

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
APRIL 27, 2016 MEETING

AMENDMENTS TO THE AGENDA
(Updated 4/26/16)

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#1	Exhibit G – Reason for Amendment for Transportation Uses, Part 1, Page 22 of 29 (line 8-9) Reason for amendments: [Zoning] The following section will address General Transportation standards related to private Airports, Heliports, Landing Strips and Seaplane Facilities which will be subject to local, state and federal regulations. Public airports and collocated uses will continue to be regulated by the applicable overlays in Article 3.B.2, <u>Airport Zoning Overlay</u> and the airport regulations in Article 16.A.1, <u>Airport Regulations</u> . <u>Article 3.B.2 has its own use regulations for airport and non-airport related uses. Article 16 regulates uses surrounding publicly owned airports within Palm Beach County. Articles 3 and 16 regulates the Palm Beach International Airport (PBIA), PBC Glades Airport (Pahokee), Park Airport (Lantana), and Palm Beach North County Airport.</u> Standards were relocated from Airport standards to the general section as they mostly apply to all air transportation uses.
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#2	Exhibit G – Article 4.B.4.2.b.4), Heliport, Part 1, Page 25 of 29 (line 17)
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4) Accessory to a Public Park may be Permitted by Right ~~provided~~ subject to the following:

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a) The use is not within 1,000 feet of a parcel with a residential use or FLU designation. For Public Parks comprised of multiple parcels, measurement shall be from the overall boundary of the Public Park; or,

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b) Use of helicopters shall be limited to only emergency purposes ~~only shall be Permitted by Right.~~

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#3	Exhibit G – Article 4.B.4.2.b.5), Heliport, Part 1, Page 25 of 29 (line 25)
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5) Except where allowed otherwise herein, a Heliport Accessory to Data and Information Processing, Government Services, ~~and~~ Research and Development may be allowed subject to Class A Conditional Use.

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#4	Exhibit G – Article 4.B.4.5.b, Typical Uses [Related to Transportation Facility], Part 1, Page 27 of 29 (line 33)
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b. Typical Uses

A Transportation Facility use may include, but not be limited to: bus stations, ferryboat or cruise ship terminals, and commuter railroad ~~depote~~ stations.

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Notes:

Double underlined indicates new text or previously stricken text to remain.

~~Double Stricken~~ indicates text to be ~~deleted~~.

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

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



April 20, 2016

**Department of Planning,
Zoning & Building**

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

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
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**Palm Beach County
Board of County
Commissioners**

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

County Administrator

Verdenia C. Baker

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

RE: April 27, 2016 LDRAB Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB hearing on Wednesday, April 27, 2016.

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

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

Sincerely,

William Cross, AICP
Principal Site Planner, Zoning Division

Attachments: April 27, 2016 LDRAB Agenda

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

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PALM BEACH COUNTY

LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

APRIL 27, 2016

BOARD MEMBERS

Wesley Blackman, AICP, Chair (PBC Planning Congress)

David Carpenter, RLA, Vice Chair (District 2)

Michael J. Peragine (District 1)

Barbara Katz (District 3)

James Knight (District 4)

Lori Vinikoor (District 5)

Stuart R. Fischer (District 6)

Henry D. Studstill, (District 7)

Daniel J. Walesky (Gold Coast Builders Assoc.)

Joni Brinkman (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Jerome I. Baumoehl (American Institute of Architects)

Tommy B. Strowd (Environmental Organization)

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

Derek Zeman (Fl. Surveying and Mapping Society)

Vacant (Association Gen. Cont. of America)

James M. Brake (Member at Large/Alternate)

Leo Plevy (Member at Large/Alternate)

Board of County Commissioners

Mary Lou Berger
Mayor, District 5

Hal R. Valeche
Vice Mayor, District 1

Paulette Burdick
Commissioner, District 2

Shelley Vana
Commissioner, District 3

Steven L. Abrams,
Commissioner, District 4

Melissa McKinlay
Commissioner, District 6

Priscilla A. Taylor
Commissioner, District 7

Verdenia C. Baker
County Administrator



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LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

WEDNESDAY, APRIL 27, 2016 AGENDA
2300 NORTH JOG ROAD
KEN ROGERS HEARING ROOM - 1ST FLOOR (VC-1W-47)
2:00 P.M.

A. CALL TO ORDER/CONVENE AS LDRAB

1. Roll Call
2. Additions, Substitutions and Deletions
3. Motion to Adopt Agenda
4. Adoption of March 23, 2016 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B – Art. 1.E, Prior Approvals [F.S. 723.041, Mobile Home Parks]
2. Exhibit C – Art. 3.A.3, Zoning District Consistency with the Future Land Use Atlas
3. Exhibit D – Table 6.A.1.D, Minimum Parking Dimensions
4. Exhibit E – Overlay Updates
5. Exhibit F – Western Communities Residential Development Overlay (WCRDO)

C. Exhibit CONVENE AS LDRC

1. Proof of Publication
 - a. Western Community Residential Development Overlay (WCRDO)
2. Consistency Determination
 - a. See Exhibit B.5 listed above

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. USE REGULATIONS PROJECT (URP) UPDATE

1. Exhibit G - Transportation Uses

F. PUBLIC COMMENTS

G. STAFF COMMENTS

1. BCC Initiates FPL Phase 2 PIA for Communication Tower Amendments

H. ADJOURN

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 4/20/16)

Minutes of March 23, 2016 LDRAB Meeting

On Wednesday, March 23, 2016 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), also sitting as the Land Development Regulation Commission (LDRC), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

Chair Wes Blackman called the meeting to order at 2:02 p.m. Zona Case, Code Revision Zoning Technician, called the roll.

Members Present: 10

Wesley Blackman (PBC Planning Congress)
Michael Peragine (District 1)
David Carpenter (District 2)
Barbara Katz (District 3) *
Jim Knight (District 4)
Lori Vinikoor (District 5)
Stuart R, Fischer (District 6)
Terrence Bailey (Florida Eng. Society)
Frank Gulisano (PBC Board of Realtors)
Derek Zeman (FL Surveying & Mppng. Soc.)

Vacancy: 1

(Assoc. General Contractors of America)

Members Absent: 7

Henry Studstill (District 7)
Daniel J. Walesky (Gold Coast Build. Assoc.)
Joni Brinkman (League of Cities)
Jerome Baumoehl (AIA)
Tommy Strowd (Environmental Organization)
James Brake (Alternate #1)
Leo Plevy (Alternate #2)

County Staff Present

William Cross, AICP, Principal Site Planner, Zoning
Erin Fitzhugh-Seta, AICP, Senior Planner, Planning
Robert Kraus, Senior Site Planner, ERM
Jean Matthews, Senior Planner, Parks and Recreation
Selva Selvendran, Environmental Manager, Department of Health
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted the distribution of the amendments to the agenda handout and requested that it be included in the motion to adopt the agenda. He also welcomed Mr. Derek Zeman, newly appointed LDRAB member.

3. Motion to Adopt Agenda

Motion to adopt the agenda, as amended, by Ms. Vinikoor, seconded by Mr. Gulisano. Motion passed (9 - 0*).

4. Adoption of February 24, 2016 Minutes (Exhibit A)

Motion to adopt by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (9 - 0*).

B. ULDC AMENDMENTS

1. Exhibit B – Height Measurement for Fences, Walls and Hedges

Mr. Cross explained that the amendment is to replace text which was included in Exhibit E for BCC adoption on March 24, but was inadvertently omitted from the signed Ordinance.

Motion to adopt by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (9 - 0*).

* Ms. Barbara Katz arrived at 2:06 p.m.

2. Exhibit C - Parks and Recreation

Mr. Cross and Ms. Matthews summarized the amendments, as follows:

- Part 1 of Exhibit B updates the Person Per Household (PPH) rate to reflect the 2010 Census PPH rate of 2.39, as provided by the United States Census Bureau.
- Parts 2 and 3 are related to Community and Neighborhood Park Recreation Standards, to allow the following with approval by the Director of Parks and Recreation Department:

- ✓ Underground easements in recreation parcels ensuring the utilities of the sites are not adversely impacted. This will offer greater flexibility in site design, resulting in more livable conditions for residents.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

(Updated 4/20/16)

Minutes of March 23, 2016 LDRAB Meeting

- ✓ Exempt Congregate Living Facilities (CLF) from the minimum parcel size and dimensions to enable more flexible designs, and provide residents with alternative opportunities for indoor or outdoor activities.
- Phasing plans for Multifamily and CLF requiring that no more than 20 percent of Certificates of Occupancy be issued for a phase until recreational improvements are completed, open for use and accessible to residents.
- Parts 4, 5 and 6 relate to calibrating standards which similarly address Planned Development District minimum recreation standards, recognizing the amendments in Part 3:
 - ✓ Alternatives to comply with minimum recreation needs for CLFs; and,
 - ✓ Exemption from “frontage” requirements for single use projects or pods comprised of Multi-family Residential, CLFs, or other similar uses, which typically lack the necessary internal streets to comply with the frontage requirement.

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

3. Exhibit D - Article 14, Environmental Standards

Mr. Krauss explained that the amendment updates the list of Palm Beach County Natural areas by adding new natural areas and revises location data for existing ones. The amendment also corrects two spelling errors.

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

4. Exhibit E - Article 15, Health Regulations

Mr. Selvendran explained that the amendment deletes text related to pesticides which impacted wells. He clarified that pesticides are enforced by the Department of Agriculture and the ability for the Health Department to enforce was removed.

Motion to adopt by Mr. Gulisano, seconded by Ms. Katz. Motion passed (10 - 0).

5. Exhibit F - State Road 7, Economic Development Overlay

Mr. Cross explained that the amendment, including the add/delete handout, deletes all reference to the Economic Development Overlay (EDO) from the ULDC as the Overlay area has been annexed by Royal Palm Beach.

Motion to adopt by Ms. Vinikoor, seconded by Ms. Katz. Motion passed (10 - 0).

G. PUBLIC COMMENTS

There were no public comments.

H. STAFF COMMENTS

Mr. Cross informed the Board that the Electronic signage amendments would be presented to the BCC the following day; and, if the Planning Division proceeds with Comprehensive Plan text amendments for the Indian Trails Grove PUD, the related ULDC amendments may be presented at the April LDRAB.

Ms. Cantor advised that invitations to the Transportation Subcommittee Meeting on April 11 will be sent out the following week, and may also be presented at the April LDRAB Meeting.

Mr. Bailey inquired when the Workforce Housing amendments will come back to the LDRAB. He indicated interest in keeping abreast of the project as it is a very large and complex issue which will have major impact on the County. Ms. Fitzhugh-Seta explained that the Planning Division has been meeting with Industry, Non-Profit organizations and interested parties. At the last meeting many changes were proposed making it a consensus code. She anticipates that it will be presented in April and all related information will be posted on the Web.

I. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 2:32 p.m.

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**
(Updated 4/20/16)

Minutes of March 23, 2016 LDRAB Meeting

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

Minutes drafted by: _____
Zona Case, Zoning Technician Date

EXHIBIT B

ART. 1.E, PRIOR APPROVALS [F.S. 723.041 MOBILE HOME PARKS] SUMMARY OF AMENDMENTS

(Updated 4/15/16)

1
2 Part 1. ULDC Art. 1.E.1.C, Modification of Prior Approvals (page 15 of 119), is hereby amended
3 as follows:
4

Reason for amendments: [Zoning] A 2003 Florida law, pre-empts local updates to prior approvals for mobile home parks, further recognizing trends in the increased size of mobile homes commonly resulting in the replacement of older single-wide units with larger double or triple wide models. Note that for purposes of interpreting the timing provision of the law "in affect at the time of approval" would mean the original Development Order, or any subsequent Development Order Amendment, if applicable.

ARTICLE 1, GENERAL PROVISIONS

CHAPTER E PRIOR APPROVALS

Section 1 General

C. Modification of Prior Approvals

A development order or permit, which was approved under ~~the~~ prior Code provisions, shall comply with the current review process for any modifications and the following: **[Ord. 2010-005]**

1. Determination of Extent of Vested Status in the Area of Modification

The proposed modification shall comply with the current Code to the greatest extent possible in the affected area, which also includes the determination of whether the prior approval has nonconformities. A prior approval may be subject to rezoning in accordance with the requirements of [Art. 3.A.3, Zoning District Consistency](#) with the Future Land Use Atlas (FLUA). **[Ord. 2010-005] [Ord. 2011-016]**

2. Modification to a Prior Approval with Nonconformities

Proposed modifications may not increase a nonconformity. The applicant shall identify the extent of the proposed modification on the applicable plan and in the application pursuant to [Art. 2, Plan Requirements](#). The application and plan shall: **[Ord. 2010-005]**

- a. list all prior Zoning resolutions and prior ULDC Amendment Ordinances to establish a record of any prior vesting claim; **[Ord. 2010-005]**
- b. delineate on the plan the boundary of the affected area and indicate all proposed modifications; If necessary, the Zoning Director shall render decision on the affected area. **[Ord. 2010-005]**
- c. identify all nonconformities with prior approved development orders, which includes: lot, structure, use, and site elements of the subject property or affected area of the subject property to establish a record of nonconformities in the tabular data of the plan, and notate on the plan these nonconformities, where applicable. **[Ord. 2010-005]**
- d. all nonconformities outside of the affected area that are clearly shown on a prior development order shall be vested. **[Ord. 2010-005]**

3. Mobile Home Park Exception

Pursuant to F.S. 723.041(4), the placement of any size new or used mobile home and appurtenances on a mobile home lot shall be permitted in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time of the approval of the Development Order for the mobile home park, or any subsequent Development Order Amendment, if applicable.

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57 Parks].docx

Notes:

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EXHIBIT C

ART. 3.A.3, ZONING DISTRICT CONSISTENCY WITH THE FUTURE LAND USE ATLAS SUMMARY OF AMENDMENTS

(Updated 3/31/16)

1

General Reason for amendments: [Zoning] This amendment implements the October 2015 BCC adoption of Comprehensive Plan Future Land Use Element (FLUE) Policy 2.2.1-j, which was also mirrored in concurrent amendments to the Glades Region under revised FLUE Policy 1.6-d, which served to establish partial residential future land use (FLU) and Zoning district consistency tables within the Plan, as follows:

- Applies to applicable residential Standard districts and Planned Development Districts (PDDs), but does not include Traditional Development Districts (TDDs).
Expands the list of allowable Zoning districts in the Low Residential (LR) 1, 2 and 3 flu designation to include the Single-family Residential (RS) district, which was previously limited to use in the Medium Residential 5 (MR-5) or higher flu designations, unless developed as a Planned Unit Development (PUD). The general rationale is to encourage additional infill redevelopment opportunities within underutilized areas within the Urban/Suburban (U/S) Tier, and the Urban Service Area (USA) of the Glades Tier.

[Planning 2015 Residential Future Land Use Designation Data Analysis for New FLUE Policy 2.2.1-j, FLU and Zoning Consistency] This amendment will add the FLU and Zoning Consistency Table to the Comprehensive Plan and broaden the consistent FLU and Zoning Districts. Many to most local governments establish FLU / Zoning consistency in the Comprehensive Plan, and the County had initially established this table with the 1980 Comprehensive Plan. This change will allow lower density zoning districts to be allowed in higher density FLU reflecting the absence of minimum density requirements currently in designations less than 8 units per acre, and with this amendment, all future land use designations. This amendment will also make AP & AR consistent with any residential FLU in the Glades Tier to allow the continuation of agriculture until such time that the urban areas of the Glades Urban Suburban Tier convert to urban uses pursuant to the existing urban designations. See the following website for full Planning staff report: http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-3_15-2_Text-GladesRegion-Rpt.pdf.

[Planning 2015 Glades Region Amendments Data Analysis for revised FLUE Policy 1.6-d] This policy was revised to remove the outdated deadline of 2002, and to allow the continuation of both agricultural and residential uses in the unincorporated Glades Urban/Suburban Tier. Table 1.6-a was added to provide the Glades Tier with a consistent Zoning District for each Residential Future Land Use designation. This table establishes consistency for 181 acres of land in the Glades Tier which have been residentially zoned prior to the adoption of the Comprehensive Plan on August 31, 1989. Additionally, this policy will allow the Lake Harbor area to be consistent with Agricultural Production for such properties which received Residential Estate zoning district designation prior to August 31, 1989. See the following website for full Planning staff report: http://www.pbcgov.com/pzb/planning/bccagenda/2015/oct/3-C-2_15-2-Text-ResidentialFLU-Rpt.pdf.

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Part 1. ULDC Art. 3.A.3.B, Standard Districts (pages 16-18 of 234), is hereby amended as follows:

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ARTICLE 3
OVERLAYS & ZONING DISTRICTS

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

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B. Standard Districts

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Any application for a rezoning to a Standard Zoning District shall correspond to a FLU designation indicated in the table below.

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Table with 2 rows: Reasons for amendments: 1. See General Reason for Amendments above. 2. Add new note 3 to clarify that previously relocated notes generally apply to specific FLU/Zoning consistency provisions of Table 3.A.3.B.

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EXHIBIT C

**ART. 3.A.3, ZONING DISTRICT CONSISTENCY WITH
THE FUTURE LAND USE ATLAS
SUMMARY OF AMENDMENTS
(Updated 3/31/16)**

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**Table 3.A.3.B - Future Land Use (FLU) Designation and Corresponding
Standard Zoning Districts (1)(3)**

FLU Designation	Zoning District					
....						
Residential						
RR-20	AR					
RR-10	AR	CRE				
RR-5	AR					
RR-2.5	AR	RE				
LR-1	AR (2)	RE	RT	RS AP		
LR-2	AR (2)	RE (2)	RT	RS		
LR-3	AR (2)	RE (2)	RT	RS		
MR-5	AR (2)	RE (2)	RT (2)	RS	RM	
HR-8	AR (2)	RE (2)	RT (2)	RS	RM	
HR-12	AR (2)	RE (2)	RT (2)	RS (2)	RM	
HR-18	AR (2)	RE (2)	RT (2)	RS (2)	RM	
....						
[Ord. 2006-004] [Ord. 2008-003] [Ord. 2008-037] [Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-016] [Ord. 2014-025]						
Notes:						
1. Unless exempted otherwise all applications for a Development Order shall require the subject site be rezoned to a shaded district.						
2. Existing zoning districts by FLU designation that may qualify for SFD exemption in accordance with the exceptions listed below.						
3. <u>See Art. 3.A.3.B.1, Standard District Exceptions and Limitations below, for additional notes.</u>						
Typical Example of a "shaded district." [Redacted]						

2

Reason for Amendment: Implements new FLUE Policy 1.6-e, *“Within the Glades Tier, the Agricultural Production zoning district is consistent with all future land use designations, excluding Conservation.”* This broad policy pre-empts the need for the prior provision recognizing existing residential development with an LR-1 FLU north of Canal Point.

[Planning 2015 Glades Region Amendments Data Analysis for new FLUE Policy 1.6-e] *“This new policy will make the Agricultural Production (AP) Zoning District consistent with all future land use designations in the Glades Tier, except for properties with a Conservation Future Land Use. This policy will allow the 13,995 acres of land that have AP or AR zoning with an urban residential future land use designation to continue agricultural operations without having to have a land use amendment. Although the intent of the 1989 Comprehensive Plan was to facilitate development in the Glades communities, this policy change is necessary for existing agricultural uses to not be impeded due to that intent.”*

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1. Standard District Exceptions and Limitations

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- g. Within the Glades Tier, the AP District is consistent with all FLU designations, excluding Conservation the LR-1 designation in the Glades Tier only for legal lots of records located north of Pahokee, on the east side of US 441, for the unincorporated community of Canal Point. [Ord. 2011-016]

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EXHIBIT D

ART. 6 – PARKING [NON-RESIDENTIAL USE PARKING DIMENSIONS] SUMMARY OF AMENDMENTS

(Updated 4/8/16)

1
2 **Part 1. ULDC Art. 6.A.1.D.14, (page 19 of 39), is hereby amended as follows:**
3

Reason for amendments: [Zoning] Originally established based on the higher parking turnover associated with retail sales trip generation rates, the standard is not applied to other similar high trip generation uses, nor is it realistic for many commercial centers which may experience varying degrees of turnover with retail, office, personal service, restaurant or a myriad of other tenants. Noted also, many jurisdictions have trended towards narrower parking spaces in response to the proliferation of smaller vehicles versus those manufactured in the 1970's or earlier (notwithstanding trends towards larger SUVs and pickups). Reference to "commercial uses" has also been revised to recognize applicability to "non-residential uses" and consistency with Table 6.A.1.D - Minimum Parking Dimensions for Nonresidential Uses and Residential Uses with Shared Parking Lots.

ARTICLE 6, PARKING

CHAPTER A PARKING

Section 1 General

D. Off-Street Parking

14. Design and Construction Standards

a. Dimensions

The dimensions and geometrics of off-street parking areas shall conform to the following minimum standards.

1) Residential

a) Individual Parking Space

Each parking space for dwelling units that do not share a common parking lot shall be a minimum of eight feet wide and 20 feet long. Parking spaces may be side to side, end to end or not contiguous to each other.

b) Common Parking Lots

For dwelling units that share a common parking lot, parking spaces and aisles shall be subject to Table 6.A.1.D, Minimum Parking Dimensions.

2) Nonresidential

All nonresidential uses and residential uses with shared parking lots shall provide parking spaces that comply with Table 6.A.1.D, Minimum Parking Dimensions, and Figure 6.A.1.D, Typical Example of General Parking Schematic. Parking angles that are not illustrated in Table 6.A.1.D, Minimum Parking Dimensions, or Figure 6.A.1.D, Typical Example of General Parking Schematic shall be interpolated from the tables and approved by the DRO. For the purpose of applying the "Use" column in Table 6.A.1.D, Minimum Parking Dimensions, the following rules shall apply:

a) General

The term "general" applies to parking spaces designated to serve ~~all-commercial~~ non-residential uses ~~except-retail~~ and residential uses with shared parking lots.

Reason for amendment: Update references to parking or persons with disabilities for consistency with Art. 6.A.1.D.6, Parking Spaces for Persons Who Have Disabilities, and related Florida Statutes and Florida Building Code laws and regulations.

b) Accessible

Spaces reserved for use by disabled persons shall be governed by the rows labeled "~~accessible handicap~~";

[Renumber accordingly]

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EXHIBIT D

ART. 6 – PARKING [NON-RESIDENTIAL USE PARKING DIMENSIONS] SUMMARY OF AMENDMENTS (Updated 4/8/16)

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

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D (3) Aisle Width (feet)	E Curb Length (feet)	F Module Width (feet)
45	General	9.0	17.5	12.0	12.5	47.0
	Retail	9.5	17.5	12.0	13.5	47.0
	<u>Accessible * Handicapped</u>	12.0	17.5	12.0	17.0	47.0
60	General	9.0	19.0	16.0	10.5	54.0
	Retail	9.5	19.0	15.0	11.0	53.0
	<u>Accessible * Handicapped</u>	12.0	19.0	14.0	14.0	52.0
70	General	9.0	19.5	19.0	9.5	58.0
	Retail	9.5	19.5	18.0	10.0	57.0
	<u>Accessible * Handicapped</u>	12.0	19.5	17.0	12.5	56.0
75	General	9.0	19.5	23.0	9.5	62.0
	Retail	9.5	19.5	22.0	10.0	61.0
	<u>Accessible * Handicapped</u>	12.0	19.5	21.0	12.5	60.0
80	General	9.0	19.5	24.0	9.0	63.0
	Retail	9.5	19.5	23.0	9.5	62.0
	<u>Accessible * Handicapped</u>	12.0	19.5	22.0	12.0	61.0
90	General	9.0	18.5	26.0	9.0	63.0
	Retail	9.5	18.5	25.0	9.5	62.0
	<u>Accessible * Handicapped</u>	12.0	18.5	24.0	12.0	61.0
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0 Max. 7.0	Min. 12.0 Max. 13.0	Min. 15.0 Max. 17.0 (2)	Min. 6.0 Max. 7.0	Min. 39.0 Max. 43.0 (2)
[Ord. 2005-002] [Ord. 2012-027]						
Notes:						
* <u>Accessible applies to parking for persons who have disabilities.</u>						
1. Use – See Art. 6.A.1.D.14, Design and Construction Standards.						
2. Where drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.						
3. Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90 degree parking stalls, or unless stated otherwise herein. [Ord. 2012-027]						

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EXHIBIT E
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 4/12/16)

General Reason for amendments: Minor revisions for previously recognized Bioscience Research Protection Overlay (BRPO), which by its nature didn't originally merit establishing an Overlay in Art. 3.B, and the Lion Country Safari Overlay (LCSO), which is a similar site specific Overlay. It is hoped that these revisions will provide additional guidance to outside parties, while furthering the connection between the Plan and ULDC.

Part 1. ULDC Art. 1.1.3, Abbreviations and Acronyms (pages 115 and 117 of 11), is hereby amended as follows:

Reason for amendments:

1. [Zoning] Establish BRPO acronym, applicable to ULDC Art. 4.B.1.A.76.c, Bioscience Research Protection Overlay (BRPO), and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.9.
2. [Zoning] Establish LCSO acronym, applicable to ULDC Art. 3.E.2.G.1.c.1), Purpose and Intent [Related to Lion Country Safari], and proposed amendments to Art. 3.B, Overlays, to recognize previously implemented FLUE Objective 1.1.

ARTICLE 1, GENERAL PROVISIONS

CHAPTER I DEFINITIONS & ACRONYMS

Section 3 Abbreviations and Acronyms

....
<u>BRPO</u>	<u>Biotechnology Research Protection Overlay</u>
....
<u>LCSO</u>	<u>Lion Country Safari Overlay</u>
....

Part 2. ULDC Art. 3.A.1.B.1, Overlays

Reason for amendments: [Zoning] Identify existing Overlays recognized elsewhere within the ULDC to improve ease of use. In some instances, the requirements of some Overlays were determined not to merit a separate set of standards within this Chapter of the ULDC; however, adding an additional reference herein may help staff and interested persons more readily recognize when additional standards or incentives are applicable to a project. NOTE: The SR7 EDO will be deleted in a separate amendment in ULDC Amendment Round 2016-01.

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER A GENERAL

Section 1 Districts

B. Overlays and Zoning Districts

In order to carry out and implement the Plan, the following Overlays, Standard Zoning Districts, Planned Development Districts (PDDs), and Traditional Development Districts (TDDs) are hereby established. **[Ord. 2011-016]**

1. Overlays

- AGEO, Agricultural Enclave Overlay **[Ord. 2011-016]**
- AZO, Airport Zone Overlay
- COZ, Conditional Overlay Zone
- GAO, Glades Area Overlay
- IOZ, Indiantown Road Overlay
- IRO, Infill Redevelopment Overlay **[Ord. 2011-016]**
- LOSTO, Lake Okeechobee Scenic Trail Overlay
- NBOZ, Northlake Boulevard Overlay Zone
- NEO, Native Ecosystem Overlay
- PBIAO, Palm Beach International Airport Overlay
- RTO, Research and Technology Overlay
- SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay **[Ord. 2004-040]**

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EXHIBIT E
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 4/12/16)

1 SR-7 EDO, State Road 7 Economic Development Overlay [Ord. 2011-016]
2 SR-80, Non-residential Overlay
3 TAPO, Turnpike Aquifer Protection Overlay
4 URAO, Urban Redevelopment Area Overlay [Ord. 2011-016]
5 WCRAO, Westgate Community Redevelopment Agency Overlay
6 BRPO, Bioscience Research Protection Overlay
7 LCSO, Lion Country Safari Overlay
8
9

10 **Part 3. ULDC Art. 3.B, Overlays (page 118 of 232), is hereby amended as follows:**
11

Reason for amendments:	
1.	[Zoning] Establish placeholder for the Bioscience Research Protection Overlay (BRPO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process for the Research Laboratory use to encourage bioscience development.
2.	[Zoning] Establish placeholder for the Lion Country Safari Overlay (LCSO) to further support previous 2007 amendment to ULDC Art. 4.B.1.A.76.c [Related to Industrial Research Laboratory], which implemented FLUE Objective 1.9, by streamlining the approval process to encourage bioscience development.

12 **ARTICLE 3, OVERLAYS & ZONING DISTRICTS**

13
14 **CHAPTER B OVERLAYS**

15

16 **Section 19 Bioscience Research Protection Overlay (BRPO)**

17 **A. Purpose and Intent**

18 To promote the growth and stability of bioscience research/biotechnology uses in proximity to the
19 Scripps Research Institute (TSRI) campus at Abacoa/Briger, and deterring the conversion of
20 those uses to commercial or residential uses. This will be accomplished in coordination with the
21 Town of Jupiter, the City of Palm Beach Gardens, the City of Riviera Beach, the Town of Lake
22 Park and the Town of Mangonia Park, with the objective to provide opportunity for a minimum
23 8,000,000 square feet of bioscience/biotechnology use cluster in Northern Palm Beach County.
24 The BRPO does not limit the uses currently allowed consistent with the property's existing land
25 use designation and zoning designation including uses allowed pursuant to planned development
26 approvals and development of regional impact approvals.

27 **B. Boundaries**

28 Generally located and bifurcated North and South of Blue Heron Blvd, West of the C-17 canal
29 and Garden Road and East of I-95; bordered in the North by Consumer Street and in the Sout
30 Interstate Park Way; The larger portion of the overlay lying in the area to the North of Blue Heron
31 Blvd, with a smaller portion comprised of 8 parcels to the South, as well as the area included in
32 the Florida Research Park (Palm Beach Park of Commerce) DRI approval – shall be depicted on
33 the Special Planning Areas Map in the Comprehensive Plan Map Series.

34 **C. Applicability**

35 See Art. 4.B.1.A.76, Research Laboratory, and FLUE Objective 1.9, Bioscience Research
36 Protection Overlay (BRPO).

37 **Section 20 Lion Country Safari Overlay (LSCO)**

38 **A. General**

39 See ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, for Purpose and Intent, Boundaries and
40 Applicability, and additional site development requirements.

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EXHIBIT E
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 4/12/16)

1
2 **Part 4. ULDC Art. 3.E.2.G.1.c, Lion Country Safari (LCS) (page x of 232), is hereby relocated to**
3 **new ULDC Art. 3.E.2.G.6, Lion Country Safari Overlay, and amended as follows:**
4

Reason for amendments: [Zoning] The relocation of previously adopted provisions implementing Objective 1.1, Lion Country Safari Overlay (LCSO), responds to input from interested parties who commented that the original placement within the Rural Residential Planned Unit Development (RR PUD), created confusion for projects (e.g. Burt Reynolds Ranch) that were not within the Overlay. This amendment simply relocates these standards to the end of the RR PUD Section in response to industry input to improve ease of use.

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

7 **Section 2 Planned Unit Development (PUD)**

8 **G. RR PUD**

9 **1. Rural Residential**

10

11 **6e. Lion Country Safari Overlay (LCSO)**

12 **In addition to the standards for a RR PUD, an ~~A~~ application for a RR-PUD within the LCSO**
13 **that includes the transfer of density from the Lion Country Safari MUPD or RVPD, shall be**
14 **limited to Option 1, Rural Cluster, and the following: [Ord. 2011-016]**

15 **a.1) Purpose and Intent**

16 The purpose of the LCSO is to acknowledge the importance of the Lion Country Safari
17 Park as a unique tourist attraction and recognize that the viability of the park is important
18 for the County's tourism industry, pursuant to Plan Objective 1.11, Lion Country Safari
19 Overlay. The Overlay establishes a mechanism to encourage the preservation of the
20 Safari Park (MUPD), RV Park (RVPD) and related commercial recreation activities, while
21 allowing for residential development at an overall density that is compatible with the
22 surrounding area. This is accomplished by allowing the density of the Safari and RV
23 Parks (excluding hotel approval) to be transferred to the development area of a RR PUD
24 within the boundaries of the Overlay. **[Ord. 2011-016]**

25 **b.2) Applicability**

26 The LCSO is approximately one square mile in size, generally located north of Southern
27 Boulevard and West of Seminole Pratt and Whitney Road in Section 23, Range 40,
28 Township 43, as depicted in the Special Areas Planning Map LU 3.1, in the Map Series of
29 the Plan. The provisions of the LCSO are optional, and shall only apply to projects that
30 propose to relocate density from the Safari Park to a PUD within the boundaries of the
31 Overlay. **[Ord. 2011-016]**

32 **c.3) Application Requirements**

33 Any application that proposes to relocate density from the Safari or RV Parks to a RR
34 PUD within the Overlay shall comply with the following: **[Ord. 2011-016]**

35 **1a) Pre-Application Conference**

36 Each application shall require a PAC in accordance with [Art. 2.A.1.E, Pre-Application](#)
37 [Conference.](#) **[Ord. 2011-016]**

38 **2b) Master Plan**

39 A Preliminary or Final Master Plan shall be required to depict the overall boundaries
40 of the LCSO, include any Zoning approvals, identify Open Space Preserve Areas
41 from which density will be relocated to the development area of a RR-PUD, location
42 of access and interconnectivity, and related tabular data. **[Ord. 2011-016]**

43 **d.4) RR PUD Development Area**

44 In addition to the Development Area requirements for a Rural Cluster PUD, the following
45 shall apply: **[Ord. 2011-016]**

46 **1a) Clustered residential units which provide a variety of lot sizes to allow for a range of**
47 **housing choices; **[Ord. 2011-016]****

48 **2b) Smaller sized lots shall be located towards the center of the Development Area and**
49 **should transition to larger lot sizes located at the edge, adjacent to the existing**
50 **residential neighborhoods. **[Ord. 2011-016]****

51 **e.5) Other Requirements**

52 **1a) Existing native vegetation and other natural features located within the LCSO,**
53 **including a minimum of 37 acres of upland native vegetation, shall be preserved. At**
54 **the time a PUD is requested, higher quality upland native vegetation shall be**
55 **preserved in accordance with [Art. 14.C.7.B.3, Establishing Native Upland Preserves.](#)**

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EXHIBIT E
OVERLAY UPDATES
SUMMARY OF AMENDMENTS
(Updated 4/12/16)

- 1 This requirement shall not preclude the relocation of existing native upland preserves
2 to other areas with higher quality upland native vegetation. **[Ord. 2011-016]**
- 3 **2b)** Interconnectivity shall be provided between uses within the LCSQ. This shall not
4 preclude the use of security gates within the RR PUD. **[Ord. 2011-016]**
- 5 **3e)** A neighborhood serving commercial store of up to 3,500 square feet shall be
6 permitted within the RVPD to serve campers, or should the RVPD be abandoned, the
7 neighborhood store may be incorporated into a RR-PUD. **[Ord. 2011-016]**
- 8 **4d)** Golf courses are prohibited within the LCSQ. **[Ord. 2011-016]**
- 9 **e.6) Additional Notification Requirements**
- 10 Pursuant to the adoption of a LCSQ Overall Master Plan, any subsequent applications for
11 a Development Order Amendment within the boundaries of any designated Open Space
12 Preserve Areas or associated RR-PUD shall provide for the following notification to all
13 affected land owners and Property Owners Associations, as follows: **[Ord. 2011-016]**
- 14 **1a)** The Notice shall describe the applicant's request for a DOA; **[Ord. 2011-016]**
- 15 **2b)** The list of landowners and Property Owners' Association(s) shall be pursuant to the
16 latest PBC Property Appraisal list; **[Ord. 2011-016]**
- 17 **3e)** The Notice shall be sent to the landowners and Property Owners' Association(s) by
18 certified mail within ten days of filing its applications; and, **[Ord. 2011-016]**
- 19 **4d)** The applicant shall provide to the Zoning Division a copy of the Notice and written
20 confirmation the Notice requirements have been satisfied. **[Ord. 2011-016]**
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EXHIBIT F

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) SUMMARY OF AMENDMENTS

(Updated 4/19/16)

1

General Reason for amendments: The following Phase 2 Privately Initiated Application (PIA) to amend the Unified Land Development Code (ULDC) has been submitted by GL Homes concurrent with related privately initiated text and map series amendments to the Comprehensive Plan. These amendments include establishing the new Western Communities Residential (WCR) future land use (FLU) designation and related Policies, which will be implemented as the WCR Planned Unit Development (PUD). These new provisions further allow for concurrent applications to amend the future land use atlas (FLUA) and Rezoning for a project known as the Indian Trails Grove (ITG) PUD.

The following website provides additional details on the aforementioned applications and tentative dates for public meetings and hearings: http://www.pbcgov.com/pzb/indian_trails/index.htm. Additional backup and history related to the proposed amendments can be found in the Planning staff report presented to the Planning Commission on February 12, 2016, and at the Board of County Commissioners Transmittal Hearing on April 12, 2016, as follows:

- Planning Commission Hearing: <http://www.pbcgov.com/pzb/planning/luab/2016/feb/ITG-LPA.pdf>
- BCC Transmittal Hearing: <http://www.pbcgov.com/pzb/planning/bccagenda/2016/april12/3-A-1-ITG-Rpt-Complete2.pdf>

In evaluating the newly proposed WCR FLU designation requirements, Zoning staff have concluded that since the preponderance of additional requirements result in diminimus calibrations to existing PUD regulations, preference is to locate the substantive provisions of the Overlay within the PUD regulations as its own new type of PUD. A placeholder will also be established within Art. 3.B, Overlays, referencing the new WCR PUD.

2

3

Part 1. ULDC Art. 1.1.3, Abbreviations and Acronyms (page 119 of 119), is hereby amended as follows:

4

5

Reason for amendments: [GL Homes PIA] Recognize definition and related acronyms associated with proposed Comprehensive Plan Future Land Use Element (FLUE) Objective 4.5, Western Communities Residential (WCR).

[Planning FLUE text amendment Staff assessment] *“This definition is proposed to identify the new proposed form of development, it’s composition and intent, and with further meaningful and predictable standards detailed in a new objective and policies.”*

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ARTICLE 1, GENERAL PROVISIONS

8

CHAPTER I DEFINITIONS & ACRONYMS

9

10

Section 3 Abbreviations and Acronyms

11

....
<u>WCR</u>	<u>Western Communities Residential</u>
<u>WCRO</u>	<u>Western Communities Residential Overlay</u>
....

12

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14

Part 2. ULDC Art. 3.A.1.B.1, Overlays (page 15 of 232), is hereby amended as follows:

15

Reason for amendments: [GL Homes Phase 2 PIA] See General and Part 1 Reasons for Amendments above.

16

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ARTICLE 3, OVERLAYS & ZONING DISTRICTS

18

CHAPTER A GENERAL

19

Section 1 Districts

20

B. Overlays and Zoning Districts

21

1. Overlays

22

AGEO, Agricultural Enclave Overlay [Ord. 2011-016]

23

AZO, Airport Zone Overlay

24

COZ, Conditional Overlay Zone

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EXHIBIT F

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) SUMMARY OF AMENDMENTS

(Updated 4/19/16)

- 1 GAO, Glades Area Overlay
- 2 IOZ, Indiantown Road Overlay
- 3 IRO, Infill Redevelopment Overlay [Ord. 2011-016]
- 4 LOSTO, Lake Okeechobee Scenic Trail Overlay
- 5 NBOZ, Northlake Boulevard Overlay Zone
- 6 NEO, Native Ecosystem Overlay
- 7 PBIAO, Palm Beach International Airport Overlay
- 8 RTO, Research and Technology Overlay
- 9 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay [Ord. 2004-
- 10 040]
- 11 SR-7 EDO, State Road 7 Economic Development Overlay [Ord. 2011-016]
- 12 SR-80, Non-residential Overlay
- 13 TAPO, Turnpike Aquifer Protection Overlay
- 14 URAO, Urban Redevelopment Area Overlay [Ord. 2011-016]
- 15 WCRAO, Westgate Community Redevelopment Agency Overlay
- 16 WCRO, Western Communities Residential Overlay
- 17
- 18

Part 3. ULDC Table 3.A.3.C, FLU Designation and Corresponding Planned Development Districts (page 18 of 232), is hereby amended as follows:

Reason for amendments: Implements revised FLUE Table III.C, Future Land Use Designation by Tier, which recognizes that the WCR FLU is consistent with the Planned Unit Development District (PUD).

Table 3.A.3.C - FLU Designation and Corresponding Planned Development Districts (1)

	AGR (2)	RR	WCR	AGE	LR1	LR2	LR3	MR5	HR8	HR12	HR18	MLU
PUD	√	√	√	√	√	√	√	√	√	√	√	√
MHPD		√			√	√	√	√	√	√	√	
MXPD										(3)	(3)	

	AGR (1)	RR		CL	CH	CLO	CHO	IND	INST	CRE	MLU	EDC
MUPD				√	√	√	√	√	√	√	√	√
MXPD					√		√				√	
PIPD								√			√	√
RVPD		√								√		
LCC				√	√							

[Ord. 2008-037] [Ord. 2009-040] [Ord. 2009-040] [2010-005] [Ord. 2010-022] [Ord. 2014-025]

Notes:

1. Check (√) indicates the PDD corresponds to the FLU designations. Any application for a rezoning to a PDD shall be to a PDD that corresponds to a FLU designation. [Ord. 2008-037]
2. PDDs in the AGR Tier are limited to the 80/20 PUD OR 60/40 PUD. [Ord. 2006-004]
3. MXPD shall be permitted when located at an intersection, as defined by the Plan, or when adjacent to a parcel with a CH FLU designation. [Ord. 2010-005]

Part 4. ULDC Art. 3.B, Overlays (118 of 232), is hereby amended as follows:

Reason for amendments: [GL Homes Phase 2 PIA] See General Reasons for Amendments above.

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER B OVERLAYS

....

Section 21 Western Communities Residential Overlay (WCRO)

A. General

See ULDC Art. 3.E.2.H, WCR PUD.

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EXHIBIT F

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) SUMMARY OF AMENDMENTS

(Updated 4/19/16)

1
2 Part 5. New ULDC Art. 3.E.2.H, Western Communities Residential Development Overlay
3 (WCRDO) PUD, is hereby adopted as follows:
4

Reason for amendments: [GL Homes Phase 2 PIA] See General Reasons for Amendments above.

ARTICLE 3, OVERLAYS & ZONING DISTRICTS

CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

Section 2 Planned Unit Development (PUD)

H. WCR PUD

1. Purpose and Intent

To enable the appropriate transition between rural, suburban and other uses including existing and future conservation areas, specifically the J.W. Corbett Wildlife Management Area and Everglades restoration programs and projects. It achieves compatibility with the existing residential development pattern in the surrounding area while furthering remediation of the historic land use imbalance in that area through additional non-residential uses, and residential support for other nonresidential projects. This is accomplished through use of the Planned Unit Development (PUD) Zoning district, a site specific WCR FLUA amendment Conceptual Plan, hereinafter referred to as "FLUA Conceptual Plan", and the following additional standards.

2. Applicability

The provisions of the WCRO shall apply properties within a Planning Conceptual Plan for a WCR FLU designation.

3. Development Review Procedures

Any application for a Development Order shall be consistent with the FLUA Conceptual Plan.

Reason for amendments: Reinforces FLUE Table 2.2.1-j.1, which establishes that the WCR FLU designation is only consistent with the PUD Zoning district, and Policy 4.5-e, which restates the same while establishing that "commercial nodes..." (aka Commercial Pods) "...shall be designed consistent with the form of the Traditional Marketplace provisions in the ... Plan." The referenced TMD provisions are implemented through ULDC Art. 3.F, Traditional Development District and Art. 3.F.4, Traditional Marketplace Development.

[Additional Planning FLUE text amendment Staff assessment] "This is generally in keeping with the concepts included in the Sector Plan Remedial Amendment in 2007. It also provides additional specificity on the density and intensity being consistent with that of the adopted conceptual plan."

a. Rezoning

All land areas included within the FLUA Conceptual Plan shall be rezoned to a single PUD.

Reason for amendments: Implements new Policy 4.5-a requirements for a site specific WCR FLUA amendment Conceptual Plan (aka FLUA Conceptual Plan), with additional standards established in FLUE Policy 4.5-d and other policies of FLUE Objective 4.5.

[Additional Planning FLUE text amendment Staff assessment] "As indicated in the above analysis for the Objective, this policy requires any amendment to the WCR FLU designation include a Conceptual Plan that is a binding graphic depicting the locations and general configurations of a development; however, this is further clarified in New Policy 4.5-d. It is comparable to the old Development of Regional Impact (DRI) Map H. Policy also provides that the Conceptual Plan can only be amended after adoption through a subsequent FLUA amendment."

b. FLUA Conceptual Plan Interpretation

Any interpretation of the FLUA Conceptual Plan shall be made by the Planning Director, or by the Zoning Director in consultation with the Planning Director.

c. Commercial Pod(s) – BCC Preliminary Site Plan Approval

The BCC shall approve a Preliminary Site Plan for each Commercial Pod within a WCR PUD, with Commercial Pods developed in accordance with the standards for a Traditional Marketplace Development (TMD).

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EXHIBIT F

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) SUMMARY OF AMENDMENTS

(Updated 4/19/16)

Reason for amendments: [GL Homes Phase 2 PIA] The applicant is proposing a new system of labeling groups of Pods, to improve identification of larger Parcel areas within the overall development (e.g. Parcel A, Pod A1, Pod A2, etc.).

d. Parcel Designation

In addition to the designation of PUD Pods, the additional designation of PUD Parcels may be permitted to identify larger areas within the development.

Reason for amendments: PUD exceptions are required to recognize a number of deviations from standard PUD requirements established within FLUE Objective 4.5, namely Policies 4.5-d, 4.5-e, 4.5-f.1-7, as may be amended, including but not limited to:

- A minimum of 33.3% of the gross site acreage shall be set-aside in one large contiguous open space land area (aka open space set-aside);
- The project shall provide a minimum of 66.7% of the gross site acreage in open space uses [aka "Required Open Space"], with an additional requirement that 50% of the gross site acreage be in the form of "Exterior Open Space". The latter would primarily be comprised of the required "open space set-aside" with the remaining portions typically comprised of larger water, landscape or similar open space features located near the periphery of the development areas, or other similar features within the development;
- A minimum of 900 acres to qualify for a WCR FLUA amendment, which equates to the minimum acreage required for a WCR PUD;
- Increased area for Commercial Pods [AKA "Neighborhood Serving Commercial Nodes"], "intended to keep with the concepts included in the Sector Plan remedial amendment in 2007."
- Provisions to allow for interim and future agricultural use; and
- Maximum density of 0.80 du/acre, requirements for a range of housing types, a range of density with higher and medium density development in closer proximity to Commercial Pods, and a 10% minimum Workforce Housing Requirement.

Rather than duplicate the FLUE Policies above in the ULDC, which are also required to be included in a site specific WCR FLUA amendment Conceptual Plan (aka FLUA Conceptual Plan), Zoning is recommending a lighter approach, which:

- 1) Identifies any known inconsistencies with existing PUD standards as necessary to allow for a Planning Conceptual Plan to be implemented; and,
- 2) Recognizes the potential for further refinement if future WCRD eligible applicants submit additional privately initiated Comprehensive Plan amendments.

4. Planned Unit Development (PUD) Exceptions

a. Contiguity

For the purposes of contiguity, any land area included within the FLUA Conceptual Plan, shall be considered contiguous in accordance with FLUE Policy 1.12-d.

b. Minimum Acreage

As indicated on the FLUA Conceptual Plan.

c. PUD Land Use Mix

The following deviations shall be permitted from Table 3.E.2.C, PUD Land Mix, where specified otherwise on the FLUA Conceptual Plan.

1) Minimum Residential

The minimum required residential may be reduced.

2) Maximum Commercial

The maximum required commercial may be increased.

3) Open Space

Minimum or maximum required open space area shall be in accordance with the FLUA Conceptual Plan.

d. TMD Requirements for Commercial Pods

Commercial Pods shall be located in accordance with the FLUA Conceptual Plan, developed in accordance with the standards for a TMD as specified in Art. 3.F, Traditional Development Districts, and exempt from the PUD Commercial Pod requirements for Use Regulations, Location, Design, and PDRs.

e. Standards for Open Space

If designated on the FLUA Conceptual Plan, additional required open space set-aside areas not located within the development area of the WCR PUD shall be further limited to preservation, conservation, passive recreation, perimeter landscape buffers, rural

Notes:

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

EXHIBIT F

WESTERN COMMUNITIES RESIDENTIAL OVERLAY (WCRO) SUMMARY OF AMENDMENTS

(Updated 4/19/16)

1 parkways, pedestrian/equestrian pathways and greenways, wetlands, agricultural uses in
2 accordance with f below, regional water management, and fallow land uses.
3

Reason for amendments: [Zoning] New FLUE Policy 4.5-c allows for the continuation or expansion of existing agricultural uses. It also may allow for a WCR FLUA Conceptual Plan to identify open space areas where existing or new agricultural uses may continue concurrent with other approved development. However, due to the construction of the ULDC, additional clarification is required to ensure that any future agricultural uses are truly farming uses compatible with the intended use of open space areas likely to be identified on a FLUA Conceptual Plan, as opposed to Commercial or Industrial agricultural support uses. This is accomplished by expanding previously established Agricultural Enclave Overlay (AGEO) provisions related to this subject, which in turn relies upon collaboration with the Property Appraiser, which undertakes a more in depth evaluation and monitoring of agricultural uses in accordance with F.S. 193.461.

[Planning FLUE text amendment Staff assessment] *"This new policy would prevent any existing agricultural operations from being rendered non-conforming by allowing them to continue until such time as they develop. It also enables continued agricultural operations within open space areas as designated on the adopted conceptual plan."*

4
5 **f. Agricultural Uses**

6 Agricultural uses shall be permitted within a WCR PUD development area as an interim
7 use, or where otherwise designated on the FLUA Conceptual Plan, provided that existing
8 or new agricultural uses have or are eligible to be agriculturally classified by the Property
9 Appraiser. Unless stated otherwise on the FLUA Conceptual Plan, agricultural uses shall
10 be permitted in accordance with the standards for the AR or AP Zoning districts,
11 whichever is applicable based on the prior Zoning for the subject area.

12 **g. Landscape Buffers**

13 Perimeter or R-O-W Buffers shall not be required around the perimeter of a WCR PUD if
14 an alternative buffer is approved as part of the FLUA Conceptual Plan, and the Planning
15 Division establishes Conditions of Approval on the Rezoning for all planting and pathway
16 requirements.
17

Reason for amendments: TMD exceptions are required to recognize a number of deviations from standard TMD requirements not explicitly outlined within the Plan, but generally consistent with the purpose and intent behind new FLUE Policies 4.5-e and 4.5-f.4.

18 **5. Traditional Marketplace Development (TMD) Exceptions**

19 **a. Minimum Square Footage**

20 As designated on the FLUA Conceptual Plan.

21 **b. Permitted Locations**

22 As designated on the FLUA Conceptual Plan.
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Notes:

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

EXHIBIT G

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/21/16)

1
2 **Part 2. New ULDC Art. 4.B.8, Transportation Uses, is hereby established as follows:**

3 **CHAPTER B USE CLASSIFICATION**

4 **Section 4.B.8 Transportation Uses**

Reason for amendments: [Zoning] Transportation Uses is a newly proposed Use Classification. The new classification will include Airport, Heliport (formerly known as Helipad), Landing Strip, Seaplane Facility and Transportation Facility.

Air Transportation Related Uses

Regulations related to air transportation uses are addressed in the ULDC, under Article 3 through the Airport Overlay Zone (AZO) and Palm Beach International Airport Overlay (PBAO); Article 4, for private airports, helipads and landing strips; and, Article 16, Airport Regulations for uses surrounding publicly owned airports within Palm Beach County. The proposed amendment will focus on private air transportation uses only.

Airport, helipad and landing strip were relocated from the Public and Civic Use Classification, while Seaplane Facility was relocated from Article 5, Supplementary Standards to be consolidated under the Transportation Use Classification. Since 2003 (Ord. 2003-067), Airport, Landing Strip and Helipad definition and Supplemental Use Standards have been consolidated but shown approval as three separate uses in most Use Matrices. The amendment addresses the uses individually in the Supplemental Use Standards consistent with the Use Matrix as further specified below. The amendment will also clarify where and how Helipad, Landing Strip and Seaplane Facility are considered accessory uses.

Transportation Facility

A new use Transportation Facility was added as a result of the analysis made to the existing Transportation Facility use under the Industrial Use Classification review. Since 1992, Transportation Facility has regulated the movement of people and goods in certain zoning districts in the ULDC. During the Industrial Use Classification review, staff separated Transportation Facility into two uses: Transportation Facility and Distribution Facility to clarify the distinction between the movement of people and goods. Research and analysis concluded that the movement of people and goods is not similar in terms of overall operation and impact. The movement of people is consistent with transportation uses (bus stops, train station) while movement of goods is consistent with an industrial use (railroad or truck terminals). As a result, Distribution Facility has been established as an Industrial use.

5
6 **A. Transportation Use Matrix**

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

8

Reason for amendments: [Zoning] The following section will address General Transportation standards related to private Airports, Heliports, Landing Strips and Seaplane Facilities which will be subject to local, state and federal regulations. Public airports and collocated uses will continue to be regulated by the applicable overlays in Article 3 and the airport regulations in Article 16. Standards were relocated from Airport standards to the general section as they mostly apply to all air transportation uses. The relocation of the language clarifies the following:

- Setback requirements related to landing area, navigation aid or structure;
- Increasing structure height would not require increase in setbacks if preempted by State or Federal regulation;
- Hangars may be allowed as principal structures related to airports only. Hangars, as accessory structures, are prohibited in the front yard for Heliports, Landing Strips and Seaplane Facilities. The relocation also addresses lot size limitations for hangars, accessory to Agriculturally Classified uses as established by State Statutes; and,
- Additional Federal (Federal Aviation Administration - FAA) and State regulations (Florida Department of Transportation - FDOT) may apply to private Airports, Heliports, Landing Strips and Seaplane Facilities. Florida Statutes prohibit counties from requiring the applicant to obtain any State or Federal permit unless said permit has already been denied.

9 **B. General Transportation Standards for Aviation Related Uses**

10 *All private Airports, Heliports, Landing Strips and Seaplane Facilities not owned and operated by*
11 *the State of Florida, PBC, or a hospital shall comply with the following standards: [Relocated*
12 *from Art. 4.B.8.C.1. Airport, below]*

13 **1. Setbacks**

14 *a. No structure or navigation aid shall be located within 50 feet of any property line.*
15 **[Relocated from Art. 4.B.8.C.1.h, Setback, below]**

16 *b. There shall be a 100-foot setback between the edge of the landing area, as defined by*
17 *the FDOT, and the property line. [Relocated from Art. 4.B.8.C.1.h, Setback, below]*

18 **2. Structure Height**

EXHIBIT G

ARTICLE 4.B, USE REGULATIONS
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(Updated 4/21/16)

A variance shall not be required for a structure to exceed the height limit for the district in which the use is located, if the additional height is required by Federal law or F.S.—Florida Statutes. [Relocated from Art. 4.B.8.C.1.i, Building Height, below]

3. Hangars

Storage buildings for aircraft shall be allowed as principal structures. Hangars accessory to an Agriculturally Classified Use as established by State Statutes shall be located on parcels containing a minimum of 20 acres [Relocated from Art. 4.B.8.C.1.g, Hangars, below]

4. FAA and FDOT Requirements

DRO and Class A Conditional Use approvals as related to FAA and FDOT requirements shall be in accordance with F.S. 125.022(4), Development Permits.

C. Definitions and Supplementary Use Standards for Specific Uses

1. Airport, ~~Landing Strip or Helipad~~

HISTORY: Airport use definition and Supplementary Standards were first referenced in the 1957 Land Use Code as an Airplane Landing Field and in the 1973 Code as Airports, Landing Strips and Heliports with use specific supplemental standards. The definition and supplemental standards were amended by the 1992 Code rewrite (Ord. 1992-020), 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

Reason for amendments: [Zoning] Revise the definition:

- To relocate “All private airports, landing strips, and helipads not owned and operated by the State of Florida, PBC, or a hospital shall comply with the following standards” to the new General Transportation Uses standard. General standards are established to consolidate regulations for air transportation uses into one location.
- Delete the reference to ownership in definition.
- To clarify that a standalone use such as landing strip or heliport shall not be deemed an airport.

a. Definition

Any ~~public or privately owned or operated~~ facility designed to accommodate landing or take-off operations of aircraft. ~~All private airports, landing strips, and helipads not owned and operated by the State of Florida, PBC, or a hospital shall comply with the following standards:~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments: [Zoning] Partially relocate the Accessory Landing Strip standard. The Use will be defined and the language will be relocated and clarified in its own section. The purpose is to ensure that Landing Strip is not misunderstood to be an Airport.

a. Accessory Landing Strip

~~Defined as any private ground facility designed to accommodate landing and take-off operations of aircraft used by individual property owners, farm operators, or commercial operations.~~ [Partially relocated to Art. 4.B.8.C.3, Landing Strip, below]

Reason for amendments: [Zoning] Partially relocate the Agricultural Reserve (AGR) and Agricultural Residential (AR) reference. A new Supplementary Standard will be established to address accessory Heliports and Landing Strips to Agriculturally Classified Uses as established by State Statutes in certain zoning districts.

b. AGR and AR Tiers

~~Only landing strips, hangars and helipads accessory to a bona fide agricultural use shall be permitted.~~ [Partially relocated to Art. 4.B.8.C.2 Heliport, Art. 4.B.8.C.3 Landing Strip below, and Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments: [Zoning] Delete provision related to location of the use in the Rural Residential (RR) Future Land Use (FLU) designation associated with the Commercial Recreation (CRE) Zoning District as this zoning district is not consistent with that FLU designation.

c. CRE District

~~An airport, landing strip, or helipad shall not be located in an RR FLU designation.~~

Reason for amendments: [Zoning]

Delete the FAA and FDOT requirements for Airspace Analysis and Landing Area. Additional State and Federal regulations will apply for private Airports, Heliports, Landing Strips and Seaplane Facilities. Florida Statutes prohibit counties from requiring the applicant to obtain any State or Federal permit unless said permit has already been denied.

Relocate the following supplemental standards to the General Transportation Standards:

- Lot Size related to accessory hangars; and,

EXHIBIT G

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/21/16)

• Hangars, Setback and Building Height.
General Transportation standards will address common regulations for air transportation uses.

d. Airspace Analysis

~~A helipad shall demonstrate that the FAA has conducted an airspace analysis and a preliminary Airport License Report has been prepared by the FDOT. Any alteration in ground facilities, or the addition of navigation aids designed to facilitate an instrument approach capability, shall require a new application if the original approval was granted for Visual Flying Rules (VFR).~~

e. Landing Area

~~Private airports, landing strips, and helipads shall comply with the minimum dimensions required by FDOT. Helipads shall comply with Heliport Design Guide as required by the FAA.~~

Reason for amendments: [Zoning] Lot Size - relocate and consolidate reference to accessory Helipads with the Heliport standards below. Same principle is applied to accessory Landing Strip.

f. Lot Size

~~Helipads accessory to a farm residence shall be located on parcels containing a minimum of ten acres. Landing strips and hangars accessory to agricultural uses shall be located on parcels containing a minimum of 20 acres.~~ [Partially relocated to Art. 4.B.8.C.2 Heliport, Art. 4.B.8.C.3 Landing Strip below, below and Art. 4.B.8.B, General Transportation Standards, above]

g. Hangers

~~Storage buildings for aircraft shall be allowed as principal structures.~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

h. Setback

~~No structure or navigation aid shall be located within 50 feet of any property line. In addition, there shall be a 100-foot setback between the edge of the landing area, as defined by the FDOT, and the property line.~~ [Relocated to Art. 4.B.8.B, General Transportation Standards, above]

i. Building Height

~~A variance shall not be required for a structure to exceed the height limit for the district in which the use is located, if the additional height is required by Federal law or F.S.~~ [Partially relocated to Art. 4.B.8.B, General Transportation Standards, above]

Reason for amendments in the Matrix: [Zoning] No change to the approval process is being proposed.



2. Heliport

HISTORY: Helipad use definition and supplemental standards were first referenced in the 1992 Code rewrite (Ord. 1992-020). The definition and supplemental standards were amended by Ord. 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

Reason for amendments: [Zoning] Establish use definition for Heliport consistent with US Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition. Research suggested the need to change the use name from Helipad to Heliport as that is the appropriate name used by industry and contained in applicable regulations.

Clarify that accessory heliport shall not include facilities or structures (i.e., repair and maintenance or commercial fueling stations) which in such case shall be referenced as helipad limited to landing and takeoff of helicopters.

a. Definition

A facility designed to accommodate helicopter operations, including facilities and structures, needed for heliport business to function.

b. Accessory Use

A Heliport limited to landing and takeoff of helicopters, tilt rotors or rotorcraft that does not include facilities or structures may be considered a helipad which may be allowed as an accessory use, as follows:

Reason for amendments: [Zoning] Consolidates removal of existing provisions and to clarify type of approval the use is subject to when accessory. The provisions are:

- Use approval removed from Agricultural Production (AP), AGR, AR and Residential Estate (RE) in Use Matrix;
- Supplementary use standard related to AGR and "AR" Tier limiting the use accessory to bona fide agricultural use (use to be amended to term "Farm"); and,
- Prior minimum ten-acre lot size for Farm Residence (which by definition is accessory to a bona fide

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/21/16)

agricultural use).

- 1) Accessory to an Agriculturally Classified Use as established by State Statutes, in the AGR, AR, AP and RE Zoning Districts, located on parcels containing a minimum of ten acres, shall be Permitted by Right. [Partially relocated from Art. 4.B.8.C.1.f, Lot Size, above]

Reason for amendments: [Zoning] Clarify no minimum acreage, as such would be addressed commensurate with scope of use (e.g. how often they fly, how close to other residences, other setback requirements, etc.).

- 2) Accessory to Single Family in the AR, RE and RM Zoning Districts, subject to Class A Conditional Use approval.

Reason for amendments: [Zoning] Clarify use can be utilized by aviation based communities or neighborhoods or emergency situations.

- 3) Accessory to Residential subdivision, as a Neighborhood Recreation Facility, or within the Recreation or Civic Pod of a PDD or TDD subject to approval as a Class A Conditional Use.

Reason for amendments: [Zoning/Parks and Recreation] Allow accessory heliport to public parks as a transportation option related to emergencies. Clarify if 1,000 foot separation distance from residential is met, Heliport may be Permitted by Right. The separation distance requirement is to mitigate potential nuisances related to noise. Clarify instances where a Public Park without a PARK FLU or PO Zoning designation, comprised of multiple parcels, should be considered as part of the park boundaries.

- 4) Accessory to a Public Park may be Permitted by Right provided the following:
 - a) The use is not within 1,000 feet of a parcel with a residential use or FLU designation. For Public Parks comprised of multiple parcels, measurement shall be from the overall boundary of the Public Park; or,
 - b) Use of helicopters limited to emergency purposes only shall be Permitted by Right.

Reason for amendments: [Zoning]

- Clarify limited landing or takeoff of helicopters accessory to uses such as Data and Information Processing or Government Services is allowed as a Class A Conditional Use as these are uses that are very likely to require air transportation of people.
- Clarify landing or takeoff of helicopters accessory to hospitals in the event of medical emergency situations

- 5) Accessory to Data and Information Processing, Government Services, Research and Development may be allowed subject to Class A Conditional Use.
- 6) Accessory to a Hospital may be Permitted by Right subject to the setback, height and FAA/ FDOT Transportation General Standards for emergency purposes only.

Reason for amendments in the Matrix: [Zoning]

- Remove the use from the following zoning districts: AGR, AP, Agricultural Residential/ Rural Service Area (AR/RSA) and Agricultural Residential/ Urban Service Area (AR/USA), RE, and Multifamily Residential (RM) as a principal use. The supplemental standards will clarify where an accessory Heliport may be located and how the use shall be approved.
- Delete the use from the following zoning districts: Commercial High Office (CHO) standard zoning district and Infill Redevelopment Overlay (IRO) with a Commercial Low (CL), Commercial Low Office (CLO), and CHO FLU designation. A Heliport use is not suitable for lower intense zoning districts.
- Change the approval process in Commercial General (CG) from Class B Conditional Use and CRE from Development Review Officer (DRO) Approval to Class A Conditional Use. The change would address potential adverse impacts that may arise from the use and provides an opportunity for the public to speak before the Board of County Commissioners (BCC).
- Add the use to the Commercial Pod of a Planned Industrial Park Development (PIPD), Lifestyle Commercial Center Development (LCC) with a Commercial High (CH) FLU designation, and Traditional Marketplace Development (TMD) in the Urban/Suburban, Exurban, and Rural Tiers, and the Development area of the AGR Tier as a Class A Conditional Use Approval. The additions are for consistency with the approval of the use in similar commercial standard zoning districts.

3. Landing Strip

HISTORY: Landing Strip use definition and Supplementary Standards were first referenced in the 1992 Code rewrite (Ord. 1992-020). The definition and supplemental standards were amended by Ord. 1993-004, 1995-008, 1999-037, 2000-015, 2001-001, 2001-029, 2001-062, 2001-100, 2003 Code rewrite (Ord. 2003-067), 2005-002, 2006-036, 2009-040, 2010-005, and 2013-018.

Reason for amendments: [Zoning] Establish use definition for Landing Strip consistent with US

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
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Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition.

a. Definitions

A ground facility designed to accommodate landing and take-off operations of aircraft used by individual property owners, farm or commercial operations.

Reason for amendments: [Zoning] Consolidates removal from AP, AGR, AR/RSA in Use Matrix and prior minimum twenty acre lot size requirement for Farm Residence (which by definition is accessory to a bona fide agricultural use).

b. Accessory Uses

A Landing Strip may be allowed as an accessory use, as follows:

1) Accessory to an Agriculturally Classified Use as established by State Statutes, in the AGR, AP, and AR/RSA Zoning Districts, located on parcels containing a minimum of twenty acres, shall be Permitted by Right. [Partially relocated from Art. 4.B.8.C.1.f, Lot Size, above]

Reason for amendments: [Zoning] Clarify use can be utilized by aviation based communities or neighborhoods or emergency situations.

2) Accessory to Residential subdivision, as a Neighborhood Recreation Facility, or within the Recreation or Civic Pod of a PDD or TDD, subject to approval as a Class A Conditional Use.

Reason for amendments: [Zoning] Clarify use can be utilized by public entities such as South Florida Water Management District (SFWMD) to support services or the operation provided by the government agency.

3) Accessory to Government Services subject to Class A Conditional Use.

Reason for amendments in the Matrix: [Zoning]

- Remove the use from the following zoning districts: AGR, AP, and AR/RSA as a principal use. The supplemental standards will clarify where an accessory Landing Strip may be located and how the use shall be approved.
- Change the approval process in CRE, General Industrial (IG) and Institutional and Public Facilities (IPF) Zoning Districts from Class B Conditional Use to Class A Conditional Use. The change would address potential adverse impacts that may arise from the use and provides an opportunity for the public to speak before the Board of County Commissioners.
- Add the use to the Public Ownership (PO) Zoning District as a Class A Conditional Use Approval.

4. Seaplane Facility

HISTORY:

A seaplane use was first referenced as a principal use in the 1973 Code rewrite (Ord. 1973-002). In the 1992 Code rewrite (Ord. 1992-020), the supplemental standards were relocated to the accessory use section. The supplemental standards remained there during the 2003 Code rewrite (Ord. 2003-067).

Relocate Seaplane Use from Article 5.B.1.A.15 to Article 4.B.1.C.2, Seaplane Facility to consolidate with other transportation uses. A seaplane use was a principal use in the 1973 Code. The proposed amendment establishes Seaplane Facility as a Transportation Use with newly created approval process and supplemental standards.

Reason for amendments: [Zoning] Establish use definition for Seaplane Facility consistent with US Department of Transportation, FAA, and Title 14 of the Code of Federal Regulations (14 CFR) definition.

a. Definitions

A facility, on land or water, designed to accommodate the landing and takeoff of seaplanes, water taxiing, anchoring, ramp service and onshore facilities.

b. Separation Distance - Residential Zoning District

1) If the seaplane facility use is limited to the adjacent property owners who jointly own and maintain the aircraft facility, it may be located in a residential zoning district provided the facility is not commercial or within 400 feet of a residential use.

2) If the facility is a commercial venture, it shall not be located within 1,000 feet of a parcel with residential zoning district. [Relocated from Art. 5.B.1.A.15.a, Location]

c. Minimum Land Area

The minimum required land area for any type of seaplane operation shall be two acres. [Relocated from Art. 5.B.1.A.15.b, Minimum Land Area]

d. Water Area

All seaplane operations shall comply with the following minimum standards for water landing area: [Relocated from Art. 5.B.1.A.15.c, Water Area]

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ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/21/16)

Table 5.B.1.A - Seaplane Landing Area Standards

Length	3,500 feet
Width	300 feet
Depth	4 feet

e. Airport Approach

No seaplane operation shall be considered unless the airport approach to the water landing area is at a slope of 40:1 or flatter for a distance of at least two miles from both ends of the water landing area and is clear of any building structure or portion thereof that extends through and above the airport approach plane. [Relocated from Art. 5.B.1.A.15.d, Airport Approach]

f. Setbacks

All buildings, structures, and aircraft parked on shore shall be located a minimum distance from all property lines of at least 50 feet. [Relocated from Art. 5.B.1.A.15.e, Setbacks]

g. Landing Operations

All aircraft landings shall be performed under Visual Flying Rules (VFR) and shall not be conducted during the hours between sunset and sunrise. [Relocated from Art. 5.B.1.A.15.f, Landing Operations]

h. Parking

Shore facilities shall provide one automobile parking space for each 2,000 square feet of hangar or tie-down area, or one space per craft, whichever is greater. All shore facilities shall provide a minimum of five parking spaces. [Relocated from Art. 5.B.1.A.15.g, Parking]

Reason for amendments in the Matrix: [Zoning] Add the use to the CRE, IG, PO, and IPF Zoning Districts; MUPD with a CR and IND FLU designation; and IND/L & IND/G Pods of a PIPD as a Class A Conditional Use Approval (A).

5. Transportation Facility

HISTORY: The Transportation Facility use definition and supplemental standards were first referenced by Ord. 1981-024. The definition and supplemental standards were amended by the 1992 Code rewrite (Ord. 1992-020), 2003 Code rewrite (Ord. 2003-067), 2010-022, and 2011-016.

Since 1992, Transportation Facility has regulated the movement of people and goods in certain zoning districts in the ULDC. During the Industrial Use Classification review in 2013, staff separated Transportation Facility into two uses: Transportation Facility and Distribution Facility. The separation clarified the distinction between the movement of people and goods. Research and analysis concluded that the movement of people and goods are not similar in terms of overall operation and impact. The movement of people is consistent with transportation uses (bus stops, train station) while goods are consistent with an industrial use (railroad depots, truck terminals). Distribution Facility has been established as an Industrial use.

The proposed amendment establishes Transportation Facility as a Transportation Use with newly created approval process and Supplementary Standards.

Reason for amendments: [Zoning]

1. Establish a Definition for new use Transportation Facility. The definition will focus on multi-modal means of moving people from one destination to another but will exclude airports and aviation related uses.
2. Identify typical uses that may be covered by the Transportation Facility.
3. Establish a Location standard to clarify that bus and railroad establishments shall front and have access from a major street to limit potential adverse impacts.
4. Establish approval process requirements for a Transportation Facility and to identify the most restrictive approval process in the Use Matrix. Clarify a Transportation Facility requiring Class A Conditional Use approval may be approved by the DRO or Permitted by Right if separation distance requirements are met.
5. Establish separation distance standards from residential to clarify if a Transportation Facility is closer to residential it must comply with additional mitigating standards.
6. Establish minimum circulation requirements to ensure pedestrian and vehicular areas are clearly indicated on the site design and provide for pedestrian safety.

a. Definition

An establishment used as a transfer point for the loading and unloading of passengers from one mode of transportation to another, excluding airports and aviation related uses.

b. Typical Uses

A Transportation Facility use may include, but not be limited to: bus stations, ferryboat or cruise ship terminals, and commuter railroad depots.

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c. Approval Process

1) UC, UI, and PO Zoning Districts

- a) A Transportation Facility in the UC and UI Zoning Districts that is subject to Class A Conditional Use approval may be approved by the DRO if located 200 feet or more from a parcel with residential use or FLU designation.
- b) A Transportation Facility in the PO Zoning District that is subject to Class A Conditional Use approval shall be Permitted by Right if located 200 feet or more from a parcel with residential use or FLU designation.

2) All Other Zoning Districts

A Transportation Facility in all other zoning districts subject to Class A Conditional Use approval may be approved by the DRO if located 500 feet or more from a parcel with residential use or FLU designation.

d. Location

Bus or railroad stations shall have frontage on and access from a collector or arterial street, unless located within a PDD or TDD.

e. Separation From Residential

A Transportation Facility located within 200 feet from a parcel with residential use or FLU designation shall be subject to the following:

- 1) Building openings used by vehicles and unglazed architectural openings shall not face residential; and,
- 2) A Type 3 Incompatibility Buffer shall be required.

f. Vehicular and Pedestrian Circulation

The site design shall include the following elements:

- 1) Vehicle idling and queuing spaces do not encumber on-site circulation traffic nor present a safety hazard for vehicles or pedestrians.
- 2) Designated passenger drop off/pick up areas.
- 3) A minimum six foot wide sidewalk in front of or adjacent to the drop-off spaces and connected to the building entrance.
- 4) On-site vehicular circulation system setback a minimum 100 feet.

Reason for amendments in the Matrix: [Zoning] Allow as a Class A Conditional Use approval, Transportation Facility use in the CG, Urban Center (UC) and Urban Infill (UI) Zoning Districts, PO and IPF Zoning Districts, Multiple Unit Planned Development (MUPD) with a CH, Economic Development Center (EDC) and Institutional and Public Facilities (INST) FLU designation and Commercial Pod of a PIPD. The Use Matrix will reflect the most restrictive approval process. As stated in the historical section above, the movement of goods and people, components of the original use, was separated by definitions, supplemental standards and approval process. Prior to the separation of the use, the use was allowed in several zoning districts (e.g., commercial and industrial districts) regardless of intensity. The separation recognized the difference in intensity and was revised accordingly (i.e., Distribution Facility primarily in industrial districts). This amendment completes the use separation and allows a new Transportation Facility use in lower intense zoning districts.

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Part 3. ULDC Art. 4, Use Regulations [Related to Seaplanes] is hereby deleted from Article 5 to relocate in Art. 4:

HISTORY: See 4.B.8.C.4, Seaplane Facility History above.
Reason for amendments: [Zoning] Use to be relocated to Art. 4.B.8.C.4, Seaplane Facility.

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15. Seaplanes

a. Location

~~If the seaplane facility use is limited to the adjacent property owners who jointly own and maintain the aircraft facility, it may be located in a residential district and not be of a commercial nature, provided that the facility is not within 400 feet of a residential use. If the facility is a commercial venture, it shall not be located within 1,000 feet of a residential district.~~ [Relocated to Art. 4.B.8.C.4.b, Separation Distance – Residential Zoning District]

b. Minimum Land Area

~~The minimum required land area for any type of seaplane operation shall be two acres.~~ [Relocated to 4.B.8.C.4.c., Minimum Land Area]

c. Water Area

~~All seaplane operations shall comply with the following minimum standards for water landing area:~~ [Relocated to Art. 4.B.8.C.4.d, Water Area]

Table 5.B.1.A – Seaplane Landing Area Standards

Length	3,500 feet
Width	300 feet
Depth	4 feet

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EXHIBIT G

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 4/21/16)

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- d. Airport Approach**
~~No seaplane operation shall be considered unless the airport approach to the water landing area is at a slope of 40:1 or flatter for a distance of at least two miles from both ends of the water landing area and is clear of any building structure or portion thereof that extends through and above the airport approach plane.~~ [Relocated to Art. 4.B.8.C.4.e, Airport Approach]
- e. Setbacks**
~~All buildings, structures, and aircraft parked on shore shall be located a minimum distance from all property lines of at least 50 feet.~~ [Relocated to Art. 4.B.8.C.4.f, Setbacks]
- f. Landing operations**
~~All aircraft landings shall be performed under Visual Flying Rules (VFR) and shall not be conducted during the hours between sunset and sunrise.~~ [Relocated to Art. 4.B.8.C.4.g, Landing Operations]
- g. Parking**
~~Shore facilities shall provide one automobile parking space for each 2,000 square feet of hangar or tie-down area, or one space per craft, whichever is greater. All shore facilities shall provide a minimum of five parking spaces.~~ [Relocated to Art. 4.B.8.C.4.h, Parking]

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