



July 17, 2014

**Department of Planning,
Zoning & Building**

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

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



**Palm Beach County
Board of County
Commissioners**

Priscilla A. Taylor, Mayor
Paulette Burdick, Vice Mayor

Hal R. Valeche
Shelley Vana

Steven L. Abrams
Mary Lou Berger
Jess R. Santamaria

County Administrator

Robert Weisman

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

RE: July 23, 2014 LDRAB/LDRC Meeting

Dear Mr. Blackman & Board Members:

Attached please find the agenda and supporting materials to assist you in preparing for the LDRAB/LDRC hearing on Wednesday, July 23, 2014.

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: July 23, 2014 LDRAB/LDRC Agenda

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

"An Equal Opportunity
Affirmative Action Employer"

U:\Zoning\CODEREV\2014\LDRAB\Meetings\7-23-14\4 Final Packet\1 - Transmittal Letter.docx

PALM BEACH COUNTY

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

JULY 23, 2014

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)

Jim Knight (District 4)

Lori Vinikoor (District 5)

Mike Zimmerman (District 6)

Henry D. Studstill, (District 7)

James M. Brake (Member at Large/Alternate)

Leo Plevy (Member at Large/Alternate)

Raymond Puzitiello (Florida Atlantic Builders Assoc.)

Joni Brinkman (Palm Beach League of Cities)

Terrence N. Bailey (Florida Engineering Society)

Jerome I. Baumoehl (American Institute of Architects)

Edward E. Tedtmann (Environmental Organization)

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

Gary Rayman (Fl. Surveying and Mapping Society)

Vacant (Condominium Association)

Vacant (Association Gen. Cont. of America)

Board of County Commissioners

Priscilla A. Taylor, Mayor, District 7

Paulette Burdick, Vice Mayor, District 2

Hal R. Valeche
Commissioner, District 1

Shelley Vana
Commissioner, District 3

Steven L. Abrams,
Commissioner, District 4

Mary Lou Berger
Commissioner, District 5

Jess R. Santamaria
Commissioner, District 6

Robert Weisman
County Administrator



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



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

**WEDNESDAY, JULY 23, 2014 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 June 25, 2014 Minutes (Exhibit A)

B. ULDC AMENDMENTS

1. Exhibit B - Art. 14, Environmental Standards
 - Proposed Ordinance
 - Proposed Attachment of Exhibit B
2. Exhibit C - Use Regulations Project – Residential Uses

C. CONVENE AS LDRC

1. Proof of Publication
2. Consistency Determination Exhibit B.1 listed above

D. ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

F. STAFF COMMENTS

G. ADJOURN

EXHIBIT A

PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)
(Updated 7-17-14)

Minutes of June 25, 2014 Meeting

On Wednesday, June 25, 2014 the Palm Beach County Land Development Regulation Advisory Board (LDRAB), met in the Ken Rogers Hearing Room, (VC-1W-47), at 2300 North Jog Road, West Palm Beach, Florida.

A. Call to Order/Convene as LDRAB

1. Roll Call

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

Members Present: 12

Wesley Blackman (PBC Planning Congress)
Michael J. Peragine (District 1)
David Carpenter (District 2)
Jim Knight (District 4)
Lori Vinikoor (District 5)
Henry Studstill (District 7)*
Raymond Puzzitiello (Gold Coast Build. Assoc.)
Terrence Bailey (Florida Eng. Society)
Jerome Baumohl (AIA)
Edward Tedtmann (Environmental Organization)
Frank Gulisano (PBC Board of Realtors)
Gary Rayman (Fl. Surveying & Mapping Society)

Vacancies: 2

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

Members Absent: 5

Barbara Katz (District 3)
Michael Zimmerman (District 6)
Joni Brinkman (League of Cities)
Leo Plevy (Member at Large, Alt.)
James Brake (Member At Large, Alt.)

County Staff Present:

Bob Banks, Chief Land Use County Attorney
Rebecca D. Caldwell, Executive Director, PZ&B
Jon MacGillis, ASLA, Zoning Director, Zoning
Mary Ann Kwok, AICP, Chief Planner, Zoning
Bryan Davis, Principal Planner, Planning
William Cross, AICP, Principal Site Planner, Zoning
Monica Cantor, Senior Site Planner, Zoning
Scott Rodriguez, Site Planner II, Zoning
Zona Case, Zoning Technician, Zoning

2. Additions, Substitutions, and Deletions

Mr. Blackman noted that staff distributed an addendum to the agenda. He requested that the motion to adopt the agenda include approval of a change in the order as follows: Review of Exhibit B, adjourn LDRAB and Convene LDRC for consistency determination, adjourn LDRC and reconvene as LDRAB to review Exhibit C.

3. Motion to Adopt Agenda

Motion by Mr. Puzzitiello to adopt the agenda as amended, seconded by Ms. Vinikoor. Motion passed (11 – 0)*.

4. Adoption of May 28, 2014 Minutes (Exhibit A)

Ms Vinikoor requested correction of the meaning of the acronym EPA in the May 28, 2014 Meeting (Exhibit A), to read Environmental Protection Agency and not Environmental Protection Area. She also referred to Shooting Range and asked if a decision was made to apply additional standards to the separation distance as discussed at the meeting. Zoning staff, Scott Rodriguez responded that upon further research it was decided to make it applicable to non-mechanical archery equipment only so additional separation standard was not necessary.

Motion to adopt with correction by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (11 - 0)*.

At the request of Chair, Mr. Michael J. Peragine introduced himself as the newly appointed LDRAB member for District 1.

B. ULDC AMENDMENTS

Mr. Blackman explained for the benefit of the public that the usual procedure is for staff to present the Exhibits, respond to questions from the Board and follow up with a discussion if required. The public is then allowed to speak with the request that they limit their comments to two minutes per person.

* Henry Studstill arrived at 2:11 p.m.

1. Exhibit B – Inland Logistics Center

Mr. Cross explained that this amendment was presented at the last LDRAB meeting and the Waiver table is being expanded to allow additional Type 1 Waivers.

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**
(Updated 7-17-14)

Minutes of June 25, 2014 Meeting

Mr. Tedtmann expressed concern about the intense development on sugar land. Mr. Cross explained that the Future Land Use Atlas (FLUA) amendment included State limits on the type of industrial uses permitted and clarified that this was approved and adopted by the BCC in 2010.

Ms. Vinikoor suggested consideration be given to beautifying large buildings to avoid blank walls since less landscape buffering is being considered. Mr. MacGillis replied that there is nothing that precludes anyone from requesting murals as long as architectural requirements are met.

There were comments from two members of the public who were concerned about the development lessening the landscape requirements, being more residential than job creating and new technologies that might be preparing for robotics which require a smaller workforce.

Motion to adopt by Mr. Gulisano, seconded by Ms. Vinikoor. Motion passed (11 - 1)*. Mr. Baumoehl voted nay.

C. ADJOURN AS LDRAB AND CONVENE AS LDRC FOR EXHIBIT B.1.

1. Proof of Publication

Clarification that the proof of publication was for both Exhibits B and C. Motion to approve Proof of Publication by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (12 - 0).

2. Consistency Determination

Mr. Davis confirmed that Exhibit B is consistent with the Comprehensive Plan. Motion to approve consistency determination by Ms. Vinikoor, seconded by Mr. Carpenter. Motion passed (12 - 0).

ADJOURN AS LDRC AND CONVENE AS LDRAB

B. ULDC AMENDMENTS (Cont'd)

2. Exhibit C – Agricultural Enclave Overlay (AGEO)

Mr. MacGillis explained that the proposed amendment was originally privately initiated. He indicated that after Zoning staff met with the applicant, it was decided that staff would process the amendments as County initiated.

Mr. Davis from the Planning Division provided the following information:

- The AGEO is a vast area of undeveloped land in the middle of a low density area of rural/suburban character (the Acreage), and is the only agricultural enclave that has ever been approved in the State to date.
- The initial 2008 Callery Judge Grove proposal consisted of a Future Land Use Atlas and Comprehensive Plan Text amendments to avail themselves of a statutory provision that allowed for such amendment based on their surrounding character and a presumption of not being urban sprawl, if appropriate new urbanism concepts were employed. There were two options for development provided in the Comprehensive Plan, an applicant-preferred option, and a staff-preferred option.
- The applicant-preferred option would result in a Traditional Marketplace development with approximately 3,000 units. However, it would allow for a single or series of development orders which meant that almost 4,000 acres could be developed in piece meal, incremental manner, with no way of verifying the ultimate compliance until the last development order was obtained.
- The staff-preferred option emphasized a planned provision in which the enclave could be rezoned as a Traditional Town Development (TTD). Some modifications were needed to accommodate the uniqueness of the situation and staff devised a lot of other policies to push the density around to offer more interconnectedness, more of a street network, what would be termed new urbanism. It was this provision that the current Agricultural Enclave project in for Planning and Zoning approvals intends to utilize.
- There was already a provision in the Code and Plan for Traditional Town Development that addresses how to create new towns, and staff desired a clear definition.
- Minto has agreed to provide a master plan and rezone concurrently to a TTD which does not mean increased density. So there is a master plan amendment and the proposal to modify the Code and allow the option to go forward.

EXHIBIT A

PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB) LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC) (Updated 7-17-14)

Minutes of June 25, 2014 Meeting

Staff followed up on Mr. Davis' comments by adding the following:

- Ms. Caldwell explained that the Enclave was created by the State and not the County. Applying regulations to smaller properties would increase density and the site can now be looked at more holistically as regulations can be applied to the entire parcel to provide more predictability. Rezoning to TTD will be an improved product.
- Mr. MacGillis added that Zoning will now have a detailed master plan which was not secured in the previous proposal.

Mr. Tedtmann expressed concern that this is an enclave into small areas, will be incompatible with surrounding areas, and will also create a precedent that could apply to similar incompatibility.

Mr. Blackman reminded attendees that the amendments presented by staff are amendments to the ULDC only and not to the Comprehensive Plan.

Mr. Cross briefly explained the proposed amendments and the add delete sheet. The following are the main points from the discussion that ensued:

- Mr. Blackman commented that the amendment establishes a walk-able development.
- Mr. Bailey suggested bike lanes be required within the TMD streets and that the use of painted bike lanes be considered. Mr. Cross advised that TMD streets were designed to accommodate shared users, including cyclists. Mr. Bailey also suggested that the County consider recent trends in painting bike lanes. Mr. Cross indicated he would need to consult Engineering and MPO (Metropolitan Planning Organization) staff for advice on these suggestions.
- Mr. Baumoehl expressed discomfort and concern about the overall impact resulting from lessening regulations, reduced setbacks, environmental impact, insufficient schools, and less trees.
- Mr. Tedtmann commented that trees and hedges reduce the impact of storms and noted that there will be reduction in the amount of trees.

There were comments from residents of neighboring communities who oppose the development. Some comments cited concerns about changes in the way of life, increase in density, traffic congestion, and an overall negative impact on the existing residents and character of the surrounding communities. In addition, a neighboring resident identified himself as a supporter of the development. He held the view that there are many residents, not in attendance, who approve of the development, and the negative comments expressed were not indicative of their feelings.

Motion to approve by Mr. Bailey, seconded by Mr. Gulisano. The Chair requested a roll call. Motion passed (10 - 2). Mr. Baumoehl and Mr. Tedtmann voted nay.

D. ADJOURN AS LDRAB AND RECONVENE AS LDRC FOR EXHIBIT C

1. Proof of Publication

Motion to approve by Ms. Vinikoor, seconded by Mr. Puzzitiello. Motion passed (12 - 0).

2. Consistency Determination

Mr. Davis stated that the proposed amendment, Agenda item B.2, Exhibit C is consistent with the Comprehensive Plan.

Motion to approve consistency determination by Mr. Puzzitiello, seconded by Mr. Carpenter. The motion passed (12 - 0).

ADJOURN AS LDRC AND RECONVENE AS LDRAB

E. PUBLIC COMMENTS

Mr. Drew Martin, Conservation Chair of the Sierra Club expressed the desire to continue to support the Agricultural Reserve as it was intended. Ms. Alex Larson was of the opinion that

EXHIBIT A

**PALM BEACH COUNTY
LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
LAND DEVELOPMENT REGULATIONS COMMISSION (LDRC)**
(Updated 7-17-14)

Minutes of June 25, 2014 Meeting

the discussed development would end up producing houses and reducing agriculture which is an important generator of jobs and open space. She also expressed concern about deterioration in the quality of water.

F. STAFF COMMENTS

1. Use Regulations Project Status

Ms. Cantor provided an update on the status of the Use Regulations Project and advised that the Residential Uses amendments will be presented to the Board at the July 23 meeting.

2. Round of amendments 2014-02

Ms. Cantor noted that Round 2014-02 will tentatively begin in August, 2014.

Mr. Baumoehl volunteered to serve on the Architecture Subcommittee. Motion to approve by Mr. Puzzitiello, seconded by Ms. Vinikoor. Motion passed (12 - 0).

G. ADJOURN

The Land Development Regulation Advisory Board meeting adjourned at 4:35 p.m.

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

Minutes drafted by: Zona Case

EXHIBIT B

ARTICLE 14, ENVIRONMENTAL STANDARDS
SUMMARY OF AMENDMENTS

(Updated 07/10/14)

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Part 1. ULDC Art. 14.B.6.A, Maps (pages 17 - 18 of 52), are hereby referenced as follows:

Reason for amendments: [ERM] Wellfield Zone of Influence maps are routinely and periodically updated. Any amendments, additions or deletions to the Wellfield Zones of Influence maps must be approved by the Board of County Commissioners (BCC) following notice to property owners within the area affected by the amendment.

CHAPTER B WELLFIELD PROTECTION

Section 6 Zones of Influence

A. Maps

The Zones of Influence Maps, developed as described in Article 14.B.6.A.2, Basis, are incorporated herein and made a part of this Chapter. These Maps shall be on file and maintained by ERM.

1. Amendments

Any amendments, additions or deletions to said Maps shall be approved by the BCC after public hearing. [Ord. 2006-010][Ord. 2013-001]

....
3. Review

The Zones of Influence Maps shall be reviewed at least on an annual basis. However, failure to conduct said review shall not affect the validity of the existing approved Maps. The basis for updating said Maps may include, but is not limited to, the following: [Ord. 2006-010]

- a. Changes in the technical knowledge concerning the applicable aquifer; [Ord. 2006-010]
- b. Changes in the pumping rate of wellfields; [Ord. 2006-010]
- c. Wellfield reconfiguration; and [Ord. 2006-010]
- d. Designation of new wellfields. [Ord. 2006-010]

....
B. Protection of Future Wellfields

The prohibitions and restrictions set forth in this Chapter and in regulations promulgated pursuant hereto shall apply to any sites officially designated by the BCC as future wellfields. Such prohibitions and restrictions shall become effective upon approval by the BCC of the Zones of Influence Maps for the designated future wellfield. [Ord. 2006-010][Ord. 2013-001]

U:\Zoning\CODEREV\2014\LDRAB\Meetings\7-23-14\1 Prior Round Table\ERM drafts\Exh. B - Art. 14 Environmental Standards.docx

Notes:

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

EXHIBIT B
ORDINANCE 2014 - _____

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED; AMENDING THE ZONES OF INFLUENCE MAPS AS SET FORTH IN ARTICLE 14 – ENVIRONMENTAL STANDARDS, CHAPTER B - WELLFIELD PROTECTION; PROVIDING FOR: REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; SEVERABILITY; A SAVINGS CLAUSE; CAPTIONS; ENFORCEMENT; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, mandates that the County compile Land Development Regulations consistent with its Comprehensive Plan into a single Land Development Code; and

WHEREAS, the Board of County Commissioners enacted Ordinance 91-19, commonly known as the Palm Beach County Wellfield Protection Ordinance and incorporated it into the Unified Land Development Code as Article 14.B, Wellfield Protection; and

WHEREAS, Article 14.B, Wellfield Protection, of the Unified Land Development Code provides that any amendments to the Zones of Influence Maps shall be approved by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has determined that the amendments contained in this Ordinance further the intent and policy to ensure the continued health, safety, welfare, and quality of the environment for residents of and visitors to Palm Beach County.

WHEREAS, the Land Development Regulation Commission has found these amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan; and

WHEREAS, the BCC hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, the BCC has conducted public hearings to consider these amendments to the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

Section 1. Amending the Zones of Influence Maps as set forth in Article 14.B

Pursuant to Article 14.B, Wellfield Protection of the Unified Land Development Code, the Zones of Influence Maps developed as described in Article 14.B.6.A.1, Amendments, Article 14.B.6.A.3, Review, and Article 14.B.6.B, Protection of Future Wellfields are hereby amended as indicated in Attachment A, which is attached hereto and incorporated herein by reference.

Section 2. Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability

EXHIBIT B

1 If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any
2 reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect
3 the remainder of this Ordinance.

4 **Section 4. Savings Clause**

5 Notwithstanding anything to the contrary, all provisions of Ordinance No. 06-010, as
6 amended, are specifically preserved and remain in full force and effect for the limited purpose of
7 enforcing any alleged violations of said Ordinance which occurred prior to its repeal or
8 amendment.

9 **Section 5. Captions**

10 The captions, section headings, and section designations used in this Ordinance are for
11 convenience only and shall have no effect on the interpretation of the provisions of this
12 Ordinance.

13 **Section 6. Enforcement**

14 This Ordinance is enforceable by all means provided by law. Additionally, the County
15 may choose to enforce this Ordinance by seeking injunctive relief in the Circuit Court of Palm
16 Beach County.

17 **Section 7. Inclusion in the Unified Land Development Code**

18 The provisions of this Ordinance shall become and be made a part of the Unified Land
19 Development Code of Palm Beach County, Florida. The Sections of the ordinance may be
20 renumbered or relettered to accomplish such, and the word ordinance may be changed to
21 section, article, or any other appropriate word.

22 **Section 8. Effective Date**

23 The provisions of this Ordinance shall become effective upon filing with the Department
24 of State.

25 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach
26 County, Florida, on this the _____ day of _____, 2014

SHARON R. BOCK, CLERK &
COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY
ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

27 **EFFECTIVE DATE:** Filed with the Department of State on the _____ day of
28 _____, 2014.
29

EXHIBIT B

ATTACHMENT A

The Wellfield Zone of Influence maps being changed are on the following Palm Beach County aerials maintained by the Department of Environmental Resources Management. The aerials are listed by Range, Township and Section.

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC
42	40	32		42	42	12		43	43	04		43	44	07
42	40	33		43	42	07		42	43	08		41	44	14
42	40	34		43	42	08		42	43	09		41	44	13
42	41	05		42	42	16		42	43	10		42	44	17
42	41	04		42	42	15		42	43	11		42	44	16
42	41	03		42	42	13		42	43	12		42	44	15
42	41	02		43	42	18		43	43	07		42	44	14
42	41	09		43	42	17		42	43	17		42	44	13
42	41	12		42	42	22		42	43	14		43	44	18
42	41	11		43	42	19		42	43	13		43	44	17
42	41	13		43	42	20		43	43	18		43	44	16
42	41	16		42	42	27		42	43	20		43	44	15
42	41	24		42	42	26		42	43	21		41	44	23
43	41	19		43	42	30		42	43	22		41	44	24
42	41	22		43	42	29		42	43	23		42	44	19
42	41	21		43	42	28		41	43	23		42	44	20
43	41	30		42	42	34		41	43	24		42	44	21
42	41	29		42	42	35		42	43	28		42	44	22
42	41	28		42	42	36		42	43	27		42	44	24
42	41	32		43	42	31		42	43	26		43	44	19
42	41	36		43	42	32		42	43	33		43	44	20
43	41	31		43	42	33		42	43	34		43	44	21
42	42	05		42	43	04		42	43	35		43	44	22
42	42	04		42	43	03		41	44	02		41	44	26
42	42	03		42	43	02		41	44	10		41	44	25
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42	42	09		43	43	05		42	44	12		43	44	28

EXHIBIT B

ATTACHMENT A cont'd

RNG	TWN	SEC		RNG	TWN	SEC		RNG	TWN	SEC
43	44	27		42	46	02		41	47	35
41	44	35		42	46	03		40	41	13
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43	44	33		42	46	11		40	41	24
43	44	34		42	46	08		41	43	26
43	45	04		42	46	14		41	43	25
43	45	05		42	46	15		41	43	35
43	45	03		42	46	16		41	43	36
43	45	08		42	46	17		41	44	03
43	45	09		43	46	19		41	44	01
43	45	10		43	47	07		42	45	32
43	45	16		43	47	18		42	42	11
43	45	15		42	47	13		42	40	35
42	45	15		42	47	18		42	41	01
42	45	14		43	47	19		43	41	06
42	45	24		42	47	24		43	41	07
42	45	23		42	47	21		43	41	18
42	45	22		42	47	20		42	40	31
43	45	28		42	47	19		42	41	06
42	45	26		41	47	24		42	42	10
42	45	27		42	47	28		42	41	20
42	45	28		42	47	29				
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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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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, Estate Kitchen, Farm Residence, Farm Workers Quarters, Groom's Quarters, Guest Cottage, Garage Sale, Home Occupation, and Kennel Type 1A, 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 easier 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 utilize the use matrices.
2. Residential related accessory uses are identified in Table 4.B.1.D – Corresponding Accessory Use to a Principal Use.

Use Matrix goes here. It has been provided as a separate handout for ease of 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. Replace the term personal services in definition with assistive care 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. Assistive care services shall mean assistance with activities of daily living and limited nursing services.

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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Notes:

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

3. Clarify that Type 1 and 2 CLFs in all zoning districts where the use is permitted 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. Clarify a Type 3 CLF is only permitted in the RS Zoning District with a HR-8 FLU subject to Class A Conditional Use approval.
5. Delete Table 4.B.1.A - Maximum Permissible Occupancy and refer to appropriate tables of the Plan to eliminate redundancy. Clarify a dwelling unit is equivalent to 2.39 beds.

b. Licensing

Type 1 and 2 CLFs shall be licensed by one of the licensing entities referenced in State Statute 419.001.

c. Approval Process - RS Zoning District

A Type 3 CLF shall be permitted in the RS Zoning District with an HR-8 FLU designation subject to a Class A Conditional Use approval.

ad. 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.A, 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. [Ord. 2005-002] [Ord. 2012-003]~~

The maximum occupancy shall be determined by multiplying the maximum allowable density in accordance with FLUE Table III.C.1 of the Plan, by 2.39. A dwelling unit is equivalent to 2.39 beds.

Table 4.B.1.A - 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

[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 exclusively of a CLF may be reduced by 50 percent. [Relocated to 4.B.1.C.1.g, Lot Size]
2. For CLF, one TDR unit is equivalent to 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 development for the purpose of calculating the maximum density allowed in the PDD.

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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- 6. Revise standard on measurement for separation from to add proposed CLF structure to the existing CLF structure to be consistent with Florida Statute 419.001.
- 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.

be. 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 structure to the nearest point of the proposed CLF structure.~~

1) Type 1 CLF

A Type 1 CLF ~~regulated by F.S. §419.001(1)(a), as amended~~, shall not be located within a radius of 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]**

cf. Type 3 CLF Frontage Location

A Type 3 CLF shall ~~front on and have frontage and~~ access from a collector or an arterial street, except for the following:

1) 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]**

2) A Type 3 CLF having 250 or fewer residents may be located in a multi-family, commercial, or civic pod with access to a local street or a parking tract in a PDD. [Ord. 2005 - 002] [Partially relocated from 4.B.1.C.1.e.1), Planned Development Districts (PDDs)]

- 9. 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.
- 10. Delete reference to compatibility and height standards as language is referenced under Article 3.D.1.E, Building Height.
- 11. 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.
- 12. Delete the height provision under Design and Compatibility. The maximum building height for buildings in all districts is 35 feet. In the RM, CLO, CHO, CG, IL, and PDD Zoning Districts additional height may be allowed when setback is increased pursuant to Article 3.D.1.E, Building Height.

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] [Relocated to h. below]**

e. Design and Compatibility

~~Type 2 and 3 CLFs shall comply with Article 5.C, Design Standards. **[Ord. 2005 - 002]**~~

1) Planned Development Districts (PDDs)

~~A Type 3 facility having 250 residents or fewer may be located in a pod 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.f.2), related to Location]**~~

a) Compatibility

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

b) 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 from structure to structure. **[Ord. 2005 - 002]**~~

fg. Minimum Lot Size Dimensions

1) The minimum lot dimension ~~requirements of the district in which for~~ a Type ~~II~~ 2 or Type ~~III~~ 3 CLF ~~is located~~ shall ~~apply. The minimum lot size for a Type II CLF shall be~~

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

1 8,000 square feet or the zoning district minimum lot requirement, whichever is
2 greater. [Ord. 2009-040]

3 2) The required minimum acreage for a PDD may be reduced by 50 percent if it consists
4 exclusively of a CLF. [Relocated from Note #1 in Table 4.B.1.A - Maximum
5 Permissible Occupancy in Type 3 Congregate Living Facilities]

6 **h. Type 2 or 3 CLF - Fire Rescue Station**

7 A Type 2 or 3 CLF shall be located within five miles of a full service fire-rescue station.
8 [Ord. 2013-001] [Relocated from existing d. above]

9 **g. Height**

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

12 **h. Reserve Parking, for Type 2 and Type 3 CLFs**

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

- | | |
|----|--|
| 17 | 13. 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. |
| 18 | 14. Delete reference to Single Family Accessory Uses. Accessory uses to Single Family include: Accessory Quarters, Garage Sales, Guest Cottage, Home Occupation, Kennel Type 1A and Estate Kitchen are not customarily incidental to the operation of Type 1 or 2 CLF. |
| 19 | 15. Delete standard that allows Accessory Uses to a Multifamily to be also accessory to Type 3 CLF as Garage Sale and Home Occupation are not customarily incidental to a CLF Type 3. |
| 20 | 16. Delete Non-Commercial Uses standard as the regulation indicates items not considered uses such as dining room or nursing stations. They are customary and incidental to a Type 3 CLF. |

21 **i. Drop-off Area, for Type 2 and Type 3, CLFs**

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

24 **j. Cooking Facilities**

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

29 **k. Signage**

30 **1) Type 1 and 2 CLFs**

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

34 **2) Type 3 CLF**

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

37 **l. Accessory Uses**

38 **1) Type 1 and 2 CLFs**

39 May have accessory uses customarily incidental to a single family dwelling.

40 **2) Type 3 CLF**

41 **a) Accessory Use**

42 Those accessory uses customarily incidental to a multi-family dwelling unit; and

43 **b) Non-Commercial Uses**

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

47 **m. Accessory Commercial Uses**

48 A limited amount of commercial uses may be developed as permitted accessory uses in
49 a Type 3 CLF. Such uses shall be limited to retail and personal service uses designed
50 exclusively to serve the residents of the facility, such as a barber or beauty shop,
51 convenience retail sales, and banking services. No more than ten percent of the GFA of
52 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.

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

18. 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.

~~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 appropriate development order. If that development order has not been granted, the converted development must comply with the density permitted by the Plan;~~

~~c) 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.~~

~~k. 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]~~

19. Change Personal Services to assistive care 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.

~~p]. 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 and limited nursing services.~~

~~qm. 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]~~

~~n. 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.
4. Remove the Class A Conditional Use approval in the Use Matrix for the RS Zoning District as a Type 3 CLF is only permitted in the HR-8 FLU designation and is prohibited elsewhere. A new symbol in the Use Matrix references the reader to check the "Approval Process – RS Zoning District" supplementary use standard.

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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2 Part 2. ULDC Art. 3.B.16.E.3, Residential Uses [Related to Priority Redevelopment Areas (PRA)
3 of the URAO] (page 85 of 229), is hereby amended as follows:
4

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

5 CHAPTER B OVERLAYS

6 Section 16 Urban Redevelopment Area Overlay (URAO)

7 E. PRA Use Matrix

8 3. Residential Uses

9 Residential uses may be permitted on any floor, with exception to the following: [Ord. 2011-
10 016]

- 11 a. Where located in the same building as non-residential uses, residential uses shall either
12 be located above or internally separated from any non-residential uses; and, [Ord. 2011-
13 016]
- 14 b. Single Family ~~Dwelling Units and Type 1 CLF~~ shall not be permitted to front on Slip Street
15 or Primary Street Frontages. [Ord. 2011-016]

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19 Part 3. ULDC Art. 5.C.1.B.1, General [Related to Architectural Guidelines Thresholds] (Page 38
20 of 100) is hereby amended as follows:
21

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.

22 CHAPTER C DESIGN STANDARDS

23 Section 1 Architectural Guidelines

24 B. Threshold

25 1. General

26

27 e. The following uses, regardless of building size: [Ord. 2006-036]

28

29 3) Retail sales, automotive parts and accessories; ~~and~~ [Ord. 2006-036] [Ord. 2012-
30 027]

31 4) Type I restaurants with drive through requesting location criteria exception pursuant
32 to Art.4.B.1.A.109, Restaurant, Type I; ~~and~~, [Ord. 2012-027]

33 5) Type 3 CLF. [Relocated from Art. 4.B.1.A.34.e, Design and Compatibility -
34 Related to CLF]

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Part 4. Article 1.I.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. ~~Aa~~ **Structure** - 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), 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]

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

Part 5. Article 1.I.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.I, 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.~~

~~**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.~~

Notes:

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
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(Updated 07/17/14)

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~~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 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 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.

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~~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.~~

~~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.

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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

Notes:

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
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(Updated 07/17/14)

- 1 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]
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- 4 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]
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- 7 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]
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- 10 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]
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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.
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- 15 3) **Removal Agreement**
Prior to issuance of a building permit, a notarized removal agreement shall be signed by the property owner. A removal agreement shall be notarized and executed between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk prior to issuance of any building permit. The agreement shall state the mobile home will be removed within 30 days in the event the property is sold or the bona fide agricultural operation ceases to exist.
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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.

27 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRs)

28 Section 3 District Specific Regulations

29 A. District Specific Regulations

30 ~~1. RM-District~~

31 ~~a. RM Zoning with MR5-FLU~~

32 ~~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]

33 ~~1) Planning Determination~~

34 ~~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]

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Notes:

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
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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 addresses 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	DRO 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 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]~~

b.a. Zoning District - 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]~~

~~4)AGR-TMDs shall be exempt from the integration requirement and shall comply with the Development Order approved by the BCC. [Ord. 2010-022]~~

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

c. 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 4.B.1.C, 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 4.B.1.C - Approval Process

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

[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 4.B.1.C 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.



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EXHIBIT C

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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 with MR5 FLU Designation Approval Process – RS Zoning District**~~

~~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.
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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 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.

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 with MR5 FLU Designation Approval Process – RS Zoning District**~~

~~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]~~

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
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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.



Reason for amendments: [Zoning]	
1.	<p>Distinguish accessory uses from principal uses currently located within the residential uses classification. Accessory Dwelling, Caretaker Quarters, Estate Kitchen, Farm Residence, Farm Workers Quarters, Groom's Quarters, Guest Cottage, Garage Sale, Home Occupation and Kennel Type 1A, are being consolidated in Table 4.B.1.D, Corresponding Accessory Use to a Principal Use to group uses that are accessory in nature.</p> <p>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.</p> <p>Factors that were considered in the removal of these uses from the Use Matrix include:</p> <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. <p>Kennel Type 1A is accessory to Single Family as they are typically associated with this particular residential use.</p>
2.	Farm Residence functions as a Single Family dwelling accessory to Bona Fide Agriculture use permitted in the AGR and AP Zoning Districts. Clarification is provided to indicate that accessory uses that are consistent with Single Family are also 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.
3.	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.
4.	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.

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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
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Table 4.B.1.D – Corresponding Accessory Use to a Principal Use

Accessory Use	Principal Use												
	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	-	-	-	-	-	-	-	-
Caretaker Quarters	-	-	-	-	-	S(3)	S(3)	S(3)	S(3)	S(3)	S(3)	S(3)	S(3)
Farm Residence (2)	-	-	-	-	-	P(1)	-	-	-	-	-	-	-
Farm Workers Quarters	-	-	-	-	-	P	-	-	-	-	-	-	-
Garage Sale	P	P	P	P	P	-	-	-	-	-	-	-	-
Grooms Quarters	-	-	-	-	-	-	A	-	-	-	-	-	-
Guest Cottage	-	-	P	P	P	-	-	-	-	-	-	-	-
Home Occupation	P	P	P	P	P	-	-	-	-	-	-	-	-
Kennel, Type 1A	-	-	P	-	-	-	-	-	-	-	-	-	-
Estate Kitchen	-	-	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.
- S Special Permit
- (1) Farm Residence may only be accessory to Bona Fide Agriculture in the AGR and AP Zoning District.
- (2) Accessory uses to Single Family are permitted by right to a Farm Residence.
- (3) Special Permit is only applicable when a Mobile Home structure is utilized for Caretaker Quarters.

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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.

5.	Clarify that no single accessory use can 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 uses 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.
6.	Relocate and expand Discontinuation of Use standard to be applicable to all accessory residential uses.

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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.

5. Discontinuation of Use

An accessory use shall continue only as long as the principal use that it serves remains active. **[Relocated from Art. 4.B.1.A.119.g, Discontinuation of Use, Related to Security and Caretaker Quarters]**



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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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 and clarify that the square footage associated with Accessory Quarters is the maximum allowable.
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: a maximum of 800 square feet.
- 2) On one acre or more: a maximum of 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 aAccessory 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 notarized and executed between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk for the dwelling unit prior to issuance of a any 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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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

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 and clarify that the square footage associated with Accessory Quarters is the maximum allowable.
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: a maximum of 800 square feet. [Ord. 2007-001]

2) On one acre or more: a maximum of 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.

d. Accessory Use

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

ed. Temporary Use

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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

fe. Mobile Home

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

7. Delete most of Discontinuation of Use standard to eliminate redundant language and partially relocate to be applicable to all accessory residential uses which is addressed under Accessory Residential Use section of Article 4.

g. Discontinuation of Use

~~A security or caretaker quarter's use shall continue only as long as the principal use that it serves remains active. Upon termination of the principal use, the right to have the quarters shall end and the use shall be immediately discontinued. Once discontinued, such quarters shall not be reestablished except in conformity with this Section.~~ **[Partially relocated to new section 4.B.1.D. General Standards for Accessory Uses]**

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:

- 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.
- Expand approval to permit 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.



348. Estate Kitchen

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.

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

a. Definition

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

b. Conversion to Duplex Prohibited

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

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

Reason for amendments to Estate Kitchen in the Use Matrix: [Zoning]
Remove Estate Kitchen 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.



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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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

Reason for amendments to Farm Residence in the Use Matrix: [Zoning] Remove Farm Residence from the Use Matrix and relocate with other accessory uses. Clarification in the accessory uses table identifies that a Farm Residence may only be accessory to Bona Fide Agriculture in the AGR and AP Zoning Districts for consistency with the zoning districts in which the Use Matrix currently allows the use.



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 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. 2007-004]~~

d. Mobile Home Removal Agreement

A mobile home may be used for a Farm Workers Quarters. A removal agreement shall be notarized and executed between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk prior to issuance The agreement shall be 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.

....

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

1

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:

- 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.

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~~560.~~ Garage Sale

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

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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.~~

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b.a. Duration

A maximum of 72 hours.

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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.

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~~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 include 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.

20

21

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)]

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~~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)]

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~~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)]

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~~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)]

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~~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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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. 2007-004]	

[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~~

~~Groom's quarters may contain individual cooking facilities and/or one common dining facility. An agreement to remove all kitchen equipment shall be executed prior to approval 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 to 4.B.1.A.125.f.6),~~

Kitchen Facilities Removal (Related to Commercial Stable) and Relocated to 4.B.1.A.126.c.6), Kitchen Facilities Removal (Related to Private Stable)]

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:

- 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.
- Permitted by Right approval process remains unchanged in the Residential pod and Agricultural Preserve pod of a PUD for Commercial and Private Stables.
- 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.
- 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.
- More restrictive in the Preserve area AGR Tier of TMD for Commercial Stables by changing the Special Permit approval to DRO approval.

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

125.Stable, Commercial

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

a. Use Limitations

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

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

- 1 **b. Lot Size**
- 2 A minimum of five acres.
- 3 **c. Frontage**
- 4 The minimum required frontage on a public street to be used from the primary point of
- 5 access shall be 100 feet, or the minimum standard of the Tier in which the stable is
- 6 located, whichever is greater.
- 7 **d. Setbacks**
- 8 A minimum of 25 feet from any property line, or the minimum setback of the district,
- 9 whichever is greater.
- 10 **e. LOSTO**
- 11 A commercial stable with 20 or fewer stalls shall be allowed as a Special Permit.
- 12

Reason for amendments: [Zoning]	
1.	Relocate standards for Groom's Quarters under Commercial and Private Stable as Groom's Quarters is 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 **f. Accessory Use – Groom's Quarters**
- 15 **1) Zoning Districts - AGR PUD or AGR TMD**
- 16 **a) Twenty groom's quarters may be permitted on the preservation area of an AGR**
- 17 **PUD or AGR TMD.**
- 18 **b) For more than 20 groom's quarters, the allowable density shall be decreased by**
- 19 **one unit for each groom's quarter and shall not exceed a maximum reduction of**
- 20 **one-half of the number of dwelling units associated with the Preservation Area.**
- 21 **[Ord. 2006-004] [Relocated from Art. 4.B.1.E.5.e, AGR PUD or TMD (Related**
- 22 **to Groom's Quarters)]**
- 23 **2) Number Permitted**
- 24 **a) 20 Acres or Less**
- 25 **One groom's quarters shall be permitted for each four horse stalls. [Relocated**
- 26 **from Art. 4.B.1.E.5.a.1), 20 Acres or Less (Related to Groom's Quarters)]**
- 27 **b) More Than 20 Acres**
- 28 **One groom's quarters shall be permitted for each three horse stalls. [Relocated**
- 29 **from Art. 4.B.1.E.5.a.2), More Than 20 Acres (Related to Groom's Quarters)]**
- 30 **3) Building Area**
- 31 **a) Each Unit**
- 32 **Each groom's quarters shall not exceed 500 square feet of GFA per unit.**
- 33 **[Relocated from Art. 4.B.1.E.5.b.1), Each Unit (Related to Groom's**
- 34 **Quarters)]**
- 35 **b) 20 Acres or Less**
- 36 **The total GFA for all groom's quarters shall not exceed 5,000 square feet per lot.**
- 37 **[Relocated from Art. 4.B.1.E.5.b.2), 20 Acres or Less (Related to Groom's**
- 38 **Quarters)]**
- 39 **4) Occupancy**
- 40 **Shall be limited to on-site employees and members of the employees' family**
- 41 **only.[Relocated from Art. 4.B.5.A.5, Groom's Quarters]**
- 42
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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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.	Revise Kitchen Facilities Removal standard to clarify when removal agreement is to be executed and establish specific time for removal of kitchen when use ceases to operate. The 90-day threshold was added to ensure that adequate time was given for obtaining proper permits, such as plumbing and electrical, and to remove kitchen facilities.

5) Approval Process

Table 4.B.6.C - Groom's Quarters

Process	Number of groom's quarters permitted
Class A Conditional Use	101 or more
Class B Conditional Use	21 through 100
DRO	Five through 20
Permitted by Right	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 notarized and executed between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk prior to issuance of building permit of the groom's quarter. The agreement shall require the kitchen to be removed within 90 days of the unit ceasing 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

a) Twenty groom's quarters may be permitted on the preservation area of an AGR PUD or AGR TMD.

b) *For more than 20 groom's quarters, the allowable density shall be decreased by one unit for each groom's quarter and shall not exceed 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

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)]

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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.6.C - 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 notarized and executed between the Building Division and property owner and recorded in the PBC Clerk's Office prior to issuance of a building permit of the groom's quarter. The agreement shall require the kitchen to be removed within 90 days of the unit ceasing 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:]

1. 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.
2. Consolidate under Building Area standard the floor area regulations for consistency with standardized formatting protocol and clarify that the square footage associated with Accessory Quarters is the maximum allowable.
3. 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

An 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: a maximum of 800 square feet.~~

~~2) On one acre or more: a maximum of 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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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 Guest Cottage 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:

- 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.
- No longer permitted in IRO for Single Family and ZLL.
- 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 C

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

ed. No Change to Character of Dwelling

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

de. Employees

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

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

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

f. Advertising

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

g. Cottage Foods

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

gh. On-Premise Sales of Goods and Services

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

hj. Instructional Services

Instructional services shall meet the following additional regulations:

1) Home Instruction, Inside

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

2) Home Instruction, Outside

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

3) Hours of Operation

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

~~**4) Insurance**~~

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

54) Number of Students

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

65) Parking

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

76) Resident

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

ij. Outside Storage

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

jk. Nuisances

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

kl. Violations or Hazard

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

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1 **lm. Vehicles**

2 One business related vehicle per dwelling unit not over one ton rated capacity may be
3 parked at the home, provided the vehicle is registered to a resident of the dwelling,
4 commercial vehicles are prohibited.
5

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.

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9 **973. Kennel, Type 1-1A (Private)**
10

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.

11 **a. Definition**

12 ~~Any building or land used, A residential lot with a Single Family dwelling~~ designed or
13 arranged to facilitate the non-commercial care of domestic ~~animals, such as~~ dogs and
14 cats, ~~(excluding horses or livestock)~~, owned by the occupants of the premises. [Ord.
15 2006-036] [Ord. 2008-036] [Ord. 2013-001]

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

17 A private Kennel ~~Type 1A may include shall be limited to domestic animals owned by the~~
18 ~~occupants of the premises only, or~~ a private non-profit animal organization that is not
19 open to the public ~~and located on less than 2.5 acres. The care, breeding, boarding,~~
20 ~~raising, sale or grooming of dogs, cats, or any other domestic animal, bird, reptile or~~
21 ~~mammal is prohibited, except as permitted under provisions for Hobby Breeder contained~~
22 ~~herein. The raising of domestic animals for sale is prohibited. The sale of domestic~~
23 ~~animals on site is prohibited. Property size and restrictions on the number of animals~~
24 ~~permitted shall be regulated by the PBCACC. [Ord. 2006-036] [Ord. 2008-037] [Ord.~~
25 ~~2013-001]~~

26 **1) Setbacks**

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

30 **2)c. Hobby Breeder**

31 A person who breeds ~~up to two litters of dogs or cats or 19 dogs or cats per one-year~~
32 ~~period, on their property and/or raises, on his/her property, purebred dogs or cats~~
33 ~~capable of registration with the national or international dog or cat registry and does not~~
34 ~~engage in the sale to the public, during a consecutive 12 month period, of more than two~~
35 ~~litters or 20 dogs or cats, whichever is greater. The A hHobby bBreeder is further defined~~
36 ~~and regulated by the PBCACC pursuant to Ord. 89-2 98-022, as amended. [Ord. 2006-~~
37 ~~036]~~

38 **3) Outdoor Runs**

39 ~~Safety fences not to exceed six feet in height shall be required around outdoor runs.~~
40 ~~[Relocated to new Art. 5.B.1.A.22.a, Fences] If the safety fence is not opaque, a~~
41 ~~continuous solid opaque hedge, a minimum of four feet at installation, shall be~~
42 ~~provided around the outdoor run. [Relocated to new Art. 5.B.1.A.22.b, Hedges]~~
43 ~~Outdoor runs or non-enclosed structures used by a hobby breeders shall not be~~
44 ~~located within 50 feet of any property line adjacent to a residential district or 25 feet of~~
45 ~~any property line adjacent to a non-residential district. [Ord. 2006-036] [Relocated~~
46 ~~to new Art. 5.B.1.A.22.c.3), Hobby Breeders]~~
47

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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.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

22. Kennels and Runs

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)]

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.

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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(Updated 07/17/14)

3.	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.
----	--

23. Mobile Home

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

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

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

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

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.

CHAPTER B ACCESSORY AND TEMPORARY USES

Section 1 Supplementary Regulations

B. Temporary Structures

3. Temporary Structures and Uses During Development Activity

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

1) Temporary Dwelling During Home Construction Definition

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

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.

2) Zoning District – AR (RSA)

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

a3) Agency Approval

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

b4) Building Permit

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

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 removal agreement shall be notarized and executed

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EXHIBIT C

ARTICLE 4.B, USE REGULATIONS
SUMMARY OF AMENDMENTS
(Updated 07/17/14)

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between the Building Division and property owner and recorded on the property in the official records of the PBC Clerk prior to issuance of any 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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