

## MEMORANDUM

**TO:** Melissa McKinlay, Mayor, and  
Members of the Board of County Commissioners

**FROM:** Jon MacGillis, ASLA, Zoning Director

**DATE:** June 15, 2018

**RE:** **Initiation of Unified Land Development Code (ULDC) Amendment Round 2018-02**

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This memo serves to solicit feedback from the Board of County Commissioners (BCC) on the scheduling of ULDC amendments that have been prioritized for inclusion in Round 2018-02.

This memo will be presented at the June 25, 2018 BCC Zoning Hearing for discussion under "ULDC Amendments". In addition, staff has scheduled briefings with each Commissioner in advance of the Hearing to discuss the proposed amendments.

If you should have any questions or require additional information, please contact me at (561) 233-5234.

JM/mc/wh

Attachment 1 - Initiation of ULDC Amendment Round 2018-02

C: Digital Copy:  
Amendment Round 02

Email Copy:

Verdenia C. Baker, County Administrator  
Patrick W. Rutter, Assistant County Administrator  
Ramsay Bulkeley, PZ&B Deputy Director  
Wes Blackman, Chair and Members of the LDRAB  
Robert Banks, Chief Land Use Assistant County Attorney  
Leonard W. Berger, Chief Assistant County Attorney  
Lorenzo Aghemo, Planning Director  
Maryann Kwok, AICP, Deputy Director, Zoning  
Wendy Hernandez, Zoning Manager  
William Cross, AICP, Principal Site Planner  
Jan Rodriguez, Senior Site Planner, Zoning  
Zoning Division Staff



**ATTACHMENT 1**  
**INITIATION – ULDC AMENDMENT ROUND 2018-02**  
 (Updated 06/08/18)

<b>SUMMARY OF KEY MEETINGS AND PUBLIC HEARINGS</b>	
<b>Land Development Regulation Advisory Board (LDRAB) Meetings:</b>	<b>BCC Zoning Hearings:</b>
<ul style="list-style-type: none"> <li>• July 25, 2018</li> <li>• August 22, 2018</li> <li>• September 26, 2018</li> <li>• October 24, 2018 [Land Development Regulation Commission (LDRC)]</li> </ul>	<ul style="list-style-type: none"> <li>• November 29, 2018: Request for Permission to Advertise</li> <li>• January 8, 2019: 1<sup>st</sup> Reading</li> <li>• January 24, 2019: 2<sup>nd</sup> Reading/Adoption</li> </ul>

<b>AMENDMENT / TASK</b>	<b>LEAD AGENCY</b>	<b>SUMMARY OF TASK REQUIREMENTS</b>
<b>ARTICLE 1, GENERAL PROVISIONS</b>		
<b>1.E, Nonconformities</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>• Definitions- Duplicate term "Project"</li> <li>• Identify a minimum percentage that allows existing non-conforming non-residential properties/structures to deviate from property development regulations and remain conforming;</li> <li>• Modify updates to State Status references.</li> </ul>
<b>ARTICLE 2, APPLICATION PROCESSES AND PROCEDURES</b>		
<b>2.B, Public Hearing</b>	<b>Zoning/ Facilities</b>	<ul style="list-style-type: none"> <li>• Codify PPM ZO-O-063 pertaining to processing Public Ownership (PO) Zoning District deviations application.</li> </ul>
<b>2.D.7, Reasonable Accommodation</b>	<b>County Attorney</b>	<ul style="list-style-type: none"> <li>• Concurrent with modifications to Article 4 for Congregate Living Facilities, Nursing/Convalescent, Facilities and Medical Offices, modify to address allowance of Reasonable Accommodation process and procedures.</li> </ul>
<b>ARTICLE 3, OVERLAYS AND ZONING DISTRICTS</b>		
<b>3.A General; 3.B Overlays; 3.E Planned Development Districts</b>	<b>Zoning/ Planning</b>	<ul style="list-style-type: none"> <li>• Modify to comply with Ord. 2017-036 that amended the Plan to introduce the Congregate Living Residential (CLR) designation. Additional Articles in the Code may be affected.</li> </ul>
<b>3.B Overlays</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>• Delete references to Special Permit to be consistent with recent amendments to Art. 2.</li> </ul>
<b>3.B.15 Overlays-Urban Redevelopment Area Overlay (URAO)</b>	<b>Zoning/ Planning</b>	<ul style="list-style-type: none"> <li>• Identify and modify requirements of the URAO to facilitate development in the Overlay.</li> </ul>
<b>3.D Property Development Regulations</b>	<b>Zoning/ Planning</b>	<ul style="list-style-type: none"> <li>• Identify and modify requirements for parcels within the RR-2.5 Future Land Use (FLU) and the Agricultural Residential (AR) Zoning District, where legal lots exists less than the 2.5 acres. Additional Articles in the Code may be affected</li> <li>• Identify and modify requirements for Multi-family housing as it relates to property development regulations for Land Lease housing.</li> </ul>
<b>3.D.2 Property Development Regulations - PDRs for Specific Housing Types</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>• Identify and modify requirements for Zero Lot Line housing Design Standards including graphics and provisions for porches, balconies and other open areas located along the zero-lot-line side of a ZLL home, whether on the first or upper floors, to respond to industry trends. Additional Articles in the Code, PPM-ZO-O-056, and PPM ZO-O-024 ZLL may be affected.</li> </ul>

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<b>3.E, Planned Development Districts (PDDs)</b>	<b>Zoning/ Building</b>	<ul style="list-style-type: none"> <li>• Identify and modify the standards PDD's, such as limits on freestanding sign height, circulation around buildings, and parking for industrial uses and identify areas where they are inconsistent or more restrictive than standard zoning districts;</li> <li>• Identify and modify the requirements for rezoning AGR Preserve Parcels, versus only using the restrictive covenant.</li> <li>• Identify and modify Concurrency process and procedures for AGR Preserve Parcels to ensure compliance with adequate public facilities (i.e. water, sewer drainage, parks, solid waste, etc.) through the Building Permit process.</li> <li>• Identify and modify the DRO authority to modify housing types and the percentage to transfer density from one Residential Pod to another within the same PDD or the same Pod. Additional Articles in the Code may be affected</li> </ul>
<b>ARTICLE 4, USE REGULATIONS</b>		
<b>4.B Use Classification</b>	<b>Zoning/ Planning/ Land Development</b>	<ul style="list-style-type: none"> <li>• Identify and modify Use Regulations standards for multiple uses that are required to be located on an arterial or collector road classification, and compare those requirements to those established Article 11, Subdivision, and/or Article 12 Traffic Performance Standards.</li> </ul>
<b>4.B Use Classification-Residential and Institutional, Public and Civic Uses -Congregate Living Facilities (CLF) and Nursing/Convalescent Facilities</b>	<b>Zoning/ Planning/ County Attorney</b>	<ul style="list-style-type: none"> <li>• Modify to comply with Ord. 2017-036 that amended the Plan to introduce the Congregate Living Residential (CLR) designation within the Urban Suburban Tier. Additional Articles in the Code may be affected</li> <li>• Concurrent with modifications to Article for Reasonable Accommodation, identify and modify the Use Regulations for continuum of care for the rehabilitation industry, and distinguish differences in the regulations for Congregate Living Facilities and Nursing/Convalescent, Facilities.</li> <li>• Clarify that 24-hour nursing is not allowed in a CLF as it conflicts with the definition of the use.</li> <li>• Revise the definition of nursing home to categorize residential treatment pursuant to Chapter 397 as included in the nursing home use.</li> </ul>
<b>4.B.2 Use Classification- Commercial Veterinary Clinic</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>• Allow a Veterinary Clinic to be collocated with an Animal Shelter is allowed subject to the Use Regulations.</li> </ul>
<b>4.B.2 Use Classification- Commercial Landscape Service:</b>	<b>Zoning/ Planning/</b>	<ul style="list-style-type: none"> <li>• Identify and modify Use Regulations for Landscape Services. Staff and Industry have been meeting on a regular basis in 2017 to ascertain how best to accommodate the Landscape Service use that is integrated with the nursery industry. After three subcommittee meetings in April, May and November, the subcommittee motion was to seek direction from the BCC to:</li> <li>• Take into account more than 30 percent of the land area for accessory Landscape Service use, as that is the maximum percentage allowed for accessory uses, or;</li> <li>• Consider a Comprehensive Plan amendment to address this Commercial use in residential or agricultural zoning districts.</li> </ul>

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<b>ARTICLE 5, SUPPLEMENTARY STANDARDS</b>		
<b>5.B.1.A Accessory Uses and Structures-</b>	<b>Zoning/ Building/ Fire</b>	<ul style="list-style-type: none"> <li>Modify language to clarify that accessory structure can exceed the principal use floor area when located in any other tier other than Urban /Suburban.</li> <li>Modify use approval process to be permitted by right for accessory solar units in all zoning districts</li> <li>Identify and modify language to ensure Outdoor storage area are consistent with regulations of PBC Fire Rescue, i.e. heights, size, access roads, water source, etc..</li> </ul>
<b>5.B.1.B Accessory Uses and Structures-Emergency or Temporary Government or Utility Structures</b>	<b>Zoning/ Building</b>	<ul style="list-style-type: none"> <li>Reorganize zoning regulations related to temporary structures and accessory structures primarily reviewed through the Building Division permit review process.</li> <li>Establish regulations to address Temporary Construction Fencing required during construction Standards will include approval process, fencing material, signage and removal timeframes.</li> </ul>
<b>5.F Legal Documents</b>	<b>Zoning/ Building</b>	<ul style="list-style-type: none"> <li>Modify language to ensure that encroachments of buildings, screen enclosures, pools or spaces are prohibited</li> </ul>
<b>ARTICLE 6, PARKING AND LOADING</b>		
<b>6.A Parking; 6.B Loading Standards</b>	<b>Zoning/ Land Development / Code Enforcement</b>	<ul style="list-style-type: none"> <li>Identify and Modify parking requirements for uses to respond to industry trends and current engineering studies; as well as the process and procedures to reduce parking through a Parking Demand Study and Shared Parking Agreement;</li> <li>Identify and modify the regulations for commercial vehicles located within Residential Zoning Districts for Residential uses.</li> </ul>
<b>ARTICLE 7, LANDSCAPING</b>		
<b>7.G Enforcement</b>	<b>Zoning/ Cty Attorney/ Code Enforcement</b>	<ul style="list-style-type: none"> <li>Codify PPM ZO-O-061 that addresses illegal removal of trees and penalties and process of trees being illegally removed.</li> </ul>
<b>ARTICLE 11, SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS</b>		
<b>11.A General</b>	<b>Zoning/ Land Development</b>	<ul style="list-style-type: none"> <li>Identify and Modify process and procedures for the review of legal lots. Additional Articles in the Code may be affected.</li> </ul>
<b>ARTICLE 16, AIRPORT REGULATIONS</b>		
<b>16 Airport Regulations</b>	<b>Department of Airports</b>	<ul style="list-style-type: none"> <li>Identify and modify regulations to be consistent with Ordinance 2017-025. Address issues from the Florida Department of Transportation and Department of Aviation and Spaceports for consistency with the Florida Statutes. Additional Articles in the Code may be affected</li> </ul>
<b>PRIVATELY INITIATED AMENDMENTS (PIA) (MAY BE PROCESSED OUT OF ROUND)*</b>		
<b>Pioneer Road Overlay</b>	<b>Zoning</b>	<ul style="list-style-type: none"> <li>Phase 1 – Pioneer Road Property Owner’s Association- Establish a new Zoning Overlay for an area of approximately 508 acres covered by the Pioneer Road Neighborhood Plan which is West of Jog Road along the South side of Southern Boulevard. The Overlay will establish minimum property development regulations such as minimum lot size that preserve the rural character of the area and protect rural and estate home uses.</li> </ul>

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Lee Square	Zoning/ Planning	<ul style="list-style-type: none"> <li>Phase 1 – Identify and modify Articles 3 and 4 to allow residential uses within the Multiple Use Planned Development District (MUPD).</li> </ul>
<b>OTHER</b>		
2018 Comprehensive Plan Text Amendments	Zoning/ Planning	Proposed 2018 Comprehensive Plan amendments, may need the ULDC to be amended to: Address policies oriented to promote urban agriculture in the County where feasible.