



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

NOVEMBER 21, 2013 AGENDA  
2300 NORTH JOG ROAD

1<sup>ST</sup> FLOOR HEARING ROOM (VC-1W-47)  
2:00 P.M. – 4:00 P.M.

**A. CALL TO ORDER**

1. Introductions
2. Additions, Substitutions, and Deletions
3. Motion to Adopt Agenda
4. Adoption of August 20, 2013 Meeting Summary (Exhibit A)

**B. SUBCOMMITTEE RULES AND PROCEDURES**

**C. OVERVIEW**

1. General Changes to the ULDC
2. Presentation Format

**D. RECREATION USES**

1. Article 4, Use Regulations (Exhibit B)

**E. STAFF COMMENTS**

**F. ADJOURN**

## EXHIBIT A

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

#### AUGUST 20, 2013 MEETING SUMMARY

Prepared by Lauren Dennis, Site Planner II

On Tuesday, August 20, 2013, the Use Regulations Project Subcommittee held a meeting at the Vista Center, Room VC-1E-60 Conference Room at 2300 North Jog Road, West Palm Beach, Florida.

#### A. CALL TO ORDER

The meeting commenced at 2:05 p.m.

##### 1. Introduction of Members, Staff and Interested Parties

**LDRAB Subcommittee Member:** Jim Knight and Wes Blackman

**Interested Parties:** Ora Owensby, Pat Lentini, John Schmidt, Bobby Powell, Thuy Shutt, Cliff Hertz, and Caroline Villanueva.

**County Staff:** Rebecca Caldwell, Leonard Berger, Jon MacGillis, Ramsay Bulkeley, William Cross, Barbara Pinkston, Monica Cantor, David Nearing, Scott Rodriguez, Diane Burress, Gloria Ferguson, Bryan Davis, Gail James and Lauren Dennis.

##### 2. Additions, Substitutions and Deletions

Mr. Cross stated that additions, substitutions or deletions will be mentioned by every project manager during the presentation of Industrial Uses.

##### 3. Motion to Adopt Agenda

Motion to adopt agenda by Mr. Knight, seconded by Mr. Blackman. The agenda was adopted by the LDRAB Subcommittee.

##### 4. Adoption of May 14, 2013 Meeting Summary (Exhibit A)

May 14, 2013 Meeting Summary was adopted by the LDRAB Subcommittee.

#### B. SUBCOMMITTEE MEETING RULES AND PROCEDURES

Mr. Cross presented a brief overview of the subcommittee's goals and objectives. Mr. Cross then explained how future subcommittee meetings will be conducted, including typical timeframes, staff presentation of drafts, discussion of material by the Subcommittee, question and staff response, and consensus or pending issues of drafts. Mr. Knight clarified his intent to discuss the complete draft in an orderly manner by allowing staff to present all uses first and then open discussion for participation of the interested parties.

#### C. RECAP OF MAY SUBCOMMITTEE MEETING

Mr. Cross presented a brief recap of the May Subcommittee meeting and clarified that pending issues are addressed through this meeting.

#### D. OVERVIEW

##### 1. General Changes to the ULDC

Mr. Cross clarified that amendment to Article 1.I, Definitions and Acronyms to reflect relocated definitions in Article 4, and Article 3, Overlays and Zoning Districts related to references of the new matrices will be consolidated and presented as part of the final amendment packet. Amendments to Article 4 about the User Guide will be presented at a later meeting.

##### 2. Presentation Format

- Mr. Cross stated each use will be presented by the individual project manager (PM) and following the presentation comments will be taken from the Subcommittee and Interested Parties.

## EXHIBIT A

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

#### AUGUST 20, 2013 MEETING SUMMARY

- Mr. Cross explained that the Use Matrix will delineate the most restrictive approval process, and reference the note for thresholds.
- Amendments to Article 5, Supplementary Standards are to address relocated standards from the uses such as Barbed Wire, Outdoor Storage, Outdoor Activities, Flex Space, and Hours of Operation.

#### E. INDUSTRIAL USES

##### 1. Article 4, Use Regulations (Exhibit B)

The following topics were discussed for every specific use:

- **Asphalt or Concrete Plant (Consolidated) PM: Scott Rodriguez**
  - Consolidated into Heavy Industry use.
- **Contractor Storage Yard PM: Scott Rodriguez**
  - Definition – Revised to clarify mechanical equipment and deletes commercial vehicle threshold
  - Standards – Relocated to Art. 5
  - Approval Process – Added to MUPD w/ EDC FLU
- **Data and Information Processing (#2) PM: David Nearing**
  - Definition – Revised to reflect current industry trends
  - Standards – Relocated to Art. 5
  - Approval Process – Removed from incompatible commercial zoning districts
- **Distribution Facility (#3) PM: Scott Rodriguez**
  - Definition – Renamed and revised to reflect movement of goods v. people (transportation of people to be relocated to Public and Civic Uses)
  - Standards – Removed
  - Approval Process – Added to MUPD IND, transportation aspect removed from Industrial Matrix
- **Gas and Fuel , Wholesale (#4) PM: David Nearing**
  - Definition – Revised to reflect nature of use rather than quantities of storage
  - Standards – Added location criteria
  - Approval Process – Streamlined for IG and Added to IND/L PIPD
- **Heavy Industry (#5) PM: David Nearing**
  - Definition – Revised to add Asphalt and Concrete Use
  - Standards – Prohibited in EDC FLU
  - Approval Process – Added to IND/G POD of PIPD
- **Machine or Welding Shop (#6) PM: David Nearing**
  - Definition – Revised to add tool and dye fabrication
  - Standards – Not Applicable
  - Approval Process – Not Applicable
- **Manufacturing and Processing (#7) PM: David Nearing**
  - Definition – Revised to clarify use does not include slaughter houses and meat packing plants
  - Standards – Not Applicable
  - Approval Process – Removed from incompatible commercial zoning FLU's

## EXHIBIT A

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

#### AUGUST 20, 2013 MEETING SUMMARY

- **Medical or Dental Laboratory (#8) PM: Scott Rodriguez**
  - Definition – Revised to clarify types of medical equipment and laboratory portion of use
  - Standards – Relocated to Art. 5
  - Approval Process
    - Streamlined for CHO;
    - Added to:
      - IG
      - MUPD/IND
      - COM and IND/G of PIPD
- **Multi-Media Production (#9) PM: Scott Rodriguez**
  - Definition – Revised to reflect current industry trends
  - Standards – Limited to indoor use in UI and UC
  - Approval Process – Streamlined in CRE and MUPD CR FLU
- **Recycling Plant (#10) PM: Monica Cantor**
  - Definition – Revised to expand materials to be recycled
  - Standards – Relocated to Art. 5 and revised to reduce setback when use is adjacent to industrial and DRO approval when adjacent uses within 500 feet are industrial
  - Approval Process – Subject to a higher level of review for consistency with similar uses such as Heavy Industry and Salvage and Junk Yard
- **Research and Development (#11) PM: Scott Rodriguez**
  - Definition – Revised to include bioscience research and technology
  - Standards – Partially relocated to Art. 5 and outdoor activities limited to Industrial
  - Approval Process –
    - Streamlined for:
      - IL
      - MUPD CH & CHO FLU
      - MXPD CH FLU
      - LCC CH FLU
    - Added to:
      - CLO, CC, CHO, and CG
      - MXPD CH FLU
- **Salvage or Junk Yard (#12) PM: Scott Rodriguez**
  - Definition – Revised to clarify materials collected, and add Architectural Salvage
  - Standards – Partially relocated to Art. 5, and DRO in specified zoning districts
  - Approval Process – Not Applicable
- **Towing Service and Storage (#13) PM: David Nearing**
  - Definition – Revised to clarify prohibited activities within storage area
  - Standards – Relocated to Art. 5
  - Approval Process – Added to IND/G PIPD
- **Truck Stop (#14) PM: Scott Rodriguez**
  - Definition – Revised to clarify character of use
  - Standards – Added specific minimum lot size, collocated uses, and design standards

## EXHIBIT A

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

#### AUGUST 20, 2013 MEETING SUMMARY

- Approval Process – Not Applicable
- **Warehouse (#15) PM: David Nearing**
  - Definition – No change
  - Standards – Partially relocated to Art.5, and clarified
  - Approval Process – Removed from CH FLU of MUPD
- **Wholesaling, General (#16) PM: David Nearing**
  - Definition – Revised to further clarify activities associated with use
  - Standards – Relocated to Art. 5
  - Approval Process – Not Applicable

#### 2. **Article 5, Supplementary Standards (Exhibit C) Presented by: Monica Cantor**

- Barbed Wire – Relocated from industrial uses in Article 4
- Outdoor Storage / Activities – Relocated from industrial uses in Article 4
- Flex Space – Relocated from industrial uses in Article 4
- Hours of Operation– Added for industrial uses

#### **Industrial Uses / Supplementary Standards Public Comment**

- **Recycling Plant:** Clarification of increased separation for outdoor activities requiring Public Hearing approval
- **Towing Service and Storage:** Revise definition to reflect use rather than lot
- **Warehouse:** Discussion regarding nonconforming uses with deletion from CH/MUPD
- **Hours of Operation:** Subcommittee members and interested parties requested additional research be conducted with regards to flexibility for the Board of County Commissioners (BCC) for hours of operation without the need to apply for a variance

#### **Motion to Adopt Exhibit B**

Motion to adopt agenda by Mr. Blackman, seconded by Mr.Knight.

#### **Motion to Adopt Exhibit C**

Motion to adopt agenda by Mr. Blackman, seconded by Mr.Knight.

#### **F. STAFF COMMENTS**

He also clarified that August 28<sup>th</sup> Subcommittee meeting will be cancelled since all uses were discussed at this meeting and that staff will be preparing to present Industrial Uses to LDRAB at the meeting on October 23, 2013. Mr. Cross stated that Recreation Uses will be the next use classification to be presented to the Subcommittee.

#### **G. ADJOURN**

The meeting adjourned at 3:55 PM



EXHIBIT B

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 11/19/13)

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2 Part 1. New ULDC Art. 4.B.3, Recreation Uses, is hereby established as follows:

3 **CHAPTER B USE CLASSIFICATION**

4 **Section 3 Recreation Uses**

5 **A. Recreation Use Matrix**

6 **Reason for amendments:** [Zoning] 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.

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

8 **Reason for amendments:** [Zoning] Clarify that recreation uses are prohibited to include any kind of gaming or pari-mutuel betting when located in the Agricultural Reserve (AGR) Tier for consistency with the Comprehensive Plan policy 1.5-p. This provision was relocated from supplementary use standards contained in Arena, Auditorium or Stadium and Commercial Equestrian Arena.

9 **B. General Recreation Standards**

10 **1. Tier Specific**

11 ~~Parimutuel betting or gaming is prohibited in the Agricultural Reserve (AgR) Tier.~~

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15 **C. Definitions and Supplementary Use Standards for Specific Uses**

16 **1. Arena, Auditorium or Stadium or Amphitheater**

17 **Reason for amendments:** [Zoning]  
1. Remove Auditorium from the use name and include Amphitheater as it is the most common term that describes an outdoor facility designed for performances.  
2. Revise definition to clarify that the use is intended to be for large sport events or performance. Convention center, exhibition halls and conference center will be relocated to be addressed as civic use, tentatively under revised assembly use or similar.  
3. Delete provision related to location of the use in the Rural Residential (RR) Future Land Use (FLU) designation associated with the Commercial Recreation (CRE) Zoning District as this zoning district is not consistent with that FLU designation.  
4. Delete limitation of lot size as the minimum standards already existing in the Code such as the zoning district property development regulations, landscaping, drainage and parking spaces should dictate the minimum lot size needed for the use to function.  
5. Clarify that vehicular access has to be from Collector or Arterial Street to prevent vehicular traffic to and through local streets in nearby local streets.  
6. Relocate Pari-mutuel betting prohibition to the new section General Recreation standards in order to make this regulation applicable to all recreation uses when located in the AGR Tier for consistency with Comprehensive Plan policy 1.5-p.

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19 **a. Definition**

20 An ~~open, partially or fully enclosed facility establishment open, partially or fully enclosed~~  
21 primarily used or intended for commercial spectator sports, or ~~entertainment~~  
22 performance. Typical uses include ~~convention and exhibition halls, large conference~~  
23 ~~centers, sports arenas, jai alai frontons, amphitheaters and racetracks, and concert halls.~~

24 **CRE District**

25 ~~An arena, auditorium or stadium use shall not be located in an RR FLU designation.~~

26 **b. Lot Size**

27 ~~A minimum of five acres.~~

28 **c. Frontage Location**

29 A minimum of 200 feet of frontage ~~on a public street providing the primary access is~~  
30 ~~required. All vehicular access shall be from an on a Collector or aArterial street from~~  
31 ~~which primary point of vehicular access shall be provided.~~

32 **d. AGR District or FLU Designation**

33 ~~Paramutal betting is not permitted.~~

34 ....

35 **Notes:**  
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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 11/19/13)

Reason for amendments to Arena or Stadium or Amphitheater in the Use Matrix: [Zoning]

- 1. No changes are recommended to the approval process

**242. Campground**

Reason for amendments: [Zoning]

1. Amend definition to clarify that campgrounds are predominantly intended for more rustic styles of camping utilizing tents, camping cabins, and non-motorized campers, like a pop-up camper, or a trailer towed by a vehicle, staying for a shorter duration than those staying in a RV park.
2. Relocate and change the duration in which someone may reside in a Camping Cabin to apply to campgrounds in general. The duration noted in 3.E.7.D is 180 days. This is in excess of identified standards of other jurisdictions for campsites. It is more common of a period for RV parks.
3. Create a subsection to deal with accessory uses, specifically camping cabins and a general retail facility specifically to serve the needs of the campground occupants.
4. Relocate and revise the maximum number of camping cabins permitted in a campground. Clarify that the maximum number of approved campsites which can be used to site a camping cabin is limited to 30%.
5. Delete the requirement that camping cabins must comply with the Building Code. This is mandatory by State law, and redundant.
6. Remove reference to Recreation Vehicle Planned District (RVPD) Zoning District, which is a Planned Development District located in Article 3, from the subsection dealing with camping cabins. Camping cabins in an RVPD need to be addressed in Article 3.
7. Clarify that the setback for camping cabins is based on the setback for campsites, not recreational vehicle sites. There are not setbacks for recreational vehicle sites identified in this use.
8. Delete the standard regarding the location of camping cabins in-lieu of recreational vehicle sites. The use is a campground, not a recreational vehicle park. Plus, there is no other logical location for a cabin to be located than on a camp site.
9. Delete the standard allowing up to 49 percent of the sites to be occupied by Camping Cabins. This is in direct conflict with the previous standard allowing no more than 30 percent of sites to be "converted" from campsites to cabins.
10. Permit the establishment of a small accessory general retail sales component to a campground subject to:
  - Limited to 2,500 square feet of gross floor area (GFA), including storage;
  - Located to the interior of the campground with no exposure to external abutting streets;
  - Requiring one parking space per 500 square feet of GFA, including storage, plus on space per employee on duty;
  - Signage limited to wall signage on the front elevation of the building, not freestanding signage, and no signage associated with the retail facility should be visible to the exterior of the campsite.

**a. Definition**

A parcel of land used for a temporary camping and recreational uses and not as permanent living quarters. Campgrounds are predominantly intended for use by patrons occupying tents or Camping Cabins, and non-motorized campers and trailers. [Ord. 2005-002]

**ab. Lot Size**

A minimum of five acres or the minimum required by the district, whichever is greater.

**bc. Setback for Campsites**

A minimum of 50 feet from any property line.

**ed. Duration of Stay**

~~Time limitations for occupancy shall be in accordance with Article 3.E.7.D, Time Limitations a maximum of 30 consecutive days in a six month period.~~

**e. Accessory Use**

**1) Camping Cabin**

A rental cabin used for temporary occupancy.

**1a) Use**

A camping cabin shall be permitted as an accessory use to a ~~RVPD or~~ campground.

**2b) Number**

A maximum of 30 percent of the total approved ~~RV lots or~~ campsites may be ~~converted to~~ used for camping cabins use. [Relocated from 9 below]

**Structure**

~~The cabin shall comply with all structural requirements of the Building Code.~~

**3) Duration**

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 11/19/13)

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~~Time limitations for occupancy shall be in accordance with Article 3.E.7.D, Time Limitations.~~ [Relocated to new item d above]

**4c) Setback**

Camping cabins shall meet the setbacks required for a ~~recreational vehicle campsite.~~

~~5) Location~~

~~A camping cabin may be located on a recreational vehicle lot or campsite in lieu of a recreational vehicle or campsite.~~

**6d) Floor Area**

A camping cabin shall not exceed 800 square feet of GFA.

**7e) Additional Floor Area**

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

**8f) Amenities**

A camping cabin may contain electrical outlets (excluding 220 volt), heating, lighting, air conditioning, ~~fans~~, cooking facilities and plumbing.

~~9) Number~~

~~A maximum of 30 percent of the total approved RV lots or campsites may be converted to used for camping cabins use.~~ [Relocated to 2 above]

**10) Camping Cabin Lots**

~~At no time shall the number of camping cabins exceed 49 percent of the developed lots or campsites.~~

**2) Retail Sales, General**

~~A camp store selling goods intended for consumption and use by the patrons of a campground shall be permitted pursuant to the following:~~

**a) Size**

~~Shall not exceed 2,500 square feet of GFA, including storage.~~

**b) Location**

~~Shall be located to the interior of the campground, and shall and shall not be accessible from any external roads abutting the campground property.~~

**c) Parking**

~~Shall provide one parking space per 500 square feet of GFA, plus one space per employee on duty.~~

**d) Signage**

~~Signage shall be limited to a maximum of 25 square feet of wall signage located on the front facade of the building, and shall not be visible from the exterior of the campground. Freestanding signs shall be prohibited.~~

**df. LOSTO Overlay**

A camping cabin shall be allowed as a principal use, or as an accessory use to a single family dwelling, subject to approval as a special use and the following:

**1) Density**

A maximum of ten camping cabins per acre.

**2) Setback**

A minimum of 25 feet from all property lines.

**3) Occupants**

Only users of the LOSTO Trail, such as hikers, bikers and tourists, shall be allowed to occupy the cabins.

**Reason for amendments to Campground in the Use Matrix:** [Zoning]  
Research did not reveal a need for changes to the approval process.



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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 11/19/13)

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**453. Entertainment, Indoor**

**Reason for amendments:** [Zoning]

1. Delete CRE Zoning District standard related to Rural Residential (RR) FLU designation as the zoning district is not consistent with that FLU designation.
2. Because the Comprehensive Plan does not support locating commercial recreation uses in the Industrial (IND) FLU designation, delete reference to Light Industrial (IL) Zoning District.
3. Add Mixed Use Planned Development (MXPDP) and Plan Industrial Park Development (PIPD) Zoning Districts to 3,000 sq. ft. exemption from more restrictive review process.
4. Delete provision for banquet or reception facility as principal use. Research indicates that this provision has never been used, and the concept is not common to this region as it is elsewhere. The use of banquet and reception facility should be addressed with restaurants and catering facilities, and with institutional and private assembly.

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**a. Definition**

An establishment offering games of skill to the general public for a fee or charge and wholly enclosed in a building. Typical uses include bowling alleys, bingo parlors, pool halls, billiard parlors and video game arcades. [Ord. 2005-002] [Ord. 2012-007]

~~a. CRE District~~

~~An indoor entertainment shall not be located in a CRE district with RR FLU designation.~~

**b. IL District**

~~An indoor entertainment facility exceeding three acres in the IL district, the use shall rezone to the CRE district.~~

**cb. CC, CG, and MUPD, MXPDP and PIPD Districts**

1) An indoor entertainment use encompassing less than 3,000 square feet of floor area is a shall be permitted use by right.

2) ~~Banquet and reception facilities as a principal use are subject to Class A conditional use or requested use.~~

**Reason for amendments to Entertainment, Indoor in the Use Matrix:** [Zoning]

1. Delete from IL Zoning District. The Comprehensive Plan does not support this use in the IND FLU designation. Therefore, the use should not be located in the IL or General Industrial (IG) Zoning Districts.
2. Because of the level of scrutiny PDDs are given in their approval process, it is proposed that the use be reviewed by the Development Review Officer (DRO) in the following zoning districts:
  - Multiple Use Planned Development (MUPD) with a Commercial High (CH) FLU designation;
  - MXPDP with a CH FLU designation; and
  - Lifestyle Commercial Center (LCC) with a CH FLU designation.
3. Change the use from a Permitted to DRO review in the Commercial (COM) Pod of a PIPD to ensure that the use is truly oriented to serve those employed within the district or residing therein.

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EXHIBIT B

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 11/19/13)

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**464. Entertainment, Outdoor**

**Reason for amendments:** [Zoning]

- Revise definition to:
  - Clarify commercial activity and;
  - Relocate "Archery Ranges" to Sport Shooting Range use.
- Delete CRE Zoning District supplementary use standard. The standard, as written, excludes privately owned commercial recreation. The County has a zoning district that specifically focuses on public ownership and is consistent with all FLU designations.
- Delete Community Commercial (CC) Zoning District supplementary use standard. The use is allowed as a Class A Conditional Use. The definition of CC in the ULDC does not clearly delineate the meaning of community nature and neighborhood serving. Determination of "community nature" and "neighborhood serving" would be discussed during the review process and confirmed by the BCC.
- Delete IL Zoning District supplementary use standard. The use will be deleted from the Use Matrix and the standard will no longer apply.
- Location supplementary use standard to be revised. Delete the words "paved public" and minimum frontage requirement from the standard.

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**a. Definition**

An establishment offering entertainment or games of skill to the general public where any portion of the activity takes place in the open for a fee, excluding golf courses and public parks. Typical uses include ~~archery ranges~~, athletic fields, batting cages, golf driving ranges, water skiing facilities, tennis courts, go-cart tracks, miniature golf courses, paintball fields, jet skiing, and wind surfing. [Ord. 2005-002]

**a. CRE District**

~~Shall not be located in a CRE district with an RR FLU designation unless owned or operated by a public agency, or approved as a Class A Conditional Use, subject to the following additional criteria: [Ord. 2005-002]~~

~~1) Maximum size 20 acres. [Ord. 2005-002]~~

~~2) Maximum FAR 0.05. [Ord. 2005-002]~~

~~3) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. [Ord. 2005-002]~~

~~4) Frontage shall be required on a roadway designated as a Florida Intrastate Highway System (FIHS) or Strategic Intermodal System (SIS) facility. [Ord. 2005-002] [Ord. 2009-040]~~

~~5) Shall not be located within 1,320 feet of any other privately owned outdoor entertainment use with a RR FLU designation. [Ord. 2005-002]~~

**b. IL District**

~~The use shall rezone to the CRE district if exceeding three acres in size.~~

**c. CC District**

~~An outdoor entertainment facility shall be limited to uses that are of a community nature and that serve residential neighborhoods within a three to five mile radius.~~

**bd. Location Frontage**

Access to an outdoor entertainment use shall be from a ~~paved public~~ collector or arterial street. ~~The minimum required frontage for the primary point of access shall be 200 feet.~~

**ce. Setbacks**

No building, structure, trailer, vehicle, mechanical device, or outdoor area shall be located closer to the property line than as follows:

**Table 4.B.1.A – Outdoor Entertainment Setbacks**

Adjacent Use	Minimum Setback
Non-residential and streets	50 feet
Residential District or Use	100 feet

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**Reason for amendments to Entertainment, Outdoor in the Use Matrix:** [Zoning]

- Delete the DRO approval process from Industrial standard Zoning District and MUPD with IND FLU designation.  
The Regulation Section of the Comprehensive Plan identifies that the Outdoor Entertainment use is allowed in Commercial, Commercial Recreation and Industrial Future Land Use designations within a PIPD. Existing approvals within the IL standard Zoning District and MUPD with IND FLU designation will be deemed legal non-conforming uses.

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**565.Fitness Center**

**Reason for amendments:** [Zoning]

1. Update to reflect indoor or outdoor operation of the use and update the terminology for consistency with new industry trends.
2. Delete Multifamily Residential (RM) Zoning District from SF standard for consistency with deletion of the use approval in that zoning district as indicated in the Use Matrix. The supplementary use standard still remains applicable to Neighborhood Commercial (CN) Zoning District.
3. Remove General Commercial (CG) Zoning District from the standards that allow the use to be Permitted when less than 15,000 SF since the use is here now proposed to be Permitted as indicated in the Use Matrix.
4. Provide consistency between the square footage in Table 4.A.3.A, Threshold of Projects Requiring DRO approval, where the threshold for CC Zoning District is 8,000 SF, and the supplementary use standard that allows a Fitness Center in CC Zoning District to be Permitted when less than 15,000 SF. This change modifies the minimum square footage from 15,000 SF to 8,000 SF.
5. Delete Commercial High Office (CHO) Zoning District from the provisions that allow the use to be Permitted by Right when less than 15,000 SF for consistency with the intent of that district to include mainly uses of office nature and deletion of use from that zoning district in the Use Matrix.
6. Delete CRE Zoning District standard related to RR FLU designation as the zoning district is not consistent with that FLU designation.

**a. Definition**

An ~~enclosed building or structure~~ establishment containing multi-use facilities for conducting recreational sport activities such as: aerobic exercises, weight lifting, running, swimming, racquetball, handball, ~~and squash.~~ ~~This use also includes dance studios and karate schools. A fitness center may also include the following customary accessory activities as long as they are intended for the use of the members of the center and not for the general public: babysitting, food service, and the serving of alcoholic beverages consumed on the premises.~~

**a. RM and CN Districts**

~~Shall not occupy more than 3,000 square feet of GFA or have outdoor activities. [Partially relocated below under d.]~~

**b. CC, CHO, CG Districts and PDDs Approval Process**

A fitness center that has less than ~~15,000~~ 8,000 square feet of GFA shall be ~~permitted by right~~ Permitted by Right in the CC Zoning District. [Ord. 2010-005]

**c. CRE District**

~~Shall not be located in a CRE district with an RR FLU designation.~~

**cd. PIPD Light Industrial Use Zone**

A fitness center in a Light Industrial Use Zone of a PIPD shall primarily serve the workforce or residential population within the PIPD. [Ord. 2012-027]

**d. Zoning District**

The use shall be limited to 3,000 square feet of GFA without outdoor activities when located in CN Zoning District. [Partially relocated from above old a.]

....

**Reason for amendments to Fitness Center in the Use Matrix:** [Zoning]

1. Delete from the RM Zoning District as any form of this use open to the general public would not be consistent with the purpose and intent for a residential district. There are other provisions to allow for similar uses where limited to residents of a residential development.
2. Amend the approval process in CN Zoning Districts from Class B Conditional Use approval to be Permitted. The supplementary use standard limiting the building to 3,000 SF and no outdoor activities makes the structure consistent with the neighborhood character of the CN Zoning District and the prohibition of outdoor activities protects surrounding residential from nuisances.
3. Delete from IL Zoning District to keep industrial land limited to industrial uses or uses of an industrial nature.
4. Delete from CHO Zoning District, MUPD with CHO FLU designation, and MXPD with CHO FLU designation as the CH-O FLU designation is intended to support mainly office related uses as contained in the FLU Element Section III.C.2 of the Comprehensive Plan for Commercial Office Uses.
5. Amend the approval process from Class A Conditional Use to Permitted in CG Zoning District and MUPD with CH FLU designation to make the use consistent with expected intensity in CH FLU designation. In the CG Zoning District the building square footage will trigger upper level of review (Board of County Commissioners [BCC] approval) when the structure is above 49,999 SF.
6. Increase the approval process from Permitted to DRO in COM Pod of a PIPD to ensure the use is site planned and determine the size of the use is of an intensity intended to serve mainly the population within the PIPD as stated in the FLU Element Section III.C.4 of the Comprehensive Plan.

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**626. Golf Course**

**Reason for amendments:** [Zoning]

1. Delete reference to Management Plan. Per the Environmental Resource Management (ERM), this document is required by South Florida Water Management District, and is based on the plans approved by the County. This would be redundant with State Agency requirements.
2. Change reference to clubhouse to be an accessory use to comply with new wording for reordered Supplementary use standards.
3. Change fencing to be a subcategory of accessory use due to the specialized nature of the type of fencing being referenced in this standard.

**a. Definition**

An ~~facility establishment~~ providing a golf recreation area designed for executive or regulation play along with accessory support facilities, excluding miniature golf.

~~1) PUD~~

~~A golf course is only permitted in the development area of a PUD, subject to the following additional application requirements.~~

~~a) Management Plan~~

~~To protect adjacent farmland from golf course maintenance practices, a maintenance plan shall be developed and complied with in perpetuity. Prior to DRO approval of the master plan, a management plan shall be submitted to and approved by ERM. At a minimum, the management plan shall include the following information:~~

- ~~(1) A Best Management Plan (BMP) detailing procedures for the construction, irrigation, operation, and maintenance of the golf course, designed to prevent contamination of adjacent properties and ground and surface waters;~~
- ~~(2) A Post Management Plan (PMP) designed to prevent contamination of ground and surface water from pesticides, herbicides, and fertilizers; and~~
- ~~(3) A Water Quality Monitoring Plan designed to protect adjacent wetlands and surface waters.~~

**b. Clubhouse Accessory Use**

**1) Clubhouse**

A golf course use may include a clubhouse. In addition to traditional and customary services, the clubhouse may also contain uses such as food service, catering, related retail sales, financial services, and other personal services.

**12) Fencing**

~~Protective f~~Fencing or netting may be erected to protect neighboring property, vehicles, pedestrians, or bicyclists from golf balls, subject to the following restrictions:

**a) Maximum Height Adjacent To**

**(1) Residential Use**

15 feet.

**(2) Street or Easement**

30 feet.

**(3) Non-Residential Use**

30 feet.

**Reason for amendments to Golf Course in the Use Matrix:** [Zoning]

1. Delete use from all standard zoning districts except CG, CRE, Public Ownership (PO), and Institutional and Public Facilities (IPF). Allowing, even as a Class A would permit establishment of commercial standalone golf courses in all residential zoning districts. The Unified Land Development Code (ULDC) should be amended to reflect that ancillary golf courses can be approved with residential developments as an amenity of that development
2. Deleting from IL Zoning District. With the exception of the COM Pod of a PIPD, this use is not consistent with the industrial zoning districts.
3. Change from Class B to Permitted in PO Zoning District, publicly owned golf course serve a greater public good with minimal impacts under government control.
4. Allow as a Class A Conditional Use in a COM Pod of a PIPD, as Commercial Recreation (CR) FLU designation is not a land use permitted in PIPD.
5. Remove from all residential PDD's. The ULDC should be amended to allow the use to be a collocated recreational amenity in residential PDD's. If it is later desired to make a golf course open to the public, the owner would be required to go before the BCC to obtain the necessary approvals to do so. This will provide a public forum to discuss the proposal.
6. Delete from the Mobile Home Planned Development District (MHPD) and RVPD Zoning Districts. The standards for these two zoning districts should be revised to permit golf courses as an amenity to a development.

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**782. Marina Marine Facility**

**Reason for amendments: [Zoning]**

- 1. Revise definition to clarify types of structures and activities related to a Marina. Boatyards are commonly industrial in nature and may adversely impact surrounding areas.
- 2. Relocate Boatel Units supplementary use standard.
- 3. Relocate Boat Facility Siting Plan language. The threshold of slips for Marina is not an element of the definition but a supplementary use standard.

**a. Definition**

A commercial facility establishment related to boating located on a navigable waterway. Typical uses or activities include, boat docks but not limited to, servicing, fueling, pumping-out, chartering, launching, dry-storage of boats and boating equipment, dockage, marinas, boatyards, yacht clubs, charter boat operations, and boatels. ~~Any marine facility with five or more slips shall comply with the Boat Facility Siting Plan of the Palm Beach County Manatee Protection Plan. [Ord. 2009-040]~~ **[Relocated to d. below]**

**a. Boatel Units**

~~A boat used as a hotel or motel unit. The total number of units shall be prorated on the basis of one for using 1,000 square feet of dry land for each unit.~~ **[Relocated to d. below]**

**b. Setbacks**

~~Dry-storage of boats and other marina~~ Marina related uses may be setback zero feet from the water's edge.

**c.a. Boatel Units**

~~A boat used as a hotel or motel unit. The total number of units shall be prorated on the basis of one unit per for using 1,000 square feet of dry land for each unit.~~

**d. Boat Facility Siting Plan**

~~Any marine facility with five or more slips shall comply with the Boat Facility Siting Plan of the Palm Beach County Manatee Protection Plan. [Ord. 2009-040]~~ **[Relocated from the Definition above]**

**Reason for amendments to Marina in the Use Matrix: [Zoning]**

- 1. Delete the approval process from CHO Zoning District, MUPD with CHO FLU designation and MXPD with CHO FLU designation. The CHO FLU designation is primarily intended for business and professional office parks.
- 2. Delete the approval process from IRO Zoning District with a Commercial Low (CL) FLU designation. Marinas are considered too intense in the CL FLU designation.
- 3. Change the approval process from a Class B Conditional Use to Class A Conditional Use in the CG and CRE Zoning Districts for consistency with MUPD with a CH and CR FLU designations.



**892.Park, Neighborhood Infill**

**Reason for amendments: [Zoning]**

- 1. Minor revision to the use definition;
- 2. Delete limitation on hours of operation and landscaping standards to defer to Parks and Recreation handbook;
- 3. Delete limitation on hours of operation and defer to Parks and Recreation. With the prohibition on lighting and other amenities, most parks of this nature will be posted as closed from dusk to dawn.

**a. Definition**

~~A public parkPBC public parks facilities facility operated by PBC usually less than two and one half acres~~ located in the Revitalization and Redevelopment Overlay as designated by the BCC, ~~or in any residential neighborhood. Infill neighborhood parks, including passive and active recreational facilities, are generally few in number due to size constraints and are developed according to the demands and character of the specific neighborhoods that they serve. Access is primarily pedestrian oriented with no support facilities such as parking lots or restrooms provided.~~ **[Ord. 2006-004]**

**ba. Lot Size**

A maximum of five acres.

**cb. Recreational Amenities**

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Active recreation amenities may include playground equipment and non-regulation basketball courts.

**e. Landscaping**

~~Landscaping shall be subject to the PBC Parks and Recreation Department landscape standards.~~

**d. Minimum Setbacks from Residential Uses**

**1) Playground Surface Areas**

Ten feet.

**2) Structures, Park Furniture and Playground Equipment**

15 feet.

**3) Active Recreation Facilities**

25 feet

**e. Setbacks from R-O-Ws and Non-residential Uses**

**1) Playground Surface Areas**

A minimum of ten feet.

**2) Structures Park Furniture and Playground Equipment**

A minimum of 15 feet.

**f. Hours of Operation**

~~Shall be pursuant to the PBC Parks and Recreation Department.~~

**gh. Restrictions**

Sports lighting, parking spaces and permanent sanitary facilities shall be prohibited.

**Reason for amendments to Park, Neighborhood Infill in the Use Matrix:** [Zoning]  
Research did not reveal a need for approval process changes.



**993. Park, Passive**

**Reason for amendments:** [Zoning] Minor revision to the use definition and supplementary use standard.

**a. Definition**

A public or private outdoor recreation area relying on a natural or man-made resource base and developed with a low intensity of impact on the land. Typical uses include trail systems, wildlife management and demonstration areas for historical, cultural, scientific, educational or other purposes that relate to the natural qualities of the area, and support facilities for such activities.

**b.a. PC Zoning District**

~~In the PC district, a~~ **A** passive park use shall generally include but not be limited to nature and foot trails; canoe trails; wildlife management performed by official game, fish and wildlife commissions; public hunting and fishing camps; the use of boats, airboats and wheeled and tracked vehicles under policies and regulations prescribed by the appropriate government agencies; hunting and fishing camps on private property under policies prescribed by official game, fish and wildlife commissions; exploration, observation and archeological studies supervised by recognized authorities or persons granted permission to proceed by the State of Florida; preserves and passive recreation areas, and residences for preservation management officers or substantially similar recreational conservation accessory uses. **[Ord. 2006-004]**

**Reason for amendments to Park, Passive in the Use Matrix:** [Zoning]

1. Change Class A Conditional Use to Permitted in the AGR/P Pod of a PUD.
2. Add as a Permitted use in the following zoning districts:
  - MUPD with an IND and EDC FLU designation.
  - Neighborhood Center (NC) and Residential (RES) Pods of a Traditional Neighborhood Development (TND) in Urban/Suburban, Exurban and Rural Tiers.
 The Comprehensive Plan states that parks are generally permitted in all future land use designations.
3. Delete limitation on hours of operation and defer to Parks and Recreation. With the prohibition on lighting and other amenities, most parks of this nature will be posted as closed from dusk to dawn.



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**10-. Park, Public**

**Reason for amendments:** [Zoning] 1) Review the definition to clarify that ownership and management of the use is government; 2) Allow golf course to be permitted by right when collocated with a public park located in PO Zoning District as this use is subject to Class B Conditional Use in that district and facilitate its approval since it is typically collocated with public parks; and, 3) Expand on the type of parks for consistency with the terminology and classification contained in the Parks and Recreation Department list of Public Parks contained in Article 5.B and the Comprehensive Plan Recreation and Open Space Element;

**a. Definition**

A park publicly owned or operated ~~by government agencies park or beach that~~ providing opportunities for active or passive recreational activities to the general public.

**b. Collocated Uses**

~~Golf course collocated with a public park located in PO Zoning District shall be permitted by right use.~~

**c. Type of Parks**

~~The use includes Regional Park, District Park, Beach Park, and Community Park.~~

**Reason for amendments to Park, Public in the Use Matrix:** [Zoning]  
1. Streamline the approval process in MUPD with CL FLU designation from Class A Conditional Use to Permitted as PDDs are subject to Public Hearings and opportunities are provided for adjacent residents to participate. In addition the location of the use will be part of a Master Plan.



**1167. Gun Club, Enclosed Sport Shooting Range, Indoor**

**Reason for amendments:** [Zoning]  
1. In 1993, Open Gun Club and Closed Gun Club use definitions and supplementary use standards were consolidated but shown as two separate uses in the Use Matrix. The amendment will rename and separate the use in the supplementary use standard consistent with the Use Matrix.  
2. Update the use definition to clarify the recreational and training aspect of the use consistent with F.S. 790.333 and 823.16.  
3. Delete the Minimum Lot Size standard. Industry and municipal research does not show any specific trend for minimum threshold of lot size for indoor shooting ranges. This type of use can range from one to 10 or more acres.  
4. Relocate and clarify setback and buffer requirements from indoor shooting range to outdoor shooting range. Safety concerns will be further addressed by separation criteria established.  
5. Add Separation Distance supplementary use standard. Research indicates that separation distance assists with the mitigation of noise and odor. For the purposes of this amendment, park would include Passive, Neighborhood Infill and Public Parks.  
6. Delete AR/RSA standard. The Comprehensive Plan, III.C.5, identifies the Special Agriculture (SA) FLU designation as a "transitional agricultural classification". Sport Shooting Ranges do not meet the intent of the SA FLU designation.

**a. Definition**

An ~~open or enclosed facility~~ indoor establishment used for the discharge of firearms or projectiles at targets for sport or training shooting.

**a. Setbacks and Buffers**

**1) Enclosed**

~~An enclosed gun club shall have a 100-foot setback and a 50 foot buffer from a residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~

**2) Open**

~~An open gun club and its accessory shooting areas shall have a 300 foot setback to a 100 foot buffer from residentially occupied or zoned property. These setbacks are in addition to the minimum required setbacks of the district.~~ **[Relocated to Outdoor Shooting Range below]**

**b. Lot Size**

~~Except in the IL district, a gun club shall be located on a minimum of five acres or meet the minimum lot and setback requirements of the district in which it is located, whichever is greater.~~

**b. Nuisances**

All use areas shall be within an enclosed building constructed, maintained and operated so that no noise nuisances related to the range operations can be detected outside the building.

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**c. Separation Distance**

An indoor shooting range shall not be located within 100 feet of a parcel with a civic or residential use, zoning district, or FLU designation or a park.

~~**e. AR/RSA**~~

~~An open gun club may be permitted in the SA FLU subject to a Class A conditional use approval. [Ord. 2005-002]~~

**Reason for amendments to Sport Shooting Range, Indoor in the Use Matrix: [Zoning]**

1. Change the approval process from Class B Conditional Use to Class A Conditional Use in the CG Zoning District for consistency with MUPD with a CH FLU designation.
2. Change the approval process from Permitted to Class A Conditional Use in CRE Zoning District for consistency with MUPD with a CR FLU designation.
3. Change the approval process from DRO to Class A Conditional Use in the IRO with a CH FLU designation for consistency with MUPD with a CH FLU. The changes provide an opportunity for the public to discuss any potential impacts from an indoor shooting range before the Board of County Commissioners.



**1268. Gun Club, Open Sport Shooting Range, Outdoor**

**Reason for amendments: [Zoning]**

1. In 1993, Open Gun Club and Closed Gun Club use definitions and supplementary use standards were consolidated but shown as two separate uses in the Use Matrix. The amendment will rename and separate the use in the supplementary use standard consistent with the Use Matrix.
2. Relocate and clarify setback requirements.
3. Add additional landscaping requirements. Buffer and berm requirements provide for additional safety and screening adjacent to residential areas.
4. Add Separation requirements. Distancing requirements assist in the mitigation of noise and odor.

**a. Definition**

An outdoor establishment used for the discharge of firearms or projectiles at targets for sport or training.

**b. Setbacks**

~~An open gun club outdoor shooting range and its accessory shooting areas shall have a 300 foot setback from all property lines a parcel adjacent to a residential use, zoning district or FLU designation. [Partially relocated from Indoor Shooting Range]~~

**c. Landscaping**

An outdoor shooting range shall have a 100 foot Type II Incompatibility buffer consisting of a 15 foot tall berm located between any adjacent civic, commercial, residential, or other recreation use, zoning district or FLU designation and the portion of the range at which targets are oriented.

**d. Separation Distance**

An outdoor shooting range shall not be located within 1,320 feet of a parcel adjacent to a civic, commercial, residential, or other recreation use, zoning district, or FLU designation.

**Reason for amendments to Sport Shooting Range, Outdoor in the Use Matrix: [Zoning]**

Change the approval process from a Class B Conditional Use to Class A Conditional Use in the PO Zoning District. The change provides an opportunity for the public to discuss any potential impacts from an outdoor shooting range before the Board of County Commissioners.



**13143. Zoo**

**Reason for amendments: [Zoning]**

1. Revise the definition to clarify zoo use is intended for entertainment and educational purposes;
2. Delete the Agricultural Residential (AR) Zoning District use standard due to the inconsistency between the typical low density residential uses of AR and the traffic intensity and commercial nature of a Zoo use;
3. Relocate and consolidate supplementary use standards regarding barbed wire, which will be addressed in Art. 5.

**a. Definition**

~~Means a place~~An establishment where animals are kept in captivity for the public to view or for educational ~~or animal rehabilitative~~ purposes.

~~**a. AR District**~~

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~~A zoo shall be located on a minimum of ten acres and shall provide a 500 foot buffer adjacent to existing residential uses, districts or FLU designated property.~~

**b. Accessory Uses**

A veterinary clinic, gift shop, and food service may be permitted as accessory uses to a zoo.

**c. Setbacks**

No animal containment area shall be located within 500 feet of any residential district.

**d. Barbed Wire**

~~Barbed wire may be installed pursuant to Art. 5.B.1.A.2.c, Dangerous Materials. [Ord. 2011-001]~~

**Reason for amendments to Zoo in the Use Matrix: [Zoning]**

1. To Delete from the AR Zoning District due to the inconsistency between the typical low density residential uses of AR and the traffic intensity and commercial nature of a Zoo use.
2. Use is currently a DRO approval in the CRE Zoning District, which is consistent with a CR FLU designation. Therefore, for consistency, make use DRO approval in the MUPD with a CR FLU designation.
3. Change the approval process from a Class B Conditional Use to Class A Conditional Use in the CG Zoning District. The change provides an opportunity for the public to discuss any potential impacts from a zoo before the BCC.



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