~ [Ord.2005-002]
13 [Ord. 2012-027] [Ord. 2014-025]

- 14 1. ~~Adjacent to open space that is 100 feet or greater in width or greater, or~~
- 15 2. ~~Demonstration that the site layout will integrate recreational amenities with multi-family units.~~

16
17
18 Part 2. ULDC Table 2.D.6.B, Summary of Type I Waivers (page 46 of 87), is hereby amended as
19 follows:
20

Reason for amendments: [Zoning] Update Type I Waiver list to recognize existing reference cited under Art. 7.F.9, Incompatibility Buffer.
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Table 2.D.6.B - Summary of Type I Waivers

Type I Waiver Summary List
Glades Area Overlay (GAO)
Infill Redevelopment Overlay (IRO)
Urban Redevelopment Overlay (URAO)
Lifestyle Commercial Center (LCC)
Required Parking for Location Criteria Exception in Type I Restaurant with Drive Through
Commercial Greenhouse Loading Zones
Solid Waste Transfer Station Landscape Buffer Planting
Screening for Room Mounted Mechanical Equipment
Green Architecture
Eliminate or Reduce Loading Standards
Requirements for Walls or Fences Where Adjacent to Existing Walls
Incompatibility Buffers for Recreation or Civic Pods, Areas or Tracts
Billboard Replacement – Billboard Location Criteria
[Ord. 2012-027] [Ord. 2014-025]

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