



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
USE REGULATIONS PROJECT 2012-2013 SUB-COMMITTEE**

TUESDAY, MAY 14, 2013 AGENDA  
2300 NORTH JOG ROAD  
CONFERENCE

1<sup>ST</sup> FLOOR KEN ROGERS HEARING ROOM (VC-1E-58)  
2:30 P.M. – 4:00 P.M.

**A. CALL TO ORDER**

1. Introduction of Members, Staff and Interested Parties
2. Elections – Chair and Vice Chair
3. February 26, 2013 Meeting Summary
4. Additions, Substitutions and Deletions to Agenda
5. Motion to Adopt Agenda

**B. SUBCOMMITTEE OBJECTIVES AND MEETING RULES AND PROCEDURES**

**C. PENDING ISSUES FROM FEBRUARY'S SUBCOMMITTEE MEETING**

**D. INDUSTRIAL USES**

1. Order to Review Uses
2. Important Comprehensive Plan Language to Consider When Reviewing Industrial Uses
3. Explanation of Consolidated Use Matrix
4. Industrial Uses – Uses Draft Presentation
  - Film Production Studios
  - Asphalt and Concrete Plant
  - Heavy Industry

**E. DISCUSSION**

**F. ITEMS FOR NEXT MEETING**

- Industrial General Standards Draft
- Industrial Use Drafts - Continue

**G. ADJOURN**



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

**FEBRUARY 26, 2013 SUBCOMMITTEE MEETING SUMMARY**

**Prepared by Monica Cantor**

On Tuesday, February 26, 2013, the Use Regulations Project Subcommittee held a meeting at the Vista Center, Room VC-1E-58 Conference Room, at 2300 North Jog Road, West Palm Beach, Florida.

**INTRODUCTION**

The meeting started at 3:35 p.m.

**Introduction of Members, Staff and Interested Parties**

**Subcommittee Members:** Jerome Baumohl, Jim Knight

**Industry:** Chris Barry, Colene Walter, Bobby Powell, Joni Brinkman, Jeff Brophy, Pat Lentini, Caroline Villanueva.

**County Staff:** Monica Cantor, William Cross, Bryan Davis, Gail Vorpagel.

**A. RECAP OF THE USE REGULATIONS PROJECT**

Ms. Cantor presented the objectives of the project and gave a reminder that the scope of work covers not only the formatting of Article 4 of the Unified Land Development Code (ULDC) but the analysis and evaluation of all uses in Article 4, Use Regulations. She explained that the majority of the project relates to the revision of the uses for consistency with the Comprehensive Plan, recognizing industry trends, reducing redundancies and streamlining the approval process of uses, where feasible. She explained the objective of the meeting is to present the proposed formatting.

Ms. Cantor mentioned the main elements to be reviewed are use definitions, approval processes, approval thresholds, and use standards. The presentation also included the different mechanisms for public information and participation, and the tentative time line to address all use classifications.

**B. PROPOSED USE FORMATTING – PRESENTATION/DISCUSSION**

Ms. Cantor presented the draft using a power point presentation to help participants follow the proposed changes.

**1. Article 1, Definitions**

Staff is proposing to consolidate use definitions, meaning that definitions for uses in Article 1 of the ULDC will only be located in Article 4. Ms. Cantor clarified that all other definitions currently contained in Article 1 are going to be retained.

The Subcommittee proposed complete deletion of the use definitions in Article 1 in order to consolidate definition of uses and inserting a note at the definition point of Article 1 to clarify that definitions related to uses were relocated to Article 4 of the ULDC.

**2. Article 4, Use Regulations**

Ms. Cantor continued with the power point presentation, clarifying that Article 4 was proposed to be reformatted, containing the following information:

- User Guide

Ms. Cantor explained the new format for Article 4 and she emphasized that the User Guide will provide a specific explanation of the different approval processes used in the consolidated use matrix; includes two examples of how a use typically relates to zoning districts and vice versa, and how the uses are to be treated in terms of principal, collocated or accessory.

- Use Classification

- General Provisions

Ms. Cantor clarified that the article is to be organized by use classification, so that all regulations related to a particular use such as commercial uses will be together. During the presentation of the proposed General Provisions, it was clarified that this section will mainly include the applicable approval thresholds that apply to every use classification and list supplementary standards that are common to all uses within the classification. She went on to explain that an example of that is the hours of operation which is usually a common standard

for all industrial uses. This will be discussed at future meetings to determine if standards listed under General Provisions would be eligible for variance.

- **Consolidated Use Matrix**

Ms. Cantor presented the proposed consolidated use Matrix that contains Standard Districts, Planned Development Districts and Traditional Development Districts for all uses within a single use classification and to be included in the Code on an 11" by 17" sheet. The Subcommittee participants agreed that multiple zoning districts should be consolidated on one single table and recommended the inclusion of a note in the matrix to advise Code users to review the Supplemental Use Standards. Subcommittee participants requested staff to list all the uses that are prohibited but have standards that still allow them under special circumstances. If it is concluded that few uses are subject to this situation, they recommend using the dash to identify prohibited uses. She explained that staff recommended the use of a dash to indicate prohibited uses in the Use Matrix which was received positively by the Subcommittee members. They also requested staff to find out if it would be feasible to remove the district columns where uses are not permitted at all from the consolidated use matrix by classification. For example, remove the columns related to TDD in the Industrial Use classification matrix as it only shows empty spaces.

- **Use Definition and Standards**

Ms. Cantor clarified that this part relates to the Code construction and looks to establish consistency in the use and organization of terminology related to the use standards. Subcommittee participants recommended reviewing the terminology carefully as many terms may end up falling under "other", also making sure that terms used such as landscape, differs from fencing. Clarification was given that Overlay regulations are to be kept in Article 3 of the ULDC.

### **C. CONCLUSION**

Ms. Cantor explained that recommendations made by the Subcommittee were to be submitted for review by the Zoning Administration and an update of the recommendations would be included in the next Subcommittee meeting agenda. She reminded participants that additional comments to the draft can be mailed to her within the next month.

The meeting adjourned at 4:45 p.m.

EXHIBIT A

ARTICLE 1, GENERAL PROVISIONS  
INDUSTRIAL USES SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

1  
2 Part 1. ULDC Art. 1.1.1, General [Related to Definition and Acronyms] (page 30 of 119), is  
3 hereby amended, as follows:  
4

**Reason for amendments:** [Zoning] Eliminate duplicated definitions already contained in Article 4, Use Regulations. Affected terms will be retained herein for organizational purposes and to improve use of the Unified Land Development Code (ULDC). The uses' terms remain in Article 1.1, Definitions and Acronyms only as reference or when the use definition is needed to clarify any other article of the Code other than Article 4.

5 CHAPTER I DEFINITIONS & ACRONYMS

6 Section 1 General

7 D. Use terms contained in Article 4, Use Regulations will remain in Article 1.1, Definitions and  
8 Acronyms to be used for reference only. Use definitions that clarify terms in other Articles of the  
9 Code other than Article 4, shall apply.

10  
11  
12 Part 2. ULDC Art. 1.1.2.A.96, Asphalt or Concrete Plant (page 38 of 119), is hereby amended as  
13 follows:  
14

**Reason for amendments:** [Zoning] Asphalt and Concrete Plant will be consolidated with Heavy Industry as these two uses have similar characteristics.

15 CHAPTER I DEFINITIONS & ACRONYMS

16 Section 2 Definitions

17 A. Terms defined herein or referenced in this Article shall have the following meanings:

18 96. ~~Asphalt or Concrete Plant~~ — ~~an establishment engaged in the manufacture, mixing or~~  
19 ~~batching of asphalt, asphaltic cement, cement or concrete products.~~

20 [Renumber Accordingly]

21 ....  
22  
23

24 Part 3. ULDC Art. 1.1, Definitions and acronyms (page 50, 52, 59, 63, 64, 69, 74, 76, 93, 107, 108,  
25 109, 112, and, 114 of 119), is hereby amended as follows:  
26

**Reason for amendments:** [Zoning] 1) Eliminate duplicated definitions already contained in Article 4, Use Regulations; 2) Affected terms will be retained herein for organizational purposes and to improve use of the Unified Land Development Code (ULDC); and, 3) Relocate relabeled terms for consistency with changes proposed to the uses in Article 4, Use Regulations.

27 CHAPTER I DEFINITIONS & ACRONYMS

28 Section 2 Definitions

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

30 ....

31 97. ~~Contractor Storage Yard - See Article 4.B.5.C, Use Definition and Standards a lot used for~~  
32 ~~the storage of construction material, equipment, or three or more commercial vehicles used~~  
33 ~~by building trades and services, other than construction sites.~~

34 ....

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

36 ....

37 3. ~~Data and Information Processing - See Article 4.B.5.C, Use Definition and Standards the~~  
38 ~~use of an establishment for business offices of an industrial nature, including corporate~~  
39 ~~centers, mail processing and telemarketing centers. Such uses are not frequented by the~~  
40 ~~general public.~~

41 ....

42 45. Distribution Facility — See Article 4.B.5.C, Use Definition and Standards.

43 ....

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

45 ....

46 15. ~~Film Production Studio~~ — ~~the use of a lot or building for the production of films or videotapes~~  
47 ~~for exhibition or sale.~~

Notes:

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EXHIBIT A

ARTICLE 1, GENERAL PROVISIONS  
INDUSTRIAL USES SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

1 [Renumber Accordingly]  
2

3 G. Terms defined herein or referenced in this Article shall have the following meanings:  
4

5 5. ~~Gas and Fuel, Wholesale - See Article 4.B.5.C, Use Definition and Standards the use of~~  
6 ~~land for bulk storage and wholesale distribution of 2,500 gallons or more of flammable liquid,~~  
7 ~~or 2,000 gallons water capacity or more of flammable gas, excluding below-ground storage~~  
8 ~~which is clearly accessory to the principal use on the site.~~  
9

10 H. Terms defined herein or referenced in this Article shall have the following meanings:  
11

12 10. ~~Heavy Industry - See Article 4.B.5.C, Use Definition and Standards an establishment~~  
13 ~~engaged in the basic processing and manufacturing of materials or products predominately~~  
14 ~~from extracted or raw materials, or a use engaged in storage of, or manufacturing processes~~  
15 ~~utilizing flammable, hazardous, or explosive materials, or processes which potentially involve~~  
16 ~~hazardous or commonly recognized offensive conditions. Typical uses include manufacturing~~  
17 ~~and warehousing of chemicals, dry ice, fertilizers, fireworks and explosives, pulp and paper~~  
18 ~~products, and radioactive materials; fat rendering plants; slaughterhouses and tanneries;~~  
19 ~~steel works; and petroleum refineries. Example Para 4 paragraph.~~  
20

21 L. Terms defined herein or referenced Article shall have the following meanings:  
22

23 2. ~~Laboratory, Industrial Research - an establishment engaged in industrial, scientific or~~  
24 ~~medical research, testing, and analysis, including support services and structures. Typical~~  
25 ~~uses include natural science/manufacturing research facilities and product testing/quality~~  
26 ~~control facilities.~~  
27

28 [Renumber Accordingly]  
29

30 M. Terms defined herein or referenced in this Article shall have the following meanings:  
31

32 1. ~~Machine or Welding Shop - See Article 4.B.5.C, Use Definition and Standards for the~~  
33 ~~purposes of Art. 4, a workshop where machines, machine parts, or other metal products are~~  
34 ~~fabricated. Typical uses include machine shops, welding shops and sheet metal shops.~~  
35

36 14. ~~Manufacturing and Processing - See Article 4.B.5.C, Use Definition and Standards for the~~  
37 ~~purposes of Art. 4.B, an establishment engaged in the manufacture, predominantly from~~  
38 ~~previously prepared materials, of finished products or parts, including processing, fabrication,~~  
39 ~~assembly, treatment and packaging of such products, and incidental storage, sales and~~  
40 ~~distribution of such products, but excluding heavy industrial processing. Typical uses include~~  
41 ~~factories, large scale production, wholesale distribution, publishing and food processing.~~  
42

43 33. ~~Medical Equipment or Dental Laboratory - See Article 4.B.5.C, Use Definition and~~  
44 ~~Standards a facility for the construction or repair of prosthetic devices or medical testing~~  
45 ~~exclusively on the written work order of a licensed member of the dental or medical~~  
46 ~~profession and not for the public.~~  
47

48 58. ~~Multi-Media Production - See Article 4.B.5.C, Use Definition and Standards~~  
49

50 [Renumber Accordingly]  
51

52 R. Terms defined herein or referenced in this Article shall have the following meanings:  
53

54 15. ~~Recycling Plant - See Article 4.B.5.C, Use Definition and Standards. for the purposes of Art.~~  
55 ~~4, a permanent facility designed and used for receiving, separating, storing, converting,~~  
56 ~~baling or processing of non-hazardous recyclable materials that are not intended for disposal.~~  
57 ~~The use may include construction debris recycling or other intensive recycling processes~~  
58 ~~such as chipping and mulching.~~  
59

60 29. ~~Research and Development- See Article 4.B.5.C, Use Definition and Standards.~~  
61

62 [Renumber Accordingly]  
63

64 S. Terms defined herein or referenced Article shall have the following meanings:  
65

66 1. ~~Salvage or and Junk Yard - See Article 4.B.5.C, Use Definition and Standards for the~~  
67 ~~purposes of Art. 4, a lot, land or structure, or part thereof, used primarily for the collecting,~~  
68 ~~storage and sale of waste paper, rags, scrap metal or discard material; or for the collecting,~~  
69 ~~dismantling, storage and salvaging of machinery or vehicles not in running condition; or for~~  
70 ~~the sale of parts thereof.~~  
71

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EXHIBIT A

ARTICLE 1, GENERAL PROVISIONS  
INDUSTRIAL USES SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

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

....  
44. ~~Towing Service and Storage - See Article 4.B.5.C, Use Definition and Standards. for the purposes of Art. 4, the use of a lot for the temporary storage of operable or inoperable vehicles in conjunction with a commercial towing service, with no sales or repair or salvage activity occurring on the lot and subject to the following standards:~~

....  
59. ~~Transportation Facility - for the purposes of Art. 4, a facility for loading, unloading, and interchange of passengers, baggage, and freight or package express between modes of transportation. Typical uses include bus terminals, railroad stations and yards, and major mail processing centers.~~

[Renumber Accordingly]

....  
73. ~~Truck Stop - See Article 4.B.5.C, Use Definition and Standards for the purposes of Art. 4, a facility which provides fueling, parking, washing, repair and maintenance services, food service, overnight accommodations, and incidental retail sales for transient commercial vehicles.~~

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

....  
2. ~~Warehouse - See Article 4.B.5.C, Use Definition and Standards for the purposes of Art. 4, a building 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.~~

....  
29. ~~Wholesaling, General - See Article 4.B.5.C, Use Definition and Standards for the purposes of Art. 4.B, an establishment engaged in the display, maintaining inventories of goods, storage, distribution and sale of goods to other firms for resale, or the supplying of goods to various trades such as landscapers, construction contractors, institutions, industries, or professional businesses. In addition to selling, wholesale establishments sort and grade goods in large lots, break bulk and redistribute in smaller lots, delivery and refrigeration storage, but excluding vehicle sales, wholesale greenhouses or nurseries, wholesale of gas and fuel, and wholesale building supplies.~~

....

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EXHIBIT B

FILM PRODUCTION STUDIO  
SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

1  
2 Part 1. ULDC Table 3.B.2.B - Airport Use Regulations, (page 23 of 229), is hereby amended as  
3 follows:  
4

**Reason for amendments:** [Zoning] Rename Film Production Studio to Multi-Media Production, to reflect changes in the industry, which is engaged in the production and distribution of information and cultural products. The change is being implemented in Table 3.B.2.B, Airport Use Regulations.

5 **Table 3.B.2.B - Airport Use Regulations**

Use Type	Airport Related Uses	Non-Airport Related Uses	Corresponding Zoning District PDRs (1)	Note (2)	Use Applicable to Specific Airport
<b>Industrial Uses</b>					
.... <del>Film</del> <u>Multi-Media</u> Production <del>Studio</del>		D	CG or IG	54 9	All
[Ord. 2006-036] [Ord. 2010-022]					
Notes:					
....					
Key:					
....					

6  
7  
8 Part 2. ULDC Table 3.B.18.F - SR-7 EDO Permitted Use Schedule (page 118 of 229), is hereby  
9 amended as follows:  
10

**Reason for amendments:** [Zoning] Rename Film Production Studio to Multi-Media Production, to reflect changes in the industry, which is engaged in the production and distribution of information and cultural products. The change is being implemented in Table 3.B.18.F, SR-7 EDO Permitted Use Schedule.

11 **Table 3.B.18.F - SR-7 EDO Permitted Use Schedule**

Use Type	PIPD Use Zone				NOTE	Use Type	PIPD Use Zone				NOTE
	R E S	I N D / L	C O M	I N D / G			R E S	I N D / L	C O M	I N D / G	
<b>Residential Uses</b>						<b>Utilities and Excavation uses</b>					
						<b>Public and Civic Uses</b>					
<b>Commercial Uses</b>						<b>Recreational Uses</b>					
						<b>Industrial Uses</b>					
....						....					
<del>Film</del> <u>Multi-Media</u> Production <del>Studio</del>						P	P	P		54 9	
....						....					
[Ord. 2010-022]											
Key											
....											

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EXHIBIT B

FILM PRODUCTION STUDIO  
SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

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Part 3. New ULDC Table 4.B.5.A, Industrial Use Matrix, is hereby established as follows:

**Reason for amendments:** [Zoning]

- 1) Multi-Media Production to be permitted by Development Review Officer (DRO) approval in a Multiple Use Planned Development (MUPD) or a Planned Industrial Park Development (PIPD) with an Economic Development Center (EDC) Future Land Use (FLU) designation. The use is consistent with the intent of the EDC FLU designation as stated in Policy III.C.4 of the Comprehensive Plan. The EDC FLU shall be primarily utilized by office and research parks.
- 2) Change approval process of Multi-Media Production for Commercial Recreation FLU and Commercial Recreation (CRE) zoning district from BCC approval to DRO approval. Policy III. C. 3, Commercial Recreation, of the Comprehensive Plan accommodates 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 approval process of Multi-Media Production in the Commercial High (CH) and Commercial High Office (CHO) FLU of a MUPD and CH pod of a Lifestyle Commercial Center (LCC) from Permitted by Right to DRO approval. 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.

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EXHIBIT B

FILM PRODUCTION STUDIO  
SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

TABLE 4.B.5.A - INDUSTRIAL USE MATRIX

Use Type	Reference Number Supplementary Standards	STANDARD DISTRICTS																PLANNED DEVELOPMENT DISTRICTS (PDDs)												TRADITIONAL DEV. DIST. (TDDs)																																			
		Zoning District																PUD			MUPD			MXPD	PIPD		M	R	LCC		TND		TMD																																
		AG/CON			Residential				Commercial					IND	INST		Pods			FLU			FLU	Pods		H	V	LCC	TIER		TIER																																		
		P	A	A	R	R	R	R	Standard					URAO		IRO		I	I	P	R	C	R	C	A	C	C	C	C	I	E	I	C	C	I	C	I	E	P	P	L	C	U/S		Exrb/ Rural		U	Ex	AGR																
		C	G	P	R	U	E	T	S	M	C	C	C	C	C	U	U	U	U	U	C	C	C	C	C	L	G	O	P	E	O	E	I	G	C	H	L	O	C	H	R	N	D	C	H	H	O	L	C	O	M	D	G	D	D	L	H	R	N	O	R	N	O	S	R
Recreation																																																																	
Asphalt or Concrete Plant																																																																	
Contractor Storage Yard																																																																	
Data Information Processing																																																																	
<b>Film Multi-Media Production Studio</b>	<b>19</b>																																																																
Gas and Fuel, Wholesale																																																																	
Heavy Industry																																																																	
Laboratory, Industrial Research																																																																	
Machine or Welding Shop																																																																	
Manufacturing And Processing																																																																	
Medical or Dental Laboratory																																																																	
Recycling Plant																																																																	
Salvage or Junk Yard																																																																	
Towing Service and Storage																																																																	
Transportation Facility																																																																	
Truck Stop																																																																	
Warehouse																																																																	
Wholesaling, General																																																																	

Use Approval Process Key:

- P** Permitted by Right
- S** Permitted subject to Special Permit approval
- D** Permitted subject to DRO approval
- B** Permitted subject to Zoning Commission (Class B Conditional Use) approval
- A** Permitted subject to BCC (Class A Conditional Use) approval
- Prohibited use

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EXHIBIT B

FILM PRODUCTION STUDIO  
SUMMARY OF AMENDMENTS  
(Updated 5/10/13)

Part 3. ULDC Article 4.B1.A.54, Film Production Studio (page 47 and 54 of 171), is hereby amended as follows:

**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; b) to 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 facilities related to the development and production of CGI and special effects are not permitted in commercial districts and pods only; 3) Delete Film Permit language from the supplementary standards. The issuing of film permits is handled by the Film Commission of Palm Beach County is not considered a Zoning use issue.

CHAPTER B USE CLASSIFICATION

Section 5 Industrial Uses

C. Use Definition and Standards

**544. Film Multi-Media Production Studio**

**a. Definition**

The use of a lot or building for the production of films or video ~~tapes for exhibition or sale, such as digital, audio and motion pictures, 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]~~

**b. Zoning Districts**

Only indoor Multi-Media Production facilities shall be permitted in Urban Infill (UI), Urban Center (UC) and Commercial districts and pods.

~~**c. LCC**~~

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

Part 4. ULDC Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements (page 11 of 39), is hereby amended as follows:

**Reason for amendments:** [Zoning] Rename Film Production Studio to Multi-Media Production, to reflect changes in the industry, which is engaged in the production and distribution of information and cultural products. The change is being implemented in Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements.

Table 6.A.1.B - Minimum Off-Street Parking and Loading Requirements

Use Type: Industrial	Parking (1)	Loading (2)
....		
<del>Motion picture production studio</del> <u>Multi-Media Production</u>	2 spaces per 1,000 sq. ft. of first 10,000 sq. ft.; plus 1 space per 1,000 sq. ft. over 10,000 sq. ft.	A
....		
<b>[Ord. 2005-002]</b>		
<b>Loading Key:</b>		
....		
<b>Notes:</b>		
....		

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EXHIBIT C

ASPHALT AND CONCRETE PLANT  
SUMMARY OF AMENDMENTS  
(Updated 5/7/13)

1  
2  
3

Part 1. New ULDC Table 4.B.5.A, Industrial Use Matrix, is hereby established as follows:

**Reason for amendments: [Zoning]**

- 1) Asphalt and Concrete Plant is being proposed for consolidation into Heavy Industry and is no longer being considered as its own use. Heavy Industry and Asphalt or Concrete Plant have similar characteristics such as:
- Nuisances, for example, appearance, dust and odor, and noise.
  - Land intensive, for example, requires room for storage of aggregate and materials, heavy equipment, need for maneuvering area for delivery vehicles.
  - Consistent with the General Industrial policies of the Comprehensive Plan that includes heavy industrial operations.
  - Generally allowed in similar zoning districts.
  - Similar industry codes that relate to the manufacturing sector in the North American Industry Classification System (NAICS). The sector comprises establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products.

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**Notes:**

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EXHIBIT C

ASPHALT AND CONCRETE PLANT  
SUMMARY OF AMENDMENTS  
(Updated 5/7/13)

1 Part 2. ULDC Art. 4.B.1.A.13, Asphalt or Concrete Plant (page 33 of 170), is hereby deleted as  
2 follows:  
3

**Reason for amendments:** [Zoning] Asphalt and Concrete Plant is being proposed for consolidation into Heavy Industry. Heavy Industry and Asphalt or Concrete Plant have similar characteristics such as:

- Similar nuisances such as appearance, dust and odor, and noise.
- Both uses are land intensive requiring room for storage of aggregate and materials, heavy equipment, need for maneuvering area for delivery vehicles.
- Both are consistent with the General Industrial policies of the Comprehensive Plan.

4 CHAPTER B SUPPLEMENTARY USE STANDARDS

5 Section 1 Uses

6 A. Definitions and Supplementary Standards for Specific Uses

7 ~~13. Asphalt or Concrete Plant~~

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

10  
11  
12 Part 3. ULDC Art. 4.D.5.E.5, Accessory Use [Related to Type III, Excavation] (page 152 of 171),  
13 is hereby amended as follows:  
14

**Reason for amendments:** [Zoning] Due to the intensity and potential environmental impacts of an Asphalt or Concrete Plant, accessory to Type III B Excavations, staff is recommending the use require BCC approval.

15 CHAPTER D EXCAVATION

16 Section 5 Excavation Standards

17 E. Type III Excavations

18 5. Accessory Use

19 An asphalt ~~batch~~ or concrete plant shall be permitted as an accessory use to a Type III B  
20 excavation, subject to ~~DRP~~ BCC approval and provided that:

- 21 a. the site is a minimum of 500 acres;
  - 22 b. the use is separated at least one-half mile from any residential use or district; and
  - 23 c. direct access to the ~~plat~~ plant is provided from an arterial street.
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51 Asphalt or Concrete Plant Roundtable.docx

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

EXHIBIT D

HEAVY INDUSTRY  
SUMMARY OF AMENDMENTS  
(Updated 5/7/13)

1  
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Part 1. New ULDC Table 4.B.5.A, Industrial Use Matrix, is hereby established as follows:

- Reason for amendments:** [Zoning]
- 1) Change from Class A Conditional Use (A) to a Development Review Officer (D) approval for those Multiple Use Planned Developments (MUPD's) with an IND Future Land Use (FLU). The proposed uses will need to be shown on a Site Plan ensuring all PDRs and incompatibility issues are being identified and in compliance with the Code.
  - 2) Change from P to D in IND/G in Planned Industrial Park Development (PIPD) for consistency with approval process in IG Zoning District. The proposed uses will need to be shown on a Site Plan ensuring all PDRs and incompatibility issues are being identified and in compliance with the Code.

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DRAFT

**Notes:**

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





EXHIBIT D

HEAVY INDUSTRY  
SUMMARY OF AMENDMENTS  
(Updated 5/7/13)

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Part 2. ULDC Art. 4.B.11.C, Use Regulations (page 59 of 171), is hereby amended as follows:

**Reason for amendments:** [Zoning] 1) Consolidate asphalt or concrete plant in the list of typical heavy industry uses, as this use is indicative of the type of activity and traffic found in other heavier uses, including fumes and odors, heavy trucks and equipment, and loud noises.; 2) Eliminate firework sales, as it is not desirable to attract general population to areas with high volumes of industrially oriented traffic, such as large trucks, and heavy equipment,. Also, the sale of fireworks for other than Bona Fide Agricultural uses is illegal.

CHAPTER B SUPPLEMENTARY USE STANDARDS

Section 1 Industrial Uses

A. Definitions and Supplementary Standards for Specific Uses

**695. Heavy Industry**

**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.

**a. Fireworks**

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

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Notes:

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### PROPOSED APPROVAL PROCESS FOR INDUSTRIAL USES

TABLE 4.B.5.A – INDUSTRIAL USE MATRIX  
(Updated 5-10-13)

Use Type	Reference Number Supplementary Standards	STANDARD DISTRICTS																	PLANNED DEVELOPMENT DISTRICTS (PDDs)														TRADITIONAL DEV. DIST. (TDDs)																																										
		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	Standard					U	U	U	U	U	IRO				I	I	P	P	R	C	R	C	A	C	C	C	C	C	I	E	I	C	C	I	C	I	E	M	R	C	C	TND			TMD																					
		C	G	P	R	U	E	T	S	M	C	C	C	C	C	U	U	U	U	U	C	C	C	C	L	L	O	P	R	C	R	C	A	C	L	L	H	L	H	R	O	I	E	I	C	C	H	V	L	H	C	C	C	C	U	S	Exrb/Rural	U	Ex	AGR															
		S	A	A	S	A				N	L	O	C	H	O	1	2	3	1	2	L	L	H	O	L	G	O	F	S	M	C	V	R	L	H	L	H	O	O	O	O	D	C	N	S	T	O	H	O	O	L	H	O	O	D	M	D	C	D	D	L	H	R	E	S	R	E	C	R	N	O	S	R	U	R
Industrial Uses																																																																											
Asphalt or Concrete Plant		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																																	
Contractor Storage Yard	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																														
Data and Information Processing	2	-	-	-	-	-	-	-	-	-	-	D	D	P	P	-	D	D	D	D	D	D	D	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																											
Transportation Distribution Facility	3	-	-	-	-	-	-	-	-	-	-	-	-	B	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																												
Gas and Fuel, Wholesale	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																											
Heavy Industry	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																										
Machine or Welding Shop	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																									
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Medical or Dental Laboratory	8	-	-	-	-	-	-	-	-	-	-	-	-	B	D	P	-	D	D	D	D	D	-	-	D	D	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																							
Film Multi-Media Production Studio	9	-	-	-	-	-	-	-	-	-	-	-	-	D	D	A	D	D	D	D	D	-	-	D	D	P	P	P	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																						
Recycling Plant	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																							
Laboratory, Industrial Research and Development	11	-	-	-	-	-	-	-	-	-	-	-	-	A	-	D	D	A	D	A	A	A	D	D	B	D	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																					
Salvage or Junk Yard	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																						
Towing Service and Storage	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																						
Truck Stop	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																						
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Use Approval Process Key:																																																																											
P	Permitted by Right										D	Permitted subject to DRO approval										A	Permitted subject to BCC (Class A Conditional Use) approval																																																				
S	Permitted subject to Special Permit approval										B	Permitted subject to Zoning Commission (Class B Conditional Use) approval										-	Prohibited use																																																				

- This table includes Contractor Storage Yard and Towing Services relocated from Commercial Uses and Recycling Plant relocated from Utilities and Excavation Uses.
- The ULDC currently shows “R” as the symbol that represents uses “Permitted Subject to BCC approval” in PDD and TDD Use Matrices. Such approval is identified in this consolidated table with an “A”.
- Table shows the most restrictive approval process.
- APPROVAL PROCESS IN USES HIGHLIGHTED IN YELLOW MAY BE CHANGED LATER. AN UPDATED VERSION OF THIS TABLE WILL BE PROVIDED TO YOU IF APPROVALS ARE MODIFIED PRIOR TO THE NEXT MEETING.**