



**DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)  
TUESDAY, OCTOBER 22, 2013, 2:30 PM-4:00 PM  
PZ&B – VISTA CENTER  
2300 NORTH JOG RD., WEST PALM BEACH, FL 33411  
2<sup>ND</sup> FLOOR CONFERENCE ROOM (VC-2E-12)**

**AGENDA**

- A. Introductions**
- B. Review of the August 23, 2013 Minutes - (Attachment 1)**
- C. Use Regulations Project Update - Bill**
  - **Overview of Industrial Use Amendments (Attachment 2, Exhibit A)**
  - **Article 5, Supplementary Standards (Attachment 2, Exhibit B)**
- D. ULDC Amendment Round 2013-02 - Bill/Alan/Wendy**
  - **DRO Administrative Agency Review (Attachment 3, Exhibit C)**
- E. Review DRAC Open Task-Wendy (Attachment 4)**
- F. Requested by Dodi Glas-Can Pat Lenti become a full Member of DRAC?**
- G. Discuss residential plans coming off board and the requirement for recreation pods to have their own site plans. – Jeff Brophy**
- G. Next Meeting February 7, 2014. Meeting Agenda 2014 (Attachment 5)**
- H. Adjournment**



**DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC)  
MINUTES OF THE FRIDAY, AUGUST 23, 2013 SUBCOMMITTEE MEETING  
PZ&B – VISTA CENTER  
2300 NORTH JOG RD., WEST PALM BEACH, FL 33411  
1<sup>ST</sup> FLOOR CONFERENCE ROOM (VC-1W-47)  
Time: 11:30 am to 1:00 pm**

**PREPARED BY ZONING DIVISION STAFF**

**1. CALL TO ORDER.**

Chairman Scott Mosolf called the meeting to order at 11:35 am.

**Members Present –**

Scott Mosolf – UDKS – Chair  
Gladys DiGirolamo – GL Homes - Vice Chair  
Bradley Miller - Miller Planning  
Collene Walter - UDKS  
Kevin McGinley - Land Research Management

**Members Absent –**

Chris Barry - UDKS  
Jeff Brophy - Land Design South  
Bill Whiteford - Team Plan  
Jon Schmidt - Jon Schmidt & Associates  
Jan Polson - Coteleur & Hearing

**Interested Parties –**

Bobby Powell - UDKS  
Joni Brinkman - UDKS  
Wendy Tuma - UDKS  
Joshua I. Long - Gunster Law Firm

**Zoning/Planning -**

Jon MacGillis, Zoning Director  
Maryann Kwok, Chief Planner, Zoning Division  
Wendy Hernandez, Zoning Manager – Community Development Section (CD)  
Alan Seaman, Principal Site Planner, Zoning Division  
Barbara Pinkston, Principal Site Planner, Zoning Division  
William Cross, Principal Site Planner, Zoning Division  
Carrie Rechenmacher, Senior Site Planner, CD Section  
Carol Glasser, Site Planner II, CD Section  
Patricia Rice, Senior Secretary, Administration Section  
Jan Rodriguez, Senior Site Planner, Administrative Review/Public Information Section  
Donna Adelsperger, Site Planner I, CD Section  
Roger Ramdeen, Site Planner II, CD Section  
David G. McGuire, Site Planner II, CD Section  
Inna Stafeychuk, Site Planner I, Administration Section  
Dorine Kelly, Manager, Customer Relations  
Melissa Matos, Site Plan Technician, Administration Section

**A. INTRODUCTIONS**

**B. REVIEW OF THE JUNE 7, 2013 MINUTES – (ATTACHMENT 1)**

Scott Mosolf asked if anyone had any amendments on the June 7, 2013 Minutes. The only comment was made to correct name spelling. Minutes were adopted as presented. Staff will publish the adopted version to the Zoning DRAC Web Page.

**C. UPDATE DRAC 2012-13 ACCOMPLISHMENTS - (ATTACHMENT 2) - WENDY**

Wendy Hernandez reviewed the open items on DRAC Task chart.

**D. SIX PILLARS UPDATE (ATTACHMENT 3) - JOSH LONG**

Josh updated on 6 Pillars Initiative. He gave overview of the private/public initiative goals and accomplishments. He explained that White Paper, published November 2012, included 48 best practices (tools) for both sectors. He stated that next goal was implementation of those best practices.

**E. ULDC UPDATES**

**• 2013-14 USE REGULATIONS PROJECT AND DRAC ROLE – BILL**

Bill reiterated that DRAC members had been added to the list of interested parties for the URP, and should be receiving e-mail updates on the monthly URP newsletter and reminders for any upcoming LDRAB URP Subcommittee meeting dates. Ms. Tuma inquired how she could be included in this list to which Bill advised that she could e-mail Monica Cantor, Senior Site Planner, or visit the URP Webpage and fill out the Public Participation Form (Editors note: Staff have added Ms. Tuma to the list).

**• UPDATE ON THE CODE CHANGES IN PROCESS AND THE USE REGULATIONS PROJECT - BILL**

Bill provided a brief update on the BCC August 22, 2013 Adoption of ULDC Amendment Round 2013-01. He also noted that the LDRAB URP Subcommittee met on August 20, 2013 and had completed the review of proposed amendments to Industrial Uses. He noted that the Subcommittee had recommended further review of requirements for hours of operation to which staff concurred, noting that the topic would be revisited for each Use Classification. The next meeting will be to review Recreational Uses, and staff were preparing to start on Residential Uses.

**• UPDATE LANDSCAPE CODE COMMITTEE –BARBARA**

Barbara provided an update on outstanding items being addressed by the Subcommittee. They include: bioswales; bull-pen parking; measuring berms; alternative landscape plans (ALPs); xeriscape; and classifying trees based upon size. She explained that the street tree issued had been addressed, and that the Subcommittee would be making recommendations that would reduce the number of trees required for single family lots. Maryann and Barbara further explained that the "Tree Requirement Table", historically included on Zoning approved plans would no longer be required. Barbara advised that Subcommittee meetings have been going well and invited other interested parties to attend.

**• INPUT ON MEASURING WALL HEIGHT-BARBARA**

Barbara explained that Staff had been having challenges when determining how to measure fence height when located on adjacent parcels with differing finished grades. The item was brought to the Subcommittee for discussion and also involved input from the Building Division. Staff is proposing to use the average height between both parcels to determine how the measurement should be taken.

**F. NEW FEES – CLF TYPE I (ATTACHMENT 4) - ALAN**

Alan explained that last meeting he talked about the Congregate Living Facility (CLF) Type I new process and proposed fees, he explained the state requirements, and how the County has established a GIS map to tract these CLF Type I facilities to determine the separation requirements. He further explained that the County would need to check all these requirements for each application before signing it off and issuing the Business Tax Receipt (BTR). He also indicated because of the new process, a proposed \$218 fee will be established and will be presented to the Board of County Commissioners for adoption.

Colleen asked whether the GIS map is available on the GeoNAV, staff explained that it is a layer embedded in the GIS map. The database for these CLF Type I facilities is updated first of each month.

#### **G. PUBLIC NOTICE BOARD PROCEDURES PER COLLENE (ATTACHMENT 5) - WENDY**

Wendy said as of March 2012, staff had implemented the procedure requiring the agents to install their own yellow public notification signs instead of getting these signs from the County. I mentioned that the weblink on the boards allows someone to view the property notice from the Web and does not require the applicant to repost the site when hearing dates change. Zoning Division also added the placement of the QR Code on these signs. Wendy indicated that announcements were made to notify agents at the DRO meetings. She said they also emailed instructions to the agents, and placed those instructions in the Zoning Technical Manual, as well as on the Zoning website,

Colleen said she and her office staff did not find Wendy's email or written notifications related to the requirement of the QR Code. She indicated their office was previously asked to test the QR Code on a certain application/project; however, that application was not certified, and there was no follow-up from the Community Development Section related to the QR Code. Colleen suggested staff should continue to put all changes to process or procedures/announcements on the DRO Agenda website.

#### **H. OPEN DISCUSSION-TOPICS FOR NEXT MEETING NOVEMBER 15, 2013**

Collene asked about the Type II Variance re-submittal. Wendy explained the Type II Variance should be similar to the DROE process, and if there are minor comments from the Agencies, then the applicant can resubmit to stay on track for the public hearings, for example, if an application is submitted in August, it will go to the September DRO meeting and the November Hearing, approximately a 4-month process. Colleen said that was some confusion in those dates shown on the Zoning Calendar. Wendy concurred that there are some discrepancies between the internal and external calendars.

Colleen asked Wendy how staff would want the applicants to submit. Wendy said she will need to follow up with her staff to clarify the dates. Wendy indicated that the Type II Variances should stay on track if there are only minor comments from the Agencies. It is only when an application have major issues that delayed the certification to another month. Colleen asked whether other agencies know those re-submittal dates. Wendy said she will remind them again.

Bradley asked about the re-submittal fees. Wendy said the Off-The-Board application has no fee charge. The standard application has two free re-submittal but fees will apply on the third re-submittal. In addition, Zoning has clarified fee charges with other DRO Agencies so that know when to apply re-submittal fee.

Colleen asked Wendy whether she will update the external public calendar to address the Type II Variance re-submittal dates. Wendy said she will follow up with her staff. Zoning Staff is currently working on the 2014 calendar.

Collene expressed concerns in terms of the timeliness of the Agencies' response to comments. She suggested Rebecca to talk to other department heads. Jon recommends Collene to send him a email, and he will forward those comments/complaints to the appropriate Department staff/supervisors.

Gladys mentioned an issue she would raise at the next meeting which is the Gang mailboxes. Post office is not doing curb side deliveries anymore to individual homes.

#### **I. ADJOURNMENT**

THE MEETING ADJOURNED AT 12:25 PM.

ATTACHMENT 2  
EXHIBIT A

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

TABLE 4.B.5.A – INDUSTRIAL USE MATRIX

Use Type	Reference Number Supplementary Standards	STANDARD DISTRICTS															PLANNED DEVELOPMENT DISTRICTS (PDDs)											TRADITIONAL DEV. DIST. (TDDs)						Reference Number Supplementary Standards																																
		Zoning District															PUD		MUPD			MXPD	PIPD		M	R	LCC		TND		TMD																																			
		AG/CON			Residential			Commercial					Ind.	Inst.	Pods		FLU			FLU	Pod	H	V	FLU	TIER		TIER																																							
		P	A	A	AR	R	R	R	R	Commercial					I	I	P	I	R	C	R	C	A	C	C	C	C	I	E	I	C	C	I		C	I	P	P	C	C	U/S		Exrb/Rural		U	Ex	AGR																			
C	G	P	R	U	E	T	S	M	C	C	C	C	C	C	U	U	U	U	U	C	C	C	C	C	FLU	L	G	O	P	F	R	C	R	C	A	C	C	C	C	I	E	I	C	C	I	C	I	P	P	L	H	R	N	O	R	N	O	S	U	R	A	L	ES	RES	ES	RES
<b>Industrial Uses</b>																																																																		
Asphalt or Concrete Plant		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																					
Contractor Storage Yard	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1																				
Data and Information Processing	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2																				
Transportation Distribution Facility	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3																					
Gas and Fuel, Wholesale	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4																					
Heavy Industry	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5																				
Machine or Welding Shop	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6																				
Manufacturing And Processing	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7																				
Medical or Dental Laboratory	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8																				
Film Multi-Media Production Studio	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9																				
Recycling Plant	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10																				
Laboratory, Industrial Research and Development	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	11																			
Salvage or Junk Yard	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12																			
Towing Service and Storage	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13																			
Truck Stop	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14																			
Warehouse	15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15																			
Wholesaling, General	16	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	16																		
[Ord.]																																																																		
Use Approval Process Key:																																																																		
<b>P</b> Permitted (may be subject to Zoning review or approval of Building Permit or Business Tax Receipt (BTR)).										<b>D</b> Subject to DRO approval.										<b>A</b> Subject to BCC (Class A Conditional Use) approval)																																														
<b>S</b> Subject to Special Permit approval.										<b>B</b> Subject to Zoning Commission (Class B Conditional Use) approval										<b>-</b> Prohibited use, unless stated otherwise within Supplementary Standards.																																														

1  
2  
3

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ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

Part 1. New ULDC Art. 4.B.5, Industrial Uses, is hereby established as follows:

**CHAPTER B USE CLASSIFICATION**

**Section 5 Industrial Uses**

**A. Industrial Use Matrix**

**Reason for amendments:** [Zoning] Consolidates all zoning districts into one Use Matrix to improve ease of use and better delineate differences in approval processes for Standard, PDD or TDD districts. Tables consolidated are as follows: Table 3.B.15.F, IRO Permitted Use Schedule; Table 3.B.16.E, 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.

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

**B. General Industrial Standards**  
*Reserved for future use.*

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

~~13. Asphalt or Concrete Plant~~

~~An establishment engaged in the manufacture, mixing or batching of asphalt, asphaltic cement, cement or concrete products.~~

**Reason for amendments:** [Zoning] Asphalt and Concrete Plant is being consolidated with Heavy Industry, due to similar characteristics such as:

- Nuisances such as appearance, dust and odor, and noise;
- Uses are land intensive requiring room for storage of aggregate and materials, heavy equipment, need for maneuvering area for delivery vehicles; and,
- The Comprehensive Plan deems the two uses as similar.

**1 35. Contractor Storage Yard**

**Reason for amendments:** [Zoning]

1. Delete requirement limiting minimum number of commercial vehicles allowed and to consolidate language describing construction and mechanical equipment within the definition. Research of other municipal ordinances and the American Planning Association (APA) does not support a limitation of the number of vehicles;
2. Delete the Accessory Office requirement as it is addressed by Article 5.B.1.A, Accessory Uses and Structures; and,
3. Relocate and consolidate screening requirements for outdoor storage, Flex Space, and Barbed Wire in Article 5.B, Accessory and Temporary Uses.

**a. Definition**

~~A lot used for the~~ **The** storage of construction material, mechanical equipment used in construction activity, or ~~three or more~~ commercial vehicles used by building trades and services, other than construction sites. **[Ord. 2005-002]**

~~a. Construction Equipment~~

~~Mechanical equipment principally used in construction activity. Such equipment shall include but is not limited to bobcats, front-end loaders, over-head cranes, graders, dump trucks, compactors, forklift, steam rollers, earth movers, bulldozer, backhoe, concrete mixer, trenchers, cable/pipe layers or any such equipment that is not a street worthy vehicle.~~

**b. Office Permitted**

~~An accessory office shall be permitted subject to Article 5.B, ACCESSORY AND TEMPORARY USES.~~

~~c. Screening~~

~~Outdoor storage shall be screened from view in accordance with Article 5.B, ACCESSORY AND TEMPORARY USES. For a storage yard contiguous to property in a~~

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~~residential district, an opaque fence/wall a minimum of eight feet in height shall be installed along the inside edge of the required landscape buffer.~~

~~d. Flex Space~~

~~This use shall be allowed as a flex space component pursuant to the applicable approval process indicated in Table 3.E.1.B—PDD Use Matrix, Table 4.A.3.A—Use Matrix, and pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

~~e. Barbed Wire~~

~~Barbed wire may be installed pursuant to Art. 5.B.1.A.2.c, Dangerous Materials, except when located adjacent to a parcel having a residential FLU designation or use. Barbed wire shall not be visible from any public street. [Ord. 2011-001]~~

**Reason for amendments to Contractor Storage Yard in the Use Matrix: [Zoning]**

1. This use was previously classified under the "Commercial Uses" category; however, the use was not permitted in any commercial districts, only industrial districts.
2. The use has been added as a Development Review Officer (DRO) approval to the Multiple Use Planned Development (MUPD) with an Economic Development Center (EDC) Future Land Use (FLU) designation. This is consistent with the FLU Element of the Plan which states that light industrial uses are consistent with EDC FLU designation. The Industrial category is primarily utilized by light, medium and heavy industrial uses and related services. The EDC is intended to be an employment generator. Although a Contractor Storage Yard may not always be the prototypical employment generator, it would contribute to new industrial development.

**2 38. Data and Information Processing**

**Reason for amendments: [Zoning]**

1. Updated Data and Information Processing use definition for a more specific and consistent terminology used in today's market; and to relocate reference to "Flex Space", which will be addressed in Article 5 of the ULDC. The proposed definition indicates that this use is commonly collocated with other uses in the Industrial Use Classification, such as manufacturing, and is commonly found in planned industrial campus style complexes. The revisions are based on an evaluation of definitions used by other municipalities locally, in the state, and nationally, as well as adapting language from such sources as North America Industry Classification System (NAICS) and APA.
2. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.

**a. Definition**

~~The use of a~~ An establishment for business offices, including corporate offices, which may be associated with uses such as: manufacturing and processing plants or similar industrial complexes; mass/bulk mail processing; and telemarketing centers. ~~The use is often integrated into a campus style development, and This use~~ is not frequented by the general public. ~~This term does not include such uses as: Business or Professional Offices; computer-related General Retail Sales establishments; and Personal Services and Medical or Dental Offices.~~

**a. Flex Space**

~~This use shall be allowed as a flex space component pursuant to the applicable approval process indicated in Table 3.E.1.B—PDD Use Matrix, Table 4.A.3.A—Use Matrix, and pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

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

1. Due to the high number of employees typically employed by this use, it generates high trip counts and is not a neighborhood oriented use. Therefore this use is proposed for deletion from the following:
  - Commercial Low-Office (CLO) and Community Commercial (CC) Zoning Districts;
  - Infill Redevelopment Overlay (IRO) Zoning District with a Commercial Low (CL) and CLO FLU designation;
  - MUPD with a CL FLU designation; and,
  - Lifestyle Commercial Center (LCC) Zoning District with a CL FLU designation.
2. Add as Permitted Use to MUPD with an EDC FLU designation. This zoning district requires approval of a Preliminary Site Plan by the Board of County Commissioners (BCC), at which time related impacts such as location, access, and orientation should be addressed.

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3 13. Transportation Distribution Facility

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

1. Since 1992, Transportation Facility has regulated the movement of people and goods in certain zoning districts in the ULDC. Research concludes that the moving of people and goods are not similar in terms of overall operation and impact. The moving of people is consistent with public or civic uses (bus stops, train station) while goods are consistent with an industrial use (railroad depots, truck terminals). The proposed amendment will split Transportation Facility into two uses, Transportation Facility and Distribution Facility, to clarify the distinction between the moving of people and goods. Transportation Facility, the movement of people, will be established and located to a more appropriate use classification, Public and Civic Uses. Distribution Facility, the movement of goods, will be retained consistent with the industrial nature of the use.
2. To revise the definition to: a) clarify Distribution Facility is not people related; and, b) adds language to replace transfer of transportation standard. The revisions are based on an evaluation of definitions used by other municipalities locally, in the state, and nationally, as well as adapting language from such sources as NAICS and APA.

a. Definition

An establishment facility for the loading, unloading, and interchange of ~~passengers, baggage, and~~ freight or package express between modes of transportation. Typical uses include bus truck terminals, railroad stations depots and yards (including temporary storage), and major mail-processing centers.

~~a. Transportation Transfer Facility (distribution)~~

~~An establishment providing for the transfer of transportation or other motorized vehicles, but not involving vehicle sales or rental (retail or wholesale). Typical uses include the transfer of automobiles, trucks, heavy equipment, or other motorized vehicles prior to distribution to retail dealers.~~

~~1) Permitted only in districts with an industrial zoning designation. The facility shall be subject to the same approval requirements indicated in the use matrix as a transportation facility except for commercial districts.~~

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

1. Based on the reasons stated above, this use is being deleted from the following commercial districts:
  - General Commercial (CG);
  - Urban Redevelopment Area Overlay (URAO) Urban Center 1 (UC1); and,
  - Urban Infill 1 (UI1) Transect Sub-Zones.
2. Distribution Facility is generally considered a light or general industrial use therefore inappropriate for lesser types of designations such as commercial districts. The deletions are consistent with the proposed separation of Transportation Facility (which would be allowed in these districts) and Distribution Facility. Distribution Facility is a potentially intense industrial use (e.g., a railroad depot) and should not be in these districts regardless of mitigation options. The approval process has also been deleted in the Institutional Public Facilities (IPF) Zoning District for consistency.
3. The use has been added as Permitted to a MUPD with an Industrial (IND) FLU designation or an EDC FLU designation. This is consistent with the FLU Element of the Plan which states that light industrial uses are consistent with EDC FLU designation. The Industrial category is primarily utilized by light, medium and heavy industrial uses and related services.

4.61 Gas and Fuel, Wholesale

Reason for amendments to Gas and Fuel Wholesale in the Use Matrix: [Zoning]

1. Update definition to reflect changes in technology and practices of the petroleum industry. The proposed definition focuses on the function of the use as opposed to the storage volumes.
2. Remove the standard regarding locating the use in the Airport Zoning Overlay (AZO) from the definition, making it a standalone criteria. Criteria such as performance standards are not normally contained in definitions for uses, but listed as specific performance standards;
3. Add criteria to prevent the use from being located within the five-mile long runway use restriction zone for airports, to prevent any unfortunate mishaps in the event of emergency or short landings; and,
4. To require input from County fire officials in determining safe separation distances between the use and all adjacent uses in the event of an accidental leak or explosion.

~~The use of land for bulk storage and wholesale distribution of 2,500 gallons or more of flammable liquid, or 2,000 gallons water capacity or more of flammable gas, excluding below-~~

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~~ground storage which is clearly accessory to the principal use on the site. Wholesale of gas and fuel shall be permitted in the AZO Overlay as an airport-related use only when associated with sales of aviation fuel. [Ord. 2006-036]~~ **[Relocated to b, below]**

**a. Definition**

An establishment engaged in the storage of gas and fuels for wholesale distribution, to businesses.

**b. Airport Zoning Overlay**

*Wholesale of gas and fuel shall be permitted in the AZO Overlay as an airport-related use only when associated with sales of aviation fuel.*

**c. Location**

This use shall not be located within any Prohibited Land Use Area/Five Mile Runway Buffer Zone.

**d. Separation Distance**

A separation distance shall be established between this use and any adjacent uses. The separation distance shall be that prescribed by PBC Fire Rescue Department based upon recognized standards and guidelines.

**Reason for amendments to Gas and Fuel Wholesale in the Use Matrix: [Zoning]**

1. Light Industrial (IND/L) Pod of a Planned Industrial Park Development (PIPD): add the use as a Class A Conditional Use for consistency with Light Industrial (IL) Zoning District.
2. To change the approval process from a Class B Conditional Use in the General Industrial (IG) Zoning District to a DRO approval process. The IG Zoning District is a much more intense zoning district permitting a broader array of heavier industrial uses. Since the subject use is storage only, as opposed to the processing of raw product, the level of volatility is reduced, and therefore, no public hearing is needed. A DRO review will ensure specific design criteria, such as separation distances standards, are being properly complied with, as well as proper placement of landscaping, access, and screening to ensure public safety issues are being addressed.
3. Change the use in the Public Ownership (PO) Zoning District from Permitted to a DRO approval process, for the reasons noted above in 2. This will primarily impact publicly owned lands and facilities, which should be treated in the same fashion as privately owned establishments.
4. To increase the review process to a DRO in the General Industrial (IND/G) Pod of a PIPD. This will be consistent with the treatment of the use in the IG Zoning District. While the PIPD goes through the BCC for approval of a Master Plan, due to the potential volatility of the use, requiring the DRO process, especially if the use is being added after the Master Plan is approved, will ensure that any conditions of Master Plan approval are implemented as well as the design issues discussed in 2 above.

**5 69. Heavy Industry**

**Reason for amendments: [Zoning]**

1. Consolidate asphalt or concrete plant in the list of typical heavy industry uses, as this use is a good example of the type of impacts and traffic found in other heavier uses, including fumes and odors, heavy trucks and equipment, and loud noises. This use includes a very broad range of uses from manufacturing large machinery to concrete and asphalt plants.
2. Delete firework sales, as it is not generally desirable to attract the general population to areas with high volumes of industrially oriented traffic, such as large trucks, and heavy equipment.

**a. Definition**

An establishment engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes utilizing flammable, hazardous, or explosive materials, or processes which potentially involve hazardous or commonly recognized offensive conditions. Typical uses include asphalt or concrete plant; manufacturing and warehousing of chemicals, dry ice, fertilizers, fireworks and explosives; pulp and paper products; radioactive materials; fat rendering plants; slaughterhouses and tanneries; and, steel works.

**ba. Fireworks**

The retail sale of fireworks from a permanent fireworks storage facility or establishment shall be limited to an accessory use.

**c. EDC FLU**

Heavy Industry shall be prohibited in the EDC FLU designation.

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**Reason for amendments to Heavy Industry in the Use Matrix:** [Zoning] Change from Permitted to DRO approval process in the IND/G Pod of a PIPD for consistency with the approval process in IG Zoning District. DRO review ensures that any incompatibility issues are identified and made compliant with the requirements of the ULDC. This use involves large volumes of heavy vehicles, like semis and trailers, for delivery and distribution, which requires a higher level of scrutiny.

**6 80. Machine or Welding Shop**

**Reason for amendments:** [Zoning] To broaden the definition to include tool and die fabrication, which is typically associated with welding and machine shops.

A workshop where machines, machine parts, or other metal products are fabricated. Typical uses include machine shops, welding shops, tool and die fabrication, and sheet metal shops.

**Reason for amendments to Machine or Welding Shop in the Use Matrix:** [Zoning]  
To include Machine and Welding Shop as a Permitted in MUPD with an EDC FLU designation. This is consistent with the language in the Plan which states that a use which is suitable to be a Permitted in the IL Zoning District is also consistent with the characteristics of those uses permitted in the EDC FLU designation.

**7 81. Manufacturing and Processing**

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

1. To revise the definition of Manufacturing and Processing to clarify that food processing does not include slaughterhouses and meat packing plants. Those uses involve the processing from raw materials (animals) which would classify them as Heavy Industrial. Wholesale butchers and similar uses are covered under Commercial Uses;
2. To relocate and consolidate supplementary use standards regarding outdoor activity, which will be addressed in Art. 5; and,
3. Delete provisions for Outdoor Activities, to coincide with deletion of use from MUPD Commercial districts.
4. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.

- a. Definition**  
An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, ~~and This use also includes incidental storage, sales and distribution of such products, but excluding excludes heavy industrial processing. Typical uses include factories, large-scale production, wholesale distribution, publishing, and food processing (excluding livestock and poultry slaughterhouses and meat packing plants).~~
- a. Manufacturing**  
~~Manufacturing and processing shall only be allowed as a requested use in a MUPD with EDC or MLU land use.~~
- 1) Exception**  
~~Manufacturing and processing shall be allowed as a permitted use in a MUPD with IND land use.~~
- b. Outdoor Activities**  
~~Outdoor manufacturing, processing or storage shall be limited to industrial zoning districts only.~~
- c. Flex Space**  
~~This use shall be allowed as a flex space component pursuant to the applicable approval process indicated in Table 3.E.1.B PDD Use Matrix, Table 4.A.3.A Use Matrix, and pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

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Reason for amendments to Manufacturing and Processing in the Use Matrix: [Zoning]

1. To delete Manufacturing and Processing from MUPD with CL, Commercial High (CH), CLO, Commercial High-Office (CHO), and Commercial Recreation (CR) FLU designations, as this is an industrial use which is not consistent with these commercial FLU designations.
2. Add as Permitted in MUPD with an EDC FLU designation. This use is currently Permitted in the IL Zoning District, which is intended for less noxious cleaner, lighter industrial uses. These types of uses are also consistent with the uses identified by the Plan for the EDC FLU designation.

**8 84. Medical or Dental Laboratory**

Reason for amendments: [Zoning]

1. Revise definition to ensure that other medical equipment, such as prosthetic, dental, optical and orthopedic, are included;
2. Revise definition to clarify in more detail the laboratory portion of the use; and,
3. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.

An ~~establishment facility~~ for the construction or repair of ~~medical equipment, such as dental, optical, orthopedic, or~~ prosthetic devices; or medical testing ~~laboratories primarily engaged in providing analytic or diagnostic services~~ exclusively on the written work order of a licensed member of the ~~dental or~~ medical profession and not for the public.

**a. Flex Space**

~~This use shall be allowed as a flex space component pursuant to the applicable approval process indicated in Table 3.E.1.B—PDD Use Matrix, Table 4.A.3.A—Use Matrix, and pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

Reason for amendments to Medical or Dental Laboratory in the Use Matrix: [Zoning]

1. Change the approval process from Class B Conditional Use to DRO approval process in CHO Zoning District. This use is typically confined to a wholly enclosed operation, is not a high traffic volume generator or attractor, does not generate noxious fumes, smoke or other common nuisances, and does not entail outdoor storage. A clear distinction needs to be made between the industrial nature of the use and the commercial nature of the use (e.g., lens grinding and fitment into eyeglass frames). This can be fulfilled by the DRO review. The establishment of the Urban Redevelopment Area Overlay (URAO) (2010) and Infill Redevelopment Overlay (IRO) (2010) allowed this use as a DRO approval.
2. Amend to allow this Use as Permitted in the IG Zoning District; MUPD with an EDC FLU designation; and, IND/G Pod of a PIPD. Medical or Dental Laboratory is considered an industrial use. The recommendations for these districts are to be consistent with the intent of the use in industrial FLU designations and Pods.

**9 54. Film Multi-Media Production Studio**

Reason for amendments: [Zoning]

1. Rename Film Production Studio to Multi-Media Production to:
  - a) Reflect changes in the industry engaged in the production and distribution of information and cultural products; and,
  - b) Clarify types of uses that may be included such as motion picture film laboratories, Computer Generated Imagery (CGI) and special effects, etc.
2. To clarify that outdoor Multi-Media Production establishments related to the development and production of CGI and special effects are not permitted in commercial districts and pods.

**a. Definition**

The use of a lot or building for the production of films or videotapes ~~for exhibition or sale, such as digital, audio and motion pictures; or film laboratories, stock footage film libraries, mass video publication and other related activities.~~

**a. CHO, CG and LCC Districts**

~~Outdoor activities shall be located a minimum of 300 feet from a residential district. [Ord. 2010-005]~~

**b. Film Permit**

A film permit shall be issued by the Director of the Film Liaison Office. The duration of the permit shall not exceed 24 months without approval of the Zoning Director. This permit may be issued in all districts. [Ord. 2007-001]

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**c. Zoning Districts**

Indoor Multi-Media Production establishments shall be permitted in Urban Infill (UI), Urban Center (UC) and commercial zoning districts and pods only.

**d. LCC**

Film production studios shall not be located on a main street. [Ord. 2010-005]

**Reason for amendments to Film Production Studio in the Use Matrix:** [Zoning]

1. Add Permitted approval process in a MUPD with an EDC FLU designation. FLU Element of the Comprehensive Plan, under FLU Atlas Regulation (III.C.4), Industrial Uses, indicates that the EDC designation is intended for uses with "Light Industrial" attributes with the addition of office uses. The EDC FLU designation shall be primarily utilized by office and research parks. The use is consistent with the Comprehensive Plan FLU Element.
2. Change Commercial Recreation (CRE) Zoning District and MUPD with CR FLU designation approval process from BCC to DRO. FLU Element of the Comprehensive Plan, under FLU Atlas Regulation (III.C.3), Commercial Recreation, addresses major public and private commercial recreation facilities that meet a portion of the recreational needs of residents and tourists. The change would allow flexibility for a recreation use, such as Lion Country Safari, to incorporate the possible collocation of a multi-media production use as part of its business model or to allow it in the facility
3. Change Lifestyle Commercial Center (LCC) with CH FLU designation approval process from Permitted to DRO. This change is made to reflect consistency of commercial districts as requiring DRO approval due to the potential nature of this use being more consistent with light industrial. The change will also address the potential for adverse impacts where permitted in a LCC, by requiring DRO approval in combination with proposed Supplemental Standards establishing limitations on this use when located in Commercial districts.

**Part 2. ULDC Article 1.1.2, Definitions (page 50 of 119), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Introduce a new definition for "Construction and Demolition Debris" to better clarify what specific materials can be received in a Recycling Plant. According to the PBC Solid Waste Management Plan, mixing of Construction and Demolition Debris with other types of solid waste will classify the waste as something else. This definition is consistent with State Statute 403.703, Environmental Control, the Department of Environmental Protection Solid Waste Facilities Chapter 62-701 and the Integrated Solid Waste Management Plan of the Palm Beach County Solid Waste Authority.

**CHAPTER I DEFINITIONS & ACRONYMS**

**Section 2 Definitions**

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

92. Construction and Demolition Debris – for the purposes of Article 4.B.5.C.10, Recycling Plant means discarded solid materials that are not water soluble and not hazardous, including, but not limited to: steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, lumber. It also includes rocks and soils from construction, renovation or demolition of a structure or a site; and, trees or vegetative material from land clearing.

[Renumber Accordingly]

**Part 1, Continued**

**Part 1. New ULDC Art. 4.B.5, Industrial Uses, is hereby established as follows:**

**Reason for amendments:** [Zoning]

1. Revise definition of Recycling Plant to create consistency with terminology identified in the definition of "Recovered Materials Processing Facility" used by the North America Industrial Classification System (NAICS); the Department of Environmental Protection (DEP); State Statute 403.703 Definitions for Resource Recovery and Management; and, Florida Administrative Code (F.A.C.) Chapter 62-701, Solid Waste Management Facilities which includes "recover" and "reuse" of sorted material;
2. Include a list of specific materials to be recycled in order to be consistent with and comply with State Statute 403-706(2)(g), that requires local governments to be responsible to promote recycling of plastic, metal, all grades of paper and rubber which includes tires; and,
3. Remove Chipping and Mulching from the use definition as it is a use defined in the Code therefore a principal use that may be collocated with Recycling Plant where permitted.

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10 **405. Recycling Plant**

a. **Definition**

~~A permanent facility designed and~~ **An establishment** used for ~~the recovery receiving, separating, storing, converting, baling or processing~~ of non-hazardous recyclable materials that are not intended for disposal ~~to be collected, separated and sorted, for reuse.~~ **The use may include Recyclable materials include Construction and Demolition Debris, recycling or other intensive recycling processes such as chipping and mulching, plastic, glass, metal, all grades of paper, textiles or rubber.**

**Reason for amendments:** [Zoning]

1. Standards for Screening and Buffering are relocated and consolidated with Article 5.B, Accessory and Temporary Uses.
2. Provide an exception for Recycling Plant to be DRO approval when surrounded by IND FLU designation and separated 500' from residential, recreation, civic or conservation FLU or uses, or where all activities take place in an enclosed building.
3. Consolidate setbacks to allow application of district setback when a site shares the property line with an IND FLU designation, or Industrial Zoning District parcel with industrial use on it and keeping existing requirement of 50 feet setback when other zoning districts are adjacent.
4. Delete Recycling Plant distance requirement of 150 feet from civic and residential uses as the setback provision of 50 feet from property line should satisfy any impacts caused by the use.
5. Delete redundant setback standard for IG and IL Zoning Districts addressed by the 50 foot setback.

**a.—Compatibility, Screening, Buffering**

~~To ensure compatibility with surrounding uses, adequate setbacks, screening and buffering around the perimeter of the proposed recycling plant shall be required at the time the facility is constructed. The standards shall be waived if any of the required landscape buffer is not visible from adjacent lots or streets.~~

**1) Lot Size**

~~The minimum lot size for recycling plants in all industrial districts shall be five acres. However, the minimum lot size or greater for the underlying district shall apply for recycling plants that operate completely in enclosed buildings.~~ **[Partially relocated to 4.B.1.A.10.g.3.]**

**2) Setbacks**

~~Except for a freestanding office, no part of a recycling plant and its accessory ramps, on-site circulation system, or storage areas shall be located within 50 feet of any property line.~~ **[Partially relocated to 4.B.1.A.105.a.2.a)]**

**a) IL District**

~~If the facility is in an industrial district and is contiguous to land in an industrial district or IND FLU designation the setback shall be 25 feet from that contiguous property line.~~ **[Partially relocated to 4.B.1.A.105.e]**

**b) Civic and Residential Uses**

~~No part of a recycling plant, its accessory ramps, on-site circulation system or storage areas shall be sited within 150 feet of a school, park, church, library, or residential lot. In no case shall the setback be less than the requirement of the district.~~

**c) IG and IL Districts**

~~No additional setback beyond district setbacks shall apply to recycling plants that operate completely in enclosed buildings and are located in the IG, and IL districts.~~

**3) Screening and Fencing**

~~All storage areas shall be screened from view by on-site walls, fences, or buildings. Such screening shall be designed and installed to ensure that no part of a storage area can be seen from street or adjacent lots. In no case shall the height of recyclable or recovered materials, or non-recyclable residue stored in outdoor areas, exceed 20 feet or the height of the principal building on the lot, whichever is greater. For an outdoor recycling plant contiguous to property in a residential district, an opaque fence/wall a minimum of eight feet in height shall be placed along the inside border of the required landscape buffer.~~ **[Partially relocated to 4.B.1.A.105.h.]**

**4) Buffers**

~~When the property line is contiguous to a residential district, the incompatibility buffer shall be 50 feet in width.~~

**b. Approval Process**

~~A Recycling Plant requiring Class A Conditional Use approval may be approved by the DRO subject to the following:~~

- 1) ~~When surrounded by parcels having an IND FLU designation that are vacant or developed with industrial uses providing a 500 foot separation between the use and~~

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1                    ~~any parcels having a residential, civic, recreation or conservation FLU designation or~~  
2                    ~~use; or,~~

3                    2) ~~When all recycling activities are located within enclosed structures that have no~~  
4                    ~~openings oriented or visible from surrounding parcels having a residential, civic,~~  
5                    ~~recreation or conservation FLU designation or use.~~

6                    **cb.** Access

7                    ~~An access road that can be negotiated by loaded collection vehicles shall be provided to~~  
8                    ~~the entrance of the recycling plant. Access shall not be provided from a local residential~~  
9                    ~~street. Access shall be restricted to specific entrances with gates which can be locked at~~  
10                    ~~all times and which carry official notice that only authorized persons are allowed on the~~  
11                    ~~site.~~

12                    ~~Access from a local residential street shall be prohibited. Entrances shall be gated to~~  
13                    ~~prevent access from unauthorized persons.~~

14                    **c.** Drainage

15                    ~~Untreated surface water runoff shall not be permitted to discharge directly into lakes,~~  
16                    ~~streams, drainage canals, or navigable waterways other than into or through approved~~  
17                    ~~on-site containment areas. [Relocated to 4.B.1.A.10.e.]~~

18                    **d.** Setbacks

19                    ~~No part of a recycling plant and its accessory ramps, on site circulation system, or~~  
20                    ~~storage areas shall be located within 50 feet of any property line, unless adjacent to~~  
21                    ~~another property with an IND FLU designation that is vacant or has an existing industrial~~  
22                    ~~use. [Partially relocated from 4.B.1.A.105.a.2.a)]~~

23                    **e.** Drainage

24                    ~~Untreated surface water runoff shall not be permitted to discharge directly into lakes,~~  
25                    ~~streams, drainage canals, or navigable waterways other than into or through approved~~  
26                    ~~on-site containment areas. [Relocated from 4.B.1.A.105.c.]~~

27                    **Reason for amendments:** [Zoning]

1. Remove Chipping and Mulching reference because any use functioning as collocated shall comply with the standards applicable to the use.
2. Delete redundant site plan requirements that are addressed through DRO or Building Permit Process;
3. Delete language related to Type of Facility, Quantity of Waste, and Dust Control since they are requirements of the F.A.C. Chapter 62-722 Regulations of Recovered Materials, FAC Chapter 62-701.320 Solid Waste Management Facility Permit Requirements, and the PBC Solid Waste Authority at time of application for the use license.
4. Clarify that a minimum lot size of 5 acres is required when the use includes outdoor activities.
5. Delete Fire Protection since requirements are covered under State Statute F.A.C. Chapter 62-701.320(16)(a)3 to provide fire prevention system before commencing operation.

28                    **df.** Storage Areas

29                    All outdoor storage of recyclable materials shall be in leak-proof containers or located on  
30                    a paved area that is designed to capture all potential run-off associated with the stored  
31                    material. Run-off shall be handled in a manner that is in conformance with local, state  
32                    and Federal regulations.

33                    **e.** Chipping or Mulching

34                    ~~If a recycling plant facility includes chipping or mulching, adherence to the standards of~~  
35                    ~~Article 4.B.1.A.28, Chipping and Mulching, is required.~~

36                    **f.** Supplemental Application Requirements

37                    ~~Application for recycling plants shall include the following:~~

38                    **1)** Access

39                    ~~Graphic illustration and narrative analysis of year round access routes to the site.~~

40                    **2)** Type of Facility

41                    ~~An explanation of the type of facility requested. It shall specify the type of materials to~~  
42                    ~~be handled and include a description of the proposed method of operation, including~~  
43                    ~~special waste handling procedures and limitations.~~

44                    **3)** Quantity of Waste

45                    ~~An estimate of the quantity of waste to be received, expressed in cubic yards per day~~  
46                    ~~or tons per day.~~

47                    **4)** Hours of Operation

48                    ~~A statement specifying the hours of operation.~~

49                    **5)** Dust Control

50                    ~~A plan to address dust control in traffic, storage and processing areas and~~  
51                    ~~contingency during high winds. Dust control measures may include: additional~~  
52                    ~~setbacks, full or partial enclosure of chipper or grinder, screening/fencing, vacuuming~~  
53                    ~~or watering traffic areas and watering or enclosing storage piles.~~

54                    **Notes:**

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1 **g. Outdoor Activities**

2 *The minimum lot size shall be five acres for any Recycling Plant with outdoor activities.*  
3 **[Partially relocated from 4.B.1.A.105.a.1)]**

4 **h.6) SWA Permit**

5 Verification that the applicant has obtained a permit from and posted a bond with the  
6 SWA ~~before prior to Final~~ Site Plan approval or Building Permit, whichever occurs first.

7 ~~7) Fire Protection~~

8 ~~A recycling plant shall be located within a ten mile radius of a full-service fire station~~  
9 ~~or have and maintain on-site firefighting equipment acceptable to the PBC Fire.~~

10 **Reason for amendments to Recycling Plant in Use Matrix: [Zoning]**

- 11
1. Make the use subject to Class A Conditional Use approval in IL Zoning District instead of Class B Conditional Use for consistency with approval of Salvage and Junk Yard located in IL Zoning District.

Modify the approval process in IND/L Pod of PIPD from Permitted to Class A Conditional Use in order to:

- Address the Comprehensive Plan directive contained in Section III.C.4 to maintain this type of use under General Industrial Districts instead of Light Industrial; and,
  - Create consistency with the proposed changes in IL Zoning District.
2. An MUPD with IND FLU designation is changed to indicate the most restrictive approval process from Permitted to Class A Conditional Use. A specific standard to address less restrictive approval process is included within the use standards.
  3. Change approval process from Permitted to DRO in the IND/G Pod of a PIPD to provide consistency with the approval process in the IG Zoning District;

12  
13  
14  
15 **11 7. Laboratory, Industrial Research and Development**

16 **Reason for amendments: [Zoning]**

1. Rename Industrial Research Laboratory to Research and Development. The revision is based on an evaluation of definitions used by other municipalities locally, in the State, and Nationally, as well as adapting language from such sources as NAICS and APA.
2. Clarify Research and Development includes bioscience/biotech uses.
3. Relocate the Outdoor Activities standard for consistency.
4. Delete the accessory use standard. The language would be better suited as a standard to a College or University use permitting Research and Development as an accessory use.
5. Correct Scrivener's error to change existing Biotechnology Research Protection Overlay (BRPO) title in ULDC to be consistent with Comprehensive Plan title Bioscience Research Protection Overlay.
6. Delete language related to BRPO. The use will be Permitted in IL Zoning District therefore not subject to DRO approval.
7. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.

17 **a. Definition**

18 An establishment engaged in industrial, scientific or medical research, testing, and  
19 analysis, ~~including support services and structures.~~ Typical uses include natural  
20 science/manufacturing research facilities, bioscience research/biotechnology and product  
21 testing/quality control facilities.

22 **a. Outdoor Activities**

23 ~~Outdoor manufacturing, processing or testing shall be limited to industrial districts only.~~  
24 **[Relocated to c. below]**

25 ~~b. Accessory Use~~

26 ~~A research laboratory shall be permitted as an accessory use to a college or university.~~

27 **b.c. Biotechnology Bioscience Research Protection Overlay (BRPO)**

28 A ~~research laboratory~~ Research and Development establishment located in the BRPO  
29 ~~and the IL District may be approved by the DRO and~~ shall not be subject to the limitations  
30 of Table 4.A.3.A, Thresholds for Projects Requiring Board of County Commissioner  
31 Approval.

32 **c.a. Outdoor Activities**

33 ~~Outdoor manufacturing, processing or testing shall be limited to industrial districts only.~~  
34 **[Relocated from a. above]**

35 ~~d. Flex Space~~

36 ~~This use shall be allowed as a flex space component pursuant to the applicable approval~~  
37 ~~process indicated in Table 3.E.1.B—PDD Use Matrix, Table 4.A.3.A—Use Matrix, and~~  
38 ~~pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

39 **Notes:**

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**Reason for amendments to Laboratory, Industrial Research in the Use Matrix:** [Zoning]

- Delete the approval processes in the CRE Zoning District. This use is not consistent with the intent of the III.C.3, Commercial Recreation, of the Comprehensive Plan which designates areas on the Future Land Use Atlas to reflect and accommodate major public and private commercial recreation facilities that meet a portion of the recreational needs of residents and tourists.
- Change the approval process to allow the use in the following Zoning Districts:
  - Standard Districts.
    - Add the use to CLO Zoning District as a Class A Conditional Use;
    - Add the use to CC, CHO and CG Zoning Districts subject to DRO approval process.
    - Change Class B Conditional Use to Permitted in IL Zoning District.
  - Planned Development Districts:
    - Change Class A Conditional Use to DRO approval in MUPD with CH and CHO FLU designations, MXPDP with CH FLU designation and Lifestyle Commercial Center (LCC) with CH FLU designation;
    - Add use as a DRO approval in MXPDP with CHO FLU designation;
    - Add use as Permitted in MUPDP with an EDC FLU designation.

Certain types of office Research and Development (R & D) may fit well in commercial provided there is no outdoor activity. These changes will ensure that industrial R & D with outdoor activity does not go into commercial. The change will also ensure all districts have consistent approval processes in commercial low, commercial high and industrial districts.

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**12 446. Salvage or Junk Yard**

**Reason for amendments:** [Zoning]

Salvage or Junk Yard, Recycling Plant and Recycling Center uses have similar terminology within their respective definitions, such as salvaging, storing, and collecting.

- The proposed changes to the definition are needed to clarify differences between similar uses (i.e., Recycling Plant and Recycling Center) and to acknowledge the trend in recycling. Clarification of definition to delete "waste paper, rags". The salvage of paper and rags is more appropriately addressed under Recycling Plant and will be incorporated into that use.
- Add language to definition related to building materials and fixtures to include architectural salvage.
- Add Approval Process Standard related to architectural salvaging (aka deconstruction) to allow in an IL or IG Zoning Districts, MUPDP with an IND FLU designation or IND/L or IND/G Pod of PIPDP. Architectural Salvage is commonly identified as a light industrial use. The established standard would allow this type of salvaging in light industrial districts.
- Relocate and consolidate barbed wire in Article 5.B, Accessory and Temporary Uses.

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**a. Definition**

~~A lot, land or structure, or part thereof,~~ **An establishment** used primarily for the collecting, storage and sale of ~~waste paper, rags,~~ scrap metal or discard material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition; or for the sale of parts thereof. **Salvage may also include architectural salvage which consists of building materials and fixtures recovered prior to the demolition of buildings or structures.**

**b. Approval Process**

**Architectural salvage may be permitted subject to DRO approval in the following zoning districts:**

- 1) IL or IG Zoning District;**
- 2) MUPDP with an IND FLU designation; or,**
- 3) IND/L or IND/G Pod of a PIPDP.**

**a. Barbed Wire**

~~Barbed wire may be installed pursuant to Art. 5.B.1.A.2.c, Dangerous Materials, except when located adjacent to a parcel having a residential FLU designation or use. Barbed wire shall not be visible from any public street. [Ord. 2011-001]~~

**Reason for amendments to Salvage or Junk Yard in the Use Matrix:** [Zoning] No changes in the approval process are being proposed. Implementation Section, III.C.4, of the Comprehensive Plan identifies that the Salvage or Junk Yard use is limited to the General Industrial Future Land Use designation.

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**Notes:**

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ATTACHMENT 2  
EXHIBIT A

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

130. Towing Service and Storage

Reason for amendments: [Zoning]

1. Use relocated from Commercial Uses, as it was not permitted in any commercial zoning district. The use is industrial in nature, with heavier equipment and outdoor storage as common activities.
2. Revise definition to reflect that only a certain portion of a parcel of land is being used for the storage lot, and that certain uses cannot take place within that storage lot, such as retail sales, salvage, or repair of towed vehicles. Any such activity will need to take place in conjunction with any possible collocated use, such as an Auto Paint and Body Shop, or a Salvage or Junk Yard.
3. Relocate Barbed Wire to be consolidated in Article 5.B, Accessory and Temporary Uses.

**a. Definition**

The use of a portion of a lot an establishment for the temporary storage of operable or inoperable vehicles in conjunction with a commercial towing service, ~~with~~ This shall not include retail sales, or repair, or salvage of towed vehicles activity occurring on within the storage lot area, and subject to the following standards:

~~a. Outdoor storage standards and screening requirements of Article 5.B, ACCESSORY AND TEMPORARY USES.~~

~~b. Towtruck and towing and storage regulations of Towtruck Ord. No. 2002-007 as amended.~~

**c. Barbed Wire**

~~Barbed wire may be installed pursuant to Art. 5.B.1.A.2.c, Dangerous Materials, except when located adjacent to a parcel having a residential FLU designation or use. Barbed wire shall not be visible from any public street.~~

Reason for amendments to Towing Service and Storage in the Use Matrix: [Zoning]

1. The use is being relocated from the Commercial Use category to the Industrial Use category due to the fact that, while it has historically been listed as a commercial use, it has never been permitted in any commercial zoning district. Due to the type of equipment, and the normal presence of outdoor storage, the use is more consistent with lower intensity industrial uses. However, while the use is consistent with the criteria of the Plan for lighter industrial uses, it is not of a nature typically found in the EDC FLU designation, as this is not a major employment generator.
2. The use is being added to the IND/G Pod of a PIPD as it is compatible with the intensity of other uses proposed for that pod, including uses with which it might logically collocate, such as Salvage and Junk Yard, or Recycling Plant.

~~14~~ 31. Truck Stop

Reason for amendments: [Zoning]

1. Revise the definition to clarify that the use is primarily intended for commercial vehicle related services.
2. Revise the Lot Size standard. Review of municipal and industry trend research indicates that a minimum lot size of five (5) acres is customary to address the potential intensity of numerous uses on one lot.
3. Delete the Security Standard. Personal safety on our highways is an issue which is typically addressed by law enforcement officials. Security Quarters, if desired, may be approved by Special Permit.
4. Revise the "Accessory Uses" standards to clarify what uses are classified as "Collocated", are primarily for truck stops, and that the site layout will not unnecessarily isolate users based on vehicle type. Uses listed within the supplemental standard will be subject to DRO approval.

**a. Definition**

An establishment which provides services primarily for transient commercial vehicle operators, such as fueling, day and overnight parking. A Truck Stop may also serve other travelers.

~~A facility which provides fueling, parking, washing, repair and maintenance services, food service, overnight accommodations, and incidental retail sales for transient commercial vehicles.~~

**b.a. Location Frontage**

Truck Stops shall have a minimum of 200 linear feet of frontage on an arterial street only.

**cb. Lot Size**

Shall be a minimum of five acres.

~~1) Ten Acres or Less~~

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ATTACHMENT 2  
EXHIBIT A

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

1 ~~Shall be permitted as a Class A conditional use in the IL and IG districts.~~

2 ~~2) Greater than Ten Acres~~

3 ~~Shall require approval as a MUPD or PIPD. The proposed site shall have an IND~~  
4 ~~FLU designation.~~

5 c. **Setbacks**

6 Parking areas, parking spaces, maneuvering areas, and drive aisles, shall be setback a  
7 minimum of 200 feet from any existing residential use, zoning district or FLU designation.

8 d. **Landscaping Buffer**

9 ~~Perimeter Incompatibility~~ landscape buffers shall be required adjacent to an existing  
10 residential ~~district~~, use, zoning district or FLU designation. The buffer shall include a six  
11 foot high berm ~~topped by~~ with a six foot high opaque wall or fence installed at the plateau  
12 of the berm. Variances may be requested from these requirements.

13 e. ~~Security~~

14 ~~24-hour on-site security shall be provided.~~

15 ef. **Accessory Collocated Uses**

16 For purposes of this section, collocated uses shall mean a use that is mainly oriented to  
17 servicing transient commercial vehicle operators. The following collocated uses shall be  
18 permitted in conjunction with a Truck Stop subject to DRO Approval:

- 19 1) Type I Restaurant;
- 20 2) Type II Restaurant;
- 21 3) Convenience store with gas sales;
- 22 4) Convenience store without gas sales;
- 23 5) Car wash;
- 24 6) Hotel/Motel;
- 25 7) Personal Services;
- 26 8) Financial Institution;
- 27 9) Gas and Fuel Retail;
- 28 10) Laundry Service; and,
- 29 11) Retail Sales, Auto Accessories and Parts.

30 f. **Site Design:**

31 The site shall be designed to ensure the provision of adequate vehicular circulation and  
32 parking patterns. This shall demonstrate that collocated uses listed above are  
33 designed and located to mainly serve transient commercial vehicle operators.

34 ~~The following uses may be allowed in conjunction with a truck stop, subject to the~~  
35 ~~requirements of the underlying zoning district: convenience store with gas sales, general~~  
36 ~~repair and maintenance, restaurant, car wash, security or caretakers quarters, personal~~  
37 ~~services, and business office. Use permitted based on the zoning designation of the site:~~  
38 ~~general repair and maintenance; truck wash facilities; convenience stores; general or~~  
39 ~~specialty restaurants; hotel/motel accommodations; and general office services.~~

40 **Reason for amendments to Truck Stop in the Use Matrix:** [Zoning] No changes are being proposed to the existing approval processes. The Future Land Use Atlas Regulation (III.C.4), Industrial Uses delineates light, medium and heavy uses limited to the Industrial Future Land Use designations. A Truck Stop is considered an industrial use.

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44 **15 438. Warehouse**  
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**Reason for amendments:** [Zoning]

1. To clarify that warehousing in the zoning districts identified in the Use Matrix may include accessory office space equal to up to 30 percent of floor space of each bay. This guideline can be modified by review of Class A Conditional Use by the BCC. This new language also refers the reader to the guidelines for "Office/Warehouses" located in the Westgate Community Redevelopment Area Overlay (WCRAO) which specifies that a minimum of 25 percent of the floor space must be accessory office space in the Overlay.
2. Clarify that retail sales from warehouses is prohibited, unless approved through the Flex Space standards in Article 5.
3. Deleting prohibition on manufacturing. That use is regulated by "Manufacturing and Processing" in the industrial zoning districts. If a person wishes to engage in that use, they may obtain the necessary approvals to do so where otherwise permitted.
4. Delete reference to parking standards. The need for this provision was eliminated with the adoption of past amendments to the ULDC (Ord. 2009-040).
5. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.
6. To reword the language dealing with the use in the MUPD Zoning District, and to relocate the pertinent text dealing with the WCRAO to a new sub-heading.

46 **Notes:**

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ATTACHMENT 2  
EXHIBIT A

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

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**a. Definition**

An ~~building establishment~~ used for the storage of raw materials, equipment, or products. Typical uses include moving companies, cold storage, and dead storage facilities, but excludes self-service storage facilities.

**ba. Accessory Office**

~~The maximum percentage of office space in each warehouse bay shall be 30 percent of the GFA, unless approved as a Class A conditional use. Unless approved as a Class A Conditional Use, or as specified in "d" below, office space in each warehouse bay shall be a maximum of 30 percent of the GFA of that bay.~~

**cb. Sales**

General retail sales shall be prohibited, ~~except as approved in conjunction with Flex Space.~~

~~**c. Manufacturing**~~

~~Manufacturing, assembly or processing shall be prohibited in a warehouse.~~

**d. WCRA Overlay**

~~Warehouse and office/warehouse uses are prohibited in the NR, NRM, NG, and NC sub-areas, as outlined in Table 3.B.14.E, WCRAO Sub-area Use Regulations. Office and warehouse combinations, such as a construction office for special trade contractors, or a commercial wholesale trade establishment consisting of a mix of independent business offices each having a contiguous, accessory enclosed storage area which is internally accessible to the office, shall be permitted in the UG, UH, and UI sub-areas as specified in Table 3.B.14.E, WCRAO Sub-area Use Regulations pursuant to a Class A Conditional Use, limited to lots with a CH or IND FLU Designation and corresponding zoning district. The office/warehouse development must shall have an office space a minimum of 25 percent of office space the per gross floor area for each bay. [Ord. 2006-004]~~

~~**e. Parking in PDDs**~~

~~Facilities located in a PDD shall comply with Table 6.A.1.B — Minimum Off-Street Parking and Loading Requirements. Variances may be requested from these requirements. [Ord. 2008-037] [Ord. 2010-022]~~

~~**f. Flex Space**~~

~~This use shall be allowed as a flex space component pursuant to the applicable approval process indicated in Table 3.E.1.B — PDD Use Matrix, Table 4.A.3.A — Use Matrix, and pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~

~~**eg. Freestanding Structures**~~

~~Freestanding structures for warehouse developments located in an IND-MUPD with an IND FLU designation shall not be subject to the provisions of Table 3.E.3.B, Freestanding Buildings. [Ord. 2010-022]~~

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

1. Remove from MUPD with a CH FLU designation. The CH FLU designation permits a broad range of general commercial zoning districts, such as Neighborhood Commercial (CN) and CG, which permit a very broad range of uses, including general retail, professional offices, and day care. Warehousing is an incompatible use to this type of development. If retained in the CH FLU designation, it could be argued that the use should also be included in every standard zoning district permitted in the CH FLU designation. The use was added to the MUPD with CH FLU designation in 1998. Research has not revealed that it has ever been used.
2. Add the use as Permitted in the MUPD with an EDC FLU designation: The use is consistent with the criteria in the plan for the EDC FLU designation, and is traditionally collocated with other lower intensity industrial uses.

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**16 140. Wholesaling, General**

**Reason for amendments: [Zoning]**

1. To revise the definition to more clearly and concisely list the activities which take place in this use, as well as uses that are excluded.
2. Removed reference to refrigerated storage, as this is a function of warehousing. Wholesale operations typically do not lease space for storage by third parties, as it takes away inventory space. Refrigerated storage is already covered in the definition of a Warehouse as "cold storage."
3. Relocate and consolidate Flex Space in Article 5.B, Accessory and Temporary Uses.

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**a. Definition**

An establishment engaged in: the ~~display, maintaining maintenance and display of~~ inventories of goods, ~~storage, for~~ distribution and sale of goods to other firms for resale;

**Notes:**

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ATTACHMENT 2  
EXHIBIT A

ARTICLE 4.B, USE REGULATIONS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

1 or, the supplying of goods to various trades such as landscapers, construction  
2 contractors, institutions, industries, or professional businesses. ~~In addition to selling,~~  
3 ~~wholesale~~ These establishments also sort and grade goods ~~in from~~ large to small lots,  
4 ~~break bulk and redistribute in smaller lots, and engage in~~ delivery, ~~and refrigeration~~  
5 ~~storage, but This use~~ excluding vehicle sales, and the wholesale ing greenhouses or of  
6 nurseries supplies, ~~wholesale of~~ gas and fuel, and ~~wholesale~~ building supplies.

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8 **a.—Flex Space**

9 ~~This use shall be allowed as a flex space component pursuant to the applicable approval~~  
10 ~~process indicated in Table 3.E.1.B—PDD Use Matrix, Table 4.A.3.A—Use Matrix, and~~  
11 ~~pursuant to Article 5.B.1.C, Flex Space. [Ord. 2010-005]~~  
12

13 **Reason for amendments to Wholesaling, General in the Use Matrix:** [Zoning]

14 Add the use as Permitted to MUPD with an EDC FLU designation. The use is consistent with the criteria  
15 in the plan for the EDC FLU designation, and is traditionally located with other lower intensity industrial  
16 uses.

17 **Part 4. ULDC Art. 4.D.5.E.5, Accessory Use [Related to Type III, Excavation] (page 152 of 171),**  
18 **is hereby amended as follows:**

19 **Reason for amendments:** [Zoning] Correct Scrivener's error to change "asphalt batch concrete plant" to  
20 Asphalt or Concrete Plant for consistency and address a spelling error.

21 **CHAPTER D EXCAVATION**

22 **Section 5 Excavation Standards**

23 **E. Type III Excavations**

24 **5. Accessory Use**

25 An ~~a~~A ~~batch or c~~Concrete p ~~Plant~~ shall be permitted as an accessory use to a Type III B  
26 excavation, subject to DRO approval and provided that:

- 27 a. the site is a minimum of 500 acres;  
28 b. the use is separated at least one-half mile from any residential use or district; and  
29 c. direct access to the ~~plat~~ plant is provided from an arterial street.  
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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

The following language was reviewed at the August 20, 2013 LDRAB Subcommittee. Review of Article 5, Supplementary Standards of the ULDC is an ongoing project and will continue to be updated as each Use Classification is analyzed.

Part 1. ULDC Art. 1.I, Definitions & Acronyms (page 82 of 119), is hereby amended as follows:

**Reason for amendments:** [Zoning] To clarify that screening requirements for outdoor activities are not intended to apply to common business operations such as outdoor storage or loading bays and related activities. See also relocation and consolidation of standards for screening outdoor activities with Art. 5, Supplementary Use Standards for outdoor storage.

CHAPTER I DEFINITIONS & ACRONYMS

Section 2 Definitions

....

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

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~~23. Outdoor Activity - for the purposes of Art. 5, Supplemental Use Standards, any functional operation associated with a use listed in Art. 4, Use Regulations, that takes place outside of an enclosed building. The term excludes Outdoor Storage and the loading or unloading of trucks at loading bays or docks.~~

[Renumber Accordingly]

Part 2. ULDC Art. 3, Overlays and Zoning Districts [Related to Hours of Operation] (pages 137, 138, 161, 176 of 229), is hereby amended as follows:

**Reason for amendments:** [Zoning] Relocate and consolidate hours of operation in new Article 5.E.5, Hours of Operation [Related to Performance Standards].

CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

Section 3 District Specific Regulations

A. District Specific Regulations

Additional PDRs shall apply in certain districts as follows:

....

2. All Commercial, Public and Civic Uses

~~a. Hours of Operation~~

~~Commercial, Public and Civic uses located within 250 feet of a residential district shall not commence business activities, including deliveries and stocking, prior to 6:00 AM nor continue business activities later than 11:00 PM daily. Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the non-residential use. [Ord. 2009-040] [Partially relocated in new Art. 5.E.5, Hours of Operation]~~

~~1) Existing Uses~~

~~Uses existing prior to this amendment may comply with the requirements existing at the time the use was established, unless modified by a subsequent development order. [Ord. 2009-040] [Relocated in new Art. 5.E.5, Hours of Operation]~~

~~2) Exemptions~~

~~Uses owned or operated by a governmental entity that provide essential services for the public, as determined by the Zoning Director, shall be exempt from these standards. [Ord. 2009-040] [Relocated in new Art. 5.E.5, Hours of Operation]~~

[Renumber Accordingly]

3. CN District

~~b. Hours of Operation~~

~~Commercial uses shall not commence business activities, including deliveries and stocking, prior to 6:00 AM nor continue business activities later than 11:00 PM daily.~~

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5. CC District

~~a. Hours of Operation~~

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

1 ~~Commercial uses requiring outdoor activity shall not commence business activities,~~  
2 ~~including delivery and stocking operations, prior to 6:00 AM nor continue outdoor~~  
3 ~~activities later than 11:00 PM daily.~~

4 ....

8 CHAPTER E PLANNED DEVELOPMENT DISTRICTS (PDDS)

9 ....

10 Section 2 Planned Unit Development (PUD)

11 ....

12 E. Pods

13 ....

14 2. Commercial Pod

15 ~~f. Hours of Operation~~

16 ~~Commercial uses within 300 feet of a residential unit shall not commence business~~  
17 ~~activities, including delivery and stocking operations, prior to 6:00 a.m. nor continue~~  
18 ~~activities later than 11:00 p.m. daily. Commercial lots greater than 300 feet from~~  
19 ~~residential use may be exempt from this requirement, unless required by a BCC~~  
20 ~~condition.~~

21 [Renumber Accordingly]

22 Section 4 Mixed Use Planned Development (MXPDP)

23 ....

24 E. Use Regulations

25 ....

26 2. Commercial Uses

27 ~~a. Hours of Operation~~

28 ~~Non-residential uses shall not commence business activities, including delivery and~~  
29 ~~stocking operations prior to 6:00 a.m. nor continue activities later than 11:00 p.m. within~~  
30 ~~300 feet of a dwelling unit.~~

31 [Renumber Accordingly]

34 Part 3. ULDC Art. 3.D.3.A.6, IL and IG Districts (page 138 of 229), is hereby deleted, as follows:

35 **Reason for amendments:** [Zoning] Relocate and consolidate redundant screening requirements applicable to “outdoor activities” in Light and General Industrial Zoning Districts, since Art. 5.B.1.A.3, Outdoor Storage already contains similar provisions.

36 CHAPTER D PROPERTY DEVELOPMENT REGULATIONS (PDRS)

37 Section 3 District Specific Regulations

38 A. District Specific Regulations

39 ~~6. IL and IG Districts~~

40 ~~a. Outdoor Activities~~

41 ~~All outdoor activities, including outdoor storage and outdoor operations, shall be~~  
42 ~~completely screened from view from all property lines to a height of six feet.~~

45 Part 4. ULDC Art. 5.B.1.A, Accessory Uses and Structures (page 7, 9 - 13 of 92), is hereby  
46 amended as follows:

47 **Reason for amendments:** [Zoning] To evaluate standards in Industrial Uses of Article 4, Use Regulation to relocate or amend in Article 5.B.1, Supplementary Regulations to:

- Consolidate redundant standards in Art. 4.B, Supplementary Use Standards and relocate with similar supplementary regulations that already exist in Art. 5.B, Accessory and Temporary Uses; and,
- The Code does not allow variance relief for provisions in Article 4, Use Regulations. This change provides additional flexibility by allowing for variance relief where standards are relocated to Article 5.B.1, Supplementary Regulations.

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

1 CHAPTER B ACCESSORY AND TEMPORARY USES

2 Section 1 Supplementary Regulations

3 A. Accessory Uses and Structures

4 1. General

5 The following ~~standards~~ provisions in this Section shall apply to all development in  
6 Sstandard, PDD or TDD Zoning Districts, unless otherwise stated: **[2007-001]**

7 ....

**Reason for amendments:** [Zoning] Delete the term “building” from Art. 5.B.1.A.b, Location related to Accessory Uses and Structures, since the provision already has the term “structure” which also means building.

8

9

10 b. Location

11 All accessory uses, ~~buildings~~ and structures except for approved off-site parking, shall be  
12 located on the same lot as the principal use. No accessory structure shall be located in  
13 the front or side street yard.

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....

**Reason for amendments:** [Zoning]

1. Consolidate standards for Barbed Wire from Art. 4.B, Supplementary Use Standards with Art. 5.B.1.A.2.c standards of dangerous materials;
2. Relocate to Article 5 to be consistent with the formatting of the recently adopted Electrified Fence – Exceptions and Regulations; and,
3. Relocate parts of the introductory language to be in specific sub-topics for easy understanding of the Barbed Wire provisions.

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18 2. Fences, Walls and Hedges

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....

20 ~~h~~ h. Dangerous Materials

21 Fences or walls in any zoning district shall not be electrified or contain any substance  
22 such as broken glass, spikes, nails, barbed wire, razors, or any other dangerous material  
23 designed to inflict discomfort, pain or injury to a person or animal, except as allowed  
24 below. **[Ord. 2010-005] [Ord. 2011-001]**

25 ~~1) Barbed Wire Exceptions~~

26 ~~The use of barbed wire is prohibited. However, the County recognizes that barbed~~  
27 ~~wire may be necessary to secure certain uses such as public utilities, prisons, bona-~~  
28 ~~fide agriculture, and public-owned natural areas, commercial or industrial uses that~~  
29 ~~have outdoor storage areas. Therefore, the County allows the installation of barbed~~  
30 ~~wire as part of the top of the fence or wall for specific uses pursuant to Art. 4.B,~~  
31 ~~SUPPLEMENTARY USE STANDARDS or for situations stated below. The barbed~~  
32 ~~wire shall not exceed 20 percent of the overall permitted height of the fence or wall.~~  
33 ~~Bonafide agricultural uses, prisons, and other uses as authorized by the Zoning~~  
34 ~~Director pursuant to provisions, Art. 5.B.1.A.2.c.2).c) below, shall be permitted to~~  
35 ~~exceed the 20 percent provision. The calculation of the overall height of a fence or~~  
36 ~~wall is inclusive of any barbed wire. **[Ord. 2005-002] [Ord. 2010-005] [Ord. 2011-**~~  
37 ~~**001] [Relocated below to Art. 5.B.1.A.2.h.1)a/c/d]**~~

38 1) Barbed Wire Exceptions and Regulations

39 ~~The use of Barbed Wire is prohibited except in instances as detailed below. The~~  
40 ~~County recognizes that Barbed Wire may be necessary to secure certain non-~~  
41 ~~residential uses or structures. Therefore, the County allows the installation of Barbed~~  
42 ~~Wire on top of the fence or wall, subject to the following: **[Partially relocated from**~~  
43 ~~**Art. 5.B.1.A.2.c.2). and Art. 5.B.1.A.2.c.1.)]**~~

44 a) Allowable Uses for Barbed Wire

- 45 (1) Electric Power Facilities;
- 46 (2) Electric Transmission Facility;
- 47 (3) Minor Utility;
- 48 (4) Prisons;
- 49 (5) Solid Waste Transfer Stations;
- 50 (6) Water or Treatment Plant; and,
- 51 (7) Zoo.

52 **[Partially relocated from Art. 4.B.1.A.44-1, 44-2, 63.b, 123, 134, 139, and 143]**

- 53 (8) Except when located adjacent to a parcel having a Residential FLU designation, Residential Zoning District or residential use, Barbed Wire that is not visible from any public street, may be installed with the following uses:

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

- 1 [Partially relocated from Art. 5.B.1.A.2.c.1) and Articles 4.B.1.A.35, 116,  
2 120, 127, and 130]  
3 (a) Contractor Storage Yard;  
4 (b) Salvage or Junk Yard;  
5 (c) Self Service Storage;  
6 (d) Sugar Mill or Refinery; and,  
7 (e) Towing Service Storage.  
8 (9) Bona Fide Agriculture use located in AGR, AP, and AR Zoning Districts; and  
9 AGR-PDD Preserve Parcels. When Bona Fide Agriculture is located in the  
10 AR Zoning District other than nurseries, Barbed Wire shall be setback a  
11 minimum of 25 feet from any property line. [Partially relocated from Art.  
12 4.B.1.A.3.k.)]  
13 (10) Properties with a Conservation FLU designation, for the purposes of  
14 protecting publicly owned natural areas; [Ord. 2005-002] [Ord. 2010-005]  
15 [Ord. 2011-001]  
16 (11) Properties where the owner can document a valid Development Permit for  
17 the use of Barbed Wire; and, [Ord. 2010-005] [Ord. 2011-001]  
18 (12) The Zoning Director shall have the authority to allow the installation of  
19 barbed wire for any uses pursuant to Art. 4.B, ~~Supplementary Use Standards~~  
20 Use Classification, when the applicant demonstrates a need to comply with  
21 Federal, State or Local Government regulations. In support of the barbed  
22 wire installation, the Zoning Director may require the applicant to perform  
23 mitigation in order to address compatibility with adjacent properties or  
24 visibility from adjacent street right-of-way. [Ord. 2010-005] [Ord. 2011-001]  
25

**Reason for amendments:** [Zoning] Include requirement for an agreement for Barbed Wire removal prior to building permit if the parcel changes the use to one not listed in this section of the Code.

- 26  
27 (13) A removal agreement shall be executed to remove the Barbed Wire, prior to  
28 issuance of a Building Permit. This agreement shall require the removal of  
29 the Barbed Wire in the event the use changes to another use not allowed in  
30 the list above.  
31 **b) Standards**  
32 **(1) Height**  
33 *The Barbed Wire shall not exceed 20 percent of the overall permitted height*  
34 *of the fence or wall or two feet whichever is less. [Partially relocated from*  
35 *Art. 5.B.1.A.2.c.2.)]*  
36 **(2) Height Exemption**  
37 *Bonafide agricultural uses, prisons, and other uses as authorized by the*  
38 *Zoning Director pursuant to provisions in Article 5.B.1.A.2.h.1).a)(6), shall be*  
39 *permitted to exceed the 20 percent provision. The calculation of the overall*  
40 *height of a fence or wall is inclusive of any Barbed Wire. [Ord. 2005-002]*  
41 *[Ord. 2010-005] [Ord. 2011-001] [Partially relocated from Art.*  
42 *5.B.1.A.2.c.1.)]*

2) Electrified Fences - Exceptions and Regulations [Ord. 2013-018]

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

1

**Reason for amendments:** [Zoning]

1. Relocate and consolidate standards for Outdoor Activities with Outdoor Storage and expand provisions to non-residential uses located in Residential Zoning Districts.
2. Delete 12 feet screening height provision that was applicable only to Outdoor Storage in industrial districts. The language was not limiting the height of the stored material but was limiting the height of the screening to 12 feet even when the stored material was higher. Proposed screening requirement applies to all sites except when the Outdoor Storage area is located in an Industrial Zoning District or FLU designation that has a common property line with an Industrial FLU designation or Zoning District parcel.
3. Introduce height limitation of the storage material to be 15 feet for consistency with the PBC Fire Code provision 31.3.6.3.2.4 which is applicable to processed or unprocessed materials.
4. Avoid visibility of storage material by requesting equal screening and storage material height up to 15 feet.
5. Exempt from the screening requirements any industrial site that has the Outdoor Storage or Outdoor Activity areas next to another site with Industrial FLU designation or Zoning District and not visible from any street.
6. Include provision that to minimize the visual impacts caused by Outdoor Activities in industrial sites when adjacent to residential, civic, commercial, recreation, or conservation by requiring a 25 foot wide Type III incompatibility buffer.
7. Allow chipping, crushing, grinding, manufacturing or processing to be outdoor only when an industrial use is located in intense industrial districts such as General Industrial and IND/G pod of PIPD. Less intense Industrial Zoning Districts looking to have such outdoor activities are requested to be permitted through public hearing through Class A Conditional Use. This amendment limits the location of intense uses in close proximity of low intense uses.

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**3. Outdoor Storage and Activities**

Outdoor storage of merchandise, inventory, equipment, refuse, or similar materials, and outdoor activities in all nonresidential districts or non-residential uses located in Residential Zoning Districts shall be subject to the following standards:

**a. General**

Outdoor Storage and Activities may only be allowed when incidental to the use located on the premises.

**b. Location**

Outdoor Storage and Activity areas shall not be located in any of the required setbacks.

**c. Height**

Outdoor Storage material shall not exceed 15 feet in height or the height of the screening, whichever is less.

**d. Nonresidential Districts, Except Industrial Screening**

Outdoor Sstorage and Activity areas shall be completely screened from ~~view~~ all property lines by landscaping, fences, walls, or buildings.

**de. Industrial FLU Designation, Zoning Districts or Uses**

~~1) Outdoor storage areas shall be completely screened from view from all streets and adjacent residential districts by landscaping, fences, walls, or buildings up to a height of 12 feet. All Outdoor Storage and Activity areas located on Industrial FLU designation or Zoning District shall be completely screened from view from all property lines.~~ **[Partially relocated from Art. 3.D.3.A.6, IL and IG Districts]**

2) Outdoor Storage and Activity areas adjacent to parcels with Industrial FLU designation or Zoning District and not visible from any street shall be exempted from the screening requirements.

3) Outdoor Activity areas in industrial uses shall have a Type III incompatibility buffer along property lines adjacent to parcels with a Civic, Conservation, Commercial, Recreational or Residential FLU designation, Zoning District or use, or where visible from a public R-O-W. The incompatibility buffer shall be a minimum of 25 feet in width.

4) Outdoor Activities such as chipping, crushing, grinding, manufacturing or processing shall be restricted to the IG Zoning District and Industrial General pod of PIPD unless approved as a Class A Conditional Use.

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

**Reason for amendments:** [Zoning] Clarify that the requirements in this section are established to protect adjacent uses from nuisance prevent deterioration of neighbors by visual contamination; and, protect surface and underground water regardless the nature of the use.

**ej. Exceptions**

The following uses or material are exempt from this Section:

- 1) Storage and sales of landscape plant material.
- 2) Temporary Storage storage of material used for road construction on a lot directly adjacent to the roadway under construction.
- ~~3) Uses which allow outdoor storage by definition or in another Section.~~

....

**Part 5. ULDC Art. 5.B.1.C, Flex Space (page 33 of 92), is hereby amended as follows:**

**Reason for amendments:** [Zoning] Relocate commercial and industrial uses that are allowed as Flex Space component currently listed in Article 4.B, Supplementary Use Standards to be consolidated in Article 5.B.1.C, where Flex Space regulations already exist.

**CHAPTER B ACCESSORY AND TEMPORARY USES**

**Section 1 Supplementary Regulations**

**C. Flex Space**

A type of use that allows a flexible amount of retail, office and industrial space in one structure located on parcels with an Industrial (IND), Economic Development Center (EDC), or Commercial High (CH) Future Land Use Designation (FLU), that are directly related to the principal use. **[Ord. 2010-005]**

**1. Review Process**

Applications for flex space shall be reviewed pursuant to Article 2, Development Review Process, in addition to one of the following options: **[Ord. 2010-005]**

- a. Option I – Uses requiring BCC approval shall be subject to the applicable review process pursuant to Article 2.B.2, Conditional Uses, Requested Uses and Development Order Amendments. The applicant shall identify the portion of the building designated for flex space on the site plan. All other uses subject to an administrative review process shall be permitted in the BCC approved building. **[Ord. 2010-005]**
- b. Option II – Uses requiring DRO approval shall be subject to the review process pursuant to Article 2.D.1 Development Review Officer. The applicant shall identify the portion of the building designated for flex space on the site plan. All other uses subject to the Building Permit review process shall be permitted in the DRO approved building. **[Ord. 2010-005]**
- c. Option III – Uses subject to the Building Permit review process may occupy a bay or the entire building as long as they comply with the applicable Supplementary Use Standards and additional ULDC requirements (parking, signage, etc.). The applicant shall identify the portion of the building designated for flex space on the site plan. The applicant has the option of applying flex space provisions to a specific bay in the building or having the entire building (single use tenant) dedicated to flex space. The applicant shall submit the Building approved site plan to the Zoning Division for informational purposes indicating the area designated as flex space and demonstrating that the overall site is in compliance with the applicable ULDC regulations. **[Ord. 2010-005]**

**2. Development Standards**

**a. CH – FLU**

Flex Space located on parcels with a CH FLU shall be permitted to have the following mix of uses: a minimum of 50% industrial, not to exceed 75%; with the balance consisting of office or retail. **[Ord. 2010-005]**

**b. IND – OR EDC FLU**

Flex Space located on parcels with an IND FLU shall be permitted to have the following mix of uses: a maximum of 30% office or retail, with the balance consisting of industrial. **[Ord. 2010-005]**

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

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**ATTACHMENT 2  
EXHIBIT B**

**ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)**

**3. Uses Allowed**

The uses indicated in the table below, may utilize Flex Space provisions pursuant to the applicable approval process indicated in Review Process above. [Partially relocated from Art. 4.B.1.A.23/26/35/38/76/81/84/100/ 138/140]

**Table 5.B.1.C - Uses Allowed as Flex Space Component**

<u>Commercial Use</u>	<u>Industrial Uses</u>
<u>Butcher Shop, Wholesale</u>	<u>Contractor Storage Yard</u>
<u>Catering Service</u>	<u>Data and Information Processing</u>
<u>Printing and Copying Services</u>	<u>Laboratory, Research</u>
	<u>Manufacturing and Processing</u>
	<u>Medical or Dental Laboratory</u>
	<u>Warehouse</u>
	<u>Wholesaling, General</u>

**Part 6. New ULDC Art. 5.E, Hours of Operation (page 56 of 92), is hereby established:**

**Reason for amendments:** [Zoning] Establish new Section E in Article 5 by consolidating all provisions for hours of operations contained in Article 3 of the ULDC. This amendment applies the hours of operation limitations to Industrial, Commercial, Recreation, and Public and Civic Uses when adjacent to Residential Future Land Use designation, Zoning District or use. Exceptions may be permitted depending on indoor or outdoor industrial activities. The limitation in Industrial uses is more restrictive than commercial uses as industrial uses are expected to be more intense in traffic and stocking activities.

**CHAPTER E PERFORMANCE STANDARDS**

**Section 5 Hours of Operation**

Any non-residential use shall be subject to the hours of operations indicated below when: adjacent to Residential FLU designation, Zoning District or use. No stocking or deliveries outside of the permitted time when located within 250 feet of residential.

**Table 5.B - Hours of Operation**

<u>FLU/Zoning District/Use</u>	<u>Hours</u>
<u>Industrial</u>	<u>7:00 a.m. to 7:00 p.m. (Monday – Saturday)</u>
<u>Industrial without outdoor activities</u>	<u>7:00 a.m. to 10:00 p.m. (Monday – Saturday)</u>
<u>Commercial</u>	<u>6:00 a.m. to 11:00 p.m.</u>
<u>Recreation</u>	
<u>Public and Civic</u>	<u>6:00 a.m. to 11:00 p.m.</u>
<u>Excavation</u>	
<b>[Ord.]</b>	
<b>Notes:</b>	

**A. Measurement**

*Measurement shall be taken by drawing a straight line from the closest point on the perimeter of the residential district to the closest point on the perimeter of the exterior wall, structure, or bay, housing the non-residential use. [Ord. 2009-040] [Partially relocated from Art. 3.D.3.A.2.a, Hours of Operation – Related to All Commercial, Public and Civic Uses under District Specific Regulations]*

**B. Existing Uses**

*Uses existing prior to this amendment may comply with the requirements existing at the time the use was established, unless modified by a subsequent Development Order. [Ord. 2009-040] [Relocated from Art. 3.D.3.A.2.a.1), Existing Uses - Related to Hours of Operation applicable to all Commercial, Public and Civic Uses under District Specific Regulations]*

**C. Exemptions**

*Uses owned or operated by a governmental entity that provide essential services for the public, as determined by the Zoning Director, shall be exempt from these standards. [Ord. 2009-040] [Relocated from Art. 3.D.3.A.2.a.2), Exemptions - Related to Hours of Operation applicable to all Commercial, Public and Civic Uses under District Specific Regulations]*

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ATTACHMENT 2  
EXHIBIT B

ARTICLE 5 – SUPPLEMENTARY STANDARDS  
SUMMARY OF AMENDMENTS  
(Updated 10/15/13)

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ATTACHMENT 3  
EXHIBIT C

DEVELOPMENT REVIEW PROCEDURES  
SUMMARY OF AMENDMENTS  
(Updated 10/16/2013)

1  
2 Part 1. ULDC Art. 2.D.1.G, Administrative Review [Related to Administrative Process, DRO ],  
3 (pages 39 - 41 of 88), is hereby amended as follows:  
4

**Reason for amendments: [Zoning]** 1) Modify the title of Chapter G to more accurately reflect the process name. 2) Clarify purpose; and, 3) Expand and clarify thresholds under ZAR and ZZR to distinguish from Development Review Office (DRO) thresholds.

5 CHAPTER D ADMINISTRATIVE PROCESS

6 Section 1 Development Review Officer (DRO)

7 G. ~~Administrative Review Modifications to Prior Development Orders~~

8 The DRO may approve amendments to Preliminary Plans approved by the BCC, and  
9 approve Final Plans, in accordance with the following procedures. [Ord. 2007-001] [Ord.  
10 2008-003] [Ord. 2009-040][Ord. 2010-005] [Ord. 2010-022] [Ord. 2011-001]

11 1. ~~Amendments~~ Modifications to BCC/ZC Approvals

12 ....

13 2. ~~Agency Review Expedited Administrative Modifications~~

14 a. Purpose

15 *To establish procedures to allow for expedited approvals of specific minor corrections,*  
16 *additions and amendments to approved Final Plans.* [Ord. 2007-001] [Partially  
17 relocated from 2.D.4.A, Purpose]

18 2b. Agency Review

19 Agency Review is ~~utilized~~ for applications that ~~may require the submittal of a new plan, or~~  
20 ~~amendment(s) to an existing approved plan(s).~~ This type of application requires review,  
21 comments, and conditions by five or fewer DRO Agencies ~~as necessary to authorize the~~  
22 ~~amendment.~~ The ~~Zoning Division DRO~~ shall determine which Agencies are required to  
23 review the amendment based upon the request and compliance with County Ordinances.  
24 ~~Typical Amendments may include, but not be limited to~~ the following, provided Section  
25 Art. 2.D.1.G.1, Amendments to BCC/ZC Approvals, requirements are not exceeded:  
26 [Ord. 2008-003] [Ord. 2011-001]

27 a.1) Increases in building square footage; three percent or 2,500 square feet, whichever  
28 is less; [Ord. 2008-003]

29 b.2) Relocation of building square footage; up to a maximum fifteen percent; [Ord. 2008-  
30 003]

31 c. ~~Transfer of building square footage;~~ [Ord. 2008-003]

32 3) ~~Modifications to approved~~ Alternative Landscape Plans (ALPs); [Ord. 2008-003]  
33 [Ord. 2011-001]

34 4) Modifications to approved phase lines;

35 5) New uses that require DRO approval provided all improvements to the use are  
36 interior to the structure;

37 e.6) Palm Beach County School Board Projects; ~~and;~~ [Ord. 2008-003]

38 f.7) Modifications to approved Type IB Excavation; [Ord. 2008-003] [Ord. 2011-001]

39 8) Minor Modifications to approved architectural elevations provided consistent with  
40 previously approved elevations and conditions of approval; and,

41 9) Proposed or relocated guard houses.

42 ~~Applications shall be submitted in accordance with the Zoning Calendar, and pursuant to~~  
43 ~~the provisions in Article 2.A.1, Applicability, and Article 2.D.1.C, Review Procedures.~~ The  
44 applicant shall be responsible for obtaining the recommendation of approval and any  
45 comments from the affected DRO agencies, in a form and manner established by the  
46 Zoning Director. [Ord. 2007-001] [Ord. 2008-003] [Ord. 2011-001]

47 3c. Zoning Review

48 Zoning review is ~~utilized~~ for applications that require only Zoning Division approval of:  
49 minor corrections to tabular data, additions and amendments to an existing approved site  
50 or subdivision plan. ~~Typical Amendments may include, but not be limited to~~ the following:  
51 [Ord. 2008-003]

52 a.1) Change in sign location; [Ord. 2008-003]

53 b.2) Minor modifications to approved parking areas (such as relocation of handicapped  
54 parking spaces or removal of spaces exceeding ULDC requirements); [Ord. 2008-  
55 003]

56 e.3) Relocation of terminal islands to accommodate trees or utility lines; [Ord. 2008-003]

57 d.4) Reduction in building size, provided there are no changes to approved architectural  
58 elevations; [Ord. 2008-003]

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ATTACHMENT 3  
EXHIBIT C

DEVELOPMENT REVIEW PROCEDURES  
SUMMARY OF AMENDMENTS  
(Updated 10/16/2013)

- 1 ~~e.5) Proposed canopies; [Ord. 2008-003]~~  
2 ~~f.6) Modification to approved Minor revisions to lot lines to be consistent with plat; [Ord.~~  
3 ~~2008-003]~~  
4 ~~g.7) Temporary sales trailers (must first have been issued pursuant to a Special Permit);~~  
5 ~~and, [Ord. 2008-003]~~  
6 ~~h.8) Proposed fences; and,~~  
7 ~~h.9) Other minor structures subject to approval by the DRO. [Ord. 2008-003]~~  
8 d. The Zoning Director shall maintain PPM Z0-0-29, *subject to periodical update*, outlining a  
9 list of minor amendments, ~~subject to periodical update, indicating which and establishing~~  
10 items that are exempt from the ~~Zoning Administrative Review Expedited Administrative~~  
11 ~~Modifications~~ process.  
12 ~~Applications shall be submitted on deadlines established on the Zoning Calendar, and~~  
13 ~~consistent with application requirements pursuant to the provisions in Article 2.A.1,~~  
14 ~~Applicability, and Article 2.D.1.C, Review Procedures. [Ord. 2008-003][Ord. 2011-001]~~

15  
16 **Part 2. ULDC Art. 2.D.4, Administrative Amendments, (pages 44 of 88), is hereby**  
17 **amended:**  
18

<b>Reason for amendments:</b> [Zoning] Relocate Administrative Amendment purpose under DRO Administrative Review applicable to ZAR and ZZR. Procedures and standards repeated elsewhere in Article 2.
---

19 **CHAPTER D ADMINISTRATIVE PROCESS**

20 ***Section 4 — Administrative Amendments***

21 ***A.—Purpose***

22 ~~To allow minor corrections, additions and amendments to an approved site plan or subdivision~~  
23 ~~plan requiring approval from the Zoning Division and a maximum of one additional agency. [Ord.~~  
24 ~~2007-001] [Partially relocated to Art. 2.D.1.G.2.a, Purpose]~~

25 ***B.—Types of Administrative Amendments***

26 ~~Administrative Amendments permitted include, but are not limited to, change in sign locations,~~  
27 ~~minor modifications to parking areas, relocation of terminal islands to accommodate trees or utility~~  
28 ~~lines, reduction in building size, addition of canopies, minor revisions to lot lines, temporary sales~~  
29 ~~trailers, and other minor structures. [Ord. 2007-001]~~

30 ***C.—Procedures***

- 31 ~~1. Applicants shall be seen on a walk-in basis during a time frame established by the Zoning~~  
32 ~~Director. [Ord. 2007-001]~~  
33 ~~2. Applicants shall be required to submit a complete administrative amendment application~~  
34 ~~including any necessary approvals from an affected agency, and required authorization.~~  
35 ~~[Ord. 2007-001]~~  
36 ~~3. Applicants shall be able to clearly identify the area being changed, provide all applicable~~  
37 ~~information (square footage, height, width), adjust tabular and other site plan related data,~~  
38 ~~and legibly make the change to the site plan. [Ord. 2007-001]~~

39 ***D.—Standards***

- 40 ~~1. The proposed amendment shall comply with all applicable sections of the ULDC and the~~  
41 ~~regulations of any other affected agency. [Ord. 2007-001]~~  
42 ~~2. The affected area shall only be used for the purpose identified in the application. [Ord.~~  
43 ~~2007-001]~~

44 **[Renumber Accordingly]**

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Complete

Pending

Task	Details	Lead	Status	Date Initiated	Initiated by	Date Completed
<b>EAC Application and Fees</b>	Application Process and Fees	Wendy	Closed			1/29/2011
<b>Abandonment Process</b>	Address how to abandon an application. Draft new PPM and went over with DROOC	Jon	Closed			3/1/2011
<b>General Application</b>	Remove Community Groups	Wendy	Closed			3/15/2011
<b>Status of Green Task Team</b>	Status of ULDC Task Team	Bill	Closed			2/1/2012
<b>Insufficiency Check List</b>	Review consistent application	Wendy/Jeff Brophy	Closed		Jeff Brophy	2/1/2012
<b>DROE Application requirements</b>	Some staff are requesting justification for DRO application when it is off the board.	Wendy/Chris Barry	Closed		Chris Barry	2/1/2012
<b>Calendar- Variance Deadlines</b>	Resubmitted Dates and Comment Deadlines and applications do not give enough time to address issues	Wendy-CDR	Closed	5/11/2012	Colleen Walters	Dec 20 meeting. Staff finalize if any changes possible to calendar for 2013.Effective 1/1/2013
<b>Resubmitted Fees-ERM and Palm Tran</b>	Fees are being charged when they aren't affected by the changes	Wendy	Closed	5/11/2012	Colleen Walters	08/24/2012 Memo from Zoning to ERM and Tran.
<b>Concurrency Fee- School Board</b>	Fees are being charged when they aren't affected by the changes- i.e. CLF or Age Restricted Community	Wendy	Pending	5/11/2012	Kevin Ratteree	08/13/2013 Planning still working with the School Board. Schools are preparing a draft document to present at the next IPARC. Draft to be submitted to Planning a couple weeks. 06-07-13 Wendy gave DRAC update to Committee that no changes has occurred. Spoke with School Board Planning Division still working on agreement. 11/5/2012 Need status from Planning



		Complete	Pending			
Task	Details	Lead	Status	Date Initiated	Initiated by	Date Completed
<b>Conditions of Approval Completed</b>	Conditions of Approval are remaining open and causing issues at time of Building Permit	Jon/Wendy	Pending	5/11/2012	Colleen Walters	08/13/2013: CD Staff have tested the screens, revisions to be completed by ITS; 06-07-13 Wendy gave update to Committee that Zoning and ISS working on modifications to the ePZB conditions screens. Expect by this Fall to implement changes to help with processing and monitoring conditions Staff will manually update; Pending task for ePZB and ISS
<b>Information on a Master Plan</b>	Inconsistent requirements for information on a Master Plan. Some information may not be necessary. Involves Survey, DL, Planning and Zoning	Wendy/MMK	Pending	5/11/2012	Gladys	08/13/2013 task still pending; drafted modifications to the Technical Manual; 06-07-13 Wendy said she met in last month with several DRAC members to address their concerns with too much information on Master Plan. Working on draft to reflect changes agreed to and once done will send out to Committee for review. Then the Technical Manual will be update. 8/13/13 Subcommittee need to discuss Tech Manual changes. Staff to finalize the proposed changes prior to next DRAC meeting.
<b>Palm Tran and Fire</b>	Palm Tran not signing off on DRO in ePZB.	Jon/Jeff Brophy	Closed	8/24/2012	Jan Polson	06-07-13 Closed Committee said seeing improvements Letter was sent to Palm Tran by Jeff Brophy on behalf of the DRAC: 2/8/2013 This items will remain open to monitor issues from Palm Tran. Agents asked that Fire be added to the list. As they have issues with the timing of their review.

Complete

Pending

Task	Details	Lead	Status	Date Initiated	Initiated by	Date Completed
<b>Time frames for DRO-Agency</b>	Review time is too long for certain agencies. Can we establish ULDC time frames?	Alan/Jon	Pending	8/24/2012	Colleen Walters	08/13/2013 Staff preparing minor modifications to Article 2 to address Agency Reviews. Larger modification of Article 2 to be completed with the Article 4 Use changes. 06/07/2013 Staff updated Committee working on ULDC amendments for 2013-02 Round. Expect amendments to go to the November LDRAB. Staff will send DRAFT to DRAC before finalized along with new modified Fees that are being recommended. Remain open. Staff is finalizing PPM regarding what is considered a ZAR versus full DRO. 13-13 Staff drafting minor amendments to DRO Admin Review. Will go to next LDRAB. Will share with DRAC.

Complete

Pending

Task	Details	Lead	Status	Date Initiated	Initiated by	Date Completed
<b>Roundabout requirement</b>	Clearance requirement for Land Development differs from Fire	Joanne K	Closed	3/6/2013	Gladys	06-07-13-Closed per Committee From: Joanne Keller M. Sent: Wednesday, March 06, 2013 11:12 AM To: Gladys Digirolamo; Bradley Miller Cc: Wendy Hernandez N.; Maryann Kwok; Pedro Segovia Subject: FW: Roundabout Design  At the last DRAC meeting, an issue concerning a conflict between PBC Engineering and FRD roundabout design requirements was brought up for discussion. After the meeting, Engineering staff coordinated with FRD staff and it was agreed that a change would be made to the central median curbing to satisfy both department's requirements.  For your information, attached is the new requirement to use FDOT's Type RA curb for the median in roundabouts.  I trust this will resolve the issue from DRAC.
<b>Street Tree</b>	Spacing of trees	Joanne/Jon Barbara P	Closed	3/19/2013	Barbara P.	06-07-13 Barbara P informed the Committee that there will be no ULDC amendments to Street Trees based on discussion with BCC and Subcommittee review of issues.
<b>Consent Forms</b>	Agents not providing new forms after a year	Susan Taylor	Closed	3/8/2013	Susan T.	06-07-13 Bob Banks and Susan T update Committee that they need assurance that the Owner is giving Consent for all apps as they go through process.
<b>Resubmittals following DRO</b>	Too many additional submittals	Wendy	Closed	3/13/2013	Wendy	06-7-13 Wendy monitoring Resubmittals and asked they be keep to minor fixes and not significant changes.

**Palm Beach County  
Zoning Division**

# 2014 DEVELOPMENT REVIEW ADVISORY COMMITTEE (DRAC) MEETING DATES

The DRAC is an ad hoc committee comprised of agents who assists staff in making recommendations and review changes to the Zoning Review processes.

Planning, Zoning & Building  
Vista Center Complex  
2300 N. Jog Road  
West Palm Beach, Florida 33411  
Contact: Dorine Kelley, at:  
561-233-5579 or e-mail her at  
[dkelley@pbcgov.org](mailto:dkelley@pbcgov.org)

<p><b>January 2014</b></p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </table>	S	M	T	W	Th	F	S				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		<p><b>February 2014</b></p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td></td></tr> </table>	S	M	T	W	Th	F	S							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28		<p><b>March 2014</b></p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr> </table>	S	M	T	W	Th	F	S							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31						<p><b>April 2014</b></p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>Th</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td></tr> <tr><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr> <tr><td>27</td><td>28</td><td>29</td><td>30</td><td></td><td></td><td></td></tr> </table>	S	M	T	W	Th	F	S			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
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**Meeting Dates: - Revised 10/01/2014**

- February 7, 2014 from 2:00 to 4:00 pm, VC-2E-12 Shared Conference Room
- May 9, 2014 from 2:00 to 4:00 pm, VC-2E-12 Shared Conference Room
- August 8, 2014 from 2:00 to 4:00 pm VC-2E-12 Shared Conference Room
- November 14, 2014 from 2:00 - 4:00 pm, VC-2E-12 Shared Conference Room

