

**USE REGULATIONS PROJECT
LAND DEVELOPMENT REGULATIONS ADVISORY BOARD (LDRAB) SUBCOMMITTEE
RESIDENTIAL USES
JUNE 18, 2014 MEETING**

**AMENDMENTS TO THE AGENDA
(Updated 06/17/14)**

#2. Exh. B, Part 1, page 11, lines 22 - 29 – Farm Residence
Use relocated from Use Matrix to Article 4.B.1.D, related to residential accessory uses. The change responds to the fact that Farm Residence is accessory to Bona Fide Agriculture and cannot function as a standalone use.

~~**250. Farm Residence**~~

~~**a. Definition**~~

~~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 operator of the farm operation. [Ord. 2005-002]~~

~~**ab. Principal Dwelling**~~

~~One principal dwelling shall be permitted for each bona fide farm operation.~~

~~Reason for amendments to Farm Residence in the Use Matrix: [Zoning] No changes are being proposed to the approval process.~~

[Renumber accordingly]

#3. Exh. B, Part 1, page 19 , line 3 – Table 4.B.1.D, Corresponding Accessory Use to a Principal Use

Farm Residence functions as a Single Family dwelling accessory to Bona Fide Agriculture use permitted in the AGR and AP Zoning Districts. Accessory uses consistent with Single Family are permitted accessory to a Farm Residence. Guest Cottage and Kennel Type 1A have been included as accessory to a Farm Residence in order to be consistent with Single Family.

Table 4.B.1.D – Corresponding Accessory Use to a Principal Use

	Principal Use													
	Farm Residence	Mobile Home Dwelling	Multifamily	Single Family	Townhouse	Zero Lot Line	Bona Fide Agriculture	Stable Commercial / Stable Private	Agricultural Uses	Commercial Uses	Industrial Uses	Institutional and Public Uses	Recreation Uses	Utilities and Excavation Uses
Accessory Use														
....														
Farm Residence	..	..	..	..	..	..	P(1)	..	..	..	..	..	..	..
....														
Guest Cottage	P	..	..	P	P	P	..	..	..	..	..	..	..	..
Kennel, Type 1A	P	..	..	P	..	..	..	..	..	..	..	..	..	..
....														
Notes														
....														
<u>1</u>	Farm Residence is only accessory to Bona Fide Agriculture in the AGR and AP Zoning Districts.													

#4. Exh. B, Part 1, page 20, lines 17 - 18 – Related to Accessory Quarters Building Area

Clarify that square footage associated with Accessory Quarters indicated in the amendment is the maximum allowable.

- 1) On less than one acre: maximum 800 square feet.
- 2) On one acre or more: maximum 1,000 square feet.

#5. Exh. B, Part 1, page 23, line 1 – Farm Residence

Relocate Farm Residence from the Use Matrix to a table that contains accessory uses in Article 4.B.1.D. The change responds to the fact that Farm Residence is accessory to Bona Fide Agriculture and cannot function as a standalone use.

450. Farm Residence

a. Definition

Notes:

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1 A dwelling unit, other than a mobile home, located on a parcel of land used for a bona
2 fide agricultural use and occupied by the owner or operator of the farm operation. [Ord.
3 2005-002]

4 **ab. Principal Dwelling**

5 One principal dwelling shall be permitted for each bona fide farm operation.

6 [Re-number accordingly]

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#6. Exh. B, Part 1, page 27, lines 40 - 44 – Related to Guest Cottage Building Area
<u>Clarify that square footage associated with Guest Cottage indicated in the amendment is the maximum allowable.</u>

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~~A guest cottage shall not exceed 800 square feet GFA, except when located on a lot that is at least one acre in size, in which case the cottage shall not exceed 1,000 square foot GFA or 30 percent of the principal dwelling, whichever is greater.~~

- 1) On less than one acre: maximum 800 square feet.
- 2) On one acre or more: maximum 1,000 square feet.

U:\Zoning\CODEREV\Research - Central\Use Regulations Project\4 - Meetings\3 - Subcommittee\5-X-14 Residential\6-18-14 Add Delete Residential.docx

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**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
USE REGULATIONS PROJECT SUB-COMMITTEE**

**JUNE 18 , 2014 AGENDA
2300 NORTH JOG ROAD**

**1ST FLOOR HEARING ROOM (VC-1W-47)
2:00 P.M. – 4:00 P.M.**

A. CALL TO ORDER

1. Introductions
2. Additions, Substitutions, and Deletions
3. Motion to Adopt Agenda
4. Adoption of January 28, 2014 Meeting Summary (Exhibit A)

B. SUBCOMMITTEE RULES AND PROCEDURES

C. RESIDENTIAL USES

1. Article 4, Use Regulations (Exhibit B)
2. Tentative Changes
 - AGR Workshop
 - Accessory Uses
 - Consolidation of Mobile Home Standards

D. STAFF COMMENTS

1. Industrial Uses
2. Recreation Uses
3. Utilities and Excavation Uses
4. Commercial Uses

E. ADJOURN

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) USE REGULATIONS PROJECT SUBCOMMITTEE

JANUARY 28, 2014 MEETING SUMMARY

Prepared by Lauren Dennis, Site Planner II

On Tuesday, January 28, 2013, the Use Regulations Project Subcommittee held a meeting at the Vista Center, Room VC-1E-47 Conference Room at 2300 North Jog Road, West Palm Beach, Florida.

A. CALL TO ORDER

The meeting commenced at 2:04 p.m.

1. Introduction of Members, Staff and Interested Parties

LDRAB Subcommittee Members: Joni Brinkman and Jim Knight.

Interested Parties: James Brake and Bradley Miller.

County Staff: Danna L. Ackerman-White, Ramsay Bulkeley, Diane Burress, Monica Cantor, William Cross, Lauren Dennis, Erin Fitzhugh; Jon MacGillis; Jean Matthews, Eric McClellan, David Nearing, and Scott Rodriguez.

2. Additions, Substitutions and Deletions

Mr. Cross stated that there were no additions, substitutions or deletions.

3. Motion to Adopt Agenda

Motion to adopt agenda by Ms. Brinkman seconded by Mr. Knight.

4. Adoption of November 21, 2013 Meeting Summary (Exhibit A)

Motion to adopt November 21, 2013 Meeting Summary by Ms. Brinkman, seconded by Mr. Knight.

B. SUBCOMMITTEE RULES AND PROCEDURES

Mr. Cross presented a general overview of the subcommittee's goals and objectives. He explained that staff will follow the same methodology used at previous meetings: presentation by staff to include a brief overview of proposed draft amendments; discussion and feedback of material by the Subcommittee and interested parties; conclusion with recommendations by Subcommittee.

C. RECREATION USES

1. Recap of Issues from Previous Meeting

Mr. Cross clarified the presentation will be limited to the Recreation uses which have been changed since the November 21, 2013 subcommittee meeting. Staff worked on additional research to address some of the comments from the previous meeting which resulted in additional changes included in the packet subject to this meeting.

2. Article 4, Use Regulations (Exhibit B - Revised text in blue font)

Staff indicated that all proposed changes in addition to those presented at the last meeting will be shown in blue font throughout the packet. Ms. Brinkman abstained from discussing and voting on campground use and RVPD proposed language.

The following topics were presented:

- **Campground - PM: David Nearing**
 - Defined the difference between campsites and Recreation Vehicle (RV) sites.
 - Addressed intensity of the amount of camp sites and RV sites per acre.
 - Clarified that the Agricultural Production (AP) can only be permitted in the Lake Okeechobee Scenic Trail Overlay (LOSTO).

Discussion of this use also included amendments to:

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) USE REGULATIONS PROJECT SUBCOMMITTEE

JANUARY 28, 2014 MEETING SUMMARY

- Article 3.E.7, Recreational Vehicle Planned Development District (RVPD) - the number of RV and campsites will be based on Campground use table in Article 4. The use of acreage for calculating campsites and RV sites was discussed and clarified. Should additional density be necessary, an applicant can apply for a future land use amendment and rezoning to RVPD, to allow for the maximum density for the campsites/RV sites.
- **Entertainment, Indoor - PM: David Nearing**
 - Minor change to the definition to include other typical uses which best fit under indoor entertainment (i.e skating rink, paintball, indoor soccer, etc).
- **Entertainment, Outdoor - PM: Scott Rodriguez**
 - Minor language change to clarify recreation opportunities in the definition.
- **Fitness Center - PM: Monica Cantor**
 - Delete reference to karate studios and refer to martial arts studios to provide for a broader definition as suggested at previous subcommittee meeting by industry.
 - Parking was discussed as related to fitness centers in industrial districts and tentative limitation on square footage. Clarification was given that this use may be modified at a later time.
- **Golf Course - PM: David Nearing**
 - All approval processes will revert to current code aside from the following:
 - Change Class A Conditional use approval to permitted by right in Public Ownership (PO) Zoning District.
 - Allow the use as a Class A approval in the Commercial pod of a Planned Industrial Park Development (PIPD).
- **Marina - PM: Scott Rodriguez**
 - Reaffirmed the Marine Facility use is being relocated to the commercial use classification.
- **Park, Neighborhood Infill - PM: Lauren Dennis**
 - Included language to defer to the Director of Parks and Recreation when proposed park is adjacent to residential uses and active recreation is proposed to be setback less than 25 feet.
 - Consolidate right of way and non-residential setbacks under general setbacks standard.
- **Park, Passive - PM: Scott Rodriguez**
 - No comments
- **Park, Public - PM: Monica Cantor**
 - Collocated uses are listed based on additional standards as discussed with Facilities and Parks and Recreation Departments.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) USE REGULATIONS PROJECT SUBCOMMITTEE

JANUARY 28, 2014 MEETING SUMMARY

- **Shooting Range, Indoor - PM: Scott Rodriguez**
 - Discussed allowing the use when limited to archery, subject to DRO in those zoning districts where the use is Conditional use approval.
 - Separation distance of 500 feet between the use and civic, residential or park, to be consistent with other uses in the code perceived to have adverse impacts.
- **Shooting Range, Outdoor - PM: Scott Rodriguez**
 - Clarified additional flexible standards such as less restrictive approval process or not subject to separation distance for non-mechanical archery equipment.
 - Created standards related to nuisances and separation distances.
- **Zoo - PM: Lauren Dennis**
 - No comments

Ms. Brinkman made a motion to move staff's recommendation to LDRAB on all uses with the exception of the Campground and RVPD for which she abstained from voting. As part of the motion, Ms. Brinkman suggested additional revision of the Indoor Shooting Range draft to permit archery in all industrial zoning districts. Jim Knight seconded the motion.

D. STAFF COMMENTS

1. Industrial Uses

Staff indicated that Industrial uses and Recreation uses will be presented to the Board of County Commissioners (BCC) at the Zoning Hearing on February 27, 2014, as an update of the proposed changes related to the Use Regulations Project.

2. Residential Uses

During staff presentation of Residential uses status, participants requested staff to consider reduction of required parking applicable to Congregate Living Facilities (CLF).

E. ADJOURN

The meeting adjourned at 3:50 p.m.

EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

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

Reason for amendments: [Zoning]
1. Consolidate all zoning districts into one Use Matrix to improve ease of use and better delineate differences in approval processes for standard, Planned Development Districts (PDDs) or Traditional Development Districts (TDDs). Tables consolidated are as follows: Table 3.B.15.F, Infill Redevelopment Overlay (IRO) Permitted Use Schedule; Table 3.B.16.E, Priority Redevelopment Area (PRA) Use Matrix; Table 3.E.1.B, PDD Use Matrix; Table 3.F.1.F, TDD Use Schedule; and, Table 4.A.3.A, Use Matrix.
2. Remove uses that are accessory to principal residential uses, or that are residential but cannot function as standalone uses from the Use Matrix. The change responds to the fact that these uses are accessory in nature and the principal use or uses to which they are accessory, already cover the approval process.
Accessory Dwelling, Caretaker Quarters, Farm Workers Quarters, Groom’s Quarters, Guest Cottage, Garage Sale, Home Occupation, Kennel Type 1A, and Estate Kitchen, are being consolidated in a new section 4.B.1.D, under the Residential Use classification. In addition, a table that indicates the Corresponding Accessory Use to a Principal Use has been developed for easy identification of the principal use, in locations where these accessory uses are permitted. This new section also includes accessory use definitions and standards.

CHAPTER B USE CLASSIFICATION

Section 1 Residential Uses

A. Residential Use Matrix

1. The residential Use Matrix identifies all principal residential uses in unincorporated Palm Beach County zoning districts and the approval processes. The User Guide section of this article outlines in detail how to read use matrices.

Use Matrix goes here. It has been provided as a separate handout for ease of use.

2. Residential related accessory uses are identified in Table 4.B.1.D – Corresponding Accessory Use to a Principal Use.

B. General Residential Standards

This space reserved for future use.

C. Definitions and Supplementary Use Standards for Specific Uses

134. Congregate Living Facility (CLF)

Reason for amendments: [Zoning]
1. Delete types of facilities referenced in definition such as assisted living facilities; extended congregate care facilities, transitional living facilities, etc. Types of facilities should not be included in a definition for consistency with standardized formatting protocol.
2. Revise reference in definition to assistive care services rather than personal services. Research has indicated assistive care services more accurately defines the services offered at a CLF and will avoid confusion with the principal use of Personal Services. The Agency for Health Care Administration defines Assistive Services as assistance with activities of daily living, assistance with instrumental activities of daily living, medication assistance, and health support.

a. Definition

~~This term includes assisted living facilities; extended congregate care facilities, transitional living facilities, community residential homes, community transitional residences; rehabilitative home care services, boarding home, or home for the aged or any other residential structure, whether or not operated for profit. A facility which undertakes provides for a period exceeding 24 hours: long-term care, housing, food service, and one or more personal assistive care services for persons not related to the owner or administrator by blood or marriage. In addition, this term shall include other residential uses such as dormitories, group homes with a central dining facility, and similar bed-based uses.~~

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

3. Clarify that Type 1 CLF in all zoning districts where the use is allowed and Type 2 CLF in RM Zoning District shall be licensed in accordance with Florida Statute 419.001, Site Selection of Community Residential Homes by one of the following agencies: Agency for Persons with Disabilities (APD), Department of Children and Families (DCF), Department of Juvenile Justice (DJJ), Department of Elderly Affairs (DOEA), or, Agency for Healthcare Administration (AHCA).
4. Rename Table 4.B.1.A - Maximum Permissible Occupancy in Type 3 Congregate Living Facilities to Type 3 Congregate Living Facilities Maximum Permissible Occupancy for ease of use.
5. Relocate concept for the maximum number of residents in a Type 3 CLF to footnote # 2 of Table 4.B.1.C.

b. Licensing

Type 1 CLF in permitted zoning districts and Type 2 CLF in the RM Zoning District shall be licensed by one of the licensing entities referenced in State Statute 419.001.

ac. Maximum Occupancy

1) Type 1 CLF

Six persons, excluding staff.

2) Type 2 CLF

14 persons, excluding staff.

3) Type 3 CLF

Determined by Table 4.B.1.AC, Type 3 CLF Maximum Permissible Occupancy ~~in Type 3 Congregate Living Facilities,~~ below; or, in the case of TDR's ~~or a non residential district by the alternate density specified in the Plan by 2.39 residents.~~ a TDR unit shall be equivalent to 2.39 beds. [Relocated from Note #2 in Table 4.B.1.C – Maximum Permissible Occupancy in Type 3 Congregate Living Facilities] [Ord. 2005-002] [Ord. 2012-003]

Table 4.B.1.AC - Type 3 CLF Maximum Permissible Occupancy ~~in Type 3 Congregate Living Facilities~~

FLU Category	Zoning District	Maximum Occupancy (Residents per Acre) ⁽²⁾	
		Standard District	PDD or TDD (1)
RR-20	AR	PROHIBITED	0.11
RR-10	AR	PROHIBITED	0.23
RR 5	AR	PROHIBITED	0.47
RR-2.5	AR	PROHIBITED	0.95
AGR	AGR	PROHIBITED	2.39
AGE	N/A	N/A	(3)
LR-1	RE, RT	PROHIBITED	2.39
LR-2	RT	PROHIBITED	4.78
LR-3	RT	PROHIBITED	7.17
MR-5	RS	PROHIBITED	11.95
HR-8	RS, RM	14.34	19.12
HR-12	RM	19.12	28.68
HR-18	RM	19.12	43.02
<u>Non-residential</u>	<u>(2)</u>	<u>(2)</u>	<u>(2)</u>

[Ord. 2005-002] [Ord. 2010-022] [Ord. 2012-003]

Notes:

1. For the purpose of this Section, the required minimum acreage for a PDD ~~consisting exclusive of a CLF~~ may be reduced by 50 percent if it consists exclusively of a CLF.
2. ~~For CLF, one TDR unit is equivalent to 2.39 beds.~~ [Ord. 2005-002] [Ord. 2012-003] [Relocated to Art. 4.B.1.C1.c.3), Type 3
3. ~~For properties that do not have an underlying residential future land use designation, the Planning Director may assign an alternative density by multiplying the property's acreage by 2.39 beds.~~ [Ord. 2005-002] [Ord. 2012-003]
3. The maximum density permitted shall be in accordance with the acreage of the subject site and the density assigned on the AGE Site Specific FLUA Conceptual Plan multiplied by 2.39 residents. [Ord. 2010-022] [Ord. 2012-003]

4) PDD Occupancy Bonus

a) ~~No-Double-Counting-Density~~

The gross area of a pod supporting a CLF in a planned development shall be deducted from the gross area of the planned PDD development for the purpose of calculating the maximum density allowed in the PDD.

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

- 6. Revise standard on measurement to be consistent with FS 419.001 and specific measurement criteria from facility to facility.
- 7. Clarify a Type 2 CLF is permitted only when located at least 1,200 feet from any other CLF to comply with State Statutes 419.001(3)(c).
- 8. Consolidate Type 3 CLF frontage requirements for standard zoning districts and PDDs for consistency with standardized formatting protocol.

bd. Separation

~~For the purpose of required separations, measurements shall be made from structure to structure, except where the separation required is between a structure and a district boundary, in which case the separation shall be measured from structure to district boundary. The separation requirements in this section shall be measured from the nearest point of the existing CLF to the nearest point of the proposed CLF.~~

1) Type 1 CLF

A Type 1 CLF ~~regulated by F.S. §419.001(1)(a), as amended~~, shall not be located within 1,000 feet of another Type 1 CLF regulated by F.S. §419.001(1)(a). [Ord. 2013-001]

2) Type 2 CLF in - RM Zoning District

A Type 2 CLF located in the RM Zoning District shall ~~not be allowed as a permitted use, provided that it is not~~ located within a radius of 1,200 feet of another CLF. [Ord. 2008-003] [Ord. 2013-001]

ce. Type 3 CLF Frontage Location

1) Standard Districts

A Type 3 CLF shall ~~front on and have frontage and~~ access from a collector or an arterial street. A Type 3 CLF having 25 residents or less may ~~front on have frontage and access from~~ a local street. [Ord. 2005-002] [Ord. 2013-001]

- 9. Delete Type 2 or 3 CLF Distance from Fire Rescue Station standard as the minimum fire rescue standards are addressed through the concurrency review process to verify response times and accessibility.
- 10. Delete requirement for a Type 2 CLF to comply with Article 5.C, Design Standards. Type 2 CLFs are generally converted Single Family dwellings or multifamily structures which would not be subject to Article 5.C. Relocate requirement of design and compatibility for Type 3 CLF by adding Type 3 CLF to Article 5.C.1, Architectural Guidelines that require elevations to be provided for review.
- 11. Delete reference to compatibility and height standards as language is referenced under Article 3.D.1.E, Building Height.
- 12. Delete standards under Reserve Parking for Type 2 and 3 CLFs as the proposed use would be required to meet all Building and Zoning requirements and will require zoning action to abandon the approval.

~~**d. Type 2 or 3 CLF Distance From Fire Rescue Station**~~

~~A Type 2 or 3 CLF shall be located within five miles of a full service fire-rescue station. [Ord. 2013-001]~~

~~**e. Design and Compatibility**~~

~~Type 2 and 3 CLFs shall comply with Article 5.C, Design Standards. [Ord. 2005-002] [Partially relocated to Art. 5.C.1.B.1.e, Related to Architectural Guidelines Thresholds]~~

~~**12) Planned Development Districts (PDDs)**~~

~~A Type 3 CLF facility having 250 ~~residents~~ or fewer residents may be located in a pod internal to with access to a local street or a parking tract in a PDD. These facilities shall only be permitted in a multi-family, commercial, or civic pod, ~~subject to the following criteria:~~ [Ord. 2005 - 002] [Partially relocated to 4.B.1.C.1.e.2), PDDs]~~

~~**a) Compatibility**~~

~~The CLF shall be compatible with the surrounding area, including the height and mass of surrounding building(s). [Ord. 2005-002]~~

b)f. Height

The CLF shall not be more than one story higher than existing, or proposed development within a 150-foot radius of the facility. The measurement shall be made taken from structure to structure. [Ord. 2005 - 002]

fg. Minimum Lot Size Dimensions

The minimum lot dimension requirements of the district in which a Type ~~# 2~~ or Type ~~# 3~~ CLF is located shall apply. The minimum lot size for a Type ~~# 2 and Type 3~~ CLF shall be 8,000 square feet. [Ord. 2009-040]

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~~g. Height~~

~~The maximum height of a CLF shall comply with the regulations of the district in which it is located.~~

~~h. Reserve Parking, for Type 2 and Type 3 CLFs~~

~~Adequate provisions shall be made to reserve sufficient lot area to meet future parking standards if the facility is converted to other uses. The boundaries of the reserve parking area shall be identified on the site plan and shall not be within any lake, drainage or open space tract used to meet exemplary design criteria.~~

- | | |
|-----|--|
| 15. | Delete the reference to freestanding signs for Type 3 CLF as they are typically located on arterial/collector roadways, therefore, smaller signage may be out of character for the area or missed by visitors to the facility and defer to Article 8.G.2., Ground Mounted Signs. |
| 16. | Delete reference to specific commercial business activities to reference specific commercial uses as listed in the Code. |
| 17. | Delete Conversion to Conventional Units standard for Type 3 CLFs as the proposed use would be required to meet all Building and Zoning requirements and will require Board of County Commissioner (BCC) action to abandon the existing Type 3 CLF approval. |

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~~ih. Drop-off Area, for Type 2 and Type 3, CLFs~~

~~A drop-off area shall be provided for group transportation, such as vans or similar vehicles.~~

~~j. Cooking Facilities~~

~~A CLF shall provide and continuously maintain a central dining facility. Food preparation shall be prohibited in sleeping areas or in individual quarters in Types 1 and 2 CLFs. Individual kitchen facilities may be provided in the living quarters of a Type 3 CLF.~~
[Relocated to Art. 4.B.1.C.1.m, Cooking Facilities below]

~~k. Signage~~

~~1) Type 1 and 2 CLFs~~

~~Shall be limited to one freestanding identification sign no more than four square feet in sign face area and six feet in height.~~ [Relocated to Art. 4.B.1.C.1.i, Signage below]

~~2) Type 3 CLF~~

~~Shall be limited to one freestanding identification sign no more than 32 square feet in face area and eight feet in height.~~

~~li. Accessory Uses~~

~~1) Type 1 and 2 CLFs~~

~~May have accessory uses customarily incidental to a ~~s~~Single ~~f~~Family dwelling.~~

~~2) Type 3 CLF~~

~~a) Accessory Use~~

~~Those accessory uses customarily incidental to a ~~m~~Multi-family dwelling unit;~~
~~and~~

~~b) Non-Commercial Uses~~

~~Noncommercial uses customarily incidental to a CLF, such as a common dining room, a central kitchen, nursing station, medical examination room, chapel, library, and on-site management offices.~~

~~c)m. Accessory Commercial Uses~~

~~A limited amount of commercial uses may be developed as permitted accessory uses in a Type 3 CLF. Such uses shall be limited to ~~r~~Retail ~~Sales, General and,~~ ~~p~~Personal ~~s~~Services ~~uses or Medical Office uses~~ designed exclusively to serve the residents of the facility, ~~such as a barber or beauty shop, convenience retail sales, and banking services.~~ No more than ten percent of the GFA of the facility shall be used for accessory commercial uses. There shall be no exterior signage or other indication of the existence of these uses in the facility that may attract nonresidents.~~

~~n. Conversion to Conventional Units~~

~~1) Structure~~

~~Prior to conversion to conventional dwelling units, a structure designed to accommodate a CLF shall, if necessary, be structurally modified to comply with the standards of this Code.~~

~~2) Restrictions~~

~~The DRO shall not approve the site plan for a Type 3 CLF, until a declaration of restrictions in a form approved by the County Attorney has been recorded with the Clerk of the Circuit Court for PBC. This declaration shall expressly provide that:~~

~~a) the conversion of the facility to conventional dwelling units is prohibited, except in compliance with this Section; and~~

~~b) if permitted, conversion will not result in an increase in the number of units permitted on the site, unless the converted development has obtained the~~

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
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~~appropriate development order. If that development order has not been granted, the converted development must comply with the density permitted by the Plan; e) the CLF will be maintained and operated in compliance with the Section at all times. Noncompliance shall result in a violation of this Code in accordance with Article 10.E, remedies.~~

~~**o. Conversion to Other Uses**~~

~~CLFs that are converted to other uses, including other residential uses, shall comply with all standards in effect at the time of application for permits for the new use.~~

~~**kj. Signage**~~

~~Signage for a Type 1 or Type 2 CLF shall be limited to one freestanding sign no more than four square feet in sign face area and six feet in height. [Relocated from Art. 4.B.1.B.34.k, Signage above]~~

18. Change Personal Services to assistive care services to be consistent with the terminology used by the AHCA. Research has indicated assistive care services more accurately defines the services offered at a CLF and will avoid confusion with the principal use of Personal Services.

~~**pk. Congregate Living, Personal Services-Assistive Care Services**~~

~~Assistance with or supervision of essential activities of daily living such as eating, bathing, grooming, dressing, and ambulating; supervision of self-administered medication and such other similar services as may be defined by the Florida Department of Health and Rehabilitative Services, medication assistance, and health support.~~

~~**ql. Emergency Generators**~~

~~A permanent emergency generator shall be required for all Type ~~II~~ 2 and Type ~~III~~ 3 CLFs, and shall meet the standards of Article 5.B.1.A.18, Permanent Generators. [Ord. 2006-004]~~

~~**m. Cooking Facilities**~~

~~A CLF shall provide and continuously maintain a central dining facility. Food preparation shall be prohibited in sleeping areas or in individual quarters in Types 1 and 2 CLFs. Individual kitchen facilities may be provided in the living quarters of a Type 3 CLF. [Relocated from Art. 4.B.1.C.1.j, Cooking Facilities above]~~

Reason for amendments to Congregate Living Facility in the Use Matrix: [Zoning]

1. Allow Type 1 CLF to be Permitted by Right in AGR Zoning District and streamline the approval process from DRO to Permitted by Right in the URAO, to be consistent with the approval process for Single Family in those districts. Additionally, this change is pursuant to Florida Statute 419.001(3)(c) that indicates Type 1 CLFs shall be treated the same as a Single Family use.
2. Change the approval process for Type 2 CLF from Class B Conditional Use to Permitted by Right in the RM Zoning District, when located at least 1,200 feet from any other CLF to comply with Florida Statute 419.001(3)(c).
3. Change the approval process of Type 2 CLF from Special Permit to DRO in the Civic pod of a PUD to ensure the use is site planned. In addition, Special Permits are generally temporary in nature as defined in Article 1.

Part 2. ULDC Art. 3.B.16.E.3, Residential Uses [Related to Priority Redevelopment Ares (PRA) of the URAO] (page 85 of 229), is hereby amended as follows:

Reason for amendments: [Zoning] Per Florida Statutes 419.001(3)(c), Type 1 CLF shall be treated the same as a Single Family use.

CHAPTER B OVERLAYS

Section 16 Urban Redevelopment Area Overlay (URAO)

E. PRA Use Matrix

3. Residential Uses

Residential uses may be permitted on any floor, with exception to the following: [Ord. 2011-016]

- a. Where located in the same building as non-residential uses, residential uses shall either be located above or internally separated from any non-residential uses; and, [Ord. 2011-016]
- b. Single Family ~~Dwelling Units and Type 1 CLF~~ shall not be permitted to front on Slip Street or Primary Street Frontages. [Ord. 2011-016]

....

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EXHIBIT B

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Part 3. ULDC Art. 5.C.1.B.1, General [Related to Architectural Guidelines Thresholds] (Page 38 of 100) is hereby amended as follows:

Reason for amendments: [Zoning] Consolidate requirement of design and compatibility for Type 3 CLF with the list of uses subject to design standard in Article 5.C.1, Architectural Guidelines.

CHAPTER C DESIGN STANDARDS

Section 1 Architectural Guidelines

B. Threshold

1. General

-
- e. The following uses, regardless of building size: [Ord. 2006-036]
-
- 3) Retail sales, automotive parts and accessories; ~~and~~ [Ord. 2006-036] [Ord. 2012-027]
- 4) Type ~~1~~ restaurants with drive through requesting location criteria exception pursuant to Art.4.B.1.A.109, Restaurant, Type ~~1~~; ~~and~~ [Ord. 2012-027]
- 5) Type 3 CLF. [Relocated from Art. 4.B.1.A.34.e, Design and Compatibility - Related to CLF]
-

Part 1 Continued

250. Farm Residence

a. Definition

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 operator of the farm operation. [Ord. 2005-002]

ab. Principal Dwelling

One principal dwelling shall be permitted for each bona fide farm operation.

Reason for amendments to Farm Residence in the Use Matrix: [Zoning] No changes are being proposed to the approval process.

Part 4. Article 1.1.2, Definitions (Page 77 of 119) is hereby amended as follows:

Reason for amendments: [Zoning]

1.	Expand definition of manufactured building to provide consistency with the definition contained in the State Statute 553, Building Construction Standards. The revised definition includes residential, commercial, institutional, and industrial structures that are built under the standards of the Florida Building Code.
2.	Clarify mobile home definition to differentiate between structure and dwelling unit as the terminology has been used interchangeably in the Code. Mobile home structure relates to non-density related uses such as Caretaker Quarters, Accessory to Bona Fide Agriculture and Farm Workers Quarters, temporary construction of Single Family, or, office. Mobile Home Dwelling is a principal residential use counted as density and permitted only in Mobile Home Park Development (MHPD) Districts or within an existing approved mobile home park.
3.	Delete duplicated definition of Mobile Home Subdivision which applies to articles 4, Use Regulations and 11, Subdivision, Platting and Required Improvements.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 2 Definitions

M. Terms defined herein or referenced Article shall have the following meanings:

11. Manufactured Building

- a. A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured with or without other specified components, as a finished building or as part of a finished building, constructed in conformance with and certified pursuant to the requirements of Chapter 553, Florida Statutes, as may be amended, which shall include, but not be limited to, Residential Manufactured Buildings (aka Modular Homes),

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
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~~commercial, institutional, storage, and industrial structures. is used as a dwelling unit or residence or office.~~ This definition does not apply to mobile homes. ~~Manufactured building may also mean, at the option of the manufacturer, any dwelling unit or residence of open construction made or assembled in manufacturing facilities away from the building site for installation, or assembly and installation, on the building site.~~

- b. For the purposes of Articles 3 and 4, a Residential Manufactured Building (aka Modular Home) may also be considered a Mobile Home, where required by F.S. 553.382, Placement of Certain Housing. [Ord. 2012-027]

....
46. Mobile Home

- a. **Structure** - A detached, transportable ~~single family dwelling unit structure~~, manufactured upon a chassis or undercarriage as an integral part thereof, without independent motive power, designed for long term occupancy ~~as a complete dwelling unit~~ and containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems.

~~47b. Mobile Home Dwelling - for the purposes of Art. 3 or Art. 4, the use of a residential lot or a unit for one mobile home or manufactured home for occupancy by one household.~~
[Ord. 2012-027]

~~4847. Mobile Home Subdivision -~~

- ~~a. For the purposes of Art. 4, a subdivision of land for the sale of lots intended for the placement of mobile homes and which meets the requirements of Art. 11, Subdivision, Platting and Required Improvements.~~

- ~~b. For the purposes of Art. 11, a subdivision of land for the sale of lots intended for the placement of mobile homes and which meets the requirements of Art. 11, Subdivision, Platting and Required Improvements.~~

[Renumber Accordingly]

Part 5. Article 1.1.3, Abbreviations and Acronyms (Page 117 of 119) is hereby amended as follows:

Reason for amendments: [Zoning] Create an acronym for "mobile home" or "manufactured home" to be consistent with State Statutes and maintain common reference to "mobile home" as well.

CHAPTER I DEFINITIONS AND ACRONYMS

Section 3 Abbreviations and Acronyms

.... **MH** Mobile Home or Manufactured Home
....

Part 1 Continued

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

385. Mobile Home Dwelling

Reason for amendments: Zoning
1. Revise definition to clarify that the Mobile Home Dwelling is for occupancy by a single household.
2. Delete duplicated definition of mobile home already established in Article 1.1, Definitions and Acronyms.
3. Delete definition for mobile home subdivision as the subdivision process is defined and regulated by Article 11, Subdivision, Platting and Required Improvements.
4. Clarify that the only zoning district in which Mobile Home Dwelling is considered principal use is in MHPD or existing mobile home parks.

- a. **Definition**
The use of a residential lot or a unit for one mobile home for occupancy by one household.

- ~~a. **Mobile Home**
A detached, transportable single family dwelling unit, manufactured upon a chassis or undercarriage as an integral part thereof, without independent motive power, designed for long term occupancy as a complete dwelling unit and containing all conveniences and facilities, with plumbing and electrical connections provided for attachment to approved utility systems.~~

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EXHIBIT B

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~~b. Mobile Home Subdivision~~

~~A subdivision of land for the sale of lots intended for the placement of mobile homes and which meets the requirements of Article 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS.~~

~~b. Principal Use~~

~~Only Mobile Home Dwellings located within the MHPD Zoning District, or within an existing approved mobile home park, shall be treated as a principal use.~~

5. Relocate Mobile Home Dwelling accessory to agriculture language to the Bona Fide Agriculture use. Mobile Home Dwelling accessory to agriculture can solely be accessory to the principal use of Bona Fide Agriculture. Allocation of accessory use standards under principal use is consistent with Art. 4 reformatting and Code construction parameters.

~~c. Accessory to Agriculture~~

~~One mobile home dwelling shall be permitted as an accessory use to a principal bona fide agricultural use [Relocated to Art. 4.B.1.A.3.k, Accessory Mobile Home Dwelling (Related to Bona Fide Agriculture)]~~

~~1) Lot Size~~

~~a) AR (USA) and AGR Districts~~

~~A minimum of five acres. [Ord. 2008-037] [Relocated to Art. 4.B.1.A.3.k.1.a), AR (USA) and AGR Districts]~~

~~b) RR-2.5, RR-5, RR-10, and AP FLU Designation~~

~~A minimum of ten acres. [Ord. 2008-037] [Relocated to Art. 4.B.1.A.3.k.1.b), R-2.5, RR-5, RR-10, and AP FLU Designation]~~

~~c) RR-20 FLU Designation~~

~~A minimum of 20 acres. [Relocated to Art. 4.B.1.A.3.k.1.c), RR-20 FLU Designation]~~

~~2) Separation/Setbacks~~

~~a) Multiple Mobile Homes on the Same Property~~

~~A minimum of 20 feet.~~

~~b) Single Family Dwelling Unit~~

~~A minimum of 200 feet.~~

~~c) Setbacks~~

~~A minimum of 200 feet from a public street; 100 feet from all other property lines. [Relocated to Art. 4.B.1.A.3.k.2, Setbacks]~~

~~3) Documents~~

~~A unity of title and notarized removal agreement shall be executed and recorded.~~

6. Relocate redundant standard for Temporary Mobile Home During Construction and consolidate with provisions applicable to temporary Mobile Home Dwelling in Article 5.B.1.B.3, Temporary Structures and Uses During Development Activity. The relocated standards relate to temporary Mobile Home While Constructing Single Family Dwelling which already exists in Article 5. Provisions such as Building Permit, Removal Agreement and Proof of Ownership are duplicated and existing already in Art. 5 therefore they are not relocated.

7. Relocate standard that prohibits use of mobile home for other purpose other than dwelling such as storage to new Article 5.B.1.A.23 under a section related to supplementary regulations for accessory uses and structures.

~~d. Temporary During Construction~~

~~In the AR district in the RSA, a mobile home dwelling shall be allowed subject to the following standards: [Ord. 2007-001] [Consolidated with Art. 5.B.1.B.3.d.2), Zoning District – AR(RSA), (Related to Mobile Home While Constructing SFD)]~~

~~1) Building Permit~~

~~A building permit for the single family dwelling shall have been issued by the Building Director.~~

~~2) Limitations on MH Approval~~

~~a) The approval for the mobile home shall be valid for two years from the date of issuance of the building permit, or issuance of the certificate of Occupancy for the single family dwelling. No time extensions shall be granted. One MH approval per PCN number. [Ord. 2007-001] [Relocated and consolidated with Art. 5.B.1.B.3.d.5), Time Limitations on MH Approval (Related to Mobile Home While Constructing SFD)]~~

~~3) Removal Agreement~~

~~Execution of a notarized removal agreement which requires the mobile home to be removed within 30 days after receipt of a CO, or within two years, whichever occurs first.~~

~~4) Proof of Ownership~~

~~A current recorded warranty deed for the subject property shall be submitted.~~

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

e. Storage

~~A mobile home shall not be used for storage in any district.~~ [Partially relocated to Art. 5.B.1.B.23, Mobile Home (Related to Accessory Uses and Structures)]

Reason for amendments to Mobile Home Dwelling in the Use Matrix: [Zoning]
Mobile Home Dwelling, as a principal use, is limited to the MHPD Zoning District, consequently the use is deleted from the Use Matrix in AGR, AP, Agricultural Residential/Rural Service Area (AR/RSA) and AGR Preserve pod of PUD.

Part 6. ULDC Art. 4.B.1.A.3, Agriculture, Bona Fide, (Page 29 of 171) is hereby amended as follows :

Reason for amendments: [Zoning]
1. Relocate mobile home accessory to agriculture to Bona Fide Agriculture use. Allocation of accessory use standards under principal use is more consistent with Art. 4 reformatting and Code construction parameters.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Uses

A. Definitions and Supplementary Standards for Specific Uses

3. Agriculture, Bona Fide

k. Accessory Mobile Home

One mobile home structure shall be permitted accessory to a principal Bona Fide Agriculture use. [Partially Relocated from Art. 4.B.1.A.85.c, Accessory to Agriculture (Related to Mobile Home Dwelling)]

1) Lot Size

a) AR (USA) and AGR Districts

A minimum of five acres. [Ord. 2008-037] [Relocated from Art. 4.B.1.A.85.c.1.a, AR (USA) and AGR Districts]

b) RR-2.5, RR-5, RR-10, and AP FLU Designation

A minimum of ten acres. [Ord. 2008-037] [Relocated from Art. 4.B.1.A.85.c.1.b, RR-2.5, RR-5, RR-10, and AP FLU Designation]

c) RR-20 FLU Designation

A minimum of 20 acres. [Relocated from Art. 4.B.1.A.85.c.1.c, RR-20 FLU Designation]

2) Setbacks

A minimum of 200 feet from a public street; and 100 feet from all other property lines. [Relocated from Art. 4.B.1.A.58.c.2.c), Setbacks]

2 A removal agreement is required in the event that the property on which the accessory mobile home is located, is no longer used for Bona Fide Agriculture or is sold. The agreement shall be done prior to building permit of the mobile home. This is intended to ensure that County staff is able to monitor the accessory use for continued compliance with the agricultural status and ownership requirements of the property.

3) Removal Agreement

Prior to building permit, a removal agreement shall be signed by the property owner and recorded against the property stating that the mobile home shall be removed within 30 days in the event the property is sold or the bona fide agricultural operation ceases to exist.

....

Part 7. ULDC Art. 3.D.3.A.1, RM District, (Page 136-137 of 229) is hereby deleted:

Reason for amendments: [Zoning]
1. Relocate language in Article 3.D.3.A.1, District Specific Regulations, related to RM Zoning District for parcels that contain Medium Residential 5 (MR5) FLU designation to Multifamily use in Art. 4. The regulations are use specific and they have been consolidated as a supplementary use standard under Multifamily.

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

Section 3 District Specific Regulations

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

A. District Specific Regulations

~~1. RM District~~

~~a. RM Zoning with MR5 FLU~~

~~Multifamily units shall be permitted in the RM zoning district with an MR5 FLU designation subject to the following: [Relocated to Art. 4.B.1.C.4.b, Zoning District - RM]~~

~~1) Planning Determination~~

~~A written determination from the Planning Director that the property meets the criteria for a Non-Planned Development District Density Exemption in the Plan; and [Partially relocated to Art. 4.B.1.C.4.b.1), Planning Determination]~~

2. Delete prohibition related to RM corresponding to MR-5 FLU designation as the language is redundant since Article 3, Table 3.A.3.B, FLU Designation and Corresponding Standard Zoning Districts, already address it.

~~2) Existing RM Zoning~~

~~The property was zoned RM prior to the 1989 adoption of the Plan (rezoning property with MR5 land use to the RM district shall be prohibited). [Partially relocated to Art. 4.B.1.C.4.b.2), Existing RM Zoning District (Related to Multifamily use)]~~

~~3) Approval Process~~

~~The approval process shall be as follows:~~

Table 3.D.3.A - Approval Process

Units	Process
0-4	Building Permit Only
5-8	DRD Site Plan Approval
9-24	Class B Conditional Use
Over 24	Class A Conditional Use

[Relocated to Art. 4.B.1.C.4.b.3, Approval Process]

~~4) Multifamily Units~~

~~Legally permitted multifamily units in the RM zoning district with MR5 FLU may be redeveloped, reconstructed, or expanded in accordance with the RM zoning district PDRs. [Partially relocated to Art. 4.B.1.C.4.b.3), Development Order]~~

~~5) Limestone Creek~~

~~Multifamily units in the RM zoning district shall be prohibited in the area bounded on the north by 184 Place North, on the south by the C-18 Canal, on the east by Central Boulevard and the municipal limits of the Town of Jupiter, and on the west by Narcissus Avenue (north of Church Street) and Limestone Creek Road (south of Church Street). [Relocated to Art. Art. 4.B.1.C.4.b.4), Limestone Creek]~~

3. Delete "Buildings Over 100 Feet in Height" standard applicable to multifamily buildings. The ULDC addresses buildings height in Article 3.D.1.E.

~~b. Buildings Over 100 Feet in Height~~

~~In the RM district, multifamily buildings over 100 feet in height shall require approval of a Class B conditional use.~~

Part 1 Continued

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

487. Multi-family

Reason for amendments: [Zoning]	
1.	Revise the definition to clarify that a mobile home, by definition, cannot be Multifamily. Reference to Mobile Home Dwelling is no longer applicable, as this and other similar restrictions are being clarified in a specific section addressing uses of mobile homes.
2.	Delete references to Article 3 and Westgate Community Redevelopment Area Overlay (WCRAO) in the definition as they are redundant and addressed elsewhere in the Code.
3.	Delete provision related to Multifamily use in the main street of TMD to allow market to dictate where Multifamily units need to be located.
4.	Relocate District Specific Regulation language from Article 3.D.3.A.1, related to RM Zoning District to consolidate as a supplementary use standard under Multifamily.

a. Definition

The use of a structure designed for two or more dwelling units which are attached, or the use of a lot for two or more dwelling units ~~excluding mobile homes~~. Typical uses include

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
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apartments and residential condominiums. ~~Multi-family uses are also subject standards in Article 3, OVERLAYS & ZONING DISTRICTS, and the prohibition in the NR Sub-area of the WCRAO, as outlined in Article 3.B.14.E, WCRAO Sub-area Use Regulations. [Ord. 2006-004]~~

a. TMD Districts

~~On Main Streets multi-family units may occupy a maximum of 25 percent of the ground floor area designated as commercial square footage. The remaining units shall only be permitted on upper floors of mixed-use buildings. [Ord. 2010-005] [Ord. 2010-022]~~

~~1) AGR-TMDs shall be exempt from the integration requirement and shall comply with the Development Order approved by the BCC. [Ord. 2010-022]~~

b. Zoning District - RM

Multifamily units shall be permitted in the RM zoning district with an MR5 FLU designation subject to the following: [Relocated from Art. 3.D.3.A.1.a, RM Zoning with MR-5 FLU]

1) Planning Determination

A written determination from the Planning Director that the property meets the criteria for an Infill Density Exemption in the Plan; and, [Partially relocated from Art. 3.D.3.A.1.a.1), Planning Determination]

2) Existing RM Zoning

The property was zoned RM prior to the 1989 adoption of the Plan. [Partially relocated from Art. 3.D.3.A.1.a.2), Existing RM Zoning]

5. Reorder the approval process shown in table 3.D.3.A, Approval Process to indicate the most restrictive at the top. Change "Building Permit Process" for "Permitted by Right"; and, indicate 1 as the minimum number of units needed instead of 0 in the range of 1 to 4 permitted by right.

3) Approval Process

The approval process shall be as follows:

Table 3.D.3.A - Approval Process

Process	Units
Class A Conditional Use	Over 24
Class B Conditional Use	9-24
DRO	5-8
Permitted by Right	1-4

[Relocated from Art. 3.D.3.A.3, Approval Process]

4) Development Order

Multifamily units in the RM Zoning District with MR5 FLU may be redeveloped, reconstructed, or expanded provided there is a valid development order. [Partially relocated from Art. 3.D.3.A.1.a.4), Multifamily Units]

5) Limestone Creek

Multifamily units in the RM zoning district shall be prohibited in the area bounded on the north by 184 Place North, on the south by the C-18 Canal, on the east by Central Boulevard and the municipal limits of the Town of Jupiter, and on the west by Narcissus Avenue (north of Church Street) and Limestone Creek Road (south of Church Street). [Relocated from Art. 3.D.3.A.1.a.5), Limestone Creek]

Reason for amendments to Multifamily in the Use Matrix: [Zoning] Change the approval process from Permitted by Right to Class A Conditional Use in the RM Zoning District to indicate the most restrictive approval process in the Matrix. A specific standard to address less restrictive approval process is included within the use standards. Table 3.D.3.A describes the approval process for Multifamily in the RM district which indicates the approval process based on the number of units.

NURSING OR CONVALESCENT FACILITY WILL BE ADDRESSED ALONG WITH PUBLIC AND CIVIC USE CLASSIFICATION HOWEVER THIS USE WILL REMAIN IN THE RESIDENTIAL USE CLASSIFICATION.

90. Nursing or Convalescent Facility

An establishment where care is offered or provided for three or more persons suffering from illness, other than a contagious disease, sociopathic or psychopathic behavior which is not of sufficient severity to require hospital attention, or for three or more persons requiring further institutional care after being discharged from a hospital, other than a mental hospital. Patients usually require domiciliary care in addition to nursing care.

a. Lot Size

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
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A minimum of 10,000 square feet or the minimum requirement of the district, whichever is greater.

b. Frontage

A minimum of 100 feet of frontage or the minimum requirement of the district. [Ord. 2005 – 002]

c. Access

If located in a residential FLU category, access shall be provided from a collector or arterial street.

d. Maximum Number of Patient Beds

- 1) All FLU designations except RR: One bed per 1,000 square feet of lot area.
- 2) RR FLU designation: 0.25 bed per 1,000 square feet of lot area.

e. Emergency Generators

A permanent emergency generator shall be required for all nursing or convalescent facilities, and shall meet the standards of Art. 5.B.1.A.18, Permanent Generators. [Ord. 2006-004]

5122. Single Family

Reason for amendments: [Zoning]:
1. Reference to mobile home is no longer applicable, as this and other similar restrictions are being clarified in Article 5.B.1.A, Temporary Structures addressing uses of mobile home.
2. Delete reference to manufactured buildings in the definition of Single Family to address change in definition of manufactured buildings in Article 1.1.2 (Part 4) for consistency with State Statute 553, Building Construction Standards.

a. Definition

The use of a lot or a structure for one detached dwelling unit, ~~excluding a mobile home but including a manufactured building.~~

Reason for amendments to Single Family in the Use Matrix: [Zoning] No changes to the approval process are being proposed.
--

6132. Townhouse

Reason for amendments: [Zoning] Delete language related to RS Zoning District and MR-5 FLU designation. The language is expanded to include a less restrictive approval process for high density residential FLUs.

a. Definition

A dwelling unit located on an individual lot and attached by at least one but no more than two party wall(s) along 50 percent of the maximum depth of the unit, to one or more ~~other~~ dwelling units; has a continuous foundation; each on its own lot, with said party wall(s) being centered on the common property line(s) between adjacent lots.

~~b.a. RS Zoning District Approval Process – RS Zoning District~~

~~RS with MR5 FLU Designation~~

~~A townhouse development in the RS zoning district with a MR5 FLU designation shall require a Class A conditional use approval. In the RS Zoning District with an HR-8, HR-12, and HR-18, FLU designation, the use may be permitted subject to DRO approval.[Ord. 2005 – 002]~~

Reason for amendments to Townhouse in the Use Matrix: [Zoning] Change approval process from DRO to Class A Conditional Use approval in RS Zoning District to reflect that the use requires a Conditional use if it is located on land with an MR-5 FLU designation.
--

7142. Zero Lot Line Home (ZLL)

Reason for amendments: Zoning
1. Reference to Mobile Home Dwelling is no longer applicable, as this and other similar restrictions are being clarified in Article 5.B.1.A, Temporary Structures addressing uses of mobile homes
2. Delete reference to manufactured buildings in the definition of ZLL to address change in definition of manufactured buildings in Article 1.1.2 (Part 4) for consistency with State Statute 553, Building

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	Construction Standards.
3.	Delete reference to Art. 3 to prevent issues with variances from the standards located in that article. Article 3 includes specific Property Development Regulations (PDRs) and other standards for ZLL homes.
4.	Delete language related to RS Zoning District and MR-5 FLU designation. The language is expanded to include a less restrictive approval process for high density residential FLUs.

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a. **Definition**

The use of a lot for one detached dwelling unit with at least one wall, but not more than two walls or a portion thereof, located directly adjacent to a side lot line, ~~excluding a mobile home but including a manufactured building. Subject to additional standards in Article 3, OVERLAYS & ZONING DISTRICTS.~~

b. **RS Zoning District Approval Process – RS Zoning District with MR5 FLU Designation**

~~A ZLL development in the RS zoning district with a MR-5 FLU designation shall require a Class A conditional use approval. In the RS Zoning District with an HR-8, HR-12, and HR-18, FLU designation, the use may be permitted subject to DRO approval. [Ord. 2005 – 002]~~

Reason for amendments to Zero Lot Line Home in the Use Matrix: [Zoning] Because one of the use standards requires a Class A Conditional Use in the RS Zoning District when located on MR-5 FLU designation, the approval process has been changed from DRO to Class A Conditional Use in the Use Matrix to show the most restrictive approval process.

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Reason for amendments: [Zoning]

1.	Distinguish accessory uses from principal uses currently located within the residential uses classification. Accessory Dwelling, Caretaker Quarters, Farm Workers Quarters, Groom’s Quarters, Guest Cottage, Garage Sale, Home Occupation, Kennel Type 1A, and Estate Kitchen, are being consolidated in table 4.B.1.D, Corresponding Accessory Use to a Principal Use to group uses that are accessory in nature. The accessory uses listed above will be permitted by right in the zoning districts where their corresponding principal uses are permitted unless indicated otherwise. More restrictive approval processes may be applicable to some uses and will be indicated in the accessory or principal use supplementary standards. Factors that were considered in the removal of these uses from the Use Matrix include: <ul style="list-style-type: none"> • The relationship between accessory uses and the principal uses in zoning districts where the principal use is permitted, ownership of the principal use, and, function of the principal use; and, • Accessory uses include specific supplementary use standards that limit expansion of the use, such as building area, operation, or removal agreements to guarantee subordination of the accessory use. • These accessory uses do not exist as stand-alone uses since they incidental to the principal use. • Accessory uses such as Accessory Dwelling, Farm Residence, Groom’s Quarters and Caretakers Quarters are proposed to be less restrictive in some zoning districts, while in others, they may no longer be permitted. The approval process is covered through the approval of the principal use, unless indicated otherwise in the supplementary use standards. These changes are to streamline the approval process, eliminate redundancies and facilitate identification of accessory uses in relation with principal uses. Kennel Type 1A is accessory to Single Family as they are typically associated with this particular residential use.
2.	Clarify that accessory residential uses are subject to the property development regulations of the zoning districts where they are located unless specific standards under the use state otherwise.
3.	Prevent subdivision of land or sale of accessory residential uses as separate residential dwelling units to avoid non-conformities or increase in density above the underlined FLU designation.

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D. General Standards for Accessory Uses

Accessory uses shall comply with the specific Supplementary Use Standards contained in this section.

1. Corresponding Accessory Use to a Principal Use

Accessory uses identified in Table 4.B.1.D, Corresponding Accessory Residential Use to a Principal Use shall be:

- a) Permitted by right unless stated otherwise; and,

Notes:

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b) Allowed to be located in the corresponding principal use identified with a letter in the table.

Table 4.B.1.D – Corresponding Accessory Use to a Principal Use

Accessory Use	Principal Use													
	Farm Residence	Mobile Home Dwelling	Multifamily	Single Family	Townhouse	Zero Lot Line	Bona Fide Agriculture	Stable Commercial / Stable Private	Agricultural Uses	Commercial Uses	Industrial Uses	Institutional and Public Uses	Recreation Uses	Utilities and Excavation Uses
Accessory Quarters	P	-	-	P	P	P	-	-	-	-	-	-	-	-
Caretaker Quarters	-	-	-	-	-	-	P	P	P	P	P	P	P	P
Farm Residence	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Farm Workers Quarters	-	-	-	-	-	-	P	-	-	-	-	-	-	-
Garage Sale	P	P	P	P	P	P	-	-	-	-	-	-	-	-
Grooms Quarters	-	-	-	-	-	-	-	A	-	-	-	-	-	-
Guest Cottage	-	-	-	P	P	P	-	-	-	-	-	-	-	-
Home Occupation	P	P	P	P	P	P	-	-	-	-	-	-	-	-
Kennel, Type 1A	-	-	-	P	-	-	-	-	-	-	-	-	-	-
Estate Kitchen	P	-	-	P	-	P	-	-	-	-	-	-	-	-

Notes

- Accessory use not permitted
- P Permitted by Right
- A Accessory use subject to Class A Conditional Use unless stated otherwise – See principal use and accessory use supplementary standards.

2. Property Development Regulations (PDRs)

Accessory residential uses shall be subject to the PDRs of the zoning district in which the use is located unless stated otherwise.

3. Ownership

Accessory residential uses shall remain under the same ownership of the principal use and shall not be subdivided or sold as condominium.

4. Clarify that no single accessory use can be utilized more than once when associated with one principal use. Accessory uses referenced in Table 4.B.1.D – Corresponding Accessory Use to a Principal Use are not counted as density, therefore limitation to one use per parcel will reduce multiple living uses. Specific supplementary use standards under the accessory uses will dictate if more units are permitted or not.

4. Duplicated Use

In Table 4.B.1.D – Corresponding Accessory Use to a Principal Use, an accessory use may not be utilized more than once per principal use, unless stated otherwise.



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E. Accessory Residential Use Standards

1. Accessory Dwelling Quarters

Reason for amendments: [Zoning]
1. Change use name from accessory dwelling to accessory quarters as the term "dwelling" implies density. The term "quarters" implies living environment currently used for Grooms Quarters, Caretaker Quarters, and Farm Workers Quarters.
2. Revise definition to clarify the accessory quarter can be a separate living facility from the principal dwelling unit and to clarify that the principal dwelling must be owner occupied.
3. Consolidate building square footage standards for consistency with standardized formatting protocol.
4. Clarify that only one accessory quarter is permitted regardless if it is owner occupied or not.
5. Delete language associated to accessory quarters attached or detached as the use is subject to the same property development regulations applicable to the principal use.
6. Delete the "Maximum Number of Bedrooms/Baths" standard. Existing provisions limiting the size of the accessory housing will dictate the maximum number of bedrooms and bathrooms in the unit.

a. Definition

~~An accessory dwelling unit located on the same lot as a principal single family dwelling. An accessory dwelling is a~~ A complete, independent separate living facility equipped with a kitchen and provisions for sanitation and sleeping, located on the same lot as the owner occupied principal dwelling.

ab. Number of Units Building Area

~~A maximum of one accessory dwelling may be permitted. The use shall be subject to the following: as an accessory use to a principal single family dwelling unit which is owner occupied. The accessory dwelling may be attached to the principal dwelling or freestanding.~~

b. Maximum Floor Area

- 1) On less than one acre: 800 square feet.
- 2) On one acre or more: 1,000 square feet.
- 3) The floor area calculation shall include only the living area of the accessory ~~dwelling~~ quarter under a solid roof. **[Ord. 2005-041]**

c. Additional Floor Area

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

d. Maximum Number of Bedrooms/Baths

~~One bedroom and one bathroom.~~

ec. Compatibility

The Accessory Dwelling Quarter shall be architecturally compatible in character and materials with the principal dwelling.

6 Delete the PDRs Standard. Property development regulations will be applicable to all accessory residential uses and addressed under Accessory Residential Use standard section of Article 4.
7 Delete ownership standard to be applicable to all accessory residential uses which is addressed under Accessory Residential Use standard section of Article 4.
8. Clarify that all utilities will utilize the same meter as the principal dwelling. The clarification is intended to ensure that the accessory quarter is not converted into a principal dwelling.
9. Add standard applicable to Townhouse and ZLL that establishes location of the Accessory Quarters in the lot and location criteria. The access provision is included to address potential traffic and parking impacts.

f. Property Development Regulations (PDRs)

~~The accessory dwelling shall comply with the PDRs applicable to the principal dwelling.~~

g. No Separate Ownership

~~The accessory dwelling shall remain accessory to and under the same ownership as the principal dwelling and shall not be subdivided or sold as a condominium.~~

dh. Kitchen Facilities Removal

An agreement to remove all kitchen equipment shall be executed for the Accessory Dwelling Unit Quarter prior to the issuance of a Building Permit. The agreement shall require the kitchen to be removed if the principal dwelling is no longer owner occupied.

ei. No Separate Electrical Utility Service

There shall be no separate meters for any utilities. Both, the principal ~~single family dwelling~~ and the accessory dwelling shall be connected to the same ~~meter utilities.~~ Separate electric service shall be prohibited. **[Ord. 2005-041]**

f. Design and Development Standards- Townhouse or Zero Lot Line

A detached Accessory Quarters associated with Townhouse or Zero Lot Line shall be located in the rear of the lot with access from a street or alley.

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ARTICLE 4.B, USE REGULATIONS
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Reason for amendments to Accessory Dwelling in the Use Matrix: [Zoning]
 Remove Accessory Dwelling from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process. The following indicates the changes to the approval process:

- o Permitted in:
 - Institutional and Public Facilities (IPF) Zoning District for Single Family, Townhouse and Zero Lot Line (ZLL);
 - Mixed Use Planned Development (MXPD) for Townhouse and ZLL;
 - Lifestyle Commercial Center (LCC) for Townhouse; and,
 - Urban/Suburban Tier and Exurban/Rural Tier of Traditional Neighborhood Development (TND) and Development area in the Agricultural Reserve (AGR) Tier of Traditional Marketplace Development (TMD) for Townhouse.
- o No longer permitted in AGR Preserve of Planned Unit Development (PUD), as Single Family, Townhouse, and ZLL uses are not permitted in that zoning district.
- o More restrictive in Single Family Residential (RS) and Multifamily Residential (RM) Zoning Districts because Townhouse and ZLL include more restrictive approval process standards which are applicable to the principal use in those zoning districts. It is also more restrictive in the Residential area of the Exurban/Rural Tier of TND.



2119. Security or Caretaker Quarters

Reason for amendments: [Zoning]

1. Revise Use title and definition to clarify services provided on the premises.
2. Consolidate building square footage standards for consistency with standardized formatting protocol.
3. Simplify the maximum number of Caretaker Quarters permitted to only one per site. Additionally, delete the "bona fide agriculture, commercial, industrial, or institutional" use reference as Table 4.B.1.D, Corresponding Accessory Use to a Principal Use, will clarify where the use is permitted to be accessory. Retaining the reference is redundant.
4. Delete language identifying area governed to eliminate redundancy. General accessory use standards clarify that accessory uses are permitted in the same zoning districts where the principal use is located unless indicated otherwise.
5. Revise the occupancy standard to clarify that the owner can also be the caretaker or the custodian.

a. Definition

An accessory residence used by a caretaker ~~or security guard actively~~ engaged in providing security, custodial or managerial services upon the premises.

ab. Building Area Number

~~1) A maximum of one security quarters shall be permitted on the same lot as a bona fide agricultural, commercial, industrial, or institutional use. The use shall be subject to the following:~~

~~2) A maximum of one security quarters shall be permitted within the area governed by the site plan of an approved conditional use, requested use, or planned development.~~

b. Maximum Floor Area

- 1) On less than one acre: maximum 800 square feet. [Ord. 2007-001]
- 2) On one acre or more: maximum 1,000 square feet. [Ord. 2007-001]

c. Occupancy

A ~~security or~~ caretaker quarters shall be for the exclusive use of the site on which it is located and shall be occupied only by the custodian, or caretaker, ~~or owner of the principal use~~ and their family.

6. Delete the accessory use standard as it is addressed by Table 4.B.1.A, Corresponding Accessory Residential Use to a Principal Use.
7. Delete Special Permit from caretaker quarters when a mobile home is used as the standards currently allow it in the AGR, AP, AR, Industrial Light (IL), General Industrial (IG), Public Ownership (PO), IPF and MHPD Zoning Districts. The relocation of accessory residential uses is intended to eliminate redundancies and simplify approval process of accessory uses to be permitted by right in those zoning districts where the principal use is located.
8. Revise the "Discontinuation of Use" standard to eliminate redundant language.

d. Accessory Use

~~A security or caretaker quarters shall be allowed as an accessory use to a public or civic use in all districts.~~

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1 **ed. Temporary Use**

2 Unless stated otherwise, a ~~security-or~~ caretaker quarters use shall not be permitted in
3 association with a temporary use.

4 **fe. Mobile Home**

5 A mobile home may be used for a ~~security-or~~ caretaker quarters only in the AGR, AP,
6 AR, IL, IG, PO, IPF, and MHPD districts. A mobile home used in the AGR, AP, or AR
7 districts, shall be subject to the minimum acreage requirement pursuant to Article
8 4.B.1.A.85.c.1), Lot Size 4.B.1.A.3, Bona Fide Agriculture. ~~If a mobile home is used, the~~
9 ~~Special Permit shall be renewed annually.~~ [Ord. 2008-037]

10 **gf. Discontinuation of Use**

11 A ~~security-or~~ caretaker quarter's use shall continue only as long as the principal use that
12 it serves remains active. ~~Upon termination of the principal use, the right to have the~~
13 ~~quarters shall end and the use shall be immediately discontinued. Once discontinued,~~
14 ~~such quarters shall not be reestablished except in conformity with this Section.~~

15 **Reason for amendments to Caretakers Quarters in the Use Matrix:** [Zoning]

Remove Caretakers Quarters from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process. Caretakers Quarters is a permanent accessory use for which Special Permit is no longer necessary, since Special Permit applies mainly to temporary uses that require monitoring. The following indicates the changes to the approval process:

- o Less restrictive in agricultural, residential, commercial, industrial and institutional standard zoning districts where the use was changed from SP to Permitted by Right, and in the IRO and Urban Redevelopment Area Overlay (URAO) where the change was from Development Review Officer (DRO) to Permitted by Right.
- o The approval was expanded to be permitted in Residential pod of a PUD where Single Family is permitted, Recreation pod of PUD, LCC, Residential area and Open Space Recreation area in the Urban/Suburban (U/S) Tier and Exurban/Rural Tier of TND, and in the in the AGR Tier Preserve area of TMD.

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19 **348. Estate Kitchen**
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Reason for amendments to Estate Kitchen: [Zoning]

1. An estate kitchen is an accessory use to a single-family residence. Therefore, it is relocated from principal use under Accessory Residential Use standard section of Article 4. It is recommended that this is accessory to farm residence, single family, and zero lot line units.
2. Clarify that the creation of a second complete residence through the installation of a secondary kitchen shall be prohibited.
3. Delete lot size restriction as this is considered irrelevant to the use being treated as an accessory use.

22 ~~An accessory use which is physically integrated with the main residence.~~

23 **a. Definition**

24 ~~A second kitchen located within a principal single family, zero lot line, or farm residence.~~

25 **b. Conversion to Duplex Prohibited**

26 ~~a. A secondary kitchen may be added provided~~ there shall not be the presence of a ~~second~~
27 complete ~~and separate~~ living environment associated with the ~~secondary estate~~ kitchen.

28 ~~b. The required minimum lot size shall be twice the minimum lot size requirement for the~~
29 ~~underlying zoning district for a house supporting an estate kitchen.~~

30
31 **Reason for amendments to Estate Kitchen in the Use Matrix:** [Zoning]

32 Remove Estate Kitchen from the Use Matrix and relocate with other accessory uses. This use is
33 accessory in nature and the principal use or uses to which it is accessory, already cover the approval
34 process.

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454. Farm Workers Quarters

Reason for amendments: [Zoning]:
1. Clarify that the structure is a complete living environment which must include cooking facilities, as well as sanitary facilities and sleeping accommodations.
2. Add words "bona fide" to clarify that the use is intended to be accessory to bona fide agricultural operations, without which, there would be no need for this use.
3. Set maximum floor area of structure at 1,000 square feet gross floor area (GFA) for consistency with other accessory residential uses. In addition, this use is intended to provide quarters for up to four persons, therefore, anything less may create overcrowding conditions..
4. Delete AR/RSA with Specialized Agriculture (SA) FLU designation standard. Currently there are no parcels which have both the AR Zoning District and SA FLU designation.
5. Allow mobile home to be utilized as a Farm Workers Quarters to be consistent with other accessory residential uses in Bona Fide Agriculture.

- a. Definition**
One or more residential structures providing a complete living environment, occupied by farm workers who provide labor in conjunction with bona fide agricultural operations.
- ab. Density-Building Area**
~~One dwelling unit limited to a maximum of four bed shall farm workers quarter may be permitted for each 25 acres- subject to the following: [Ord. 2006-004]~~
 - ~~1) Limited to a maximum of four beds; and,~~
 - ~~2) The structure shall not exceed 1,000 sq. ft. GFA under a solid roof.~~
- b. Clustering**
~~Ten or more units on any lot shall be clustered and subject to DRO approval.~~
- c. AGR/PUD or TMD Prohibition – AGR Tier**
AGR/PUD or TMD Preserve shall be allowed one dwelling unit per acre provided such units are clustered onto a single compact area of the preserve and are restricted to occupancy by farm workers. Farm workers quarters shall not be located on property in the AGR Tier ~~in to~~ which no residential density is assigned by the FLU designation. [Ord. 2006-004]
- d. AR/RSA**
~~May be permitted in the AR/RSA District with a SA FLU, subject to DRO Approval. [Ord. 2005 – 002] [Ord. 2007-001]~~
- d. Mobile Home Removal Agreement**
A mobile home may be used for a Farm Workers Quarters. Prior to building permit, a removal agreement shall be signed by the property owner and recorded against the property stating that the mobile home shall be removed within 30 days in the event the property is sold or the bona fide agricultural operation ceases to exist.

....

Reason for amendments to Farm Workers Quarters in the Use Matrix: [Zoning] Remove Farm Workers Quarters from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process. The following indicates the changes to the approval process:
<ul style="list-style-type: none"> • Permitted only when accessory to Bona Fide Agriculture use expanding its allowance into residential, commercial, industrial, public and institutional standard zoning districts. • Delete the use from AR/RSA with SA FLU. Currently there are no parcels which have both the AR Zoning classification and SA FLU designation.

560. Garage Sale

Reason for amendments: [Zoning] Revise the definition to clarify Garage Sales location within a residential dwelling unit and sales are temporary.

- a. Definition**
The Temporary sale of household articles, in the front yard or garage of a dwelling unit, by the occupants ~~of a dwelling unit~~.
- b.a. Duration**
A maximum of 72 hours.
- c.b. Number of Sales**
A maximum of two per year per dwelling unit.

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Reason for amendments to Garage Sale in the Use Matrix: [Zoning]
Remove Garage Sale from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process.

~~665.~~ **Groom's Quarters**

Reason for amendments: [Zoning]
1. Relocate Groom's Quarters standards under Private and Commercial Stables. Traditionally stables operate with a Groom's Quarters while a Groom's Quarters cannot function without a stable. This change will be consistent with the use definition. This change also responds to reformatting of Article 4 in which principal use standards includes accessory uses.
2. Delete the "Maximum Number of Bedrooms/Baths" standard. Existing provisions limiting the size of a groom's quarters will dictate the maximum number of bedrooms and bathrooms in the unit.

a. Definition

On-site living quarters for persons responsible for grooming and caring for horses boarded at a stable. ~~Occupancy shall be limited to on-site employees and members of the employees' family only.~~ [Partially relocated to Art. 4.B.1.A.125.f.4, Occupancy (Related to Commercial Stable) and Art. Art. 4.B.1.A.126.f.4, Occupancy (Related to Private Stable)]

~~a. Number Permitted~~

~~1) 20 Acres or Less~~

~~One groom's quarters shall be permitted for each four horse stalls.~~ [Relocated to 4.B.1.A.125.f.2).a), 20 Acres or Less (Related to Commercial Stable) and Relocated to Art. 4.B.1.A.126.c.2).a), 20 Acres or Less (Related to Private Stable)]

~~2) More Than 20 Acres~~

~~One groom's quarters shall be permitted for each three horse stalls.~~ [Relocated to 4.B.1.A.125.f.2).b), More Than 20 Acres (Related to Commercial Stable) and Relocated to Art. 4.B.1.A.126.c.2).b), More Than 20 Acres (Related to Private Stable)]

~~b. Floor Area~~

~~1) Each Unit~~

~~Each groom's quarters shall not exceed 500 square feet of GFA per unit.~~ [Relocated to 4.B.1.A.125.f.3).a), Each Unit (Related to Commercial Stable) and Relocated to 4.B.1.A.126.c.3).a), Each Unit (Related to Private Stable)]

~~2) 20 Acres or Less~~

~~The total GFA for all groom's quarters shall not exceed 5,000 square feet per lot.~~ [Relocated to 4.B.1.A.125.f.3).b), 20 Acres or Less (Related to Commercial Stable) and Relocated to 4.B.1.A.126.c.3).b), 20 Acres or Less (Related to Private Stable)]

~~c. Bedrooms and Bathrooms~~

~~A maximum of one bedroom and one bathroom per groom's quarter.~~

~~d. Approval Process~~

~~Table 4.B.1.A - Groom's Quarters~~

Process	Number of groom's quarters permitted
Permitted	Max four
DRO	Five through 20
Class B	21 through 100
Class A	101 or more
[Ord. 2007-001]	

[Relocated to 4.B.1.A.125.f.5), Approval Process (Related to Commercial Stable) and Relocated to 4.B.1.A.126.c.5), Approval Process (Related to Private Stable)]

~~e. AGR PUD or TMD~~

~~For more than 20 groom's quarters, or more than 20 groom's quarters on the Preservation Area of an AGR-PUD or TMD, the allowable density shall be decreased by one unit for each groom's quarter to a maximum reduction of one-half of the number of dwelling units associated with the Preservation Area. [Ord. 2006-004]~~ [Partially relocated to 4.B.1.A.125.f.1), Zoning Districts - AGR PUD or TMD (Related to Commercial Stable) and Relocated to 4.B.1.A.126.c.1), Zoning Districts - AGR PUD or TMD (Related to Private Stable)]

~~f. Kitchen Facilities~~

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EXHIBIT B

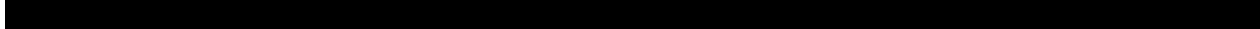
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1 ~~Groom's quarters may contain individual cooking facilities and/or one common dining~~
2 ~~facility. An agreement to remove all kitchen equipment shall be executed prior to~~
3 ~~approval of the groom's quarter. The agreement shall require the kitchen to be removed if~~
4 ~~the unit ceases to operate as a groom's quarters. [Relocated to 4.B.1.A.125.f.6),~~
5 **Kitchen Facilities Removal (Related to Commercial Stable) and Relocated to**
6 **4.B.1.A.126.c.6), Kitchen Facilities Removal (Related to Private Stable)]**
7

Reason for amendments to Groom's Quarters in the Use Matrix: [Zoning]
Remove Groom's Quarters from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process. According to the use definition, Groom's Quarters is accessory to Private Stable and Commercial Stables. A specific supplementary use standard has been relocated from Grooms Quarters to the principal uses to indicate the number at which Groom's Quarters may trigger a different approval process than the one applicable to the Stable use.

The following indicates the changes to the approval process:

- o Less restrictive for Commercial Stables in Agricultural Residential (AR), AGR, Agricultural Production (AP) Zoning Districts and commercial, industrial and public standard zoning districts; and, for Private Stables in agriculture and residential standard zoning districts due to a change from Class A Conditional Use to a less restrictive approval.
- o Permitted by Right approval process remains unchanged in the Residential pod and Agricultural Preserve pod of a PUD for Commercial and Private Stables.
- o Proposed to be permitted in Multiple Use Land Development (MUPD) with Commercial Recreation (CR) Future Land Use (FLU) designation for Commercial Stable and for Private Stable, in Residential area in the U/S Tier and Exurban/Rural Tier of TND.
- o No longer permitted in commercial, industrial, public and institutional standard zoning districts where Private Stable is not permitted; and in the residential pod of a PUD for Commercial Stable.
- o More restrictive in the Preserve area AGR Tier of TMD for Commercial Stables by changing the Special Permit approval to DRO approval.



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11 **Part 8. New ULDC Art. 4.B.1.A, Commercial Stable, is hereby amended as follows:**
12

Reason for amendments: [Zoning]

1.	Relocate standards for Groom's Quarters under Commercial and Private Stable as Groom's Quarters in only accessory to stables.
2.	Revise definition to relocate occupancy limitations. Occupancy is not an element of the definition but a supplementary use standard.
3.	Relocate AGR PUD or TMD standard related to the numbers of Groom's Quarters for consistency with standardized formatting protocol.

13
14 **125.Stable, Commercial**

15 An establishment for boarding, breeding, training or raising of horses not necessarily owned
16 by the owners or operators of the establishment; rental of horses for riding or other
17 equestrian activities, excluding uses classified as an equestrian arena. A commercial stable
18 may be operated in conjunction with a residence and shall comply with the PBACD.

19 **a. Use Limitations**

20 A commercial stable shall be limited to raising, breeding, training, boarding, and
21 grooming of horses, or rental (livery) of horses for riding and instruction.

22 **b. Lot Size**

23 A minimum of five acres.

24 **c. Frontage**

25 The minimum required frontage on a public street to be used from the primary point of
26 access shall be 100 feet, or the minimum standard of the Tier in which the stable is
27 located, whichever is greater.

28 **d. Setbacks**

29 A minimum of 25 feet from any property line, or the minimum setback of the district,
30 whichever is greater.

31 **e. LOSTO**

32 A commercial stable with 20 or fewer stalls shall be allowed as a Special Permit.

33 **f. Accessory Use – Groom's Quarters**

34 **1) Zoning Districts - AGR PUD or TMD**

35 ~~For more than 20 groom's quarters, on the Preservation Area of an AGR-PUD or~~
36 ~~AGR-TMD, the allowable density shall be decreased by one unit for each groom's~~
37 ~~quarter to a maximum reduction of one-half of the number of dwelling units~~
38 ~~associated with the Preservation Area. [Ord. 2006-004] [Relocated from Art.~~
39 **4.B.1.E.5.e, AGR PUD or TMD (Related to Groom's Quarters)]**

Notes:

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

- 2) **Number Permitted**
 - a) **20 Acres or Less**
One groom's quarters shall be permitted for each four horse stalls. [Relocated from Art. 4.B.1.E.5.a.1), 20 Acres or Less (Related to Groom's Quarters)]
 - b) **More Than 20 Acres**
One groom's quarters shall be permitted for each three horse stalls. [Relocated from Art. 4.B.1.E.5.a.2), More Than 20 Acres (Related to Groom's Quarters)]
- 3) **Building Area**
 - a) **Each Unit**
Each groom's quarters shall not exceed 500 square feet of GFA per unit. [Relocated from Art. 4.B.1.E.5.b.1), Each Unit (Related to Groom's Quarters)]
 - b) **20 Acres or Less**
The total GFA for all groom's quarters shall not exceed 5,000 square feet per lot. [Relocated from Art. 4.B.1.E.5.b.2), 20 Acres or Less (Related to Groom's Quarters)]
- 4) **Occupancy**
Shall be limited to on-site employees and members of the employees' family only. [Relocated from Art. 4.B.5.A.5, Groom's Quarters]

4. Relocate approval process applicable to the number of Groom's Quarters in stables. Private or Commercial Stable have their own approval process contained in the Use Matrix but once Groom's Quarters are included on site it may trigger upper level of approval. More than 21 Groom's Quarters will be subject to public hearing which tends to minimize the impacts of overconcentration of quarters to adjacent properties.

5) **Approval Process**

Table 4.B.1.A - Groom's Quarters

Process	Number of groom's quarters permitted
<i>Class A Conditional Use</i>	<i>101 or more</i>
<i>Class B Conditional Use</i>	<i>21 through 100</i>
<i>DRO</i>	<i>Five through 20</i>
<i>Permitted by Right</i>	<i>Max four</i>
<i>[Ord. 2007-001]</i>	

[Relocated from Art. 4.B.1.E.5.d, Approval Process (Related to Groom's Quarters)]

6) **Kitchen Facilities Removal**

Groom's quarters may contain individual cooking facilities and one common dining facility. An agreement to remove all kitchen equipment shall be executed prior to issuance of building permit of the groom's quarter. The agreement shall require the kitchen to be removed if the unit ceases to operate as a groom's quarters. [Relocated from Art. 4.B.1.E.5.f, Kitchen Facilities (Related to Groom's Quarters)]

126. Stable, Private

The breeding, boarding, training, or raising care of horses owned by the occupants or owners of the premises. A private stable shall comply with the PBACD.

a. **Boarding**

On sites of at least two acres, boarding for up to four horses not owned by the owner or occupant of the premises shall be permitted.

b. **Setbacks**

1) **Accessory Structure**

A private stable with twelve stalls or fewer located on a parcel with a single family residence shall be considered an accessory structure and shall meet the setback requirements for an accessory structure, or 25 feet, whichever is greater.

2) **Principal Structure**

A private stable with more than twelve stalls located on a parcel with a single family residence, or a vacant parcel, shall be considered a principal structure and shall meet the applicable setback requirements for a principal structure.

c. **Accessory Use – Groom's Quarters**

1) **Zoning Districts - AGR PUD or TMD**

For more than 20 groom's quarters, on the Preservation Area of an AGR-PUD or AGR-TMD, the allowable density shall be decreased by one unit for each groom's quarter to a maximum reduction of one-half of the number of dwelling units associated with the Preservation Area. [Ord. 2006-004] [Relocated from Art. 4.B.1.E.5.e, AGR PUD or TMD (Related to Groom's Quarters)]

2) **Number Permitted**

a) **20 Acres or Less**

Notes:

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

One groom's quarters shall be permitted for each four horse stalls. [Relocated from Art. 4.B.1.E.5.a.1), 20 Acres or Less (Related to Groom's Quarters)]

b) More Than 20 Acres

One groom's quarters shall be permitted for each three horse stalls. [Relocated from Art. 4.B.1.E.5.a.2), More Than 20 Acres (Related to Groom's Quarters)]

3) Building Area

a) Each Unit

Each groom's quarters shall not exceed 500 square feet of GFA per unit. [Relocated from Art. 4.B.1.E.5.b.1), Each Unit (Related to Groom's Quarters)]

b) 20 Acres or Less

The total GFA for all groom's quarters shall not exceed 5,000 square feet per lot. [Relocated from Art. 4.B.1.E.5.b.2), 20 Acres or Less (Related to Groom's Quarters)]

4) Occupancy

Shall be limited to on-site employees and members of the employees' family only. [Relocated from Art. 4.B.5.A.5, Groom's Quarters]

5) Approval Process

Table 4.B.1.A - Groom's Quarters

Process	Number of groom's quarters permitted
Class A	101 or more
Class B	21 through 100
DRO	Five through 20
Permitted	Max four
[Ord. 2007-001]	

[Relocated from Art. 4.B.1.E.5.d, Approval Process (Related to Groom's Quarters)]

6) Kitchen Facilities Removal

Groom's quarters may contain individual cooking facilities and one common dining facility. An agreement to remove all kitchen equipment shall be executed prior to issuance of a building permit of the groom's quarter. The agreement shall require the kitchen to be removed if the unit ceases to operate as a groom's quarters. [Relocated from Art. 4.B.1.E.5.f, Kitchen Facilities (Related to Groom's Quarters)]

Part 1 Continued

766. Guest Cottage

Reason for amendments: [Zoning:]

- Clarify that the principal dwelling unit on the property is owner occupied to prevent multiple rental units on one property owned by an absentee landlord.
- Delete reference to unit type. Where the accessory use is allowed will be dictated by new Table 4.B.1.A – Corresponding Accessory Residential Use to a Principal Use.

a. Definition

A detached ~~Accessory~~ sleeping quarters provided for non-paying guests by the owner /occupant of a principal single-family or ZLL dwelling unit.

ab. Units Building Area

A maximum of one guest cottage may be permitted as an accessory use to a principal single-family or ZLL dwelling unit. The guest cottage may be attached to the principal dwelling or freestanding. The use shall be subject to the following:

b. Floor Area

~~A guest cottage shall not exceed 800 square feet GFA, except when located on a lot that is at least one acre in size, in which case the cottage shall not exceed 1,000 square feet GFA or 30 percent of the principal dwelling, whichever is greater.~~

1) On less than one acre: 800 square feet.

2) On one acre or more: 1,000 square feet.

3) The floor area calculation shall include only the living area of the guest cottage under a solid roof.

c. Additional Floor Area

4) Floor area under a solid roof that is utilized as a porch, patio, porte cochere, or carport shall not exceed 500-250 square feet.

dc. Kitchen or Cooking Facilities

There shall be no kitchen or cooking facilities in a guest cottage.

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

3. Delete standards related to setbacks and ownership as these are standards applicable to all accessory residential uses indicated in section 4.B.1.D. General Standards for Accessory Uses.

e. Compatibility

A guest cottage shall be architecturally compatible in character and materials with subordinate in size to the principal dwelling unit.

f. Setbacks

~~A guest cottage shall comply with the minimum setbacks applicable to the principal single-family dwelling unit.~~

g. No Separate Ownership

~~A guest cottage shall remain accessory to and under the same ownership as the principal dwelling unit and shall not be subdivided or sold as a condominium.~~

4. Stipulate that all utilities shall be maintained under the principal residential use, including no separate meters for such metered utilities as water, gas, and electric.

f. No Separate Utility Service

There shall be no separate meters for any utilities. Both, the principal dwelling and the accessory dwelling shall be connected to the same utilities.

Reason for amendments to Guest Cottage in the Use Matrix: [Zoning]

Remove Guest Cottage from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process. The following indicates the changes to the approval process:

- o Permitted in
 - IPF for Single Family, Townhouse and ZLL;
 - MXPD for Townhouse and ZLL;
 - LCC for Townhouse;
 - Residential area in the U/S Tier of TND for Single Family, Townhouse and ZLL;
 - Residential area in the Exurban/Rural Tier of TND for Single Family;
 - U/S Tier, Exurban/Rural Tier, and Development area in the AGR Tier of TMD for Townhouse.
- o No longer permitted in IRO for Single Family and ZLL.
- o More restrictive in RM and RS Zoning Districts for Townhouse and ZLL; and, Residential area in the Exurban/Rural Tier of TND for Townhouse and ZLL.



870. Home Occupation

Reason for amendments:

1. Recognize current zoning policy which allows for cottage food production as a home occupation, in accordance with Florida Statutes 500.80, and the requirements of the Department of Agriculture and Consumer Services.
2. Allow incidental retail sales where the home occupation is a mail order or internet business, and where inventory is stored in accordance with existing standards.
3. Revise title of On-Premise Sales standards to read "On-Premise Sales of Goods and Services" to clarify the sale of services is prohibited at the home other than instructional services.
4. Delete the certificate of insurance requirement associated with instructional services as Zoning no longer reviews Home Occupational Licenses and the certificate is not a Tax Collector or State of Florida requirement.

a. Definition

A business, profession, occupation, trade, artisan, or handcraft conducted in a dwelling unit for commercial gain by a resident of the unit. A home occupation shall not include those businesses ~~which that~~ are ~~required open to the public including those required~~ by State of Florida agencies ~~to be open to the public.~~[Ord. 2009-040]

ab. Incidental Nature

Shall be clearly incidental and subordinate to the residential use of the dwelling property ~~and shall be confined to no more than ten percent of the total floor area of the dwelling.~~

bc. Location

With the exception of outdoor instructional services, a home occupation shall be conducted within the principal dwelling or off-site, and shall not be conducted within any accessory building or structure or within any open porch or carport that is attached to and part of the principal structure. Instructional services, which by their nature must be

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

1 conducted outside of the principal structure, such as swimming lessons, shall be located
2 in a rear or side yard.

3 **ed. No Change to Character of Dwelling**

4 The residential character of the dwelling in terms of exterior appearance and interior
5 space shall not be altered or changed to accommodate a home occupation.

6 **de. Employees**

7 Shall be conducted by members of the immediate family residing in the dwelling unit only.
8 A maximum of one person who is not a member of the immediate family may assist in the
9 operation of the home occupations at the residence.

10 ~~**e. Business Tax Receipt**~~

11 ~~Shall be operated pursuant to a valid business tax receipt for the use conducted by the~~
12 ~~resident of the dwelling. More than one home occupation may be permitted on a~~
13 ~~residential lot. [Ord. 2007-013].~~

14 **f. Advertising**

15 No external evidence or sign shall advertise, display, or otherwise indicate the presence
16 of the home occupation, nor shall the street address of the home occupation be
17 advertised through signs, billboards, television, radio, or newspapers. Advertising on
18 vehicles shall be limited to the minimum necessary to meet requirements mandated by
19 F.S. Chapter 489 or Chapter 67-1876 of the PBC Contractor's Certification Division
20 Manual.

21 **g. Cottage Foods**

22 No food preparation shall be permitted, except as allowed in accordance with Section
23 F.S. Section 500.80 cottage food operations, as amended.

24 **gh. On-Premise Sales of Goods and Services**

25 A home occupation shall not involve the sale of any stock, trade, supplies, products, or
26 services on the premises, except for instructional services or incidental retail sales where
27 the home occupation is a mail order or internet business.

28 **hi. Instructional Services**

29 Instructional services shall meet the following additional regulations:

30 **1) Home Instruction, Inside**

31 Teaching which takes place inside the dwelling unit of the instructor. Typical
32 instruction includes music lessons and academic tutoring.

33 **2) Home Instruction, Outside**

34 Teaching which takes place outside the dwelling unit, on the property of the
35 instructor. This type of instruction is limited to subject matter which necessitates
36 outside instruction. Typical instruction includes tennis, swimming lessons, dog
37 training and equestrian lessons.

38 **3) Hours of Operation**

39 Instruction shall occur only between the hours of 9:00 a.m. and 8:00 p.m. daily.

40 ~~**4) Insurance**~~

41 ~~Proof of liability insurance in the amount of at least \$300,000 covering the~~
42 ~~instructional service shall be submitted prior to the issuance of a Business Tax~~
43 ~~Receipt. [Ord. 2008-003]~~

44 **54) Number of Students**

45 A maximum of three students at a time shall be permitted to receive instruction during
46 a lesson.

47 **65) Parking**

48 No more than two vehicles associated with the lessons shall be permitted to be
49 parked at the instructor's home at any time.

50 **67) Resident**

51 The instruction must be conducted by a resident of the dwelling where lessons are
52 provided. Only one instructor shall be permitted to provide instruction. ~~The business~~
53 ~~tax receipt shall be issued to the instructor. [Ord. 2007-013]~~

54 **ij. Outside Storage**

55 No equipment or materials used in the home occupation shall be stored or displayed
56 outside of the dwelling, including driveways.

57 **jk. Nuisances**

58 No home occupation shall involve the use of any mechanical, electrical or other
59 equipment, materials or items which produce noise, electrical or magnetic interference,
60 vibration, heat, glare, smoke, dust, odor or other nuisance outside the residential building.
61 There shall be no storage of hazardous or noxious materials on the site of the home
62 occupation. There shall be no noise of an objectionable nature from the home occupation
63 audible at adjoining property lines.

64 **kl. Violations or Hazard**

65 If any of the above requirements are violated, or if the use, or any part thereof, is
66 determined by the Zoning Director to create a health or safety hazard, then the business
67 tax receipt may be revoked. [Ord. 2007-013]

68 **lm. Vehicles**

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

1 One business related vehicle per dwelling unit not over one ton rated capacity may be
2 parked at the home, provided the vehicle is registered to a resident of the dwelling,
3 commercial vehicles are prohibited.
4

Reason for amendments to Home Occupation in the Use Matrix: [Zoning]
Remove Home Occupation from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process.

5
6
7
8 **973. Kennel, Type ~~1~~1A (Private)**
9

Reason for amendments: Zoning
1. Kennel, Type 1 (Private) is proposed to be relocated to three locations in the ULDC: Art. 4, Accessory Residential Uses (new), Commercial Use Classification, and Art. 5.B, Accessory and Temporary Uses.
• The existing kennel, type 1 (Private) will be renamed to Kennel Type 1A. The definition is revised to clarify that private kennels are accessory to Single Family dwelling and not principal in nature.
• A new commercial kennel use, type 1B, is being established to allow commercial kennels in residential zoning districts to be addressed with the Commercial uses.
• Regulations for Hobby Breeder and number of animals are contained in the Limitations of Use standard are addressed by Animal Care and Control (ACC), therefore not needed.
• Portions of the use will be relocated from the current Residential Classification to Article 5.B, Accessory and Temporary Uses. See Part 12 below.
2. The Pot Bellied Pigs Standard will be deleted since Kennel Type 1 definition clearly indicates this use is limited to dogs and cats only.

10
11 **a. Definition**

~~Any building or land used, A residential lot with a single family dwelling~~ designed or arranged to facilitate the non-commercial care of domestic ~~animals, such as~~ dogs and cats, ~~(excluding horses or livestock)~~, owned by the occupants of the premises. [Ord. 2006-036] [Ord. 2008-036] [Ord. 2013-001]

16 **ba. Limitations of Use Private Non-Profit**

~~A private kennel type 1A may include shall be limited to domestic animals owned by the occupants of the premises only, or a private non-profit animal organization that is not open to the public and located on less than 2.5 acres. The care, breeding, boarding, raising, sale or grooming of dogs, cats, or any other domestic animal, bird, reptile or mammal is prohibited, except as permitted under provisions for Hobby Breeder contained herein. The raising of domestic animals for sale is prohibited. The sale of domestic animals on site is prohibited. Property size and restrictions on the number of animals permitted shall be regulated by the PBCACC. [Ord. 2006-036] [Ord. 2008-037] [Ord. 2013-001]~~

26 **1) Setbacks**

~~Enclosed structures or runs shall comply with the minimum setbacks applicable to the principal dwelling unit provided that openings do not face adjacent residential uses. [Ord. 2006-036] [Relocated to new Art. 5.B.1.A.22.c.1)a), General]~~

30 **2)c. Hobby Breeder**

~~A person who breeds up to two (2) litters of dogs or cats or nineteen (19) dogs or cats per one-year period, on their property and/or raises, on his/her property, purebred dogs or cats capable of registration with the national or international dog or cat registry and does not engage in the sale to the public, during a consecutive 12 month period, of more than two litters or 20 dogs or cats, whichever is greater. The A hHobby bBreeder is further defined and regulated by the PBCACC pursuant to Ord. 89-2 98-022, as amended. [Ord. 2006-036]~~

38 **3) Outdoor Runs**

~~Safety fences not to exceed six feet in height shall be required around outdoor runs. [Relocated to new Art. 5.B.1.A.22.a, Fences] If the safety fence is not opaque, a continuous solid opaque hedge, a minimum of four feet at installation, shall be provided around the outdoor run. [Relocated to new Art. 5.B.1.A.22.b, Hedges] Outdoor runs or non-enclosed structures used by a hobby breeders shall not be located within 50 feet of any property line adjacent to a residential district or 25 feet of any property line adjacent to a non-residential district. [Ord. 2006-036] [Relocated to new Art. 5.B.1.A.22.c.3), Hobby Breeders]~~

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
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~~4) Private Kennel~~

~~Outdoor runs or non-enclosed structures shall not be located within 25 feet of any property line. [Ord. 2006-036] [Relocated to new Art. 5.B.1.A.22.c.1)b), General]~~

~~b. Guard Dog Exemption~~

~~Adequate shelter required by ACC for any guard dog registered in accordance with ACC Ord. 98-022 shall be permitted in any Zoning district, and shall be exempt from the setback requirements of this section. [Ord. 2008-036] [Relocated to new Art. 5.B.1.A.22.c.4), Guard Dog Exemption]~~

~~c. Pot Bellied Pigs~~

~~The keeping of pot bellied pigs in a Type I Kennel shall be prohibited. [Ord. 2013-001]~~

Reason for amendments to Kennel Type 1 (Private) in the Use Matrix: [Zoning]
Remove Kennel Type 1 (Private) from the Use Matrix and relocate with other accessory uses. This use is accessory in nature and the principal use or uses to which it is accessory, already cover the approval process.

Part 9. ULDC Art. 5.B.1.A, Temporary Structures, (Page 32 of 100) is hereby amended as follows:

Reason for amendments: [Zoning]	
1.	Kennel, Type 1 (Private) is proposed to be split into two locations in the ULDC: Art. 5, Accessory and Temporary Structures and Art. 4 Commercial Use Classifications. A new Commercial Kennel use, Type 1A, is being relocated from the current Residential Classification to Article 5.B, Accessory and Temporary Uses, where standards for sheds and other similar accessory structures are located. Non-commercial kennels in residential zoning districts will still be allowed, subject to standards.
2.	Clarify setbacks are not applicable to shelters used to house active duty guard dogs since the dogs are not permanently stationed in the structure 24 hours.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

22. Runs and Kennels

Runs applicable to any kennel use shall be subject to the following:

a. Fences

Safety fences around the outdoor runs shall not exceed six feet in height. [Partially relocated from Art. 4.B.1.A.73.a.3), Limitations of Use related to Kennel, Type 1 (Private)]

b. Hedge

If the safety fence is not opaque, a continuous solid opaque hedge, a minimum of four feet at installation, shall be provided around the outdoor run. [Partially relocated from Art. 4.B.1.A.73.a.3), Limitations of Use related to Kennel, Type 1 (Private)]

c. Setbacks

1) General

a) Enclosed structures or enclosed runs shall comply with the minimum setbacks applicable to the principal dwelling unit. [Ord. 2006-036] [Relocated from Art. 4.B.1.A.73.a.1) Setbacks related to Kennel, Type 1 (Private)]

b) Outdoor runs or non-enclosed structures shall not be located within 25 feet of any property line. [Ord. 2006-036] [Relocated from Art. 4.B.1.A.73.a.4) Limitations of Use related to Kennel, Type 1 (Private)]

2) Hobby Breeders

Outdoor runs or non-enclosed structures used by hobby breeders shall not be located within 50 feet of any property line adjacent to a residential district or 25 feet of any property line adjacent to a non-residential district. [Ord. 2006-036] [Relocated from Art. 4.B.1.A.73.a.3) Limitations of Use related to Kennel, Type 1 (Private)]

d. Guard Dog Shelter Exemption

Adequate shelter required by ACC for any guard dog registered in accordance with ACC Ord. 98-022 shall be permitted in any zoning district. A shelter for a permanent on-site guard dog, associated with guard duty, shall be exempt from the setback requirements of this section when adjacent to non-residential zoning districts or uses. [Ord. 2008-036] [Relocated from Art. 4.B.1.A.73.b.3) Limitations of Use related to Kennel, Type 1 (Private)]

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

1

2.	This amendment consolidates general applicability of mobile home under Accessory Uses and Structures in Article 5 in a table to differentiate between a Mobile Home Dwelling unit and mobile home structure.
----	--

2
3 **23. Mobile Home**

4 The use of a mobile home shall be prohibited unless stated otherwise in Articles 4, Use
5 Regulations and Article 5, Supplementary Standards.

6 **Table 5.B.1.A – Mobile Home (1) Applicability**

<u>Dwelling Unit</u>	<u>Structure</u>
<u>MHPD or Existing Approved Mobile Home Park (2)</u>	<u>Accessory to Bona Fide Agriculture (2)</u>
	<u>Farm Workers Quarters (2)</u>
	<u>Caretaker Quarters (2)</u>
	<u>Real Estate Management Office (3)</u>
	<u>Construction Trailer (3)</u>
	<u>Watchman Trailer (3)</u>
	<u>While Constructing a SF Dwelling (3)</u>
[Ord.]	
Notes:	
1.	<u>Mobile Home shall not be used for storage or display.</u>
2.	<u>Supplementary use standards are indicated in Article 4, Use Regulations.</u>
3.	<u>Specific regulations are stated in Article 5, Supplementary Standards.</u>

7
8
9 **Part 10. ULDC Art. 5.B.1.B.3.d, Mobile Home While Constructing SFD, (Page 35 - 36 of 100) is**
10 **hereby amended as follows:**

11

Reason for amendments: [Zoning]	
1.	Relocate existing Mobile Home Dwelling standard in Article 4 related to temporary mobile home used during the construction of Single Family dwelling to consolidate with duplicated provisions in Article 5, Temporary Structures.

12 **CHAPTER B ACCESSORY AND TEMPORARY USES**

13 **Section 1 Supplementary Regulations**

14 **B. Temporary Structures**

15 **3. Temporary Structures and Uses During Development Activity**

16 **d. Mobile Home While Constructing a SFD-Single Family Dwelling**

17 **1) Temporary Dwelling During Home Construction Definition**

18 A mobile home used as a temporary residence during the construction of a Single
19 Family structure.

20

2.	Clarify that temporary mobile home is permitted only when associated with the construction of Single Family that is located in the AR/RSA Zoning District.
3.	Expand requirements for mobile home to be connected to potable water well as the structure will be temporarily used as residence. This is an existing requisite by the Health Department applicable to temporary habitable structures.
4.	As a result of relocation of temporary mobile home language in Article 5.B.1.B, Temporary Structures, this amendment consolidates duplicated standards related to Removal Agreement and Time Limitations on Mobile Home Approval located in Article 4 and Article 5. It also clarifies that a removal agreement is needed at the time of building permit for the mobile home.

21 **2) Zoning District – AR (RSA)**

22 In ~~A temporary mobile home is permitted only in the AR~~ Zoning District of the - Rural
23 Service Area (RSA). ~~District, placement of a mobile home dwelling shall be permitted~~
24 on a temporary basis subject to the following standards:

25 **a3) Agency Approval**

26 Sanitary sewage facilities and potable water well shall be approved by all
27 governmental agencies having appropriate jurisdiction, permits, and inspections for
28 the installation which must be obtained from the PZB Department and Health
29 Department;

30 **b4) Building Permit**

31 **a)** A valid building permit for a single-family dwelling unit on the land shall have
32 been approved issued by the Building Director Division prior or concurrent to
33 issuance of the tie down permit for the mobile home;

34 **Notes:**

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

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

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

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

EXHIBIT B

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 06/13/14)

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b) The approval for the mobile home shall be valid for two years or up to 30 days after the issuance of the Certificate of Occupancy for the Single Family dwelling, whichever occurs first. A notarized removal agreement shall be submitted and executed with the application for the tie down building permit. No time extensions shall be granted. No more than one MH approval shall be granted per Property Control Number. [Ord. 2007-001] [Relocated from Art. 4.B.1.A.85.d.2.a), Limitations of MH Approval]

~~c) Removal Agreement~~

~~Execution of a notarized Mobile Home Removal Agreement, which establishes that the mobile home shall be removed within 30 days after the final CO or at the end of the maximum two year timeframe. Additionally, the building permit shall be stamped with the requirement to remove the mobile home within 30 days after the final CO is issued. [Ord. 2008-003]~~

25) Additions

No additions shall be permitted to the mobile home, except awnings and demountable screen panels, stairs, decks and trellises.

36) Proof of Ownership

A current recorded warranty deed for the subject property shall be submitted.

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